

PART II.

REPORTS

FROM

HER MAJESTY'S REPRESENTATIVES

RESPECTING THE

TENURE OF LAND

IN THE SEVERAL

COUNTRIES OF EUROPE:

1869-70.

Presented to both Houses of Parliament by Command of Her Majesty.
1870.

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Reports from Her Majesty's Representatives respecting the
Tenure of Land in the several Countries of Europe.

PART II.

No. 1.

Mr. Bonar to the Earl of Clarendon.—(Received January 6.)

My Lord,

Berne, January 3, 1869.

WITH reference to your Lordship's despatch marked Circular, addressed to me on the 26th of August last, I have now the honour to inclose to your Lordship herewith a Report which, at my request, has been drawn up by Mr. Mackenzie, Her Majesty's Consul at Geneva, relative to the nature and customary conditions of the tenure of land in that part of Switzerland.

Mr. Blunt, to whom, as Third Secretary to this Legation at that time, I entrusted, in the absence of the Secretary of Legation, and in conformity with your Lordship's instructions, the duty of drawing up a Report upon the same subject as regards Switzerland generally, having been for a length of time absent from Berne on leave of absence, his Report has not yet been transmitted to me.

I have, &c.
(Signed) A. G. G. BONAR.

Inclosure in No. 1.

Report by Consul Mackenzie on the Tenure of Land in the Canton of Geneva.

Name of Country.—Switzerland: Canton Geneva.

Total Population.—91,000 inhabitants.

Religion.—Protestants and Catholics, about equal proportions.

Industrial Pursuits.—Watch and jewel makers.

LAND OCCUPATION.

(A.) Small Proprietors.

(B.) Tenants under Proprietors.

There are no sub-tenants. There are no means of knowing in what proportion these several systems exist.

(A.)—SMALL PROPRIETORS.

1. The quantity of land usually held by each varies from 6 to 12 acres, small lots held together, and the larger intersected by other properties.

2. On the death of the owner the land is equally divided amongst the children.

3. The legal method used for the sale, transfer, exchange, or division of such properties is effected by means of an authentic Act, registered at the Bureau des Hypothèques (Mortgage Office), and inscribed on the Cadastre (Land Register). The duty on transfer by inheritance varies from 2 to 12 per cent., according to the degree of relationship. The duty on sale is 5 per cent.

4. The Government does not afford any facility for raising loans upon properties.

By far the greatest number of mortgages are in the hands of private individuals, without any special purpose being specified on the registers.

5. The landed properties of the whole Canton are mortgaged for about one-fourth of their total value. The usual rate of interest is $4\frac{1}{2}$ to 5 per cent.

6. The legal method of registering mortgages is by inscribing them at the Mortgage Office, the cost of registration being $1\frac{1}{2}$ per cent.

7. Permanent crops are vineyards, woods and meadows. Rotation: Root crops, wheat, clover, wheat and oats. Stock bought and kept in stalls. Tillage land, three-fifths; grass land, mowing meadows, two-fifths.

8. Besides ploughs, there are sowing, threshing and winnowing machines used and hired. There are many hired labourers employed, the greatest number coming from Savoy, and engaged by the week, during eight or nine months of the year. Wages vary from 1 franc 35 centimes to 1 franc 40 centimes (1s. $1\frac{1}{2}d.$ to 1s. $2d.$) per day, besides food and lodging found them. Fed and housed like the male labourers. Those engaged by the year, living with their masters, get about 300 francs per annum (12l.).

9. Hardly any of the labourers emigrate.

10. Proprietors live in the villages, generally in detached houses.

11. They are pretty well fed and clad, better in Protestant than Catholic villages. Farmers generally kill a pig in winter. Labourers have good soup and vegetable food every day, and pork and butchers' meat three or four times a week.

12. The whole agricultural population is about 25,400 inhabitants, or about $2\frac{1}{8}$ acres for each individual. It is very difficult to ascertain what is the increase of population.

13. Public opinion generally favourable to existing system.

(B.)—TENANTS UNDER LANDLORDS.

1. The quantity of land usually held is in very small farms; near the town, from 10 to 20 acres each, at a greater distance from the city farms are 30 to 50 acres; very few from 60 acres upwards. No sub-tenants.

2. Conditions of tenure are regulated by a written lease, the duration of which is not less than nine years.

3. Answered as above.

4. Leases may be registered at the Stamp Office.

5. The tenant has no right to remain on the estate after expiration of the lease.

6. The tenant has no right to dispose of his lease or interest in the farm he occupies.

Rent.

1. The general custom is to fix the amount of rent in money. In some instances, as in vineyards, the rent is often received in produce.

2. Rent settled by mutual agreement, and payable yearly six months beforehand.

3. The landlord has no power of raising the rent, but has the right to evict the tenant in case of non-payment of rent or breach of covenant.

4. The legal means of procedure to settle the respective rights of landlord and tenant is by an action before the Civil Court. The landlord has a lien for payment of rent on the live and dead stock of the tenant.

Eviction.

1. To evict a tenant the landlord sends him a summons to appear before the Civil Court, which pronounces upon the merits of the case for or against the tenant. The Court decides if time is to be granted the tenant for payment.

2. Evictions are very scarce.

Improvements.

1. Improvements, especially buildings, are executed by the landlords.

2. When by tenants it is only by special agreements with the landlord.

3. The landlord has a special right (legal) on improvements made by the tenant without remuneration, if not agreed upon beforehand.

4. By preventing such improvements from being removed.

5. Tenants have no means of raising loans for improvements, except on their own personal security.

Miscellaneous.

1. Landlords and tenants live generally on good terms; there is no legislative interference required by tenants besides the common law.
2. The mode of cultivation by tenants is much the same as by small proprietors (as described under that head). Tenants are generally superior as to the mode of cultivation and general circumstances, to small proprietors.
3. Impossible to say, with any degree of accuracy, for tenants, in course of time, become small proprietors, and *vice versa*.
4. There is no emigration in this Canton.
5. System of complete liberty, much valued in this country.
- 6, 7, 8. Never.
9. No steps taken by Government to increase number of owners.
10. Tenants do not receive assistance of any kind to become proprietors.
11. The laws of the country favour the dispersion of land by allowing its division in equal parts amongst the children of the deceased owner.

Copyhold.

There are no tenures resembling the copyholds of England.

General Remarks.

Many of the queries are difficult to answer, from the fact of their referring to a state of thing which does not exist in this country. All land here is freehold, and can be disposed of with the same facility as any other description of property.

By means of the Bureau des Hypothèques (Mortgage Registry Office) the purchaser of land can always know exactly what changes have taken place or charges exist upon the property, and by means of the Cadastre, or Land Register, where every parcel of land is mapped out and numbered. The purchaser has likewise the facility of knowing what an estate is and what are his exact limits.

If there is no emigration, it will naturally be asked what becomes of the surplus rural population? The fact is, there is no surplus; for parents, knowing very well that on their death, the property will be divided, and that it will not suffice for the maintenance of all their children, allow them to go out as farm servants or day labourers; but by far the greater number are apprenticed to some trade or calling, which they can follow in the city or in their native village.

(Signed) ARUNDEL MACKENZIE, *Consul.*
British Consulate, Geneva, October 1, 1869.

No. 2.

Mr. Lumley to the Earl of Clarendon.—(Received January 10.)

My Lord,

Brussels, January 8, 1870.

I HAVE the honour to inclose herewith to your Lordship a Report drawn up by Her Majesty's Consul at Ostend, Mr. Curry, upon Land Tenure in Belgium, called for in your Lordship's Circular despatch of 26th August last, and which Report your Lordship will, I think, find to contain concise and accurate information on the points required.

I have, &c.
 (Signed) J. SAVILE LUMLEY.

Inclosure in No. 2.

Report by Consul Curry respecting Tenure of Land in Belgium.

Name of Country.—Flanders.

Population.—1,490,000.

Religion.—Roman Catholic.

Industrial Pursuits.—Spinning in families at home; manufacture of linens and lace; breweries; flour mills; distilleries of gin; brick kilns; salt refineries; tanneries, &c.

LAND OCCUPATION.

Properties are very much divided. There are many small proprietors, who cultivate their own properties; the others are let for a term from nine to twelve years. There are few, if any, who cause their land to be cultivated on their own account by other persons.

(A.)—SMALL PROPRIETORS.

1. The quantity of land usually held by small proprietors varies considerably from one to ten hectares; it is in general in one lot, and cultivated separately by each.

2. It is the Code Civil which regulates the right of succession. On the death of a tenant leasing land, the lease continues good, to the benefit of his widow and legal heirs.

3. The sale, exchange, or division of property must be made before a notary. When minors or bankrupts are interested, a public sale is obligatory, under the superintendence of the officers of justice. The expenses vary according to the mode employed. The duties payable to Government are from 6½ to 7 per cent. on the amount of the sale. All expenses included, the cost is :—

For private sales	-	-	-	8 per cent.
„ public sales	-	-	-	10 „
By justice	-	-	-	12 „

4. The proprietor can raise loans on his property, giving his property in guarantee. There are banks, special societies, and private individuals, who furnish loans, but never the Government.

5. The interest on mortgages varies from 4 to 5 per cent., and the term from five to fifteen years. The tenant cannot borrow on giving his lease in guarantee.

6. The mortgage deed must be made before a notary public, and registered. The expenses attending amount ordinarily to 3 per cent. of the capital raised.

7. Wheat, barley, oats, buck wheat, potatoes, turnips, carrots; and wheat or barley, potatoes or beans, in rotation. Cultivation is in general by the plough; in some small properties by the spade.

8. Machinery is beginning to be employed on large farms, but very faintly. Women are much employed in work in the fields; their wages are about ½-franc a day, with their food; those who live with the farmer gain from 8 to 10 francs per month. Their engagements are in general for the year, from the month of May.

9. Few labourers emigrate; the cases are rare.

10, 11, 12. Proprietors generally live in towns in the neighbourhood; few on their properties.

13. Public opinion does not ask for any change.

(B.)—TENANTS AND SUB-TENANTS UNDER LANDLORDS.

1. Twenty to one hundred hectares.

2. The tenant can underlet it, if it is not expressly forbidden in his lease; he may then sue the under-tenant without the permission of the proprietor.

3. The tenancy can be created by verbal agreement, or by private signature, if it does not exceed nine years; it can be created by act before a notary public; and it must be before a notary public if the term exceeds nine years.

4. The lease made before a notary public must be registered within ten to fifteen days from its date. The lease by private agreement must be registered within three months of its date, under a penalty.

5. No.

6. No.

Rent.

1. The rent is fixed in money. All contributions are generally at the charge of the tenant. If this condition is not imposed in the lease, the land tax must be paid by the proprietor.

2. The amount of rent is fixed by mutual consent between the proprietor and tenant, payable yearly on the 1st October; ordinarily the payment is not made till six

months after that date; but this is a simple courtesy. The proprietor can exact payment on the 1st October.

3. The proprietor has the right to break the lease, in case of the non-execution of the conditions of the lease; but it must be done by the civil tribunal, who alone can annul the lease.

4. The proprietor has a privilege, to the amount of his rent, on all the produce of the land, and on whatever exists on the farm.

Evictions.

1. If the tenant is in default of payment of his rent, or does not execute the conditions of his lease, the proprietor must bring him before the civil tribunal, who will adjudge on all the questions.

2. Evictions are very rare. If the tenant cannot, from any cause, pay his rent, he, to avoid the expenses of proceedings before the tribunal, voluntarily sells all he has on the farm, and leaves quietly.

Improvements.

1. By the landlord.

2. The tenant is bound by the law for the execution of ordinary repairs.

3. Everything belongs to the proprietor, and the tenant has no right in regard to any ameliorations he may have made.

4. No right.

5. It is the proprietor alone who can raise the loans on the guarantee of the land. The tenant cannot give his lease in guarantee of any loan.

Miscellaneous.

1. The relations between landlords and tenants are in general of the most friendly character. The proprietors do all in their power to protect and support their farmers, and the farmers are very obliging towards their landlords.

2. The cultivation of the large farms is by the plough. The farmers live better, and are more considered than the small proprietors.

3. The same.

4. No emigration.

5. Public opinion does not demand any change.

6. No; never. It would be, in the opinion of many, against the constitution.

7. No limitation of proprietary rights.

8. Any limitation of proprietary rights would be contrary to public opinion.

9. No; never.

10. No. The Government does not interfere. Copyholds unknown.

(Signed) E. T. CURRY, Consul.

Ostend, January 3, 1870.

No. 3.

Mr. Lumley to the Earl of Clarendon.—(Received January 10.)

My Lord,

Brussels, January 9, 1870.

WITH reference to Mr. Wyndham's Report on Land Tenure inclosed in my despatch of the 12th December last, I have the honour to forward to your Lordship copy of a letter I have received from the Baron de Rasse, Senator, relative to outrages of an agrarian nature in this country. In this letter Baron de Rasse encloses extracts copied from the Register of the Archives of Tournai, which I have the honour to forward in original. They refer to laws passed at different periods for the suppression of crimes of the above nature, and which, as your Lordship will perceive from Baron de Rasse's note, are now of very rare occurrence in Belgium.

I have, &c.

(Signed) J. SAVILE LUMLEY.

Inclosure 1 in No. 3.

The Baron de Rasse to Mr. Lumley.

M. le Ministre,

Tournai, le 5 Janvier, 1870.

D'APRES la conversation que j'ai eu l'honneur d'avoir dernièrement avec vous, je m'empresse de vous envoyer quelques documents relatifs au mauvais gré.—

Le premier est un Decret des Archiducs Albert et Isabelle de 1619.

Le second, un Decret de Marie Thérèse de 1752.

Le troisième, un Decret de la même Impératrice de 1778.

J'y joins l'extrait d'un ouvrage constatant qu'en 1821 on se plaignait "du mauvais gré" dans le Tournaisois.

Il y a vingt ans le mal avait fait tant de progrès que le Gouvernement fut obligé de donner suite à des condamnations à mort, pour incendie de récoltes, empoisonnement de bestiaux, et autres méfaits commis pour mauvais gré. Cette crime disparaît insensiblement dans le centre de l'arrondissement de Tournai, mais il se maintient encore dans le village de Rumes et dans les communes frontières de la France du côté d'Orchies. Les propriétaires sont obligés de cultiver eux-mêmes leurs terres ou de les abandonner aux fermiers au taux que ces derniers fixent eux-mêmes. Le mauvais gré se maintient également dans les villages Français le long de la frontière Belge. Il y a quelques années, l'Administration des Hospices de Tournai, qui possédait quelques terres à Sameon (France), ne pouvant obtenir la moindre augmentation légitime sur la location, a été obligée de vendre ces terres aux locataires eux-mêmes à un prix inférieur à leur valeur réelle, mais qui présentait quelques avantages eu égard au taux de location imposé par les fermiers.

Il faut reconnaître cependant que le mauvais gré s'est modifié par suite de l'adoucissement des mœurs. On constate généralement que le fermier évincé ne cherche plus à se venger du propriétaire lorsque celui-ci cultive lui-même les terres qu'il reprend. On remarque d'autre part que le mauvais gré tend à disparaître, là où s'établissent des voies de communication, routes pavées ou chemins de fer, et il disparaît même complètement après quelques années dans les localités où l'industrie vient s'implanter, surtout la fabrication du sucre de betteraves.

Dans quelques villages à l'extrémité du Hainaut, Bruissenal, Frasnes, Ellezelles, il y a de temps en temps des manifestations de mauvais gré, mais elles tendent à disparaître devant l'énergie des propriétaires agissant avec loyauté, ainsi que devant les sévérités de la justice; mais c'est surtout aux progrès de l'instruction et de l'industrie que l'on devra la suppression radicale du mauvais gré,—il appartient à la civilisation de faire disparaître ce dernier vestige de la barbarie.

Veillez, &c.
(Signé) BARON DE RASSE, *Sénateur.*

Inclosure 2 in No. 3.

Extracts from the Register of the Archives of Tournai.

No. 4.

Mr. Lumley to the Earl of Clarendon.—(Received February 15.)

My Lord,

Brussels, February 12, 1870.

WITH reference to the papers forwarded from this Legation on the subject of Land Tenure in Belgium I have the honour to inclose copy of a Report addressed to me by Mr. Consul Grattan of Antwerp with reference to a species of contract recognized by the Belgian Law, the object of which is to regulate the loan or hire of cattle or of any animals employed in agriculture or commerce.

Although little used in this country Mr. Grattan thinks it might be advantageously employed wherever farmers for want of capital are insufficiently provided with cattle. Mr. Grattan observes that any system which would have a tendency to increase the employment or facilitate the acquisition of cattle on farms would no doubt be conducive to the interests of agriculture, and might prove especially so to the tenant class in Ireland under existing circumstances, and he adds, that if landlords were generally so

disposed, it might perhaps be possible to introduce a system under which cattle loaned in this manner might, in the course of time by gradual payments, become the property of the tenant.

I have requested Mr. Grattan to inform me, if he can, of the reason why the contract to which he refers is so little used in Belgium.

I have, &c.
(Signed) J. SAVILE LUMLEY.

Inclosure in No. 4.

Consul Grattan to Mr. Lumley.

Sir,

Antwerp, February 11, 1870.

SINCE the transmission of the Report on the Tenure of Land in Belgium which had the honour to address to you on the 16th of December last, my attention has been drawn to a species of contract recognized by the Belgian Law, the object of which is to regulate the loan or hire of cattle, or of any animals employed in agriculture or commerce.

It has appeared to me advisable briefly to refer to this matter in case the subject should not have been otherwise brought to your notice.

The contract in question is termed a *bail à cheptel*, of which there are three sorts, viz. :—the *cheptel simple*, the *cheptel à moitié*, and the *cheptel donné au fermier*.

Although, it seems, but little, if at all, used in this country, this kind of contract might apparently be very advantageously employed whenever farmers from want of capital are insufficiently provided with cattle.

In default of any special understanding between the parties, the following are the leading principles of law by which these contracts are regulated.*

1. The *bail à cheptel simple* is a lease or contract under which one person lends to another a certain number of cattle or other animals to tend, feed and keep, on condition that all the profits arising out of the natural increase and improvement of the stock, and the wool, are to be equally divided between the lessor and the lessee, the lessee being entitled to the milk, labour, and manure of the animals while under his care,—any loss to be shared equally by both parties. At the expiration of the lease, the full value of the cattle originally placed at the disposal of the lessee must be accounted for by the latter, which renders it of course necessary that the stock should be valued both at the commencement and at the termination of the lease. Neither party is permitted to dispose of any portion of the stock, nor are sheep allowed to be sheared without the cognizance of the owner. The ownership of the cattle continuing to reside in the lessor, it is a principle of law that, in case the animals should be entirely destroyed or lost by some unavoidable accident or calamity, the loss falls upon him alone—*res perit domino*. But should only a portion of the cattle perish under such circumstances, the loss is borne in equal proportions, according to the original valuation, by both parties. The length of the lease may be determined by mutual agreement, but, in the absence of any stipulation, it is held to run for three years.

2. The *cheptel à moitié* is that under which the stock of cattle is furnished in equal shares by both parties, profits or losses being equally divided. All other rules by which the *cheptel simple* is governed apply equally to the *cheptel à moitié*.

3. The *cheptel donné au fermier*, commonly called *cheptel de fer*, is hardly in the nature of a special covenant, but may be considered rather in the light of an accessory stipulation added to the lease of a farm, under which the landlord allows his tenant, for his own benefit, as well as that of the property, the use of a certain quantity of cattle, on condition of the tenant leaving on the farm, at the expiration of the lease, a stock of cattle equal in value to that which he found on it at the time of his taking possession. The term *cheptel de fer*, applied to this particular contract, arises from the cattle attached to the estate being figuratively supposed to be *chained* to it. The owner loses no rights over his property, for which the lessee, however, becomes responsible, so that, unless otherwise stipulated, the accidental loss or even the entire destruction of the cattle must be made good by the tenant, and thus, if at the termination of a lease the cattle is found to be inferior in value to what it was originally, he is also answerable for the deficiency. On the other hand, the tenant profits by the use of the cattle, and, should it have increased in value under his management, is entitled to the excess. The manure produced by the cattle cannot in this case be alienated, but must be exclusively employed

* See Code Civil, Articles 1800 to 1830.

on the farm, otherwise one of the principal objects intended by the landlord in leaving the cattle on the property would be frustrated.

The *bail à cheptel* is founded on the old French common law and local customs, such as the *Coutumes de Berry* and *Nivernais*, which are specially referred to in connection with this subject in Dalloz ("Jurisprudence du Dix-neuvième Siècle"), and is no doubt still in use in France.

I am not aware of any similar custom or practice existing in Ireland; but any system which would have a tendency to increase the employment or facilitate the acquisition of cattle on farms, would no doubt be conducive to the interests of agriculture, and especially to those of the tenant class under existing circumstances. If landlords were generally so disposed, it might perhaps be possible to introduce a system under which cattle loaned in this manner might, in course of time, by gradual payments, become the property of the tenant.

I have, &c.
(Signed) E. A. GRATTAN.

No. 5.

Lord Bloomfield to the Earl of Clarendon.—(Received February 21.)

My Lord,

Vienna, February 17, 1870.

I HAVE the honour to forward herewith Mr. Lytton's Report on the Tenure of Land in this country, which he has drawn up in obedience to the instructions contained in your Lordship's Circular despatch of the 26th of August.

I have, &c.
(Signed) BLOOMFIELD.

Inclosure in No. 5.

Mr. Lytton to Lord Bloomfield.

My Lord,

Vienna, January 15, 1870.

IN accordance with the instructions contained in the Earl of Clarendon's Circular despatch of the 26th of August last, I have now the honour to request your Excellency to be so good as to forward to Her Majesty's Government the following information relative to the laws and customs regulating the tenure of land in Austria.

I greatly regret that it has not been in my power to submit this Report to your Excellency at an earlier date. Immediately on the receipt of Lord Clarendon's above-mentioned Circular, I commenced the collection of the data from which it is written; but the official replies to my inquiries respecting the tenure of land, &c., in the Cisleithan Provinces of the Empire were only received a few days ago, and I am still awaiting replies to similar inquiries respecting the tenure of land and general condition of agriculture in Hungary.

The whole tenure of land throughout the Austro-Hungarian Empire now rests upon the common basis laid down by the Austrian Land Laws of 1848-9.

As I have already had occasion to state in my preceding Report on the Austrian working classes, it was not till the year 1848 that the feudal system was completely abolished throughout the Austrian Empire. Previous to that period the Austrian peasantry were serfs. They were legally subject to forced labour, and it was by the forced labour of the peasants that the estates of the great proprietors (the feudal seigneurs) were cultivated.

In return for this forced labour, however, a certain portion of land was allotted by his feudal seigneur to the peasant serf, and cultivated by the latter exclusively on his own behalf and to his own profit. Under this régime, therefore, the peasant, although a serf, was also a proprietor.

Subject to certain duties payable on transfer, &c., to his feudal superior, the serf, or bondsman, was legal owner of the land he cultivated. He could sell it; he could mortgage it; he could transfer or bequeath it by testamentary disposition. Practically, all such transactions were impeded by the difficulty, expense and inconvenience of them; but, legally, the right of transfer, mortgage and bequeathal invested the bondsman with a proprietary character.

The land laws of 1848-49 abolished the feudal system in Austria, with all its privileges, exemptions and monopolies. The Austrian peasant was thereby converted from a peasant serf into a peasant proprietor; that is to say, the conditions of forced service and feudal impost, under which he previously held the land allotted to him, were then removed, and he was invested by the State with the free and unconditional ownership of it. The manner in which this change was effected was by compensation from the State to the great proprietors for the pecuniary value of the feudal rights of which the State then deprived them.*

The compensation was fixed and provided for in the following way:—

A Commission was appointed by the State for the evaluation of all the properties on which the above-mentioned change of tenure was to be carried out. In the composition of this Commission, all the great proprietors were fully represented.

The Commission, having calculated the pecuniary value of the feudal rights enjoyed by each proprietor, and the consequent compensation due to each proprietor for the abolition of those rights, presented to the Government its estimate of the total amount.

From this estimated total, the Government cancelled one-third. Two-thirds remained to be provided for. The amount represented by these two-thirds, the State undertook to pay in 5 per cent. bonds, the whole debt being redeemable in forty years by annual drawings at par. To carry out this engagement, therefore, it was necessary to provide not only for the annual interest on the debt, but also for its redemption by means of a sinking fund, within forty years.

One-third of the amount necessary for this purpose is provided for by a tax levied exclusively on the new peasant proprietors, and regarded as the price payable by them to the State for the immense advantage which they have derived from the Legislation of 1848. The remaining one-third is assessed as a sur-tax on the local taxation of each province, and annually voted as part of the local budget by each of the Provincial Diets.*

The result of this arrangement is, that of the total amount of compensation assigned by the Land Commission to the great proprietors, one-third has been altogether disallowed by the State, and one of the remaining two-thirds is raised by a tax levied upon the great proprietors themselves. Virtually, therefore, the compensation they receive for the abolition of their feudal rights is only one-third of their estimated pecuniary value.

The great proprietors generally (and, so far as I am competent to judge, justly) complain of this. But there are, at the present moment, very few of them who are not ready to admit that, in despite of this apparent injustice, in despite also of the great inconvenience and heavy pecuniary loss to which they were subjected by the suddenness of the change through which they have passed, that change has been on the whole decidedly beneficial to themselves, as well as to all other classes of the population, from an agricultural no less than from a social point of view. The improved condition of the peasant is, in most provinces of the Empire, conspicuous. The great proprietors constrained, in order to escape ruin, to cultivate their estates more carefully, have supplied the place of forced labour by greater scientific knowledge, and more efficient machinery. The result is that many of them have doubled and some have trebled the income of their properties since 1848, whilst the average market price of land has risen at least a hundred per cent., and in some provinces still higher, in that period.

It is obvious, however, that, whatever may be the benefits derived in Austria from the Austrian Land Laws of 1848, they could not be expected from the application of those laws, or laws based on the same principle, to any country—such as England or Ireland—where the system of tenant-farming is universal. That system has never at any time been prevalent in Austria.

The laws of 1848-49 created, it is true, an entirely new class of peasant proprietors, and that class is now, on the whole, a thriving one. But those laws left intact the old class of great proprietors, whose properties are at this day as large as (and much better cultivated and more remunerative than) they were previous to 1848. The Legislation of 1848 in Austria did not turn tenant-farmers into proprietors, for the bondsmen whom it emancipated already were proprietors. It simply converted feudal proprietorship into free proprietorship. It did not deprive the great proprietors of their properties; it only deprived them of certain feudal rights over the property of others.

* These bonds are called "Grund Entlastung," or Land Disincumbrance Bonds. They are issued for every province separately; the amount in each province limited to the sum fixed by the Commissioners for indemnities to the landowners of the province. The bonds are given to each landlord in proportion to the amount of his claim for indemnity as established by the Commission.

But the same legislation applied to Ireland or England, or any country where the whole soil is cultivated by tenant-farmers, would sweep away altogether the entire class of existing proprietors, and deprive them of that for the forcible deprivation of which no compensation is possible. In short, the legislation which was, in Austria, a reform, would, in Great Britain, be a revolution.

It is for this reason that I deem it unnecessary to dwell at greater length on the Austrian Land Laws of 1848, and I have only thus cursorily described their general principle and mechanism, in order to avoid the necessity of constant reference thereto in the course of those answers which I now proceed to offer to the queries accompanying Lord Clarendon's Circular of the 26th of August.

II.

(A.)—SMALL PROPRIETORS.

1. (a.) In the Alpine districts of Austria (the Tyrol, for instance, Salzburg, Carinthia, a great part of Styria, and the mountainous parts of Upper and Lower Austria), the average size of peasant properties is from thirty to forty acres; and in some parts of the country, where the woods are not State property, many peasant proprietors own as much as from 1,500 to 2,000 acres a-piece, about 1,000 acres of all such properties being entirely woodland.

In the mountainous districts, where intercommunication is difficult, these small properties are generally held together. In the lowland country they are often intersected by other estates, or held in separate lots.

(b.) In those provinces where agriculture is most scientific and most productive, viz., Bohemia, Moravia, and Silesia, it is practised on a large scale; and the greater part of the soil is in the hands of the great proprietors, who, from time immemorial, have possessed estates of wide extent. Each of these great domains may be reckoned, on the average, at not less than 10,000 acres of arable land, and from 6,000 to 10,000 acres of woodland. The area of many of them is even as much as 60,000 acres. They are cultivated with great care and skill, on the most approved methods. About one-third of the whole land of Bohemia is absorbed by these large estates.

The petty estates belonging to peasant proprietors form but a very small proportion of it. The average extent of such estates is from fifteen to fifty acres. But a very large number of the Bohemian peasantry possess only a small patch of garden ground; and, as the produce of it is insufficient to support them, this class of the peasantry hire themselves out as agricultural labourers to the larger proprietors. The proportion of the larger properties of the Bohemian peasantry to these small ones is one to three.

(c.) In Upper Austria (exclusive of the mountainous districts above-mentioned), small proprietors are the predominant class. The average size of a peasant property in the lowland country of Upper Austria is from forty to sixty acres. But many of these properties are not less than from 200 to 300 acres in extent.

(d.) In Lower Austria (exclusive of the mountainous districts above-mentioned), the state of agriculture and the distribution of landed property are similar to those of Bohemia and Moravia. Here large properties prevail, and form about three-tenths of the whole productive soil of the province, with a total area of 1,009,816 acres.

(e.) In the lowland districts of Styria and Carniola, the land is chiefly in the hands of small proprietors. In the last-named province especially, the dispersion of property is very great. This fact is chiefly attributable to the conquest of the province by Napoleon I. As part of the kingdom of Illyria, Carniola was thereby subjected to the French code, which abolished all previously existing limitations of the right of division and descent,—limitations which were not abolished in the other Austrian provinces until last year.

(f.) In Galicia, three-fifths of the whole productive soil of the province is cultivated by large proprietors, whose estates vary in extent from 1,000 to 20,000 acres. A property of twenty acres is in that province considered sufficient to maintain a peasant family. Some peasants, however, only possess from one to two acres of land a piece; and these, like the same class in Bohemia and Moravia, maintain themselves and families by the wages they earn as agricultural labourers. The local tribunals greatly facilitate the dispersion and division of land in Galicia.

(g.) In the Bucovina, again, large estates prevail. These large estates, however, chiefly consist of woodland; and some of them are of gigantic extent. The Radantz

and Kempolung domains, for instance, which until the other day were State property, comprise forests which cover 164,000 and 117,000 acres of land.

2. The Austrian Civil Code regulates the division and descent of all the assets of every deceased Austrian citizen, and consequently of all immoveable as well as moveable property left by the deceased. The law regulates descent and division according to the following principles:—

If the deceased has left a will, and, of course, assuming the will to have been proved valid, the law assigns the property of the deceased to the instituted heir or heirs, or legatee or legatees.

If the deceased has died intestate, the law assigns his property to his legal heirs, that is to say:—

(1.) To his children and their descendants:

(2.) To his father and mother, together with his brothers and sisters, and their descendants:

(3.) To his grand-father and mother, together with the brothers and sisters of his parents, and their descendants:

(4.) To his first great-grandfather and mother, together with their descendants:

(5.) To his second great-grandfather and mother, together with their descendants:

(6.) To his third great-grandfather and mother, together with their descendants.

Each of these lines excludes the next succeeding ones.

Under certain circumstances, the legal right of inheritance can also be claimed by the illegitimate and by the adoptive children, and by the surviving spouse of the deceased.

In regard to immoveable property, no preference is accorded to eldest sons.* For instance:—If there are three sons and two daughters surviving, the law divides the estate of a deceased intestate in five equal portions between these, his five children. An exception exists in the case of family entails (“majorats”). But these majorats cannot be constituted without the consent of the legislative power. The law of succession with regard to entails and majorats is governed by the constituent charter (whether last will and testament, family treaty, or other deed) of the founder of the majorat; and this instrument, is as above-mentioned, subject to the approval of the legislative power.

3. All immoveable properties in Austria, such as estates, houses, &c., are inscribed upon the books of the Public Registration Office; and the legal possession of all such properties, as also of the rights therein vested, can only be secured by the entry in the public register of the names, titles, claims, &c. of the proprietors, usufructuaries, mortgagees, &c.

These entries are executed by the Office of the Registrar-General, and are conditional upon a judicial decision in favour of the claims entered. This decision is only issued after the deed of sale, transfer, exchange, &c., has been proved, and found by the competent court sufficient to establish the legal claim or title in favour of which it is granted. Without such an appropriate deed or document, no entry can be effected in the public registers.

The duties payable for these entries vary from 1 per cent. to 3½ per cent. of the value of the immoveable property to be transferred; and they are assessed in proportion to the time which has expired from the date of the preceding transfer. The duty payable on mortgages is 1 per cent. on the amount to be mortgaged.

4. Special facilities for raising loans upon immoveable property are afforded by special public companies, banks, savings' banks, &c. All these establishments are independent of the State; although, in point of fact, some of them have been constituted under Government protection, and endowed by Government with special privileges. The terms of these establishments for loans upon landed securities are generally either repayment at a fixed date, or six months or a year after notice; or else by instalments, within from 15 to 32 years.

5. They are in general not heavily mortgaged. The cases in which a property is mortgaged for more than half its value are quite exceptional. A few years ago the total aggregate value of all investments on mortgage throughout the whole empire was estimated at from 15 to 1,800 millions of florins. There are no official statistics for the last two or three years. The usual rate of interest was, till quite recently, 5 per cent. But two years ago the laws against usury were abolished, and since then the rate of interest has risen to 6 per cent. But this rise in the rate of interest has been accompanied by a considerable increase in the annual number of loans upon immoveable property. In connection with this, and the preceding question, I may here mention that an immense impetus was given to the establishment of credit banks and companies, &c., by the change effected in position of the agricultural classes under the

* Here the assumption is, of course, that the deceased has died intestate.

operation of the Austrian Land Laws of 1848. Indeed, so far as I can ascertain, no institutions of this kind existed previous to that period. The most important of those now existing are the Austrian "Credit Institute," with a special capital of 40,000,000 for loans on mortgage; the "Mortgage Bank of Bohemia;" the Austrian "Boden Credit Anstell;" the "Agrar Bank;" and the Galician "Provincial Credit Institute," which is an establishment of older standing. The total number of these establishments, however, is insufficient to meet the demand of the owners of land. The highest interest at which these banks advance money on landed security is 7 per cent., their usual rate of interest being, as before stated, 6 per cent. It is the opinion of the Government that this rate of interest is too high to afford effectual relief to the wants of the landed proprietors, especially the small proprietors; and that it is out of all proportion to the produce of the land. Landed proprietors can only afford it by combining agricultural with commercial or manufacturing industry. The loans on mortgages made by these banks and companies amount only to 6 per cent. of the total loans on mortgage. The remaining 94 per cent. are invested by private capitalists and savings' banks.

The whole amount of the landed property of the Cisleithan division of the Empire was, in the year 1857 incumbered with an aggregate debt of 1,085,321,409 florins (108,532,140*l.*, assuming the exchange to be at par), of which 379,893,098 florins fell on "seigniorial" property. The value of the whole area of productive soil throughout the Cisleithan Empire, was, in the same year, about 5,538 millions of florins, consequently the proportion of the mortgage to the value of the land was 1 to 20.

6. This question has been already answered. (See answers to question 4.)

7. The chief agricultural produce of the Cisleithan Provinces is corn. In Bohemia, Moravia, Austria Proper and Silesia, however, hemp, flax, rape seed, and hops are also grown; and in Galicia and the Bucovina tobacco is cultivated. In Bohemia not only hops are largely cultivated, but also potatoes and clover; which latter is also one of the principal crops grown in Styria, Moravia, Carniola, and Austria Proper. Turnips and beetroot are especially cultivated in Austria Proper, Bohemia, Moravia and Galicia. The modes of cultivation differ in the different provinces.

(a.) In the lowland districts of the Alpine countries the triennial system (with half the fields laid-up) prevails. In the highlands of the same countries corn is sown for two or three successive years, and then the land is turned into pasturage for two or even sometimes for from four to five years. The soil is dunged every third or fourth year with from three to four cwt. of stable dung per acre.

In the highlands of Styria the woods, or portions of them, are occasionally felled (not stubbed), the brushwood burnt, and the soil thus temporarily won for agricultural purposes is sown.

In Bohemia, Moravia and Silesia the system followed by the great proprietors is chiefly that of annual rotation. The peasant proprietors follow the triennial system with partial, and sometimes even entire, cultivation of the fallow ground. In proportion, however, to their capital and intelligence, the small proprietors adopt the system of the great ones.

The system followed on the flats of Lower Austria is the triennial, with half or all the fields laid up. The biennial and quadriennial system of cultivation is very rarely followed anywhere. The methods of manuring are, for the most part, defective.

In Upper Austria (with the exception of the highlands) the triennial system is universal. The fallow grounds are generally sown, with clover chiefly, and also with turnips, cabbage, flax, and hemp.

In Lower Styria and Carniola the rotation system is not yet practised, and there is a marked decrease of production. The principal produce of these provinces is maize, beans, gourds and potatoes. With these crops the farmers generally mix other vegetables. For instance—with winter corn, lents on the edges; with summer corn, poppy, beans and carrots or potatoes, with millet and hemp, &c. In some parts of Lower Styria, however, they sow in regular succession—1, maize; 2, wheat; 3, turnips or potatoes; 4, rye, and, as after-seed, buckwheat.

In the Bucovina, no regular farming system is followed. In Galicia, the farming system approaches to the triennial; but with no systematic succession. Maize is often sown for six successive years. One of the chief obstacles to the improvement of agriculture in that province is, I am informed, the universal employment of the laid-up fields as pasture ground. The manuring of the soil on the small properties, too, is very insufficient. The great landed proprietors have lately adopted the system of rotation of crops, in a modified form, leaving the land fallow at certain intervals. They manure every 8 or 10 years (4 cwt. to the acre).

(b.) With regard to the second portion of this question which refers to the raising and pasturing of stock, and the proportion between tillage and grass land, I beg to offer the following information:—

(1.) In the highlands the breeding of horned cattle is practised on a large scale, and with great success. The system adopted is the "almwirthschaft" (or Alpine system). The peasants, in these parts of the country, usually possess, besides their lowland farms, large pasture-grounds on the upland; and these pasture-grounds form the chief part of the peasant properties in those provinces where they exist.

Thus, in Salzburg, three-fourths of the landed property of the whole province consists of woodland and mountain pasture, and only one-fourth of tillage and meadow.

In Styria, the proportion between tillage and grass land is 1 to 4. The cattle are driven to the lower parts of the highland range towards the end of May. In the middle of June they are driven up to the higher parts, where they remain till the end of September. Their winter food is scanty, consisting only of hay and straw, with occasionally turnips; clover is given only to the horses. Sheep also are bred and fed in these countries, at an elevation of from 7,000 to 9,000 feet.

(2.) In Bohemia, Moravia and Silesia, where the average proportion between grass land and tillage is 18 to 5 (in Bohemia 49 to 17; in Moravia 52 to 19; in Silesia 49 to 20), live stock are fed not only on natural pasture of all kinds, which is very abundant, but the leys and refuse sold by the various distilleries, breweries and sugar refineries also serve as food for cattle.

It is only by the great proprietors that live stock is raised on a large scale; these proprietors are great breeders of sheep. The peasant proprietors in the above-mentioned provinces also breed sheep, but of coarser wool, and in smaller quantities.

(3.) In Upper Austria there is but little grass land, and no great breeding of cattle. Cows are often used for draught. The stock of sheep is small. The cattle are fed on straw and sour hay.

(4.) In Lower Austria the proportion of grass land to tillage is 1 to 2.17 (viz., 1,396,791 acres in tillage, 387,542 acres meadow, and 157,837 acres pasture). The quantity of live stock raised in this province is large in proportion to the extent of natural pasture. The food for cattle is chiefly provided by the breweries in the neighbourhood of Vienna. The cows are fed on lucerne and fodder maize; large quantities of milk and other dairy produce are produced. Sheep breeding is also extensively carried on in this province. The great proprietors breed fine wools; the small proprietors coarse wools. The abolition of the seignorial rights of pasture has diminished the quantity, but the quality has improved.

(5.) In Lower Styria and Carniola very little live stock is or can be bred. Here horned cattle is rarely fed in stall; even in winter it is usually turned out to graze on the heaths and commons. The regular winter food of the black cattle is foliage and copse, and when yet very young it is often used for draught; hence the breed is bad. The minute division of property and the stoney character of the soil in these provinces is unfavourable to the cultivation of meadows. The proportion of tillage to grass land (including pasture) is 10 to 7.

(6.) In the Bucovina stable-feeding is only adopted by the German settlers. In the lowlands tillage and garden ground cover from 30 to 60 per cent. of the whole soil, and grass land only from 26 to 40 per cent. In the highlands tillage and garden ground are only 2 per cent., and grass land 28 per cent. of the whole soil.

The reason of this is that 70 per cent. of the whole soil is woodland, and the population of the highland country too sparse for the tillage of large fields; hence the wide extent of grass land, which needs no cultivation. Sheep are bred here in large quantities. The flocks and herds remain out nearly the whole year round, and their winter food is mostly moss, copse and thistles.

(7.) Galicia exports large quantities of black cattle (more particularly oxen), but these are not raised in the province itself. The great proprietors purchase them in Russia during the autumn, and sell them, after feeding them up during the winter on the dregs and wastes of the distilleries and breweries, &c. A few of the great proprietors have lately introduced fine breeds of sheep. The proportion between tillage and grass land (pasture being included in the latter) is 1.9 to 1. The grass is mostly of bad quality. The average produce of the commons is 4½ cwt., and of the meadows 14 cwt. per acre.

8. (a.) In the mountainous parts of the country machinery is rarely employed, and agricultural implements are mostly of a very primitive kind. In the Noric provinces the double plough is generally used.

Hired labourers also are rarely employed in these parts. Some cottiers there are

who find employment as hired labourers on the same farm all the year round; but of hired day labourers, in the ordinary sense, there are none, the agricultural labour of these parts being almost entirely furnished by domestic and farm servants. The cost of one such servant is estimated at from 120 to 200 florins (12*l.* to 20*l.*) per annum.

(b.) In Bohemia, Moravia and Silesia, machinery is largely employed not only by the great, but also by the small, proprietors. It is all of very good quality. A complete system of drainage (though not tile drainage) has been known and practised for centuries in these provinces. The meadow cultivation here is declared by competent judges to be excellent. The price of agricultural labour is low, owing to the density of the population, which in many parts is considerably over 5,000 to the square German mile. The average rate of wages is from 50 to 70 kreutzers per diem for a male, and from 30 to 50 kreutzers for a female labourer (1*s.* to 1*s.* 4½*d.*, and 6½*d.* to 1*s.*). Men farm-servants' wages are from 25 to 40 florins (2*l.* 10*s.* to 4*l.*); maid-servants' from 15 to 20 florins (1*l.* 10*s.* to 2*l.*), with their clothing partly found by the proprietor, and part of their wages in kind.

(c.) In Upper Austria machinery is little used, and drainage little practised. The peasants there keep so many domestics that they can dispense with hired labour, even in the busiest season of the year. Men and maid servants are well paid and fed. A good man-servant's wages are from 60 to 80 florins (6*l.* to 8*l.*) a-year, a good maid-servant's from 30 to 70 florins (3*l.* to 7*l.*). The daily rate of wages (in addition to board found) is 40 kreutzers (9*d.*) in summer, and 30 kreutzers (6½*d.*) in winter. The annual cost of a good farm-servant is from 110 to 150 florins (11*l.* to 15*l.*).

(d.) In Lower Austria machinery is employed by most (though not all) the large proprietors, and the most modern steam-ploughs and sowing-machines are much used.

The number of agricultural labourers is 159,000. The number of proprietors 116,000. Except in the manufacturing districts, the supply of agricultural labour is sufficient. In those districts, owing to the greater demand, the rate of daily wages is 1 florin (2*s.*); elsewhere it is only 40 kreutzers (9*d.*).

(e.) In the lowlands of Styria and Carniola, for the reasons already mentioned, the condition of agriculture is altogether very bad. No machinery. Wages exceedingly low.

(f.) In Galicia and the Bucovina machinery is only employed by a very few large proprietors.

In the last-mentioned province the scarcity of labour is so great that contracts are frequent between the great and small proprietors, whereby the former provides the land and seed, the latter the labour, and the produce is divided between them. In Galicia labour, though not abundant, is less scarce. The peasant generally keep no servants, and the small proprietors often hire out to the large ones the labour of themselves and families.

9. Throughout the Empire emigration of agricultural labourers is very rare. In some parts of Bohemia only, which suffer from over-population, agricultural labourers emigrate to America, Russia and Hungary.

10. The small proprietor generally lives on his property. The great proprietor often resides elsewhere, and manages his estate indirectly by means of a steward. It is, however, unprofitable to obtain detailed information in reply to this question.

11. In most of the provinces, and especially in Upper and Lower Austria, the small proprietary is decidedly flourishing; the owners of small properties are able to maintain themselves in a considerable amount of comfort. Their mode of life is less expensive, less luxurious and more primitive than that of our great tenant farmers; but it is an easy and independent one, and they are a well-contented and well-to-do class. In Galicia, notwithstanding the natural fertility of the soil, the condition of the peasantry is by no means good. They live in wretched and flimsy tenements of wood and clay, their small properties are destitute of farm-buildings, their fare is of the coarsest description; they are, in short, altogether a backward class. But I am informed by some of the great Galician proprietors that since 1848, and in consequence of the change then effected in the tenure of land, the condition of the Galician peasantry has greatly improved, and is still improving.

12. The replies to this question will be found, at least so far as I am yet able to furnish replies thereto, in the Statistical Tables at the end of my Report.

13. So far as I am competent to judge, a favourable opinion as to the results of the Land Laws of 1848, though not unanimous, is decidedly prevalent.

(B.)—TENANTS AND SUB-TENANTS UNDER LANDLORDS.

From all the preceding statements it will already have become apparent that the tenant-farming system, common to Great Britain and Ireland, is practically unknown in the Austrian Empire. Here the tenant system is quite exceptional, and unmarked by any interesting feature. The only parts of the Empire which furnish occasional instances of tenant farming are, Görz, Gradiska, Istria, Dalmatia, and a part of Carniola. It is, therefore, to these districts that the following reply to Question 1 (B) must be understood as applicable only:—

The last-mentioned provinces, which are traversed by the Karst Mountains, have a rocky barren soil, in which only dells and slopes here and there are covered with black earth. These patches of tillage and grass land are small: their cultivation is rendered exceedingly irksome, both by physical conditions and a great deficiency of labour. For these reasons, the proprietor, instead of cultivating them himself, generally lets them to the colons. Properties of this kind sometimes cover 20,000 to 30,000 acres. But only a very small portion of them is productive; and the amount of land farmed by the colons is generally very small also, because the colon only farms as much land as he can cultivate by means of his own family, without hired labour.

2, 3, 4, 5, and 6. All these questions I have taken leave to place together; because, as they all have reference exclusively to the principles and practice of Austrian jurisprudence in regard to the conditions of tenancy, I think they will be most conveniently answered by a short exposition of the law of this country, so far as it bears upon each of the points therein enumerated.

If Question 2 be assumed to have only in view the legal character of a simple lease resting on contract between the owner and administrator or manager of an estate, the answer to it must be sought in Articles 1090 to 1121 of the Austrian Civil Code.

From these Articles, which are lengthy, I will here extract only so much as appears to have special reference to the questions raised.

Article 1095. "If the contract for hiring is entered in the public books, the right of the person hiring is to be considered as a real right, which the consecutive possessor must submit to for the remaining time" (Question 4, B). The Austrian system of property sequestration has already been described. Vide answers to Questions 3 and 6 (A).

Article 1096. "The lessees and lessors are bound to deliver and maintain the property farmed or let in a serviceable state at their own expense, and not disturb the tenants in the stipulated use or engagement thereof. The farmer has himself to bear the usual repairs of the farm-buildings only so far as they can be covered with the materials of the estate, and the services which he is justified in demanding according to the qualification of the estate; but the other repairs he must give notice of to the lessor, in order that he (the lessor) may provide for them."

Sub-tenancies.—Article 1098. "Tenants and farmers are authorized to use and employ the things farmed and let for the time fixed by the contract; or to give them in second hand hire, or subtenure, when this can be done without disadvantage to the proprietor, or has not been expressly forbidden in the contract" (B, Question 2).

Duration of Tenancy in the Absence of Agreement.—Article 1116. "In so far as the duration of a contract for letting or hiring* has not been determined either expressly or tacitly, or by particular stipulation, he who wishes to dissolve the contract must give six months' notice to the other in case a lease has been contracted; in case an immoveable thing has been let, a fortnight's notice; and for a moveable thing twenty-four hours' notice before the delivery is to take place" (B, Question 3).

Tenancy of Alienated Property.—Article 1120. "If the proprietor has alienated and delivered to another the thing let or farmed, the tenant must give way to the new possessor, after the proper notice, if his right has not been registered in the public books. But he is justified in demanding full compensation from the lessee or lessor for the damage suffered or the profit lost thereby."

Article 1121. "In case of the necessary judicial alienation the tenant must give way to the new buyer, even when his right is registered as a real right; only, in regard to compensation, the right of preference is reserved to him."

* Article 1090, "The contract whereby some one receives the use of an inconsumable thing, for a certain time and for a fixed price, is called in general a contract for hiring." Article 1091, "The contract for hiring is called a deed of conveyance when the thing hired can be used without being worked, but a lease when it can only be used with application and trouble."—Austrian "Civil Code."

With regard to the subject of Question (B) 3, I may here mention that, in the seventeenth chapter of the Austrian Criminal Code, which treats of contracts in general, it is laid down by Article 863, that will and intention can be declared "not only expressly by the words and signs generally adopted, and also tacitly, but also by such acts as, in consideration of all the circumstances connected therewith, admit of no reasonable doubt."

From the foregoing extracts it will have been seen, (1) that the nature of the tenure and its duration are commonly determined by the terms of the contract between landlord and tenant. Where the relations between the contracting parties are undecided by express stipulation, the law decides them by reference to such acts of the contracting parties as supply the place of explicit declaration; and where these also are wanting, by the apparent will and intention of the contracting parties. Tenancies, however, are generally created by written agreements; and, in the absence of express stipulations as to duration of tenancy, the law authorizes the termination of leases on short notice, although, as a general rule, notice to quit cannot interrupt the completion of the ordinary lease year.

Conformably with Articles 1117 and 1118 of the Civil Code, moreover, the tenant is legally entitled to throw up his contract before the stipulated expiration of the lease, when an important part of the thing let or farmed has become unserviceable by accident, or is withdrawn for a longer time, or when the lessor or lessee no longer maintain it in a serviceable state. Similarly the lessee or lessor can, on his part, demand the previous dissolution of the contract, when circumstances arise, which will be found stated under the head of Rent, in answer to Question 3 of that section of Lord Clarendon's Circular.

2. Sub-tenancies are assignable by the tenant, without the consent of the landlord, unless the contract of lease contains stipulations to the contrary.

3. Written agreements can be registered in the manner already described, but the registration of them is not obligatory. If, in addition to the personal rights which a tenant has already acquired by virtue of the written agreement between him and his landlord, he desires to obtain or secure a real right in the estate of the landlord, it will probably be necessary for him to register the written agreement in the public books as an incumbrance on the estate of the lessor, and the latter may, for divers reasons, be disposed to grant such a security. But the registration of ordinary written agreements between landlord and tenant is not common.

4. There is no law whatever which expressly gives to a tenant the right of selling his interest in his farm. But the law accords to every Austrian citizen the right of selling his property and assets; and the law regards as the property of the tenant those rights which accrue to him by virtue of the agreement concluded between him and his landlord. Therefore there can be no doubt that the tenant, when not restrained by contract from acting on his abstract right, can legally sell his farm. In point of fact, however, leases are almost invariably drawn with a proviso, especially prohibiting the sale of the tenant's interest in his farm, without the special consent of the landlord, and for the obvious reason, that the solvency and personal character of the farmer are matters of paramount importance to the landlord in the granting of leases.

But there are other forms of tenure (besides those which are created by simple leases) which Questions (B), 1, 2, 3, 4, 5, and 6, may be supposed to have in view. There are, for instance, those which are created by what Austrian law terms onerous or obligatory contract, and also those which involve divided or limited possession.

It is, in speaking of the latter, that I shall have occasion to answer Question 5 (B).

Contracts of the first-named description, that is to say, which have for their object services to be rendered by one person to another, do not confer upon the tenant any real right in the estate (any more than a contract for lending *commodatum*), even when such contracts have been entered in the public registers. The right of the tenant in such cases is only analagous to a real right, in so far as he cannot be disturbed in the exercise of it by any new proprietor of the estate.

The case is different as regards those tenures in which a division of the rights of property is presumed, and such a division is always presumed by the Austrian Civil Code in regard to fee-farms and copyholds.

The nature of these tenures is thus defined by Articles 1122 and 1123 of the Civil Code:—

Article 1122. "The contract by which the 'dominium utile' of an estate is delivered to some one as hereditary property, under the condition that he will pay for the yearly usufruct thereof a yearly fee, in proportion to the value of the produce (consisting

either of money, produce, or service rendered), is called an hereditary fee-farm ("locatio conductio hereditaria").

Article 1123. "When an insignificant fee is paid by the possessor only in acknowledgment of the right to the estate, the estate is called copyhold ("prædium emphyteuticum"), and the contract concluded in regard to it is called a copyhold-contract ("contractus emphyteuscos").

It is these tenures only which furnish the case contemplated by (B), Question 5. For it is only in these cases (when the hereditary right of property is divided between the lessor and the lessee) that the lessee can legally maintain himself in undisturbed possession of the estate he tenants, even against the will of the lessor, provided he continues to discharge the duties stipulated in regard to the preservation and management thereof, and to pay the stipulated rent. The law even assumes that the rent is not to be raised above the stipulated rate; but it also assumes that rate to be fixed in proportion to the annual produce of the estate, and to form an aliquot part of the same, the amount of the rent rising, in the same relative proportion, with every increase in the value of the produce. This, at least, is the case in regard to fee-farms, but not in regard to copyholds, the rent of which (for the reasons stated in the above-quoted Article 1123) is not variable.

It is, I think, unnecessary to enter into the distinctions maintained by the Austrian Civil Code between "paramount property" and "dominium utile," because these distinctions have lost nearly all practical importance since the abolition of the "nexus subditelæ," the backbone of the feudal system, in 1848. "Seignorage" and "socage" then disappeared throughout the Empire. The Civil Code, however, which was promulgated in 1811, was not introduced till some years later into the Lombardo-Venetian Kingdom, Dalmatia, Görz, Istria, the German and Italian Tyrol, and Salzburg. In these provinces the Civil Code, even at the present moment, remains only partially operative, owing to various local circumstances, and chiefly to the impossibility of establishing there the complete system of obligatory land registration which is contemplated by the Code, and by which its operation is elsewhere sustained.

Owing to that circumstance, great uncertainty of tenure still prevails in some of the above-mentioned provinces. But, even if it were possible to obtain a complete collection of the various judicial decisions to which they have given rise, I venture to think that such decisions would contribute nothing to the legal solution of any social or political difficulties, attributable confusion, or uncertainty of tenure which have their origin in the totally different circumstances of Ireland.

Rent.

1. Usually by share of the produce; the proprietor often, but not always, supplying the seeds and manure. In the most fertile, and parts of those few provinces where tenancies exist the tenant's share is one-half or one-third, and in the less fertile parts three-fifths or four-fifths, of the produce.

2. In reply to this question I can obtain no reliable data. Rent is usually paid half-yearly.

3. This question has been partly answered already. The lessor of a fee-farm can in no case raise the rent. The ordinary lessor (unless expressly so entitled by the terms of the lease contract) is likewise without any legal power to raise the rent, in a direct manner. But, in point of fact, he can, and does practically, effect that object (viz., the raising of the rent) by the indirect means of eviction, that is to say, immediate dissolution of contract. He must in that case, however, give six months' notice to the tenant; and the law only authorizes eviction, in any case, on the grounds of (1) essentially injurious use of the property by the tenant, (2) non-payment of rent, (3) when a building which has been let must be rebuilt.

If, after due warning, all arrears of rent are not paid up by the tenant at the expiration of the term, an ordinary lease is voided by the withdrawal of the estate from the tenant. If the fee of a fee-farm remains in arrear for more than a year, the lessor can demand either distraint on the produce of the farm, or the judicial sale of it to a new fee-farmer.

4. The Law of 1868 enables the landlord to seize the effects of the tenant to the value of half-a-year's rent, for ordinary claims, and to the value of a whole year's rent, for the recovery of claims for rent; and claims for rent have precedence over all others. It has been already mentioned, in reply to Question 2 of this series, that rent is usually paid half-yearly (sometimes it is paid quarterly); but I should mention here that it is also, as a general rule, paid in advance, and the punctual payment of it is secured by

caution-money, which the tenant deposits in cash, Government paper, or mortgage, to the amount of from 10 to 50 per cent. of the yearly rental. The right of seizure extends to moveable property belonging to the tenant on the land, or which, though not actually on the land, can be proved to be for use connected with the land. The landlord is also entitled to demand security for rent due, without proof of a probable deficit, and without the production of any written agreement or other document in support.

In cases of eviction for non-payment of rent, the tenant is not allowed to redeem. The only legal means of eviction are by action brought before a competent tribunal; and eviction can only legally be effected in conformity with a judgment obtained from such a tribunal, in due form of common law. It has already been mentioned, in connection with preceding questions, that the Austrian Civil Code only recognizes certain grounds of eviction as legal. On no other grounds than those enumerated in reply to Question 3 of this series can a tenant be legally evicted from his holding. From this fact it is obvious that, as no tenant can be arbitrarily evicted, and no landlord can evict a tenant except in virtue of a judgment obtained upon legal grounds, there are no legal means whatever for resisting eviction.

A remission of the rent of the farm can be demanded by the farmer, when the produce of an estate, farmed only for one year, has been reduced to more than half the usual produce in consequence of extraordinary occurrences. If the farmer maintains that he is entitled to the remission of the whole farm rent, or a part of it, either in virtue of the contract, or the law, he must, without loss of time, give notice to the lessor of the misfortune on which his claim is founded, and must cause the facts thereof to be investigated (if they be not notorious), either judicially or by, at least, two experts. Without this precaution his application will not be listened to. On the other hand, the right of the lessor to compensation for damage sustained by his property in consequence of misuse on the part of the tenant or sub-tenant, expires altogether if the enforcement of it, on legal grounds, be not judicially demanded within one year after the farm has been returned to him. At the expiration of the lease the tenant is bound to deliver back the farm in the usual agricultural state of cultivation, with reference to the season at which the lease expires; and no objection, on the ground of compensation due, or even of the previous right of property, can release the tenant from this obligation.

The farmer is bound by law to keep the farm buildings in repair; but only in so far as the expense of such repair is covered by the materials and services of the estate. If the tenant has incurred any necessary or useful expense properly belonging to the lessor, on behalf of the property let, he is by law considered as a manager of a business without mandate; and a manager of a business without mandate is thus defined by Act 1036 of the Civil Code:—"Whoever manages the business of another, in order to prevent imminent damage, although he was not called upon to do so, is entitled to demand compensation for the necessarily and properly incurred expense from the person whose business he has managed, even if his endeavours have remained fruitless without his fault."

But, in order to obtain compensation on this ground, the tenant must demand it judicially within six months after giving up the farm, otherwise he loses his title to it.

Evictions.

1. This question has been completely answered in my reply to the preceding one (*vide supra*), with the exception of that part of it which refers to notice to tenants. If the lease contract expressly stipulates the giving of notice, the time and manner in which notice must be served are governed by the terms of the contract. If the contract contains no stipulation on this point, the law allows six months' notice.

2. No statistical information whatever can be obtained on this subject. My impression is, that evictions are certainly not frequent. It must be remembered, however, that the tenures which admit of eviction are also exceedingly rare.

Improvements.

1. This is a question commonly determined by the terms of the contract between landlord and tenant. When it is not the subject of contract in cases of ordinary lease, the principle laid down by the law is, as already stated (*vide answer to Rent, Question 4*), that the farmer bears such expenses as are covered by the materials of the estate, and the landlord all others. Improvements, therefore, are, practically, at the charge of

the landlord. In cases of fee-farm, however, the fee-farmer, as "dominus utilis," bears all such expenses. Here I may as well mention that the tendency of Austrian legislation is to get rid of fee-farms and copyholds.

2 and 3. The law allows and provides no special security for improvements to tenants. It does, however, recognize claims on their part to compensation under various conditions, and in various circumstances. The extent to which such claims are recognized by law has already been fully pointed out in my reply to Rent, Question 4, *et ante*, whereby it will have been seen—(1) in what cases the tenant is regarded by the law as "the manager of a business without mandate;" (2) that no claim to compensation can relieve the tenant from the obligation to evacuate the farm, and to restore it in proper condition, at the expiration of the lease; (3) that claims on the part of tenants, for compensation made, must be embodied in a judicial demand within six months after the delivery of the farm to the landlord, on pain of forfeiture.

4. By reference to the inventory, which is generally drawn up by experts. In case the contracting parties cannot agree as to compensation claimed on one side or the other, the lessor, or lessee, may demand (on the ground of the existing inventory) a judicial valuation, *ad perpetuam rei memoriam*, on which to found a suit for compensation. Most contracts contain stipulations, the object of which is to enable this to be done within the time allowed by law for the prosecution of all such claims.

5. There are no banks specially established for the assistance of tenants in this respect, nor do they enjoy any particular facilities for raising loans from the various existing credit companies, banks, &c. On the contrary, if they can afford no other security than their leases, they will, doubtless, experience the greatest difficulty in borrowing money from those establishments. (*Vide* answer to Question 4 (A).

Miscellaneous.

1. It is difficult to reply with precision to this question. In Dalmatia, I believe, disputes between landlord and tenant are frequent, arising chiefly from contested rights of pasturage and woodland, but in no part of the Empire has any special legislation yet been thought necessary for the protection of tenants.

2. The mode of cultivation practised by these tenants is exceedingly primitive and rude. In those parts of the country where such tenancies are to be found, the proportion of arable land to the rest of the soil is only from 6 to 15 per cent., and, owing to the general steepness of the ground, the greater part of it is cultivated with the hoe instead of the plough. The plough is only employed on the plain, and the only iron part of it is the share. The produce of the Karsh countries consist chiefly of maize, wheat, barley, potatoes, turnips, with very small quantities of clover and other pasturage herbs.

The rotation system is unknown, and the soil, naturally poor, suffers great exhaustion from the bad system of cultivation. The cultivation of cotton, however, has been recently tried in Dalmatia, and (as I am officially informed) with great success.

Between 40 and 60 per cent of the soil of Dalmatia is pasturage of the poorest kind. The breed of cattle is bad. Sheep breeding succeeds somewhat better. There are about 800,000 head of sheep in the province. A common practice there is for the landlord to let his herds to the tenant, who, for the produce of the wool, pays a fixed annual rent, and is bound to restore to the landlord at the expiration of the lease the same number of grown-up sheep as he received when he took the lease. The standard of living is of course very low and rude. These tenants are in all respects inferior to the small proprietors. The landlords do not live on their estates. Their rents are very small.

3 and 4. Information of a reliable kind is entirely wanting on these subjects.

5. I should say that it is unfavourable to such a system as I have described above.

6. Now the soil is free in Austria. The Land Legislation of 1848, which abolished the "nexus subditelæ," has already been described. There can be no doubt that both the value of the landed property, and the prosperity of the whole agricultural class have been greatly augmented by the results of the great measures carried in 1848 with regard to the land. This fact has rendered entirely unnecessary such measures for the protection of the agricultural population as are contemplated by Questions 6—10. The laws of 1848 abolished copyhold, and that system now lingers only in those provinces where vassalage did not exist previous to 1848. But even there it is dying out under the influence of the new institution.

7, 8, 9 and 10. All these questions have already been answered.

11. The laws originally prohibiting or limiting the dispersion of small peasant properties have been abolished by subsequent legislation. Laws for facilitating the accumulation of land do not yet exist; but a Bill intended to promote that result is at this very moment in course of preparation by the Government.

III.

Very little remains to add to the information contained in the answers to the foregoing queries. I find it impossible to ascertain what is the exact numerical proportion between tenant-farmers and proprietors; but some indication of it may be derived from the fact that the territories of Görz, Trieste, Gradiska, and Dalmatia, which are the only parts of the Empire where the land is farmed out on system, represent an area of only 361 German square miles, whereas 4855 German square miles are cultivated by the respective owners of it on the "self-management system." Wherever, in the foregoing portions of this Report, "large landed proprietors" have been spoken of in contradistinction to small ones, reference must be understood to the owners of those estates which are entered in the public registers as "Seignorial" and pay, as such, a certain amount of taxation. These large landowners form special groups of electors for the Provincial Diets, and are specially represented as a class. The small proprietors are not so privileged.

For some time even after the abolition of *cavies*, *socage*, &c., in 1848, peasant proprietors remained subject to certain restrictions which have recently been removed, on the ground that they impeded the development of agricultural industry. Of those restrictions the most important was the "*Beshiftungs-zwang*," a law, namely, which limited the rights of descent and division, and the power of attaching and transferring any part of landed properties under a certain size. These restrictions no longer exist in any part of the Empire, except in the Tyrol; and consequently the only privilege enjoyed by the great landowners is that of class representation.

Between the relative social, intellectual and economical conditions of the great and small proprietors, however, there is an enormous difference. Whilst, on the one hand, there is undoubtedly a marked improvement in the social and intellectual standard of the Austrian peasantry since the emancipation of it in 1848, and whilst the general value of the whole productive soil of the Empire has so greatly improved that the market price of land has, in most provinces, risen more than 100 per cent. since that period; on the other hand, there can be no doubt whatever that every impulse in the way of agricultural improvement has come, and continues to come, exclusively from the great landowners. It is to them alone that the introduction of improved machinery, manure, drainage, breeds, &c., is owing, even in cases where such improvements have been successfully adopted by the small proprietors. In this respect the peasantry have shown no initiative. My personal impression is that the two classes have mutually benefitted, and greatly benefitted, by their co-existence and juxtaposition, and that the total annihilation of either class would involve a material disadvantage to the remaining one. But it is a notorious and striking fact that, in this most agricultural Empire, agriculture flourishes only in those provinces where great estates and great landowners prevail; and that, in all those parts of the country where the peasant proprietor predominates, the state of agriculture is singularly rude and primitive.

In conclusion, I have only to repeat that the contents of this report have reference solely to the Cis-Leithan provinces, and that I am obliged to reserve for a subsequent occasion all consideration of the agricultural condition of the Kingdom of Hungary.

I have, &c.

(Signed) BT. LYTON.

Annex (A).

Provinces.	Proprietors.	Area.	Per German	Tillage, Meadow,	Per
			Square Mile.	Garden, Pasture.	Proprietor.
		Square Miles (German).	Proprietors.	Acres.	Acres.
Lower Austria..	116,274	344.49	337.52	1,926,940	16.57
Upper Austria..	73,233	208.47	351.28	1,094,015	14.93
Salzburg ..	12,123	124.52	97.36	250,752	20.68
Styria ..	134,521	390.19	344.75	1,238,468	9.20
Carinthia ..	28,718	180.26	159.31	434,551	15.13
Carinthia ..	50,714	173.57	292.18	893,076	17.61
Trieste ..	55,442	138.82	401.54	981,914	17.61
Görs ..					
Gradiska ..					
Istria ..					
Vorarlberg ..	112,742	509.62	221.22	894,871	7.90
Bohemia ..	199,415	902.85	220.87	5,471,515	27.43
Moravia ..	97,753	386.29	253.05	2,724,006	27.86
Silesia ..	27,244	89.45	304.57	569,774	20.91
Galicia ..	496,091	1,364.06	368.68	8,438,532	17.01
Bucovina ..	56,404	181.61	308.92	935,219	16.66
Dalmatia ..	46,634	221.30	209.77	1,449,334	31.07
Total ..	1,507,308	5,216.50	288.95	23,177,612	15.37

Annex (B).

Produce Ms.	Provinces.					
	Bucovina.	Salzburg and the Styrian Highlands.	Bohemia, Moravia, Silesia.	Upper Austria.	Styrian Low- lands and Lowlands of Carinthia.	Galicia.
Wheat ..	17	{ Winter Wheat 12-20 Summer Wheat 8-12 }	12-14	16-22	15-18	14
Rye ..	19	12-20	12-14	18-25	15-22	12½
Barley ..	19.5	10-25	18-30	20-28	20	13
Oats ..	25	18-40	18-30	25-35	25	12-19
Potatoes ..	..	120-150	100-200	..	..	..

No. 6.

Sir A. Buchanan to the Earl of Clarendon.—(Received January 17.)

My Lord,

St. Petersburg, January 12, 1870.

I HAVE the honour to inclose herewith to your Lordship Part I of Mr. Michell's Report on the tenure and cultivation of land in Russia, which may be more correctly described to be a Report on the characteristics of the law under which serfdom was abolished, and on the effects which that measure has had on the material and moral well-being of the peasantry, on the interests of landlords, and on the general prosperity of the country.

The subjects which the question embraces are therefore so numerous and multiform that it has only been by assiduous labour on his own part, in collecting materials by personal observation and the study of works recently published in Russia, and through the assistance of gentlemen well acquainted with the subject, that he is now able to forward the first part of his Report, described in the Table of Contents as "General Considerations." This portion of it will, however, I feel assured, be read with much interest by your Lordship, from the light which it throws upon the social condition of the people, and the authentic information it affords on the present state and future prospects of agricultural industry in the empire.

Mr. Michell has painted in strong colours the evils which have resulted by over-legislation with respect to the economical relations of landowners and their tenants, and from the communal principle on which the arrangements of the Emancipation Act are founded.

The Communal system is, however, considered by many Russians to have served its time, and as likely soon to die out, though they defend it as a necessary measure of police, alleging that the tranquillity and well-being of the country might have been seriously compromised if complete personal liberty had been at once granted to the peasantry.

Mr. Michell also represents the resources of the country and the national wealth to be increasing, in spite of the communal organization of the rural population, an improvement which must partly be attributed to the rapid extension of railways. The right of holding land by the commercial and industrial classes, which during serfdom was restricted to the nobility, must, however, also exercise a powerful influence on the prosperity of the country, from the enterprise and capital now likely to be employed in agriculture. In many districts the price of land has already increased from 50 to 100 per cent., but in estimating the importance of such an apparent increase in its value, it is necessary to consider that the rouble, which when payable in silver before the Crimean War was worth 3*s.* 2*d.* sterling, is now rarely worth more than 2*s.* 8*d.*, and has at this moment fallen to 2*s.* 5½*d.*

I hope to be able to forward the rest of the Report by next messenger, and I feel assured that your Lordship will agree with me in considering it one of the most interesting and instructive works which have yet appeared in English upon the internal condition and resources of this empire.

I have, &c.

(Signed) ANDREW BUCHANAN.

Inclosure in No. 6.

Report by Mr. Michell on the System of Land Tenure in Russia.

PART I.—GENERAL CONSIDERATIONS.

IN 1861, when the laws that now regulate the tenure of land in Russia Proper came in operation, at least eighty per cent. of the population were more or less firmly attached to the soil which they cultivated. The mass of the people of Russia was composed of villeins (*adscripti glebæ*), who, under the denomination, severally, of serfs, crown peasants, and appanage peasants, were owned by the landed aristocracy and gentry, by the crown, and by the Imperial family.

The Government and social institutions of the country, its financial and military systems, were in harmony with the political condition of the mass of the population. The rights which the lord exercised over the serf were represented in the cottage by the power and privileges of the patriarch peasant over the members of his family living under the same roof, while the Government wielded an unlimited authority over all.

Continued in Russia so long after the abolition of its worst forms in Western Europe, serfage had kept at an exceedingly low level the moral and material condition of the husbandman.

That debased condition reacted on the development of other classes of society, and effected prejudicially the constitution and resources of a State whose inherent weakness was only to a certain extent concealed under the military system that prevailed until the end of the reign of the Emperor Nicholas, when a great national disaster caused the weakness to be acknowledged and a remedy to be sought.

Many attempts had indeed been already made to mitigate the evils of serfdom, which was practically introduced during the reign of Theodore, by his Minister, or rather Regent, Boris Godunoff,* when the customary migrations of the peasantry from the lands of one proprietor to those of another were prohibited by a law that attached the agricultural classes to the soil which they tilled on the day of the Festival of St. George, in the year 1592.

Peter the Great prohibited the sale of serfs without the land on which they were established, although, by converting the old house-tax into a poll-tax, and making the landed proprietors responsible for its due collection, that sovereign contributed perhaps as much as Boris Godunoff to the final enslavement of the Russian peasantry.

Catherine II., who gave the Russian nobility a Charter of Rights, and laid the foundation of a middle class, did not extend much of her wise legislation to the condition of the rural population. She studied the subject, and offered a prize of 1,000 ducats for the best Essay on the question, "Is it the interest of the State that

* Serfage in Russia was therefore not a consequence of conquest as in other countries; it was a right given to the lord by the sovereigns of Moscow.

the peasant should possess land in freehold, or that he should only hold personal property? And how far should the rights of the peasant to hold property extend, in the interest of the State?"

Serfage was introduced into Little Russia and Lithuania in the reign of the Empress Catherine, who gave the example, followed by her successor Paul, of distributing serfs among the nobility. It was thus that some favourites owned as many as 30,000 male serfs.

But, on the other hand, some of the measures of Catherine may be looked upon as indicating a desire to introduce more legality into the relations between proprietor and serf. Thus, she followed the example of Peter the Great in confiscating the serfs attached to monasteries, who were more oppressed than any other class of serfs. She placed them under a separate administration and established a fixed poll-rent of 1 rouble 50 copeck per male.

In 1797, the Emperor Paul attempted to limit the power of the lord over the serf by enacting, that the latter should only be called upon to render three days' service, or socage, in the week, but the law was never carried out.

After the national war of 1812, the minds of Russian statesmen became very much impressed with the necessity of liberating the serfs, and the Emperor Alexander I created a class of "free agriculturists," while his powerful Minister, Arakchéef, devised a scheme of military colonization, under which the Russian "Crown peasant" was expected to do duty as a soldier, and to cultivate the soil in conformity with regulations minutely prepared for each season of the year, and strictly enforced by military officers armed with whips. The peasant was made to live in a model cottage in which he was forbidden to disturb a single article of furniture, and to live generally after the highest pattern of good conduct and civilization.

Those colonists, however, rebelled,* and, like the "free agriculturists," reverted to their former condition of peasants attached to the domains of the Crown; and the enlightenment which the Government had attempted to force upon them was swamped, as it were, in the overwhelming flood of ignorance by which they were surrounded, and has left not the slightest trace.

It was only in the reign of the Emperor Nicholas that the subject of emancipation began seriously to occupy the attention of the Russian Government.

In 1826 a secret Committee† was appointed by that Sovereign to inquire into the entire organization of the Empire. After sitting for three years the Committee produced, under the personal supervision of the Emperor Nicholas, a project of reform which included the withdrawal of class privileges, the establishment of a common degree of "honorary citizenship," and the abolition of serfage, on the basis of endowing the peasantry with personal liberty, and of respecting the proprietary rights of the aristocracy and gentry in regard to the soil.

The Ukazes by which these measures were to have been promulgated were ready for the Imperial signature when the French Revolution of 1830 caused the project to be abandoned, and the documents relating to it to be deposited under seal in the archives of the Council of the Empire, where they are still preserved.

But the labours of the Committee were not entirely in vain. After issuing a Rescript enjoining the landed proprietors to treat their serfs "with legality and as Christians," the Emperor Nicholas issued an Ukaze in 1828, by which the estates of proprietors who behaved harshly to their serfs were ordered to be placed under the administration of trustees.

Another Rescript was addressed to the Minister of the Interior insisting on the due observance of the law issued by the Emperor Paul, by which the terms of socage were not to exceed three days in the week.

That law had never been to any great extent obeyed, for, as it did not specify the quantity of land for which not more than three days' service was to be rendered, the landed proprietor imposed his own terms by threatening to reduce the allotment of which the serf had the usufruct.

In 1842 the peasantry were permitted to make terms with their lords in respect to the quit-rent‡ leviable from them in money and the extent of their land allotments, on condition, however, of their remaining under the jurisdiction and in a manner attached to their lords.

Some years later, in 1847, they obtained the right of purchasing their freedom

* In 1831.

† Its title was "Committee for the Examination of the Papers of the Emperor Alexander I."

‡ This term will be employed throughout as the equivalent of the Russian word "Obrok," *redevance en argent*.

and the lands they occupied, whenever the latter were put up for sale by public auction.

Again, in 1848, the serfs were allowed to purchase in their own names lands that were not populated, provided the lord gave his consent.

They had previously been permitted to purchase land in freehold, on condition of the title-deeds being drawn up in the name of the lord, for, as the serf had no civil rights, he could execute no legal instruments.

But comparatively few serfs availed themselves of the law of 1848, which was indeed never generally known to them, the Government having caused it to be promulgated in a manner calculated to prevent excitement among the rural classes, and the landed proprietors being at that time very apprehensive of an agrarian insurrection.

All these acts of legislation,* of which no fewer than 108 were produced during the late reign, culminated in a limitation of the right of holding serfs without an adequate provision of land, a minimum of which was fixed for the several provinces.

Nevertheless the Russian serf was practically but little benefitted by all those measures, of which the application was generally too conditional on the pleasure and interest of the landowner. The evils which serfdom had produced were too deeply rooted, and the system of government was altogether so incompatible with the improvement of the political status of the masses, that the worst grievances of the serf remained unredressed. The lord would very frequently exact four days' socage, and occasionally compel all the men, women and children of a village to give their labour on the fifth day also.

As the law did not take cognizance of any complaint of the serf against his master, the latter could flog him with impunity, send him to colonize distant provinces (generally to Siberia), cause him to be enrolled in the ranks of the army, and take from him everything he possessed.

In the western, or old Polish provinces, however, the measures of the Government were more decisive and radical, chiefly for political objects, but partly also because agriculture was relatively so much further advanced in that part of the Empire that it had become the interest of the lord to deprive the serf of the soil he had tilled for his own benefit, and to reduce him to the condition of a landless bondsman.

The relations between the lord and the serf in those provinces were made the subject of minute inquiries between 1844 and 1852, when they were embodied in a series of rules which were applied to the "Inventories," or Settlement Deeds, of the serfs, and to those of the few Crown peasants who were in that part of the country generally leased to landed proprietors—a form of bondage unknown in other parts of Russia.

As it was alleged that those rules had been unjustly carried out by the local bureaucracy under the influence of the landed proprietors, from which class the local officers of Government were principally drawn, those rules were, in 1854, again referred to a Commission, and it was a revision of those rules, instituted by the Russian Government, that led, in 1857, to an address from the nobles of Lithuania,† praying for the abolition of serfage, and also to a memorable Rescript, addressed by His Imperial Majesty to the Governor-General of Wilna, Kowno and Grodno. In that Rescript the Emperor ordered the appointment of a "Committee of preliminary investigation" in each of those provinces, and of a "General Commission for the preparation of the Draft of a law for improving the condition of the serfs in the western provinces."

His Majesty desired that the principal of the new law should be the retention of all proprietary rights over the soil, the peasant acquiring the right of redeeming‡ only his homestead,§ and of renting under an interminable lease, either for money or service,

* The Emperor Nicholas had several times manifested a desire to proceed with the gradual emancipation of the serfs. In 1844 he was dissuaded from carrying out his intentions by the then President of the Council of the Empire, who on bended knees implored His Majesty to abandon a project fraught with so much anxiety and danger. The Emperor Nicholas solemnly bequeathed the work of emancipation to his successor.

† The Polish landowners of Lithuania acted from political motives in forestalling the well-known desire of His Imperial Majesty to liberate the serfs, for their interests having already suffered from special legislation, they apprehended that a scheme of emancipation emanating from a Russian source would be calculated to encroach still further on their proprietary rights. That their apprehensions were well founded may be seen from the special enactments relative to the Land Question in the North-Western and South-Western Provinces after the Polish insurrection of 1862.

‡ "Redemption" will be used throughout this Report instead of the word "Purchase," for the Russian original, "Vykup," translated as *Rachat* in French, implies the purchase back of a thing pledged. The lands are mortgaged to the State, and the peasant buys them back during a period of 49 years.

§ The French equivalent of the Russian word "Usadba," or homestead, is *Enclos*. It includes the cottage, barns, vegetable garden, &c. of a peasant's establishment.—*Vide* abstract of Emancipation Act.

such a portion of land as would suffice to support him, and provide for the fulfilment of his pecuniary obligations towards the lord and the State.

Although the accession of the Emperor Alexander II., in 1855, was considered by all His Majesty's subjects as the dawn of a new era, in which serfdom would be abolished, yet in a secret memorandum* presented to the Emperor by the Minister of the Interior in 1859, it is stated that the first news of the contemplated reform had "given rise to an unaccountable panic among the majority of the landowners. From its promulgation, they expected disturbances; from its execution, the loss of all their property. The abolition of serf labour and the want of capital, the unenlightened condition of the peasantry and the absence of proper local administration, the degree to which properties were intersected, the sale of the homesteads of the serfs, the mortgages on the land, and, lastly, the fate of the smaller proprietors (those holding fewer than twenty-one serfs)—all these circumstances appeared in the light of obstacles that were insuperable. The reform was considered to be applicable to the western provinces,† and impossible of introduction in the rest of Russia."

Measures were accordingly taken to quiet the apprehensions of the landed nobility and gentry, and it was shewn to them that the danger consisted in the procrastination rather than in the introduction of the reform. Gradually its possibility and necessity became acknowledged.

Addresses from other provinces followed, and local committees of landed proprietors were in each case appointed. On the 15th of February, 1858, a "Principal Committee," composed of the Ministers of State and of a few members of the Council of the Empire was established at St. Petersburg, under the immediate direction of His Majesty the Emperor, by whom the chair was later given up to his Serene Highness the Grand Duke Constantine.

Another committee was simultaneously appointed for the purpose of preparing the text of the Emancipation Act ("Comité de Rédaction"). It was composed partly of landed proprietors summoned from various provinces of the Empire; partly of Government officials and jurists.

While the "Principal Committee" dealt mainly with the principle of Emancipation, the "Comité de Rédaction," which was soon after its appointment presided over by General, subsequently Count Rostovtsoff,‡ examined the projects that were forwarded by the "Provincial Committee."

Delegates from the landed proprietors were next summoned to St. Petersburg in two series or batches ("in order to prevent any common action or the formation of parties"), for the purpose of expressing their opinion on the law as projected by the "Comité de Rédaction." Their recommendations were considered by the Committee, and the projected law, having been once more modified, was laid in its complete form before the "Principal Committee," by which it was adopted with a few alterations. But its adoption not having been unanimous at the "Principal Committee," which constituted a kind of Sub-Committee of the Council of the Empire, the projected law was referred to the Plenum of the Council. There again it was opposed in its principles by a majority of the members; but the Emperor having, in the exercise of his legal powers, voted with the minority, the Act of Emancipation was passed, and on the ^{10th February,} ~~3rd March,~~ 1861§, received his Imperial Majesty's signature.

Although dealing only with the serf population of Russia Proper, or the peasantry attached to the lands of the aristocracy and gentry (twenty-two millions), the great Act of Emancipation, which will render imperishable the memory of the monarch who now rules over the Russian Empire, affected indirectly the peasantry of the Crown (twenty-three millions of both sexes) and of the appanages (three millions), who became later the objects of special legislation. The circumstances of the two latter classes of peasantry were only thus far different from those of the serf, properly so called,—that their rents were both lower and less variable than those exacted by the landed proprietors. They paid a money rent, and, as their earnings could not be taken from them by any rapacious landowner, they generally considered themselves "freemen," although their right of locomotion was as much circumscribed as was that of the serfs.

In some respects the position of the Crown peasant was perhaps inferior to that of

* Published in "Russian Archives," Moscow, 1869.

† The old Polish provinces, where legislative interference between the proprietor and the serf had already been attempted.

‡ One of the conspirators of 1825 pardoned by the Emperor Nicholas.

§ This law will in future be cited as the Act of February 19, 1861.

the serf. Before 1837, he was under the immediate jurisdiction of a local Finance Board and of a police officer, and, as these officials were not numerous, their exactions were not intolerable. When, however, the Crown peasantry were placed under a separate administration, represented in the provinces by a multitude of inspectors and sub-inspectors, who looked to be supported in affluence by the people over whom they were placed, their position became to a great extent assimilated to that of the serf, but instead of having, like the latter, one master to satisfy, they had an average of ten. These were mainly supported out of the produce of a portion of land, which was tilled in common in each village for the purpose of creating a reserve of corn, to be used in case of famine, and for the support of schools and other institutions intended to improve the moral condition of the peasant. It is a matter of notoriety, however, that the greater part of the value of the produce thus raised was divided, according to a nicely adjusted scale, among the officers connected with the central and local administration of the Crown Domains. Nor was the administration of the appanage peasants, to any appreciable extent, more moral. And thus, whether serf, Crown peasant, or appanage peasant, the Russian husbandman was still in a condition of villeinage, and at the mercy of those who were above him.

The mode of the final settlement of the appanage peasants in 1863, and of the Crown peasants in 1866, will be described in another part of this Report, which has for the present to deal with the serfs, who, in 1861, constituted a population of about twenty-two millions, or nearly ten millions of males, of whom three-quarters of a million were domestic serfs, and as such not in the occupation of land,* and half a million attached to various mines and works.†

It would appear from the information laid before the Emancipation Committee, that the number of proprietors who owned serfs in Russia Proper was at that time 103,158.

Only 23 per cent. of these owned more than 100 male serfs, while 41½ per cent. held an average of not more than 21 serfs, and 35½ per cent. between 21 and 100 "souls."

Of the total area of land in the possession of those proprietors, namely, about 301,000,000 acres,‡ nearly 100,000,000 acres were held by their serfs, either at a rent in money or service, or under a mixed liability both in money and service.

Each male serf therefore enjoyed the usufruct of about 10 acres of land. The quit-rent levied by the lords varied greatly in the provinces, less in proportion to the productiveness of the soil and the income of the serf, than to the necessities of the landed proprietor, who could afford to claim less rent if he possessed a more than average number of serfs. When in want of funds the lord had recourse to a loan, which he readily obtained from the State on the mortgage of his serfs and lands. In such cases it often happened that the extra charge of interest and sinking fund was added to the serf's quit-rent, who thus actually suffered a money loss for being mortgaged on account of his lord's pressing necessities.

It was one of the first endeavours of the Emancipation Committee to arrive at a correct estimate of the quantity of land cultivated by each serf for his own benefit, and of the amount of quit-rent and service for which he was liable. There was considerable difficulty in settling these important questions, for the landed proprietors were interested in returning small allotments of pasturage lands and meadows, which were generally held in common by the serf and the lord, and in over-estimating the money equivalent for the services rendered in addition to the payment of quit-rent, such as work in the kitchen-garden, orchard, &c.; for on the one estimate would greatly depend the quantity of land which they might be called upon to cede, on the other, the amount of compensation to which they would be entitled in case the money relations between proprietor and serf should be settled by the Legislature.

Practically, in Central Russia, where the lord owned, as was commonly the case, a sufficient quantity of land, he allowed each male serf the usufruct of about 3 dessiatinas (8½ acres) of arable land, irrespective of commons and pasturage grounds, timber for fuel and building purposes. As the serf population increased he added to their allotments, but, as a rule, taking care that the quantity of land tilled by the peasantry for their benefit should not exceed that which they cultivated for his

* The domestic serfs became absolutely free in 1863. Between 1861 and 1863 they continued to pay their lords the tax previously imposed on them, but which the Emancipation Act fixed at a maximum of 40 roubles (5*l.*) per male, and 30 roubles (4*l.*) per female. They could not claim an allotment of land unless they had been reduced to domestic serfs after 1858, or registered as agricultural serfs.

† These, like domestic serfs, were liberated under special enactments.

‡ 105,200,108 dessiatinas. A dessiatina is equal to 2·86 acres.

own.* Thus, the proprietor of 3,000 acres would not cede the usufruct of more than 1,500 acres, for where the rent was payable in service it was necessary that he should retain 1,500 acres to which the serf labour might be applied, and nine-tenths of the serf allotments in the black soil † provinces (with nearly two-thirds of the population of Russia Proper, and nearly three-quarters of all the serf lands in Russia), were held for service—not at a money rent.

The application, therefore, of the principle of retaining half the arable land for the benefit of the lord led to a limitation, in the black soil provinces, of the area of land allotments per head of the serf population, as the latter increased.

In the industrial provinces, on the contrary, it was the interest of the lord to increase the area of serf holdings, in order to raise the amount of quit-rent.

It was only the vastness of the lands in the north of Russia and in the steppe country beyond the Volga, that raised the average allotment of arable land per male serf to about 10 acres, as already stated.

The serfs that paid quit-rent in lieu of rendering service are estimated at one-quarter of the total serf population, but the proportion of those who held lands at a money rent, in the industrial provinces of Moscow, Wladimir, Jaroslaf, &c., ‡ was much larger, viz., one-half to three-quarters. In the black soil provinces the proportion was only one-tenth, as the lord found it more to his advantage to cultivate the rich soil with serf labour than to take a moderate quit-rent.

The average amount of quit-rent levied in the industrial, black soil and steppe provinces, was returned to the "Comité de Rédaction" as follows:—

			Rs. cop.	to	Rs. cop.
A. Black Soil Provinces	..	..	7 90§		9 30||
B. Steppe and other	..	..	6 16¶	..	9 30**
C. Industrial	..	..	8 7††	..	12 51‡‡

Converted into English equivalents, §§ the average rates of quit-rent levied in each of these groups, per serf, irrespective of his land allotment, appears as follows:—

				£	s.	d.
A. Black Soil Provinces	..	..	..	..	1	3 4
B. Steppe and other..	..	..	..	..	1	1 1
C. Industrial Provinces	..	..	..	..	1	4 9

As the average quantity of land cultivated by each serf for his own benefit is supposed to have been about 10 acres, the mean rate of quit-rent levied from the serfs in money, where they rendered no service, was about 2s. 3d. per acre, ||| while in the

* It is one of the principles on which the Emancipation Act is based, that the cultivable lands reserved for proprietors shall not be reduced to less than one-third of their entire area, or to less than half their area within the zone of steppe country.

† The black soil or "Chernozem" has its northernmost limit defined by a waving line, which, passing from near Kief and Chornigof, a little to the south of Lichvin, appears in the 54° of north latitude in that tract, then advances in its course eastward to the 57°, and occupies the left bank of the Volga, west of Cheboksary, between Nijni-Novgorod and Kasan.

‡ It does not, however, occupy all the vast country within those limits, but in separate areas, sometimes covering several large districts, and varying from a few feet to 15 or 20 feet in thickness. The following is an analysis of this wonderfully fertile soil:—

Silica ..	..	..	..	..	..	..	69·8
Alumina ..	..	..	..	..	..	..	13·5
Lime ..	..	..	..	..	..	..	1·6
Oxide of iron ..	..	..	..	..	..	..	7·0
Organic matter ..	..	..	..	..	..	..	6·4
Traces of humic acid, sulphuric acid, chlorine, &c.	..	..	..	..	..	..	1·7
							<hr/> 130

Vide "Russia and the Ural Mountains," by Sir R. I. Murchison, Bart.

‡ Provinces in which industries are pursued as well as agriculture.

§ Nijni-Novgorod.

¶ Orel, part of.

¶¶ Viatka.

•• Tula.

†† Riazan, part of.

‡‡ St. Petersburg.

§§ At the mean exchange of 32d. per rouble, or 16 per cent. below par. This rate to which the price of commodities in Russia have adjusted themselves, and which is not likely to be more favourable to the Russian currency, will be adopted throughout the Report. At present the exchange is below 30d. the rouble.

||| About 2rs. 40 cops. per dessiatina.

industrial provinces, where money rents were almost the rule, the average rate of quit-rent was 2s. 9d. per acre.*

This is, however, far from representing the actual price paid by the serf for the usufruct of land. His payments in service, where the lord took no money rent, or where the lord took both money and labour, were far more heavy as a rule than the above calculation would make them appear. In some of the industrial provinces, where the peasantry had grown rich, the quit-rent sometimes amounted to 40 roubles (5*l.*) On the other hand, the great landowners would sometimes only exact 3 roubles, or 8s. Whether paying rent in money or service, the serf was, moreover, bound to supply the lord with horses and carts to transport his produce, sometimes with poultry and other contributions in kind, and to render a variety of other services of which the money value cannot be easily determined.

In emancipating the serf from all these obligations, the Legislature had to deal with three distinct interests:—

1. The interest of the serf.
2. The interest of the lord.
3. The interest of the State.

It was necessary to give the serf civil rights, to indemnify the lord, and to secure to the State generally a condition of welfare.

Would these several and collective interests be best promoted by endowing the serf with civil rights, without any expropriation of land in his favour? was a question to which the attention of the "Provincial Committees" was primarily directed. At first, the idea, both of the Russian Government and of the landed nobility and gentry, was, that the emancipated serf should be assisted by the State in the purchase of his homestead, and that the rest of the land of which he enjoyed the usufruct at the date of his emancipation, should be left in his occupation for a term of nine, ten or twelve years, at a rent to be fixed by law, at the expiration of which term the lease of lands should be left to mutual agreement, without any legislative interference. This proposal met with much objection on the part of the advanced Liberal Party in Russia, as well as on that of the Russian Revolutionary Press in London, which had from the first insisted on a compulsory expropriation of land for the benefit of the peasantry, on the ground, principally, that the peasant without land would be reduced to the position of a pauper ("proletariat"). The Liberal minorities of the "Provincial Committees" and "Comité de Rédaction" (the latter strengthened by the admission of the more prominent Liberals of the "Provincial Committees") next began to urge that the peasants should not only be assisted in the purchase of their homesteads, but also in the acquisition of a certain maximum and minimum allotment of land. At last they even proposed the compulsory sale and purchase both of homesteads and land allotments.

It is a significant fact, that the plan finally adopted,—that of permitting the peasantry to purchase, or rather to redeem, in addition to their homesteads, certain fixed allotments of land,—originated with the landowners themselves. The Government had not pointed out the desirability of such an arrangement, when the Committees of Nijni-Novgorod, Kowno, Wilna, Tver, and of other provinces, began to discuss it as the best possible solution of the peasant question. By the month of August, 1859, the Committees over the whole of Russia, and the members of the most opposite interests, had agreed upon the principle of voluntary redemption,† the majority of the landed proprietors having arrived at the conclusion that the land of which the peasants then enjoyed the usufruct would never be restored to them, and that it was therefore better to obtain from the Legislature favourable terms for its tenancy or sale. To many proprietors who were in debt, or whose estates were mortgaged (and the Crown had advanced more than 53,000,000*l.* sterling on such estates), the prospect of obtaining a large sum in Government stock, for the cession of comparatively a small portion of their lands, presented itself in an attractive form, particularly as the abolition of compulsory serf labour would require the application of much capital to the farming of large estates.

A compromise was at last effected even with the Ultra-Liberals, who, having been seriously denounced as wishing to subvert all proprietary rights, and to disturb the finances of the Empire, with a revolutionary object, were obliged to adopt the leading principles on which the Emancipation Act‡ is now based, and which are as follows:—

1. The cession of the perpetual usufruct (tenancy) of the serf's homestead, and of

* Or 2rs. 90 cops. per dessiatina.

† Secret Memorandum presented to the Emperor by the Minister of the Interior, 1859.

‡ An abstract of the Emancipation Act is appended.

certain allotments of land, on terms settled by mutual agreement, or, failing which, on conditions fixed by law.

2. The compulsory sale by the lord, at the desire of the serf, of the serf's homestead, either on terms of mutual agreement or on conditions fixed by law, the right of refusing to sell the homestead without the statute land-allotment being reserved to the lord.

3. State assistance in the redemption (purchase) by the serf of his homestead and territorial allotment, provided the lord shall agree to sell the latter.

As regards, therefore, the interest of the serf, the advantages conferred upon him by the Emancipation Act may be summarized as follows:—

1. The right of a freeman.

2. The right of enjoying, on terms fixed by law, the perpetual usufruct of his homestead, and of certain maximum and minimum territorial allotments, based on the quantity of land which he cultivated prior to the emancipation.

3. The right of converting his liability in service (socage) into a money rent on terms fixed by law.

4. The right of demanding the sale of his homestead from the lord, and the right (subject to the consent of the lord) of purchasing his territorial allotment also.

5. The means afforded by the State of fully and finally terminating, by the redemption of homesteads and territorial allotments, his relations of dependence towards the lord of the soil; and,

6. Communal and cantonal self-government.

The interest of the landed proprietor is protected by the following provisions of the Emancipation Act:—

1. Whether the lord grant the perpetual usufruct (tenancy) or the freehold of the peasant homesteads and land allotments, a money payment, more or less equivalent, based on the rents which he previously enjoyed, is secured to him, and he is therefore called upon to cede without compensation only his political rights over the serf, and his right to the gratuitous labour of the domestic serf.

2. He can insist on the serf purchasing his territorial allotment as well as his homestead.

3. He can refuse to sell the territorial allotment without the homestead.

4. He can avoid the cession of the perpetual usufruct of the territorial allotments fixed by law, by bestowing, as a free gift on the peasantry who shall consent to receive the same, a quarter of the maximum allotment of which they are entitled to enjoy the usufruct, with the homestead on it.

5. He is no longer responsible for the care of the poor or for the payment of the Imperial taxes by the peasantry.

6. He is no longer bound to defend actions at law in which the peasantry on his soil may be engaged, nor to pay the fines, &c., for which, when inflicted on the serf, he was previously liable.

7. He obtains compensation for the loss of serf labour and for the cession of lands in Government stock, in the proportion of 80 per cent of the valuation of the latter.

8. He obtains the means of clearing off any mortgage with which his land may be burdened, and an amount of ready money that will, under favourable circumstances, enable him to conduct his farming operations by means of hired labour and machinery.

The interest of the State consisted in promoting the welfare of the great bulk of its population by stimulating the development of agriculture. But, apart, to some extent, from this interest, the Russian Government was forced by financial exigencies to protect the interest of the Exchequer, by the preservation of the system of poll taxation. This fiscal interest was identical with that of the State institution charged with the "Redemption operation," viz., with the advance of money to the peasantry for the purpose of buying their homesteads and territorial allotments.

The two latter interests were protected by the introduction of a system of collective responsibility under which the peasantry were made to guarantee mutually the exact payment of their quit-rents, taxes and "redemption dues." That collective responsibility was laid on the village communes, which, as corporate bodies, became the purchasers of the land ceded to the peasantry, who thus became in a measure only tenants under communes.

In order, on the other hand, to prevent the dissolution of the commune,—the administrative and financial unit,—the Emancipation Act was calculated, by a variety of subtle provisions, to prevent the peasantry from leaving the soil to which they were, therefore, attached almost as firmly as in 1592.

The effect of the measures adopted for the security and promotion of these several interests, and the details of the measures, the themselves will be reviewed under following heads:—

- I. Effect of the Emancipation Act on the rural population.
- II. Effect on the landed proprietors.
- III. Effect on the welfare of the State.

I.—Effect of the Emancipation Act on the Rural Population.

(1.)—Civil Rights.

The primary object of the reform of 1861 was the emancipation of the Russian masses from serfdom, and their endowment with the rights and privileges of citizens. That was the great aim of the Legislature and, strictly viewed, its interference need have gone no farther in settling the relations of a peasant towards the soil, the lord and State. But a multitude of considerations prevailed in favour of a wider application of legislative intervention. The serfs were supposed to look upon the land which they cultivated as their own,* while their persons only belonged to the lord. The non-recognition of that popular principle might, it was seriously apprehended, have led to agrarian revolt. Civil liberty, without a certain quantity of land, would have been accepted by the agricultural population of Russia as no liberty at all; and, indeed, there was great force in the argument that it was necessary to secure the new freedom of the peasant by placing him in a position of some independence in respect of his former master, the tendency of whose interests might be in the direction of a re-enslavement of the weak and ignorant. That security was to consist in guaranteeing to the free peasant a "minimum of welfare," by the compulsory allotment of land, which he might either lease or purchase on equitable and easy terms, and also in bestowing on him a system of communal and cantonal self-government.

These considerations were, to a great extent, supported by a national school of Democrats and Socialists, who looked upon the free Russian peasant, cultivating his own acres, as the ideal of a citizen destined to regenerate Russia, and to infuse new and healthy principles into the social life and political organization of the Old World.

In the pursuit, however, of this political shadow, much of the substance of the great reform of 1861 was sacrificed. The civil rights granted to the peasantry were limited, in respect to some of the most important conditions of liberty—the right of free locomotion, the withdrawal of which in 1592 reduced the Russian people to a state of serfage; and the right of freely disposing of their own labour, energy and resources, a right which had, since 1592, been vested in the serf-owner. By giving power to the lord to advance his own interests, namely, by granting him the right of compelling the serf to become a purchaser of land with State assistance, where perhaps the land was comparatively bad, and where it was the advantage of the lord to keep the land populated, the Emancipation Act has forcibly made the peasant both an agriculturist and a debtor to the State, which, being his mortgagee, has acquired a vested interest in his immobility. That interest is strengthened by the system of poll taxation, which compels the State to prevent the absconding of the chief contributor to its resources.

On the other hand, the liberties given to the peasantry of Russia may, in some respects, be considered excessive, and not in harmony with the rest of their civil status.

Thus, while the peasantry are firmly attached to the soil,—prohibited from disposing of their labour in the most advantageous manner to themselves,—and while little has been done to raise them by education† from their debased moral condition, their civil rights extend, in a most important particular, far beyond the liberties enjoyed by the peasantry of the freest and most civilized nations. Their self-government, given to them, like the perpetual usufruct of land, as a guarantee of their new freedom, includes the administration of justice within village communes, and the exercise of considerable influence, by numerical preponderance,‡ in the provincial and district assemblies charged with the administration of territorial interests.

* "The land is ours, but we are yours," was at that time stated to be in the mouth of every serf.

† Not more than 9 per cent. of the rural population can read or write.

‡ "The peasantry occupy in Russia a pre-eminent position in the social and territorial organization—pre-eminent not only on account of their numbers, the extent of their possessions, the general revenue and value of their property, but also because they are more perfectly and more independently organized than other classes of society; they are more firmly tied together; they have hardened in their debased internal structure." "Prince Vassilichkoff on Self-Government," St. Petersburg, 1869.

The manner in which the civil rights of the Russian peasantry are, on the one hand, limited to a degree which almost neutralizes them, and, on the other, extended in their communal organization to a point that renders their exercise dangerous both to the liberty of the individual and the welfare of the State, will be shewn at a further stage of this Report under the head of "Self-Government."

Between those two extreme points, however, the Emancipation Act has bestowed rights of which the exercise has had a most important effect on the condition of the rural population. The right of freely leasing and purchasing beyond the pale of legislative interference is, in itself, an immense boon to the Russian people; but a greater boon still has been the withdrawal of civil disabilities in the family life of the Russian peasant. As the Government recognized no rights of the lord except those which it was pleased to bestow, so the lord had an unlimited right over the person and property of the serf, who was regarded by the law only as a chattel; and so the serf, by a natural gradation of slavery, possessed an almost unlimited authority over the members of his family. As in the case of the power of the lord, so in that of the serf,—that authority was not limited to the person who formed part of the family, but extended to his property and the sweat of his brow also. It was only the head of the family that could possess anything, under the social law that bound the serf family together. The patriarch, to whom the lord looked for the satisfaction of all his demands, ruled absolutely in his own hut, which generally gave shelter to a family of from ten to fifteen persons of both sexes and of all ages.* These, as far as their strength would permit, worked together for the common benefit of the household, giving their earnings to the father, brother, or uncle who governed it, and receiving severally, out of the common fund, only as much as the purse-bearer thought fit to give. They had only a right to spend upon themselves, individually, such small sums as they might have earned, exceptionally, as drink-money.

With the exception of the patriarch and his wife, whose position was privileged, all the members of the family shared alike in the food and clothing. The unmarried brother or nephew worked for his brother or uncle who might have a wife and several children.

The incorrigibly idle were, as a rule, expelled from the family commune by being made over to the recruiting officer.

Male members of the household seeking the means of existence in towns, a thousand miles away, were under the same obligation to contribute to the common fund the balance, were it ever so small, of their hard-earned gains over their parsimonious expenditure for the necessaries of life. Did they fail to send their contribution, the power of the patriarch would soon bring the wanderer back to his roof-tree, probably on foot. The term of his passport would elapse, and the patriarch, by refusing his consent to its renewal, would force him to return, by the alternative of being taken up by the police and kept for months in prison as a vagrant.

Under such a system the heads of peasant families were often rich, but their members penniless. There was no incentive to individual exertion, since its result would only be to increase the riches and power of both the lord and the patriarch. On the death of the latter, each son would receive an exact share of the accumulated wealth, whether he had contributed to it or not, and would, in his turn, become the head of a family, with patriarchal powers and privileges.

There was no appeal even from corporal punishment when inflicted by the patriarch, just as the latter was himself liable to be flogged without appeal by the lord, who, in his turn, could be summarily and arbitrarily punished by the supreme authority which crowned the edifice.

The abuses of the patriarchal power in its various phases were, perhaps, the greatest evil that slavery had produced. They were rendered more flagrant and crying by the fiscal system of the country. The lord was responsible to the State for the due payment of taxes by the serf. He laid that responsibility on the mayor of each village, appointed by himself, and who, in his turn, looked to the chief of each serf family; for it would have been practically impossible for the lord or his steward to

* During the existence of serfage, the unit of labour and taxation was the "tiaglo" (literally "burden-drawer"), generally composed of a husband and wife, sometimes even of a bachelor and maid, two young men, and so on. The lord multiplied his tiaglos as much as possible, and while each unit was "taillable et corvéable," the tiaglos formed collectively but one family, with one responsible head. The family thus artificially agglomerated was frequently composed of twenty persons, divided into six, eight, or ten tiaglos, according to their condition and respective ages. The allotment of land was generally calculated on the tiaglo. Tiaglos were also divided into units of foot and horse service.

follow the movements of each taxable "soul,"* to judge of his solvency, and to prevent him from evading his obligations towards the Crown. As the Government has, under the Emancipation Act, rendered the members of each commune mutually and collectively responsible for the payment of taxes and the furnishing of recruits for the Imperial army, so before the year 1861 the lord made the serf family mutually and collectively responsible in respect to the same obligations, and looked to the patriarch of the family, as the State now does to the "starosta" (elder) of a village, for the due fulfilment of all liabilities.

It was in the family life of the serf that the communistic principle, so much extolled by the Russian Socialistic school, took its rise and flourished. Those writers repudiate the idea that the Russian commune, such as it was before 1861, was only the Germanic mark and the Saxon tithing, arrested in its development into a European parish of freemen. They still fail to see that Russian socialism and communism, as practised in serf life, were the offsprings of slavery, and that, as such, they can find no place in a free constitution of society.

The Russian peasant, however, who is supposed by those writers to have a singular disposition for communistic organization has, since 1861, asserted, in no mistakeable manner, that a communistic family life is unsuited to his new condition as a man endowed with civil rights. It was in respect to his home relations that the emancipated serf first began to realize the liberty for which he had so long waited. His first movement—and the movement that stands out in the greatest relief as an effect of emancipation—was to throw off the yoke of the patriarch, and to enjoy individually such civil rights as were bestowed upon him under the new dispensation.

A division and sub-division of families began soon after 1861, and, although partially checked by the Central Government, continues to this day, in a ratio that bids fair to place the majority of adult peasants at the head of separate households. In every village throughout Russia the observation may be heard, that "Now each is for himself;" that families no longer live in harmony, and that the women of a household quarrel over their respective shares of work, as well as over the portion of the common earnings to which they are severally entitled.†

Fathers and sons have very generally dissolved a partnership in which the father alone was purse-bearer. Brothers have divided the common stock of oxen, sheep, horses, and implements, and commenced life with a new energy, building their own cottages, and tilling their own allotments; each working for himself, his wife, and little ones. Even the women of a peasant family now insist on spending on themselves entirely their earnings, or the produce of their spindles and looms.

The young have ceased to yield implicit obedience to the old, since the law recognizes no distinction in age, and gives equal rights and privileges, in respect to land, to all males registered at the same census.

When inquired into, however a deeper cause still than is evident on the surface, will be discovered to account for such an extraordinary severance of family ties and interdependence. There is, in reality, throughout most of the provinces of Great Russia, a moral cause in operation, equal, perhaps, in force to the stimulus of material self-interest. It may be considered as a protest against the immorality which, in Russia as among the negroes, was the natural consequence of slavery. In Russia that immorality had taken a form that was particularly obnoxious even to the immoral serf, if he happened to be a married man, and was obliged to leave his wife for any time under the protection of his father and patriarch.

The custom, in fact, was very prevalent of marrying sons of tender years to women of riper age, particularly in households where the patriarch had become a widower, and where, consequently, the family had lost a female labourer.

The subjection and degradation of women in a social organization, in which even a man was only a chattel, favoured the existence of an incestuous intercourse, which greatly complicated the relations of blood in a peasant family, and often led to the brutal treatment of helpless wives by injured husbands.

It was also a crime which had a natural tendency to reproduce itself, for the son, bound early in wedlock to a woman much older than himself, would, on reaching a marriageable age, feel some amount of aversion for the partner to whom he had been united under such peculiar circumstances. He would revenge himself on the social

* Male peasants are in Russia technically termed "souls."

† In some parts of Southern Russia, it is now customary, where two sisters-in-law still inhabit the same hut, to draw a line in chalk on the floor to mark the limit of their respective dominions.

custom which had done him the injury by leading an immoral life, and ultimately by doing by his own son what his father had done by him.

The effect of the reaction that has now set in against the exercise of such an unnatural* prerogative cannot be over-estimated in its importance, both as the dawn of a better appreciation of virtue, and as a death-blow to the communistic system in family life, of which the development has been so ardently desired by Russian societies.†

The question of the dissolution of the Russian family system has also an important bearing on that of military recruitment, which is at present calculated to remove from the family commune only such of its members as can best be spared. The separatist movement may even in part be attributed to a desire to evade the liability of being considered a superfluous member of the communal society; and the Government, viewing it in that light, has consequently been inclined to oppose a more rapid dispersion of peasant families.

Another important result may be expected from the disintegration of the old serf units, namely, that it will have the effect of checking the migratory, nomadic tendency of the Russian people.‡ As a member of a communal family, the serf could leave his wife and children at home while he ranged over the country to tempt the smiles of fortune, and frequently only to escape from the burdens and melancholy slavery of the family life. He knew that, whatever happened to him, his wife and children would get their share out of the common bowl of buckwheat or cabbage soup. The chains of his serfdom were heavier at home than abroad, and he was anxious to lighten them whenever the chance occurred. Now, however, since the peasant cannot leave his wife and children with equal facility and security, as regards their material provision, he becomes attached to his homestead by natural ties that will render unnecessary the application of those unnatural laws by which a nominally free peasantry continue to be firmly attached to the soil.

The separatist movement in peasant life may likewise be considered from a commercial point of view. That life might have been seen, before 1861, stereotyped, as it were, in every village. The habits of the people, their food, their clothing, had been preserved from remote ages by traditions which had descended from patriarch to patriarch. In every country the old have more or less a natural aversion to innovations, which is almost unheeded in the stronger tendency of the young for change and progress. In Russia, however, the young and energetic of a village commune possessed no influence whatever. The elder members of the communities lived according to past traditions, and the future was, after all, of little promise or brightness to them as serfs. By a natural instinct they opposed all changes, for their despotic sway would have been endangered by the triumph of any new ideas applied to mode of life, clothing, or agriculture. The creation of artificial wants was in direct opposition to the interest of the patriarch, whose great object was to keep together whatever money the family earned by a common effort of industry. That the domestic powers of the patriarch must have had considerable effect in arresting the development of artificial wants, the satisfaction of which can alone incite the peasant to increased efforts of labour and to civilization, may, with great certainty be inferred from the extraordinary increase of trade which has taken place since 1861 in articles of peasant-luxury, and principally in gayer and more civilized clothing, and that, too, during a period which has certainly not been marked by any very great increase of prosperity among the agricultural population. On the contrary, the peasantry are, by many serious, although somewhat alarmist, authorities, considered to be poorer, rather than richer, since their emancipation. They cannot, in any case, be said to be much more prosperous, since

* The prerogative perhaps is not unnatural from a communistic point of view. The history of religious sects in America seems to prove that the very foundation of communism is the community of women.

† "The dissolution of families, although very unprofitable to the peasantry for the time, is absolutely indispensable as a radical check to that domestic despotism which most particularly oppressed the female sex, and to those unnatural, immoral relations between the sexes in peasant families, which were produced by the *règlementations* of serfage and by the Government (fiscal) administration.

"In Little Russia, each member of a peasant family leaves it on marriage and sets up a separate household; and we see that where such a custom exists, the relations between the sexes, and the position of a woman, are incomparably higher than in the provinces of Great Russia."—W. Bezobrazoff's "Our Conservatives and Radicals."—"Russian Messenger." Moscow, 1869.

‡ In some of the industrial districts, villages may still be found populated at certain seasons of the year exclusively by women and children. The men absent themselves in the pursuit of some trade, leaving the women to plough, sow and reap, to pay the taxes, transport convicts, and discharge other duties towards the State. They fill the offices of starosta, policeman and tax-gatherer, and, in fact, conduct the whole of the communal administration. On the shores of the White Sea, women often drive the post-carts, whence that branch of the service taken the local name of the "Sarafanaya," or "petticoat post."

their new position in the State, the rupture of their relations with the lords on whom they formerly depended for everything, and the great increase which has taken place in the local and Imperial taxation of the country,* must for a time weigh heavily on their slender resources.

The dissolution of the family communes is of itself sufficient to reduce the peasantry for a time to comparative indigence, for each member of the family, on leaving it, receives but a share of its small accumulations and farm stock.

The determination which the peasantry have evinced to overcome their temporary difficulties is a strong evidence of latent energy and virtue in the Russian people, and one of the healthiest symptoms of improvement that has resulted from the civil rights granted to them by the Emancipation Act.

(2.)—*The Perpetual Usufruct (Tenancy) of Homesteads and Territorial Allotments.*

On the 1st November, 1869, almost exactly one-third, viz., about three millions of the male population of ex-serfs in Russia Proper, were, like the whole of the ex-Crown peasants (23,000,000), perpetual tenants (usufructuaries) of homesteads and allotments of arable land. Setting aside, for the present, any inquiry into the actual condition of the former peasants of the domains of the Crown, it will be seen, from an appendix to this Report, that the tenants who were formerly serfs may be supposed to hold the permanent usufruct of an allotment of about 10 acres (3½ dessiatinas) per male at a rental, which, although imposed in the form of a poll-rent, will, when divided by the average area of land allotted to the peasantry, give a rental of about 2s. an acre.† The Emancipation Act establishes a maximum payment per head for a maximum allotment of land, and where the allotments are below the maximum, the payments are reduced according to a scale that differs in each one, but which has the effect of equalizing the rental per acre. The rental may be paid either in money or service, on condition of contracts for payment in service not being made for a term exceeding three years at a time, the Government reserving to itself the right of re-assessing the rental in 1881.

This was the only form of land occupation that was made compulsory by the Emancipation Act, and that only for a period of nine years from 1861. It has left to

* The poll-taxes have been increased 50 per cent. since 1861, viz., in 1862, 1863, and 1867. Senator Hagemeister, in a work on the Russian Budget, makes the following statement of the increase in the taxation of the rural classes between 1848 and 1866:—

	1848.	1866.
	Copecks.	Copecks.
Poll-tax	95	125
Provincial taxes	60	100
Contributions in carting, &c.	60	100
Recruiting charges	10	7
Communal taxes of ex-serfs .. .. .	..	50
	225	382
	= 6s.	= 10s. 2d.

Increase, 69 per cent.

The "Moscow Gazette" (No. 235 of 1869), has shewn that the average payments of a peasant under the head of "Imperial Poll-tax" and "Imperial Territorial-tax" (Zemskié), will average 2 roubles 74 copecks (7s. 4d.), or 8 roubles 14 copecks (21s. 9d.) per family. These taxes represent an impost of 50½ copecks per dessiatina on the land, or 5½d. per acre. In some provinces, however, it falls much more heavily on the land, viz. :—

	Per Dessiatina.	Per Acre.
	R. c.	s. d.
Penza	1 65	1 6½
Kief	1 29	1 1
Moscow	1 0	0 11½
Poltawa		
Tula	0 94	0 10½
Archangel	0 90	0 10½

The annual redemption payments for land in the same provinces average 1 rouble 76 copecks per dessiatina, or 1s. 8d. per acre.

† 2 roubles 10 copecks per dessiatina.

the proprietor and the ex-serf to arrange the terms of tenancy, on condition of those terms not being more onerous to the usufructuary than the law permitted. The conditions of lease were recorded in the "settlement deeds" of each commune which were drawn up between the years 1861 and 1863, and which have served as the bases of further negotiations. It has already been shewn that the creation of a common class of tenants at a fixed rent, and for a period of six to twelve years, was one of the earliest proposals of those who were charged with the preparation of the new law, and the Emancipation Act, to a certain extent, adopted the idea, and only made the term of compulsory lease and tenancy nine years, instead of six or twelve years. But the tenancy law of the Emancipation Act differs from the original proposal in two important particulars. Firstly, it extends the right of tenancy to perpetuity; and, secondly, it converts that right into an obligation, with the alternative of the peasant converting his perpetual tenancy into a freehold with State assistance.

In reality, it is not the peasant who can select between the system of perpetual tenancy and that of freehold. His former master has the arbitrary power of compelling him to remain attached to the soil which he cultivated before his emancipation by becoming its purchaser, and it is evident from the following statement that that power has been, and still is, extensively used.

LAND SETTLEMENT confirmed by the Redemption Board.

	Voluntary.	Compulsory.
1862	1,238	330
1863	4,808	1,366
1864	6,914	2,438
1865	8,625	2,324
1866	1,121	4,333
1867	880	3,843
1868	529	3,273
1869 (to November 1) ..	469	3,464
	19,584	21,370

These settlements do not include those which have been forcibly made in the old Polish provinces of Russia, where the "perpetual tenancies" were converted into freeholds by a subsequent Act of the Legislature, regardless of the desire and interest either of landowner or peasant. Without reckoning these, it is plain that, of the total number of Russian peasants who have been made freeholders—viz., 3,614,882—nearly 2,000,000, inhabiting almost exclusively the industrial and less fertile provinces of Russia, have been deprived by their former lords of the option of remaining perpetual tenants or of quitting their allotments after ^{February 19,} _{March 3,} 1870. Of the 3,000,000 that are now only tenants, a great part will still be prevented by their landlords from migrating, and the residue will consist only of such as will be tied down to their tenancies by the common interest of lord and usufructuary.

As in the case of its mortgagees, so in that of the peasants who stand towards it only in the relation of tax-payers, the State has reserved to itself powers, which, failing the effect of those vested in the lord, are calculated to prevent the peasant from abandoning his tenancy with any ease. He is bound to become a member of some other commune, to purchase land in sufficient quantity outside his own commune, or to gain admission into some taxable class of His Imperial Majesty's subjects—such as the class of burghers—before he can be allowed to relinquish his tenancy. It is throughout the Emancipation Act incumbent on the peasant to place himself in a position in which the tax-gatherer can at any time find him. Even these two conditions can only be fulfilled by complying with a variety of other conditions and formalities.

Before a tenant can leave his commune and relinquish the allotment which he holds, he must obtain the consent of the communal administration, which will demand:

1. The cession of his right to a portion of the communal allotment.
2. The cession, to the proprietor, of the allotment which he cultivated, if the commune refuses to accept it.
3. The performance of his liabilities, if he have any, in respect of the annual recruitment.

4. That he shall make good any arrears of Imperial, local, and rural taxes due by his family, and pay his taxes up to the 1st of January of the following year.

5. That he shall satisfy all private claims and perform all contracts that are beyond dispute, and that shall have been exhibited to the cantonal administration.

6. That he shall not be at the time under judgment or pursuit.

7. That he shall make provision for members of his family, who, while remaining in the commune, may be unable, from youth or old age, to do any work.

8. That he shall make good any arrears of rent due to the lord on the allotment which he held; and,

9. That he shall present the resolution of another commune, admitting him as a member of it, or a certificate to prove that he has purchased the freehold of a plot of land of an area of at least two maximum or statute allotments, situated at a distance of not more than fifteen versts (ten miles) from the commune to which he desires to attach himself.

It is true that he may, without leaving the commune, relinquish the allotment which he held in it, but it is only on condition of his purchasing the freehold of an estate of an area of at least two maximum or statute allotments within ten miles of his commune.

But he cannot give up his land allotment without relinquishing his homestead, unless he shall have purchased the latter with the consent of the lord, a consent which it is not the interest of the lord to give.

There are two very difficult conditions on which a tenant can leave his commune, even after the expiration of the term of his compulsory tenancy, without obtaining the consent either of the lord or the commune, namely, by paying into the communal fund a sum that will represent $16\frac{2}{3}$ years' purchase of his annual quit-rent, capitalized at 6 per cent., or by the lord relinquishing his right to the perpetual quit-rent due by the tenant; or, again, by the lord permitting the commune, and the latter consenting, to assume the responsibilities of the out-going member.

The necessity of gaining admission into some other commune, or into some taxable class, is of itself sufficient to render impossible the migration of the remaining tenants to any great extent. The quantity of land held by a commune being limited once for all, its interest will not lie in the direction of admitting new members. If the commune is prosperous, and owes no arrears, why should it bestow a portion of its prosperity on a new comer? And if it be in a condition of poverty and indebtedness, the seceder from another poor village community will naturally not seek admission into it. And then, as regards the burgher class into which, under the Emancipation Act, the seceding peasant, after fulfilling all the other heavy conditions imposed upon him, is allowed to seek admission, it is doubtful whether the Government will allow this provision of the Act to remain unexplained by a circular*, since the burgher class is no longer liable to a capitation tax.

There is, however, a middle course between compulsory perpetual tenancy, and almost equally compulsory acquisition in freehold. It consists in accepting at the hands of the lord a quarter of the maximum land allotment, inclusive of the peasant homestead, as free gifts, given by the lord, and accepted by the peasant, as a settlement of all claims and a rupture of all compulsory relations between them.†

About 600,000 peasants have accepted these terms and become proprietors of their homesteads, and of about three acres of arable land. But it is a remarkable fact that nine-tenths of these settlements have taken place in provinces which are the most fertile in Russia, and in which it would seem to be the interest of the peasant to purchase his full allotment of black soil.

On the 1st of March, 1869, the proportion of peasants who had acquired land without

* The Emancipation Act has only undergone alterations in one particular by legislative process, but many of its provisions have been considerably modified by Ministerial Circulars explanatory of principles or of the mode of applying the law.

† Prince Paul Gagarin, the author of the clause in the Emancipation Act which permits this mode of settlement, had originally proposed to make the acceptance of the gift-allotment compulsory on the peasant, but the influence of the Grand Duke Constantine, as President of the Emancipation Committee, prevailed in favour of a voluntary agreement on both sides. The idea was probably taken from the Prussian Law of Emancipation, under which one-half to one-third of the lands occupied by the peasantry reverted to the lord, as compensation for the absolute cession of the remaining half or two-thirds, the State coming to the assistance of the peasant in purchasing the land thus given back to the lord.

the aid of Government, namely, those who had for the most part accepted the gift of their homesteads and quarter allotments, was as follows:—

				Number of Peasants who have accepted the gift acres.	Relation to total numbers who have redeemed their Allotments.
					Per cent.
Perm .. .. .	..	..	..	109,928	98*
Orenburg .. .. .	..	..	..	5,821	65
Ufa .. .. .	..	..	..	28,152	49
Samara .. .. .	..	..	..	25,502	41½
Saratof .. .. .	..	..	..	90,942	41
Kazan .. .. .	..	..	..	25,036	36
Ekaterinoslaf .. .. .	..	..	..	39,947	29
Simbirsk .. .. .	..	..	..	35,576	24½
Voronej .. .. .	..	..	..	34,639	22
Don Cossack Country .. .. .	..	..	..	16,672	22
Penza .. .. .	..	..	..	32,440	18
Nijni-Novgorod .. .. .	..	..	..	12,627	13

A mode of settlement so widely adopted in the most fertile provinces of Russia, where it is not the interest of the peasant to abandon the soil, can only be considered in the light of a protest against the false principles which would seem to pervade the Act of Emancipation. The peasantry of most of the provinces above enumerated, many of which are watered by the Volga, are noted for a spirit of independence, and an impatience to become free which they have imbibed, either from the Cossack life of their ancestors, from religious dissent, or from a succession of rebellions between 1605 and 1774.

Anxious to sever at once their relations of dependence, and unwilling to incur fresh obligations towards the State by borrowing its money, the peasantry of the Volga basin have taken the gift *dessiatina*, or the "Beggar's Allotment," as they have contemptuously called it.† A dislike to the communal life, and the system of collective responsibility by which it is attended, has also acted as a powerful incentive to those peasants in preferring to become the proprietors of a small freehold in gift. In many cases the gift has been accepted on the advice of the richer members of the commune, who have greater reasons than their poorer brethren to object to the collective responsibility which the Government has thrown upon them, for where the poor cannot pay, nay, where they form a majority and are not under private pecuniary obligations to the rich man of a commune (who is generally its banker), it is the latter who pays the greater part of the Imperial taxes and annual redemption dues.

There can be no doubt that, were it not for the power of the lord to compel the peasant to become a purchaser of land, the mass of the peasantry in the northern and central provinces would have willingly accepted the "Beggar's Allotment," with the view of removing, after 1870, to lands of better promise.

The proprietors in the Black Soil provinces, on the other hand, have little fear of their villages becoming depopulated in consequence of so extensive an acceptance of the gift freehold. The peasantry of those villages have shown that they desire nothing better than to be left free to lease or purchase any quantity of land which they may require, at a price which they can settle with the landowners. They avoid, by such a course, one of the worst results of the compulsory allotment of land—that of getting a larger allotment, and consequently a larger share of the communal liabilities than they can severally undertake, for the land being repartitioned according to the number of males in each village, irrespective of age or physical capacity, the burden of more than fifty per cent. of the males falls on the healthy and middle aged.

In considering the laws that regulate the peasant-tenure of land in Russia, it is always necessary to bear in mind this important circumstance, that it is not only the able-bodied labourer, but the infant, and the tottering patriarch also, that get an allotment of arable land, of which the possession is attended with burdens that necessarily fall on the members of the peasant family who are capable of working, viz., only on about 40 per cent. of the rural population. This circumstance causes the average allotment of ten acres per male to represent something like twenty acres to each able-bodied peasant, with corresponding burdens.

* Some of the serfs attached to mines are included in this calculation.

† It is also sometimes called the "Orphans," and the "Scanty" allotment.

In the case of those who have accepted the "Beggar's Allotment," this inequality in burdens is avoided. The young, the old, and the infirm, are not liable for any rent, while the able-bodied can lease or purchase, outside the village commune, as many acres as they may be capable of cultivating.

This comparatively equitable mode of settlement has been tried on many large estates, and particularly on a seignorial domain of 131,000 acres in the most fertile district of the province of Simbirsk.

On that estate, which may be taken as a pattern of the best managed properties in Russia, the male peasantry, numbering 3,000, were settled in 11 villages.

Under the Emancipation Act they could have insisted on being perpetual tenants of 34,320 acres,* at a rental of 2*s.*† per male, or about 2*s.* 1½*d.*‡ per acre, with the option, nominally, of quitting their farms on the 19th of February, 1870.

The lord was interested in keeping so many villages on his estate populated, for he was greatly dependent on them for labour on his own land, particularly at harvest time, while the peasantry knew that they might obtain the lease, at a nominal price, of immense tracts of uncultivated land on the opposite bank of the Volga, without incurring any further liabilities towards the State.

They were in a position to demand the perpetual usufruct of their holdings, but the lord was equally empowered, by the Emancipation Act, to insist on their firmly attaching themselves to the soil by becoming its proprietors. He gave them the option of purchasing the 34,320 acres for 48,000*l.*§ or of accepting the free gift of their homesteads with a quarter of the maximum allotment of arable land, viz., 2·86 acres, the homesteads occupying about 1·43 acres of the territorial allotment.

The annual redemption payments which the State would have exacted from the peasants, after advancing the sum of 48,000*l.*, would, during a period of 49 years, have amounted, at 6 per cent. interest and sinking fund, to 2,880*l.*, or 1*s.* 8*d.* per acre;|| but considering that, according to the system of cultivation practised in Russia, one-third of the arable land, or 11,440 acres, would lie fallow, the yearly redemption payments would in reality fall upon 22,880 acres, in the ratio of 2*s.* 6*d.* per acre¶, for land which, if sown with rye, would yield 8 fold,** and with wheat 3½ fold,†† without being manured.‡‡

Notwithstanding the low price at which the 3,000 peasants could have acquired their lands in freehold by annual payments extended over forty-nine years, they rejected the offer, and agreed to accept the gift of their homesteads, with the "Beggar's Allotment." The lord proceeded to settle upon them in freehold, without any compensation, an area of 13,933 acres, inclusive of the land occupied by their homesteads, which gave an average holding of 4½ acres per male, or about 3 acres of arable land to each male peasant. The freehold of the arable land was vested, however, in the communes, which thereupon acquired the right of repartitioning it according to the wants or capacities of its male members, while the homesteads became the inalienable freehold of individual peasants.

Deducting a third of the land which would be fallow, each "soul" then acquired the right of holding under the commune about 2 acres of cultivable land. As, however, practically, only 40 or 50 per cent. of the male population was capable of field work, each able-bodied peasant got about 4 acres, free of rent, and subject only to the Imperial, provincial, and local taxes, which continued to be assessed upon him, irrespective of the quantity of land he tilled.

It evidently became necessary that the able-bodied peasantry, or, at all events, such of them as were willing to work, or to continue agriculturists, should lease land in their immediate neighbourhood.

They applied to the lord, not as a commune, but as a section of it; and, after some bargaining, signed a contract for the yearly lease of 11,440 acres of arable land for spring crops, and about an equal quantity of fallow land for winter corn.

* 12,000 dessiatinas, the maximum allotment for the district being 4 dessiatinas (11½ acres).

† Obrok of 9 roubles.

‡ 2 roubles 25 copecks per dessiatina.

§ Had the peasants purchased their holdings voluntarily, the purchase-money would have been 60,000*l.* (24*s.* per head, capitalized at 10½ years' purchase), but, as the lord demanded the redemption, he sacrificed 20 per cent. (12,000*l.*) of the capitalized valuation.

|| 1 rouble 80 copecks per dessiatina.

¶ 2 roubles 70 copecks per dessiatina.

** 70 poods per dessiatina (7½ cwt. per acre).

†† 45 poods per dessiatina (5 cwt. per acre).

‡‡ The same crops on the manured lands of the lord would yield 14 to 16 fold.

The latter, according to the custom of the country, they obtained free of rent; but, for the land for spring sowing, they agreed to pay the following rates:—

				R.	c.	s.	d.	
110 dessiatinas at	..	..	..	4	50	or	4	3 per acre.
3,039	"	..	..	5	0		4	8 "
247	"	..	..	5	40		5	0 "
523	"	..	..	6	0		5	7 "
88	"	..	..	10	0		9	4 "
30	"	..	..	11	0		10	4 "
19	"	..	..	12	0		11	2 "

The total of the annual rent amounted to about 2,800*l.* (21,121 roubles), or an average of nearly 5*s.* an acre;* but, as this rent was inclusive of the gratuitous cession of the fallow land, over which the peasantry would have the right of pasture, the real rent per acre of the land leased from the lord would be 2*s.* 6*d.*,† or almost exactly the price at which the communes might have purchased their allotments by annual payments terminating in 49 years.

In addition to the arable land, the same peasants leased about 1,700 acres of meadow land, at 1*s.* 5*d.* per acre,‡ and about 12,000 acres of pasturage, for which they agreed to render certain services (principally hay-making), in lieu of a money rent. But, as they would have been compelled to lease the same quantity of meadow and pasturage land had they agreed to purchase their allotments, it is not necessary to take the lease of these meadows, &c., into consideration.

What, then, were the calculations that induced the peasantry to become small freeholders under their communes, and tenants under their lords? The latter sacrificed, without a murmur, nearly 14,000 acres of soil, equal to any in Russia; but the sacrifice redeemed the otherwise unavoidable cession of the perpetual usufruct of 34,320 acres, in return for the sum of 48,000*l.*, which the Government would have given him in stock, bearing 5 per cent. interest, but which, if sold to-day, would involve a further sacrifice of 7,000*l.*, the redemption stock being at present nearly 15 per cent. below par.§ At any rate, the interest on the stock with which the Government would have compensated him so inadequately, would not have amounted to more than 2,500*l.* a-year; whereas, by presenting his peasantry with 14,000 acres, and leasing to them an additional quantity of about 23,000 acres, irrespective of meadows, &c., he obtained a rental of 2,800*l.* a-year, with the prospect of seeing the rent of the 23,000 acres doubled within the next ten years.||

It is clear that the lord lost but little, if anything, by giving up 14,000 acres, and, if the rent of the meadows be considered, even by relinquishing the quit-rent which his peasants formerly paid, and which, at the rate of nine roubles per head of the male population, had brought him in 27,000 roubles or 3,600*l.* per annum.

What the peasantry gained cannot be so easily estimated in money. They obtained the invaluable advantage of escaping from the otherwise unavoidable condition of becoming debtors to the State and attached to the soil for the long period of 49 years. They acquired a greater portion of those civil rights of which they had expected the entirety in 1861.

They were not forced to remain tillers of the soil, but were left unfettered to pursue any occupation they might select, subject only, like other taxable "souls," to supply the Government with certain annual contributions in men and money.

Materially, their advantage has not been insignificant. Instead of being forced to cultivate 34,320 acres, of which a considerable proportion might have been land of inferior quality to the rest, they are now at liberty to select their own land, and to lease only such portions as will, at a commensurate rent, most amply reward them for their toil.

Far from throwing up their holdings or becoming prolétariats,¶ the best men of the communes, dissolving partnership with the idle and the infirm, came forward to lease an area of land which, when added to the land received by them in freehold, gave a far greater acreage than the Emancipation Act had allotted to them.

Some of those peasants found it more profitable to lease land even at 11*s.* 2*d.* per

* 5 roubles 40 copecks per dessiatina.

† 2 roubles 70 copecks per dessiatina.

‡ 1 rouble 50 copecks per dessiatina.

§ It has been very much lower.

|| It will be shown in Part II of this Report that the value of land in Russia continues to increase.

¶ "Although 80 per cent. of the population in Russia is in the enjoyment of land, the percentage of prolétariats is exactly the same as in England, with a rural population of only 9 per cent."—"St. Petersburg Gazette," No. 356, 1869.

acre than to purchase a maximum allotment at 2s. 6d. an acre. Stimulated by the success which has attended their freely and economically applied labour, they will, in all probability increase their farms from year to year. They will, in the natural course of the development of their own interests, obtain long leases of land in the vicinity of their freehold plots, instead of leasing from year to year lands which they therefore hold at a rack-rent, and of which the rental must increase simultaneously with the demand for more land. As yet the position of the landowner granting leases has been somewhat precarious. The rude mode of cultivation pursued by the peasantry of Russia renders the crops almost entirely dependent on atmospheric conditions. The harvests, therefore, not unfrequently fail, notwithstanding the wonderful richness of a soil to which but little, if any, artificial stimulus is ever applied. The failure of a crop involves a loss of seed, which the peasant, in his poverty and in his want of fair banking facilities, is not always able to make good. Thus, in the case of the lord whose tenancy arrangements have served to illustrate this portion of the Report, a bad harvest has been invariably followed by a diminution of the area of land leased during the succeeding year. The cause of this precariousness may be stated as follows:—The abundance of rich arable land and the thinness of its population, has kept its value very little more than nominal. The lord and the peasant, commanding such a great extent of land, have found it more profitable to spread their rough tillage over as many acres as they could sow, rather than to adopt a somewhat scientific process of farming over a smaller portion of land. They consequently have almost generally practised the three-field system of agriculture, under which a third of the land remains fallow every year.

Since the lord has been deprived of serf labour, he has been called upon to economize the employment of human hands. He has more or less intensified his farming operations, and is striving to make them more profitable by the introduction of machinery and improved implements. With the peasant-tenant, however, it continues to be otherwise. He is passing through a great crisis in his existence. Instead of being the member of a family commune, comparatively rich in cattle, implements, seed, and, perhaps, in ready money, he has asserted the independence of his individuality, and commenced farming with only a small portion of the resources which had been previously at the disposal of the family. His holding, reduced by the acceptance of the "Beggar's Allotment," and detached from the family plot, will feed less stock. His temporary difficulties have, very generally, compelled him to surrender to the tax-gatherer part of the stock which he received as his share of the communistic wealth. His chief hope rests in a middling crop over a great extent of land cheaply leased. The rent is payable, mostly, only when the crops are cut. His only expenditure is for seed, of which great waste is made throughout Russia, owing to the extent of land badly and hurriedly cultivated,* and likewise to the prevalence of a popular delusion that "the more is sown the more is reaped."

Unless the crops of the preceding year shall have been sufficiently bountiful, and the peasant shall not have been compelled, from any increase in his financial burdens, to dispose of all the wheat and rye which he may have gathered into his garner, the spring finds him without seed and without money. His neighbours, depending like himself almost entirely on climatic conditions for the reward of their agricultural labours, are on the same level of impecuniosity and want of seed. The rich man of the village will not lend either money or seed, except at a rate of interest that would absorb the greater part of the produce of the seed, even in the event of a good harvest.†

A great proportion of the peasants who lease lands, therefore, will only take them from year to year, in order to be free to throw them up in case they are unable to obtain the necessary quantity of seed in spring.

Moreover, under the exhaustive system of agriculture, they require more and more of the lord's land that has long remained fallow.

The disadvantages that result both to the lord and the peasant from the uncertainty of the duration of leases, are entirely removed by the *métayer* system, which is becoming more and more general where the peasantry are forced by circumstances of their position to lease lands. Large tracts are now leased to the peasantry on the condition of their sharing the crop with the lord, who supplies the necessary quantity of seed, which is returned to him with the crop.

It will be assumed from the preceding observations, that the liberated peasantry who hold the "Beggar's Allotment" are very much in the power of the lord in respect

* In the northern provinces of Russia all the processes of agriculture must be completed within a period of five months.

† In some of the northern provinces the peasantry generally sell all their produce in the autumn, when their rent and taxes are due. They will, perhaps, get 15 copecks a chetvérik for their oats, and in spring they will, if they can get the money, buy the same oats for seed at 50 copecks per chetvérik.

to the conditions on which they can obtain the lease of additional land, and, to a certain extent, the assumption is correct. But the exercise of that power, and its almost entire withdrawal, are conditional upon the continuance of the present fiscal state of the Empire, which prevents even the peasantry who are freeholders of "Beggars' Allotments" from leaving their holdings without fulfilling the administrative and fiscal conditions already enumerated.

This is the web that brings the fly within the power of the spider. Bound to his holding, the peasant can only lease land in its immediate vicinity. The lord can name his own conditions, within, however, these important limits,—that, should he fail to arrive at an understanding with the peasantry respecting the rental, he will find a difficulty, if not an impossibility, in attracting other farmers, the effect of the Emancipation Act having been to attach firmly the bulk of the peasantry to the soil which they tilled in 1861.

From this circumstance it is likewise within the power of the peasantry to oppose any excessive augmentation of the rental; for their aggregation in villages permits them to apply to the lord in a body for the lease of the lands, and to establish a species of strike or trade's union.

Many cases of this kind have occurred;* but they have not unfrequently terminated in favour of the lord, who, with the assistance of the fiscal system, can reduce to starvation the freeholders fixed to "Beggars' Allotments."

(3.)—*Right of converting Liabilities in Service into a Money Rent.*

Notwithstanding the right conferred on the peasantry of demanding the commutation of their liabilities in service into money rents on terms fixed by law,† they continue to shew a marked preference for the system of socage, particularly as the Emancipation Act took away from the lord the power of chastising the idle and negligent, and of imposing more labour than was due by law in respect to the land held by the peasant.

Originally the emancipation made this right an obligation, by withholding State assistance in the redemption of allotments held on terms of socage; but in 1862 the distinction between peasants paying rent in service or in money was abolished by "Supplementary Rules," under which the lord can insist on his tenants, whether paying money rent or rendering service, becoming purchasers of their allotments with State assistance.

As the greater part of the peasantry in the northern and central provinces, who almost generally paid money rents to their lords, have been, more or less, forcibly converted into communal land proprietors, it may be assumed that a considerable portion of the peasantry who still remain perpetual usufructuaries discharge their liabilities towards the lord in service.

The *métayer* system, now becoming so common in Russia, is only another form of rent in service, but far more favourable than socage, both to the lord, the peasant, and the country generally.

The scarcity of money compels the peasantry throughout Russia to pay in service for the fuel which as serfs they obtained gratuitously and without any limitation, greatly to the detriment of forests.

Meadows, pasturage-lands, &c., are, as a rule, leased by the peasantry for labour, but the law prohibits the making of contracts on such terms for a period of more than three years at a time.

The operation of this clause in the peasants' Charter of Rights, has, on the whole, been equally favourable to the lord, with whom it still practically rests to decide whether his rents shall be paid in money or in service.

(4.)—*Compulsory Sale of Homesteads by the Lord, and Conditional Sale of Territorial Allotments.*

The homesteads of the peasantry of Russia had always been exempted from the communal system of occupation, and were transmitted hereditarily. Having been mostly built with their own hands, and with timber which the lord gave freely out of his abundance, the log hut was considered by the serf as specifically his own property.

* Peasants holding out for lower rents against a landlord determined to obtain a fair rental for his land, have in numerous instances established the system of "picketing" around the lord's manor, to prevent the approach of tenants willing to accept his terms of tenancy.

† *Vide* abstract of Emancipation Act.

It was seldom, if ever, assessed for rent either in money or service, which was leviable only on the arable land of which the peasantry held the usufruct.

The Emancipation Act recognized the inalienable right of the peasant to his homestead, and established a nominal value* at which the peasant might "redeem" his house without the territorial allotment, provided the lord should agree to cede the one without the other. This provision renders the enjoyment of the right conditional on the interest of the lord, which, as already shewn, consists in attaching the peasant to the soil by putting upon him a burden of land and taxation.

The compulsory sale of homesteads by the lord has therefore been in every case attended by the still more compulsory purchase of territorial allotments on the part of the peasantry.

A reference to the annexed abstract of the Emancipation Act will show that, although, nominally, the peasant has the option of either leasing or purchasing his homestead and land allotment, yet that it is entirely in the power of the lord to turn the balance in favour of redemption with State assistance. In the less fertile and industrial provinces of Russia, the lord has had a direct interest in compelling the peasant to become the proprietor of a small portion of his manor, which would otherwise have become depopulated after 1870, when the perpetual tenant will be nominally allowed to relinquish his allotment. By sacrificing, therefore, 20 per cent. of the compensation to which he would have been entitled if the peasant had proposed the conversion of the perpetual tenancy into a freehold, the lord could force the peasant to become the purchaser of a land allotment under the maximum and minimum scale of holdings. The extent to which the lord has availed himself of that power, and the proportion in which the peasantry have been forcibly converted from perpetual tenants into communal proprietors, or rather, tenants under communes,† and burdened with a debt for forty-nine years, will be seen from the following statement, which shews the number of voluntary and compulsory land settlements confirmed by the Redemption Board between 1862 and the 1st of November, 1869:—

Number of settlements, 40,954, of which—

Voluntary	..	..	..	..	..	19,584	or	48 per cent.
Compulsory	..	..	..	..	..	21,370	or	52 ..

This statement does not include the results of the land settlement in the north-western and south-western (old Polish) provinces, where, since 1863, the purchase of land by the peasant and its sale by the lord at a nominal price has been compulsory by law. By including the settlements in those provinces and comparing them with the total number of emancipated serfs, the statement undergoes an important modification.

Thus—

Voluntary settlements in Great Russia, &c...	..	..	..	..	19,584
Compulsory	"	"	..	..	21,370
"	"	north-western and south-western provinces	..	..	21,014
					<u>42,968</u>

Total number of settlements 61,968

Or—

Total voluntary	..	..	31 per cent.
.. compulsory	..	..	69 ..

Assuming that the average number of peasants who are parties to each settlement is the same in both cases, it will appear that only about 2,000,000 of ex-serfs have become proprietors of allotments at their own desire, while more than 4,000,000 have become the compulsory purchasers of land which either the lord or the State has fastened upon them.

Deducting the 2,000,000 of the north-western and south-western provinces who have been made proprietors by the State on terms exactly 100 per cent. more favourable than those which were obtained for the peasantry in the rest of Russia, the number of involuntary purchasers of land in Great Russia is already about 2,250,000 against 2,000,000 of landed proprietors by choice.

Moreover, there is still a population of about 3,000,000 in Russia Proper, of whom a considerable number will be forced to bear the permanent burden of land before the expiration of the term during which they are not permitted to choose between the system of tenancy and that of freehold.

* *Vide* abstract of Emancipation Act.

† Except in the southern provinces, where the communal system does not exist.

The proportion of land acquired by the former is relatively greater than that which has been purchased by the latter, for it will be seen, from the following statement, that the compulsory settlements have taken place principally in the industrial and less fertile provinces of Russia, where the land allotments are of larger area than in the black soil country.

LAND SETTLEMENTS.

	Voluntary.	Compulsory.	Total.
Industrial and less fertile Provinces:—			
Wladimir	273	1,236	1,509
Vologda	90	502	592
Kostroma	227	1,557	1,784
Moscow	244	1,025	1,269
Novgorod	707	2,218	2,925
Pskof	236	2,810	3,046
Tver	540	2,811	3,151
St. Petersburg	375	805	1,180
Jaroslav	303	1,299	1,602
	2,995 or 18 per cent.	14,063 or 82 per cent.	17,058

The total number of land settlements in Russia Proper, exclusive of the north-western and south-western provinces, having been, on the 1st of November, 1869, 40,954, the proportion of compulsory settlements that falls on the industrial and less fertile provinces where it was not the interest of the peasant to buy land, is about 34 per cent. of the general total (52 per cent.) of forced purchases in Russia Proper, which leaves only 18 per cent. of compulsory land settlements to be divided among the thirty-five provinces that are not included in the foregoing statement.

Considering the extent to which the peasantry have been compelled to redeem their allotments, it is not surprising that they should, as a rule, look upon the "redemption operation" as a fresh burden. In some provinces the peasantry who are bound in annual payments have already styled themselves "Government peasants" (Kazennyé), and their allotments "Government land."

In one particular district this feeling of dependence on the State is promoted by the action of a magistrate* who fines the peasantry for negligently cultivating lands on whose productiveness the exact payment of the Imperial taxes and redemption dues entirely depends.

The peasantry of the old Polish provinces, so liberally provided for, are in some districts under the impression that the land allotted to them belongs to the Emperor, since a freehold tenure appears to their rude minds incompatible with the levying of heavy taxes and redemption dues by Government officers.

If the right of locomotion cannot with any facility be used by the peasants who are nominally free after the 19th of February, 1870, those who have been converted into communal landed proprietors by the process of redemption are effectually prevented from moving by the following restrictions over and above those already enumerated in respect to the perpetual tenants:—

1. Except with the permission of the Provincial Peasant Commission, no peasant can detach himself from a commune which owes any arrears of taxes or redemption dues.

2. A peasant who shall have purchased, with the assistance of the State, his own personal allotment of land,† can leave the commune to which he is attached only by selling his allotment to some other member of the same commune, and on condition of paying off the whole of the redemption debt due on his allotment.

3. In the majority of cases, where the land has been redeemed by an entire commune, an individual member of it may be liberated on condition of paying half the redemption debt due on his allotment, provided, however, the commune shall agree to take over the land attached to the homestead‡ as well as the allotment of arable land belonging to the seceding member, and become responsible for the remaining part of the redemption debt.

4. Only one-third of the members of a redeemed commune can be liberated on the above conditions. Any members in excess of that limit are called upon to pay the

* In the Province of Penza.

† *I. e.*, where the entire commune has not borrowed the State funds.

‡ The peasant is, under such circumstances, nominally permitted to remove his cottage and farm buildings.

whole of the redemption debt due on their allotments before they can leave the commune.*

The following practical illustration of the extreme difficulty and disadvantage that attend the carrying out of any desire on the part of the peasant to remove from an allotment forced upon him by the State and the lord, is taken from a Russian journal.†

“Taking, as an example, a commune composed of 100 male peasants in a district where the allotment is 11.44 acres and the rent 24s. per head, the capitalized value of the whole of the land allotted to the commune will (at the 16½ years’ purchase of the poll-rent) be 2,000*l.* Assuming that the peasantry have, in the present case, expressed a desire to purchase their allotments, the lord will receive from them 20 per cent. of the capitalized value, or 400*l.*, and 80 per cent., or 1,600*l.*, from the State in 5 per cent. stock, an advance on which, during 49 years, the peasants will have to pay to the State annually (at the rate of 6 per cent.) the sum of 96*l.*, or 19s. 2½*d.* per peasant.

“Should this settlement have been made five years ago, the peasantry would by this time have paid 480*l.* of the redemption debt, or a sum of 880*l.* if the 20 per cent. paid by them direct to the lord be included.

“On the 19th of February, 1870, a member of the commune in question wishes to retire from it with his family, consisting of two sons and a nephew, all born before 1858.‡

“It is first of all necessary, before the desire can be entertained, that the commune should owe no arrears of Imperial, provincial, or rural taxes; further, that the peasant shall have paid all his debts and not be under judicial pursuit, and that there should be no member of his family unprovided for in the commune. These conditions fulfilled, he can leave the commune only on the payment of half the redemption debt due on his allotment, which will consist of 45¼ acres (the two sons and nephew having each 11.44 acres), held at an annual payment of 3*l.* 16s. 10*d.*§ The debt or mortgage therefore amounts to 64*l.*, of which, during the five years, the peasant will have paid, at the rate of 12s. 10*d.* per annum to the sinking fund (the remainder, or 3*l.* 4s., being interest on the debt), the sum of 3*l.* 4s.; leaving a debt of 60*l.* 10s., on the allotment which he desires to abandon.

“He must pay to the Redemption Board half the debt which he thus owes, or 30*l.* 8s., before he can be allowed to take the next step, which is, to persuade the commune to take over the 45¼ acres with the debt of 30*l.* 8s., now payable in yearly instalments of 1*l.* 18s. 5*d.*, instead of 3*l.* 16s. 10*d.*, since the Redemption Board has received back half its original advance.

“Here the peasant may meet with a new difficulty. His co-proprietors may not desire to burden themselves with more land, and may be equally anxious to seek their fortunes elsewhere. In such a case the law provides no issue or alternative. It does not even say whether the peasant can leave the commune on discharging the whole of the debt due on his holding.

“But, assuming that the 96 peasants who remain in the commune are willing to take the land and its lightened burden off the shoulders of the retiring peasant, the latter has still to produce the formal resolution of some other commune admitting him as a member, or a certificate to prove that he has become the purchaser of at least two maximum or statute allotments of land.||

“But even supposing these almost insuperable difficulties overcome, what is the sum which the peasant will have paid in order merely to acquire the liberty of leaving the soil to which he had been attached with his family by the Emancipation Act?

“He will have irrecoverably lost the following sums:—

	£	s.	d.
(1). 20 per cent. paid to the lord on voluntary redemption of four allotments	16	0	0
(2). Redemption payments during five years	19	4	0
(3). Half the capital of the redemption debt	30	8	0
(4). The redemption payment for the current year, as all payments are due up to the 1st of January of the following year	3	16	10
(5). Loss in removing the cottage or farm buildings, or loss on their sale, say, with cost of negotiations with another commune	10	11	2
	<u>80</u>	<u>0</u>	<u>0</u>

* The Provincial Peasant Commission may modify these conditions.

† “Golos,” November 1½, 1869.

‡ The last census.

§ About 1s. 8*d.* per acre.

|| The law does not state whether the allotment to be purchased is to be the maximum for a “soul” or a family. It may be interpreted in the former sense.

"This large loss which the peasant is called upon to incur before he can leave his commune, represents almost exactly the original valuation of the four allotments held by his family,* and he is in addition called upon to buy perhaps twice as much land as he has abandoned, in case he can find no commune disposed to admit him and his family, on conditions as binding as those from which he has escaped at such great cost."

There can be little doubt that the case thus illustrated is one of hopeless despair for ninety-nine peasants out of a hundred of those whose interest it may be to abandon their holdings.

Tied to the soil by the arbitrary* conversion of their tenancies into freeholds—adding every year by redemption payments to the stake which they hold perforce in the land, or, if not, falling into arrear with their taxes and dues—selling more and more of their cattle—disposing more and more of their seed as the spring advances—the peasantry of many Russian provinces, and particularly where the land is bad, are not as yet in a position which any other peasantry in Europe can envy.

The estimate of the average income and expenditure of a Russian peasant family, appended to the present Report, shows that, as a rule, the farming operations on statute allotments involve a deficit, which the family is compelled to make good by leasing land or by extraneous earnings.†

According to those estimates, carefully prepared by persons well acquainted with the circumstances of the peasantry, a farm of forty-seven acres in the unproductive Province of Novgorod, and farms of thirty-two acres in the fertile Governments of Simbirsk and Samara, will barely afford the means of existence to a peasant family composed of three males, three females, and three or four children.

The items of expenditure are taken at the lowest possible figure, and do not include the proportionately-considerable sum which a family will spend during the year in spirits, &c. Nor does the estimate of expenditure make any provisions for the expense of fitting out a recruit when draughted from the family, the great expense of a wedding,‡ and the many small disbursements to which a family is liable. The taxes of such a family, including the redemption payments, which are levied by the Crown with the utmost strictness, amount on an average to little less than 50 per cent.§ of the sum which the peasants would realize by the sale of corn and other products in excess of the home consumption.

Rent and taxes will fully average 50 per cent. of the peasant disbursements throughout Russia, particularly if the indirect taxes which they pay on salt, spirits, articles of clothing, &c.,|| be taken into account.

At the most moderate computation, each peasant in Russia pays 15 roubles (2*l.*) per annum in taxes and redemption dues, the proportion of the taxes being a little more than half of those annual payments.

The capitation tax, Imperial territorial tax, and the redemption payments taken together, will average 10 to 13 roubles (26*s.* 8*d.* to 34*s.* 8*d.*) per head of the rural population in Great Russia and Little Russia, or from 1 rouble 50 copecks to 3 roubles 50 copecks, and more, per dessiatina (1*s.* 5*d.* to 3*s.* 3*d.* per acre). The payments of a peasant household (two or three males) under these heads will average 30 to 60 roubles (4*l.* to 8*l.*), but the addition of local taxes will raise the total amount of taxation (in the Province of Moscow, for instance) to 18 roubles (48*s.*) per head.

In the Kingdom of Poland the taxes, inclusive of redemption payments, average 95 copecks per dessiatina (11*d.* per acre).¶

(5.)—*The means afforded by the State of fully and finally terminating, by the Redemption of Homesteads and Territorial Allotments, the Dependence of the Peasant on the Lord.*

A table appended to this Report shows the extent to which the peasantry of Russia Proper** have availed themselves of State assistance, in purchasing the land allotted to them under the Act of 19th of February, and the "Supplementary Rules" of 1862, which extended the basis of the "redemption operation."

* 2,000*l.* among 100 peasants; 20*l.* each, or 80*l.* for the four allotments under consideration.

† This term must be employed to convey the meaning of the Russian word "Zarabotki," which plays an important part in Russian peasant life, for it expresses the necessity of labour, in addition to ordinary farm work at home, in order to meet current expenditures.

‡ The trousseau of a peasant bride, purchased by the bridegroom, will cost from 15*l.* to 30*l.*, inclusive of a money payment to the father for the loss of a female labourer.

§ Simbirsk, 58 per cent.; Samara, 40 per cent.

|| The high tariff enables the Russian manufacturers to exact from the peasants 75 to 100 per cent. more than would be possible under a low tariff, for cottons and cloth.

¶ "Moscow Gazette," No. 29, 1869.

** Exclusive of the north-western and south-western provinces, which form the subject of a special appendix.

Up to the 1st of November, 1869, the number of male peasants who had become purchasers under the "redemption operation" was 3,614,882. The quantity of land allotted to them was 31,765,940 acres, or 9.61 acres per head, and the government payments to the proprietors amounted to 29s. 2d. per acre, the landowners having in less than half the number of cases obtained 20 per cent. more per acre from the peasants themselves in ready money, or in payment spread over a certain number of years.

It cannot, however, be said that the peasantry have become entirely independent of their former lords, by the act of borrowing 51,000,000*l.* sterling of the public money. In many respects they are more dependent than ever. Their allotments are not large enough to include pasture lands and meadows of sufficient extent, and the lord can command his own price for the faggots of wood, which, where the peasant does not or cannot steal,* he is now compelled to purchase.

And even in respect to the arable land, it has already been shown that the quantity allotted to the peasantry is far from being sufficient for their present wants, and must become still less sufficient as the population, artificially attached to specific localities, increases.

In thirty or forty years, therefore, notwithstanding the advances made by the State, the comuners, should they still exist, will be more than ever dependent on the lords, from whom no further expropriation of land can well be demanded.

(6.)—*Communal and Cantonal Self-Government.*

Before speaking of the self-government with which the peasantry of Russia were endowed in 1861 for the purpose of rendering perfect and harmonious the vast scheme under which they were emancipated, it is essential to inquire into the nature of the communal organization on which, as regards the provinces of Great Russia, the Land Tenure Laws under consideration have been based.

Modern researches into Russian history have discovered a very ancient origin for the Russian commune. Volumes have been produced by writers of the Panslavist, Democratic and Russian Socialist Schools to prove that it is a purely Slavonic institution, which, if allowed to develop itself freely, would take the form of federative organization, until the whole Russian land would be composed but of one commune of brethren dwelling together in love and amity.

But in the zeal of their research into the ancient popular liberties of their own country, those writers have devoted but little study to the political development of all other nations. They have paid but little, if any, attention to the fact that the mark and the tything of the Gothic races, and even the villages of India, were exactly similar in organization to the Slavonian communes, while the Saxon institution of "frank pledge" is the very prototype of the Russian "Krugováya porúkà," or system of collective responsibility.

Savages to this day live in tribal communities, for the same reasons which caused the Slavonian commune to outlive the Germanic mark. The early Russians were forced by the physical conditions of the country they occupied to form combinations against the wild beasts with which their dense forests were tenanted; later against tribal enemies; next, as they began to build and to colonize, against the very rigour of the climate which in winter would bury their pigmy huts in snow and interrupt all their communications. All these obstacles could only be removed by combined efforts of human energy. The woods were gradually cut down, the wild animals overcome, the tribal enemies subdued; but the frost and the snow continued to force the people of the Russian plains to dwell together in sufficiently large communities. Then the tribal enemies were succeeded by invaders who kept the country in subjection for two centuries, and who ultimately gave the native princes a power which drove the "black people," as the masses were called, into still closer union, and which, by giving them strength, resulted in the triumph of the popular principle of government at Novgorod the Great, Pskov, and indeed in most of the fifteenth and sixteenth century towns of Russia.

It is to this glorious period of Russian history, when the people dictated to their rulers at mob-meetings,—which again were identical with the Saxon Witenagemotes,—that the patriotic writers of Russia point with much enthusiasm. As a proof of the indigenous character of the communal principle, they dwell on the fact of its continued existence, forgetting or passing over those pages of history which would account for its exceptional vitality in their own country. They have failed to consider the influence of serfage in perpetuating an organization which in civilized countries has disappeared under the unimpeded development of individual interests.

* The woods are occasionally protected by means of a religious ceremony. Priests carrying the Holy Evangelists and Church banners walk in procession round the lord's plantations and declare them "interdicted."

After 1592, the Russian peasant had very little to say in the selection of a system of general or local government and organization. His independent progress, intellectual and material, was arrested. He became the chattel of a lord who disposed of his labour, his accumulations and his affections.* The lord to whom he belonged procured the enactment of laws which inflicted the severest punishment on run-away serfs. The rural population was thus tied to the soil within those very communes which once constituted the strength of the people, but which, subjected to the lord and the State, served the purpose of the former in imposing his will, and that of the latter in collecting taxes and raising men for war and conquest.

The exactions of the lord and the State led simultaneously to the establishment of a communistic principle of life within a rural communal polity. An arbitrary form of government established the arbitrary power of the lord, who exercised his despotism principally over the chiefs of families, to whom, in their turn, the members of those families were unconditionally subject. This perpetuated the patriarchal power, and had the levelling effect of which the communism of certain modern philosophers is the prime object. It has already been explained how, while the heads of peasant families were rich, all its other members, and consequently the mass of the population, were poor; not in regard to the satisfaction of their immediate material exigencies of food and rude clothing, but in respect to the satisfaction of the more refined wants of civilized life. The patriarchal system was not without its merits. It conferred, from one point of view, the advantages of our own law of primogeniture; it kept capital together, but not so much the capital of civilized nations as that of people relatively barbarous—namely, capital in labour and farm-stock. These were riches which gave the serf-family, to some extent, the power of resistance, or, at all events, the means of complying with the demands made by lord and State. As, by combined effort, they could remove the snow with which their huts and their communications were incumbered, so, by united labour, they were enabled to cultivate their fields and those of their masters during the short interval which a northern climate has allotted for such work. The young, the aged, and the maimed were cared for, as well as the indolent and the vicious. Marriages were promoted, for the commune provided for all its members and feared no increase of numbers. But over and above these advantages, the communistic principle of home life and the communal aggregations of communistic families, gave to the Russian peasantry a strength of union which they occasionally exercised by flogging or murdering a brutal master, or by attaching themselves in masses to the camps of rebel peasants, such as Stenka-Razin and Pugatcheff. Just as there was no individual property within the patriarchal organization, so there was no individual opinion. The State persecuted intellectual development, and its creature, the Church, enjoined implicit obedience to the rulers, who represented the supreme concentration of the patriarchal power by which the peasant families were held in moral and material bondage.

The whole system,—in fact, the communistic life, the communal polity, the general government of the country,—was based on slavery.

Such was the communal system which certain talented leaders began to extol at the commencement of the present reign. They found it in every village of Great Russia, and they desired to establish the whole of society and the Government of the country after the same model. They even adopted the dress of the peasant, to whose inherent virtue they owed the preservation of a principle which had survived their political freedom, their *Vechés*, and *States-General*. This movement, so important in its effect on the subsequent legislation of the country, coincided with an agitation in Western Europe to prevent the entire enslavement of labour by capital. The Russian Democrats and Socialists held up to those agitators, with pride, the existence of an organization in their own country in which capital was not the master of labour. It was only necessary, they insisted, to free labour from bondage, in order to solve the problem of an equipoise between the sweat of the brow and the accidental possession of gold and credit.

They exulted in the idea that the principle of Co-operative Association, of which so many writers and statesmen in Europe had urged the application, had long existed in Russia under the name of "*Artel*," as the ultimate form of Socialism. When a contractor hired any large number of labourers, the latter formed an *Artel*, which was only a kind of out-of-door commune. It had a chief who led the rest like a flock of sheep, which laboured together, slept together, and ate out of the same dish. The wages of labour were equally distributed, because no man's work was better than his neighbour's. It was equally rough, careless, and ill-paid, and it was only by herding together

* The lord was interested in the increase of the population on his estate, and often, therefore, forced matrimony upon his serfs.

in the vilest habitations, by purchasing their food wholesale and establishing messes, that the members of those Artels, so strikingly suggestive of slave-gangs and coolie contracts, were enabled to scrape together a few roubles, with which they reached home in time, perhaps, to enable the patriarch to pay the family quit-rent and taxes.

There was, however, they showed, a higher form still of the Artel. It existed at the sea-ports, where the labourers and other servants of merchants formed associations, of which the profits were annually distributed among its members. This appeared to them the most favourable application of the Russian communistic principle, forgetting that the system had been created by the employers rather than by the employed. The Artel offered to those merchants a security which they could obtain from no individual servant, drawn from a population bearing the burden of slavery and demoralized by all its vices. Naturally, therefore, the employers of labour promoted, in their own interest, the formation of societies which admitted no members who were not able to deposit a pecuniary guarantee of their honesty and general good conduct, qualities for which the Artels in a manner acquired a monopoly, to the disadvantage of poorer labourers.

The question of the Artels does not, however belong to the subject of this Report, and it was only necessary to allude to it here, as affording one of the arguments which the Panslavist and Socialist agitators employed in educating the Russian public and the Government itself into a belief that the communistic principle, as seen in the family life of the peasant, in his communal organization, and, lastly, in his Artel associations, was inherent in the Russian nature, and that being, moreover, in remarkable accordance with the doctrines of Western philosophers, it should be applied to its fullest extent in the impending liberation of the serf.

The results of the Emancipation Act in the family life of the peasant have already been considered. They prove the entire rejection of the communistic principle by the peasantry themselves, and it is only necessary to inquire here into the communal system * under which the Emancipation Act confers the right of self-government on the rural masses.

The commune, † before 1861, was merely a village with a certain quantity of land allotted to it by the lord, for the common benefit of its inhabitants.

Those inhabitants were divided into families, and these again into tiaglos, or labour and rent units, each of which was entitled to an exact share of the communal land, which was accordingly repartitioned, sometimes from year to year, but mostly at intervals of four, six, and nine years. A general repartition of communal lands took place, moreover, at every decennial enumeration of the people, who, after being registered at the census, were expected to contribute the same taxes in relation to numbers during a period of ten years. The decease of two or three members of a commune, the loss of one or two by draughting into the army, the transition of boys into men capable of doing work as a half-tiaglo,—all these were reasons for repartitions which, on account of their frequency, gave no member of the commune a personal interest in any particular plot of ground.

For the purpose of repartition, the communal land was divided into three zones, representing the three-field system of agriculture. The zones either encircled the village or formed the segments of a circle, for it was important to have as much land as possible adjacent to the village, in order to save time to the agriculturist in reaching his work, and in order to receive the manure which the villagers might have to apply to the land. The land of the first zone was therefore the most valuable; that of the next, second in advantages, and manured, if not composed of black soil, every six or nine years; and that of the third, perhaps equally good in quality, but never manured, owing to its distance from the village. ‡

* "L'organisation patriarcale de nos communes rurales, cette base fondamentale de notre ordre sociale."—*"Etudes sur les Forces Productives de la Russie,"* par Tengoborski.

† The communal tenure of land does not exist in the southern provinces of Russia, and, therefore, the observations that follow (as regards the repartition of land) are only applicable to the provinces of Great Russia. Although desirous of doing so, the Russian Government was unable to introduce it into the Provinces of Poltava, Chernigof and Kharkof, where the peasantry had been long accustomed to make arrangements with their lords for the occupation of as much land as they were able, with the assistance of their families, to cultivate. In the north-western provinces, however, General Mouravieff replaced the system of separate holdings by the old and obsolete one of vesting in a commune the lands formerly farmed, but, after 1862, owned by the peasantry.

The commune, as an administrative and financial unit, was, however, introduced in 1861 into all the provinces of Russia, together with the system of collective responsibility for Imperial and local taxes, and that of communal and cantonal self-government.

‡ The peasantry, while acknowledging generally the great defects of their communal system, point to the fact that it has hitherto enabled them to cultivate the bad lands as well as the good, for each peasant gets a slice of three different qualities of soil. A Russian writer states, that this is one of the impediments to the peasantry leaving the "bewitched circle" of the commune, which keeps bad land populated, just as in the days of serfdom.

In each of these zones, each male peasant would be entitled to a plot, which he would hold for one, two or more years, according to the system of repartition adopted in the village.

Practically, the repartition would be made on one of two systems.

Taken, a commune of 1,050 peasants, holding 3,150 dessiatinas of land (or 3 dessiatinas per male) at a poll-rent of 9 roubles per head, which would give a rent of 3 roubles per dessiatina.

The male population would be divided into tiaglos, or labour and rent units, at the rate perhaps of three males to the tiaglo, which would give 350 tiaglos to the village and an allotment of nine dessiatinas to each.

The lord or his agent, sometimes the patriarchs of the commune, would next determine the labour power of each family. Some families might have a larger proportion than others of boys, registered as "souls" at the the last census, or of members otherwise incapacitated from taking an equal share of the common burdens.

Ultimately, the division of families into tiaglos, and the distribution of the common debt, would take the following form:—

Family.	Male Members.	Equivalent to Tiaglos.	Allotment of Land.		Annual Quit-rent.	
			Dessiatinas.	Roubles.		
1	3	1	9	27		
2	6	3	27	81		
3	8	2	18	54		
4	4	4	36	108		
5	2	1	9	27		

And so on.

In this manner the burden—for the possession of land under serfage was considered a burden—was somewhat equally distributed, the circumstances of each family being taken into consideration, although, of course, it left the door open to tyranny and abuse, the burden-carrying power of families being frequently over-estimated.

The other form of land and rent distribution in the Russian communes was as follows, taking the same village and population:—

Family.	Male Members.	Land Allotment per Male.		Annual Quit-rent.	
		Dessiatinas.	Dessiatinas.	Roubles.	
1	3	3	9	27	
2	6		18	54	
3	8		24	82	
4	4		12	36	
5	2		6	18	

And so on.

A comparison of the two systems,—the one, exceptional, representing to some extent an equitable distribution of burdens in relation to physical capacity; the other, which is becoming more and more common, a compulsory equal allotment of land, irrespective of labouring power,—shews how little favourable the communal system must, in any case, be to the majority of the rural population.

The money burden would fall as follows under the respective systems:—

						Exceptional system.	Usual system.
						Roubles.	Roubles.
1st family	3 males ..	..	..	..	..	27	27
2nd "	6 " ..	..	..	..	..	81	54
3rd "	8 " ..	..	..	..	..	54	82
4th "	4 " ..	..	..	..	..	108	36
5th "	2 " ..	..	..	..	..	27	18
						217	217

This is a fair exemplification of the working of the communal system in Russia, which certainly bears this resemblance to theoretical communism, that it gives to all males an equal share in a common benefit. But in the case of the Russian commune the enjoyment of the benefit is attended with heavy financial burdens, which are not always distributed according to the producing power of each family.

Thus, family No. 3, although consisting of eight male members, would, under the tiaglo system of land repartition, be considered capable of tilling only 18 dessiatinas; whereas, under the system of equal distribution, per "soul," it would be compelled to hold 24 dessiatinas and to pay 82 roubles per annum in rent for land which it might not in reality be able to cultivate.

There is, moreover, this great feature to distinguish the Russian institution from the Western ideal, that the profits of labour are not divided equally amongst the members of the commune. The co-operative principle never existed in the commune, but in the peasant family, the head of which received the common earnings and gave to each contributor as much or as little as he chose.

It was this communal organization, based on communistic serf-life, that the Russian Government was induced to attempt to perpetuate in the Emancipation Act.

The desirability of its legal perpetuation seemed to have the support of many weighty considerations, apart from those merely of a philosophical character.

The commune had been a union against wild beasts and tribal enemies. The village was still a combination of human forces against the power of one of the elements. It was now considered capable of affording to the enfranchised serf the means of resisting the lord who might be inclined to encroach upon the unprotected rights of his former vassal.

In this respect the communal system presented itself in the form of a guarantee of the civil rights bestowed by the Emancipation Act, and made it apparently acceptable in the interest of the peasant himself.

It also appeared in the light of a worthy successor to the judicial powers of the lord, and the patriarchal influence of family chiefs—an influence of which the downfall was foreseen.

As an administrative and judicial institution, therefore, the communal system appeared to present immense advantages in a country so extensive, and yet so thinly populated, as to render its Government, even from provincial centres, a matter of practical difficulty and great expense.

There was, however, a paramount advantage to be derived from the communal system, which entirely removed the few economical objections that were raised against it.

It was above all considered necessary to prevent the peasantry from migrating, in the interest of the lord, but chiefly in that of the State, which required money and soldiers from a stable population. The peasantry were to be attached to the soil by their indebtedness,—not by their natural interests. The State having lent its money, had to see that the interest and capital of its loans were repaid.

For all these considerations, the Russian communes were prevented in 1861 from merging into mere parishes, and their members were bound together in a "reciprocal bond"—the bond of "frank pledge"—in respect to the payment of all taxes and dues.

The accompanying abstract of the Law of Communal and Cantonal Organization shows the great powers with which these rural commonwealths are invested, with respect to their own internal affairs and the liberties of individual members.

The general laws of the country do not interfere between the commune and its members in the repartition of lands (where the communal system of tenure exists), in the assessment of taxes, in the settlement of civil claims, and in the punishment of delinquencies not amounting to a crime. The cantonal judges, unlettered peasants, may pass a sentence of imprisonment for seven days, impose a fine of 8s., or inflict a punishment of twenty strokes with a rod;* while the commune may cause to be banished or otherwise disposed of by the Government any member who may, by a majority of two-thirds at a meeting of one-half of the peasants of a village be pronounced "vicious or pernicious." At the same time, this exercise of these large powers is not confined to the limits of the commune or the canton. By means of the passport system, of which the principal object is likewise the security of the revenue derived from poll taxation, the communes and cantons may bring within their jurisdiction peasants who, although only nominally attached to their communes, may be following occupations in distant provinces or towns. The commune or canton has only to refuse the renewal of a passport, in order to place its bearer in a position which compels him to return and to submit himself to the will of his fellows.

These may have obtained an exaggerated account of the prosperity of their absent

* The only tribunal which can sentence to flogging. The law does not state that women are exempted from corporal punishment; but many cases having occurred in which women (frequently on the complaints of their husbands) had been sentenced to be flogged, the practice was prohibited by a Circular addressed to the "Cantonal Tribunals."

brother. An aged relation,—perhaps a brother, a sister, or a wife,—may have insisted on receiving greater assistance from him than he had previously afforded; he is consequently brought back, at great expense to himself, and generally to the prejudice of his trade or occupation. He returns, perhaps, in clothes different from those in which he left the patriarch's miserable hut; he looks well fed; his hands may have become white and soft in service as a valet or a cook; he may have learnt to read and write. These appearances, while explaining to the rude peasantry the punctuality with which their more civilized brother had hitherto remitted his taxes and his contributions towards the support of his relatives, are, at the same time, taken as evidences of a further ability on his part to supply them with money. To some, he may be an object of envy; to many, an object of hatred and malice. All have to be propitiated by money or strong drinks, for they may give him an additional burden of land and taxes, elect him as mayor of the commune, declare him to be "pernicious,"* flog him on some plausible pretence, and otherwise apply laws which they may consider to be customary, but which often take the form of mere lynching.†

The urgent necessities of the peasantry have, frequently, indeed, no law. The taxes must be paid or the stock of the entire village will be seized. If there still be a rich man within it, or one that can be brought within its power under the circumstances above described, those peasants would possess more than ordinary virtue did they hesitate to possess themselves of the power with which the Emancipation Act has invested them.

That power is in the hands of masses who are themselves despotically controlled in one of the important conditions of human freedom. It is therefore natural, and even their immediate interest, to exercise a similar form of control over their own members in everything that concerns the bearing of the common burden of land and taxes.‡

But there is one very great check to its exercise. When a poor commune happens to possess a member who has amassed riches, he is generally the common banker and money-lender. The entire village is indebted to him, provided he has been wise enough or able to subsidize it. He then becomes the master or lord of the commune; no votes can be given without his approval, and no resolution passed at a communal meeting that is likely to endanger his interests, which consist in preventing the members of the commune from breaking the chains which bind them to the soil. Like the patriarchs in the serf family, he is responsible for the communal taxes and rent. If the cattle of the defaulters has been seized, if they have no ready money, he will be called upon to pay to the uttermost farthing; for he is bound in a reciprocal bond with those defaulters towards the State.

In circumstances like these, the position of the industrious man who has scraped some money together, or of the man who has inherited a condition of prosperity, is comparatively favourable. Where the peasantry of a commune are independent of their own money-lenders, or where they can obtain advances of money from traders who come to buy their corn or their hay before either is grown, the thriving man of the village is generally in a position of great discomfort. He is sure not to be a mayor, or an elder, for those are offices which are calculated to keep their holders fully occupied in levying distresses, arresting delinquents, attending cantonal meetings, and

* For a year or two after the emancipation, the peasantry were in the habit of delivering over to the recruiting officers such of their members as they might find "unfit for a family life." The Government have now put an end to such arbitrary selection.

† The "Gazette of New Russia" contains the following observations:—"Our press frequently discusses the proceedings of the communal meetings and cantonal tribunals, but the facts alleged are seldom supported by proofs. As we are in a position to obtain correct information, we intend to lay it before the public from time to time, and, meanwhile, we give publicity to the two following cases, which are more than ordinarily curious.

"1. In 1864, N. D., a burgher of Elisavetgrad, stated, in the presence of some peasants, that Euphrosine M. was guilty of conjugal infidelity, and, although he was unable to prove the accusation, her husband became satisfied of her guilt. Having taken counsel with some of the villagers he 'cried' a meeting, which the Elder of the village was invited to attend. The accused woman was brought before it, and sentenced, without being heard, to be walked quite naked through the village, in the presence of all its inhabitants, and afterwards to receive fifteen blows with a stick on her bare body, before the same witnesses. The sentence was carried out to the letter, on a frosty day in October.

"2. About a year ago, Mr. N., a landed proprietor in the district of E., complained to the cantonal tribunal of V. that some peasants had cut hay on his meadows. The tribunal inquired into the matter, and passed the following sentence, which we give verbatim:—"Although it is true that the said peasants cut the hay on a river-bank belonging to Mr. N., yet, considering the general transgressions, they are hereby liberated from any pursuit whatever."

‡ The journals are full of cases in which the industrious members of communes are ruined for the benefit of their brethren. One day it is a rich peasant whose brick-works are seized and sold for a tenth of their value, in order to make good the communal arrears; the next, it is a peasant woman in despair at seeing her cottage sacked, the distraining officer leaving her but one garment—her gown.

carrying out the manifold instructions of the State and territorial ("Zemskié") authorities.

Election to either office is looked upon as a punishment, and threatens with ruin those who have the goods of this world to look after.

It is no common occurrence, therefore, to see the most "vicious" man at the head of the village community. He is generally a greater drunkard than the rest, a quality which admits of his being propitiated; and he is too often far from being an enemy of the soldier on furlough,* who keeps the village dram-shop, and advances glasses of "vodka" on the security of any articles of clothing or farm implement of which the peasant may not require the immediate use.†

There are, of course, a few bright spots in the dismal picture of communal self-government; but it cannot be denied that, as a rule, the despotism of such an utterly uncivilized democracy exercises a most baneful influence on the moral and material development of the people, and that that development is at present subservient to the paramount interests of the Exchequer and War Department.

The people themselves are now fully alive to the evils of this communal system, particularly in regard to the tenure of land.

Profitable farming is becoming more and more a question of manure. The peasant allotments, impoverished by the rack-renting process to which they are everywhere subjected, owing to no man caring what may become of the land after he has cut his crop, must gradually fall into the hands of those who can afford to keep stock. The man who keeps four cows objects to manure land which his neighbour, possessing only one cow, may get next year.‡ This feeling is so strong that the lands conveyed to the peasantry under the Emancipation Act have not to any great extent been since repartitioned amongst them. A small proportion, namely, 18,448 peasants,§ have succeeded in getting their allotments conveyed to them for ever by their communes; but the tyranny of the poorer members of the communes, who naturally desire to retain the prosperous and more industrious as parties to the common bond for taxes and rents, prevents the dissolution of the communal system of land tenure at a more rapid rate.|| Besides, there is a very important financial question connected with the communal tenure of land, to which the peasantry are gradually becoming alive. They have begun to ask,—What will be the position, 45 years hence, of the family which is not "redeeming," by annual instalments, two maximum allotments of four dessiatinas each? The population of the commune will have more than doubled itself by the end of that period; consequently, the communal holdings will have to be reduced by one-half or three-quarters, and the family, which has been all along purchasing the freehold of eight dessiatinas, will find, at the end of the redemption period, that it has in reality only purchased half that quantity of land. The family may, moreover, not live to see the end of the redemption period, and it may leave no descendants: all its payments, therefore, towards the acquisition of a freehold, will have been wasted for the benefit of other members of the commune. This must clearly be a strong inducement to the peasantry to obtain the personal conveyance of their communal holdings before the latter crumble away under the mere influence of time.

It is, however, satisfactory to find that the Government have just issued a law which relieves the peasants who have obtained the personal tenure of their allotments from the communal responsibility for taxes, and which, at the same time, entirely removes the bond of "frank pledge" from communes with a population of less than forty males.

In view of the increasing dislike of the communal system by those for whom it

* Owing to the system of annual recruitments, which disengages a corresponding number of men from the ranks of the army, more than 500,000 soldiers are at present on furlough. A considerable number have found occupation in towns; but the bulk of them are to be found in the villages, where they are not noted for industry and morality.

† The law forbids the sale of spirits in dram-shops on credit or against pledges; but, as the local magistrates, who have large powers respecting the verification of weights and measures, and the adulteration of food, are actually disqualified from pursuing any case of unlawful sale of "vodka," the village cabaret is generally a perfect sink of iniquity, barbouring other vices besides drunkenness.

‡ Even before the emancipation, in Orel and other provinces, the peasantry, who were obliged to use manure in the cultivation of their fields, insisted on their share of the communal lands being definitively assigned to them; and when the "Settlement Deeds" were being drawn up (from 1862) they very generally petitioned that the land should be parcelled out to them for individual usufruct.

§ Principally in the Provinces of Tula, Kharkof, Kursk, and Moscow.

|| "In India the communal practice of land-repartition ceased, as improvement in agriculture became common. When a re-division was made, care was taken as much as possible to leave wells and groves, which constituted improvements, in the possession of their original owners."—"The Irish Land," by G. Campbell. London, 1869.

was created under serfage, and elevated into a principle at the emancipation, other measures will probably be taken to facilitate the breaking up of communities of which the members are bound by no common interest.

If the communistic family life of the Russian peasant, connected as it has been with his strong natural affections, has yielded to the influence of emancipation from serfdom, it cannot be expected that an artificial organization so detrimental to the interests of agriculture and so prejudicial to those of liberty, can long continue to exist.

In India it went to pieces and fell into desuetude as soon as the external pressure which kept it together was removed.* “The commune is our ruin”† is now the reply of the intelligent Russian peasant when questioned about his circumstances.‡

As regards the general effect of emancipation on the condition of the Russian peasantry, it is now almost generally admitted that the condition is far from being satisfactory. The landowners assert that, while “working and producing less than formerly, the peasant has increased his unproductive consumption,”§ which means that he has become more idle and more addicted to drink. Mr. Bezobrazoff, an eminent political economist, has recently pointed out in a magazine published at Moscow, that, while the Liberal officials of the Government alone maintain that “all is well,” both the Conservatives and ultra-Liberals of his country consider that the peasant is very badly off, and that the only disagreement on this subject between political parties refers to the means by which the unsatisfactory condition of the peasantry should be improved. The aristocratic party recommend the re-establishment of some kind of tutelage over the agricultural classes, the abolition of the communal system, and the emancipation of the peasant from the land; while the Democrats urge as a panacea the extension of liberty to all classes, and a development of the communal system without the institution of “frank pledge.” The Socialists, again, under whose influence the Emancipation Act was, to a great extent, prepared, have just called on the peasantry to murder the Government officials and the landlords who “continue to withhold the land to which the rural classes are entitled.” On the one hand, therefore, the cry is less license; on the other, more liberty and more land.

It is this intimate connection between “land and liberty” in the Russian agrarian question that renders impossible the deduction of any absolute conclusions as to the effect of the Emancipation Act, viewed merely as a new land tenure law. In many of its leading features the Act may be considered as a law for the security of the interests of the Crown, and its promulgation was, unfortunately, coincident with the adoption of another fiscal measure—the abolition of the system of farming the excise on spirits—which led to the reduction of the price of the “vodka”|| that plays so important a part in Russian village life.

Even in respect to the land, the Emancipation Act only regulated the terms on which it was to be in future held by the peasantry. It diminished, rather than increased, the quantity of land in the possession of the peasant, who had always been more of a tenant-farmer than an agricultural labourer. Unlike the Irish cottier, the Russian serf was groaning under the fixity of his tenure. His forefathers had possessed it for centuries. It was one of the conditions of slavery, and the Emancipation Act has reproduced it in another form.

These several questions, and particularly the question of “land and liberty,” are so intermingled that it is difficult to trace the general results back to any separate cause; but, dispassionately viewed and studied, those results, as far as they concern the present circumstances of the peasant, are described under Question 19 in Part II of this Report.

II.—*Effect of the Emancipation Act on the Landed Proprietors.*

For the purpose of inquiring into the effect of the Emancipation Act on the interests of the landed proprietors, it is necessary, first of all, to divide them into two

* “The Irish Land,” by G. Campbell.

† “Obstchina nas qubit.”

‡ In a history of the Revolt of the Military Colonists in 1831, the following passage occurs:—“Some of the rich colonists had become reduced in their circumstances, and those who had been in middling circumstances became poor. The peasantry had long been in the habit of assisting their indolent, though poor, brethren in improving their circumstances. On the division of fields, the poor and lazy got the best lots, and the industrious and rich the worst, which the latter were then obliged to manure, without any aid from the Crown. Each bore an equal share of the burdens of service. . . . The military colonists, it is to be presumed, only waited for a favourable opportunity, in order to subvert the reform that had been introduced. That opportunity was found.”

§ “The Land and Liberty,” by P. L. St. Petersburg, 1868.

|| Corn brandy. It is now popularly called “deshofka,” or “cheap stuff”—a name that points significantly to the cause of drunkenness in Russia.

groups—the landed proprietors of the Northern and Central, and those of the Black Soil and Southern Provinces. In the former, it was the interest of the lord to receive a poll-rent, in the latter to cultivate the rich land with the aid of serf labour.

The Emancipation Act, however, made no such distinction between the interests with which it had to deal. It imposed an almost uniform rate of rent and redemption, based, not on the value of the land, but on the money and service liabilities of the serf towards the lord, and attached the peasant as firmly to the barren as to the fertile soil. There was a great practical difficulty in acting otherwise. A measure of less uniformity would have turned the balance of advantages too much in favour of the fertile districts, to the ruin of those in which industry and manufactures had come to the aid of agriculture. In this dilemma, the Legislature decided on the maintenance of the *status quo* in respect to the distribution of the rural population.

For the first few years, the proprietors in either of the two groups complained loudly of the injury which their interests had sustained. They agreed in considering the expropriation of their lands in favour of the peasantry as a violation of the rights of property, but there were few who did not consider that violation unavoidable. Political economists defended it on the ground of political expediency. Indeed, it has been shown that the scheme of "redemption" emanated from the landowners themselves. They were all interested in retaining the population on their lands, and this could not have been better effected than by empowering the lord to force the peasant to become the purchaser of a freehold.

The Democrats and Socialists insisted on the peasant getting land as well as liberty, and the Government was nothing loth to secure its own financial interests for the time by conveying to the tillers of the soil a quantity of land "sufficient to enable them to fulfil their obligations towards the lord and the State."

To some extent, therefore, the expropriation of land to the peasantry was a snare, rather than a benefit. It was made in the proprietors' interests, and in that of the Imperial finances, which were then in a state of great attenuation.

The financial position of the Russian landed proprietors was equally unfavourable at the date of the emancipation. In 1859 the Government had ceased to advance loans on the security of lands and serfs, and there were no banks from which the landowners could obtain similar credit. Many had pledged their properties to their full extent; for no fewer than 7,107,184 serfs out of 10,000,000 were in pawn, and, as each "soul" was supposed to represent 5 dessiatinas (14½ acres) of land, the extent of the mortgaged lands was nearly 102,000,000 acres, or exactly one-third of all the private lands in Russia, and a little more than the total quantity of land of which the peasantry were then actually in occupation.

Some of the largest serf-owners were thus at the end of their resources when the Government ceased to supply them with any more ready money.

It became necessary to curtail their reckless expenditure in foreign countries and to reduce their vast establishments at home. After the heavy charges of the Crimean War, it seemed almost impossible to raise the quit-rents of the serfs; and yet, in view of the approaching enfranchisement, it was incumbent on the lord to put his house in better order, to prepare to meet the coming crisis in his fortunes. Many profited by the few years that still remained by removing their serfs from lands near the manor to those more distant, and not a few in raising poll-rents which they knew would sooner or later be taken as the measure of compensation for loss of serf labour. By many, however, and particularly by the greatest serf-owner in Russia, the temptation of raising poll-rents was withstood, even under circumstances of the greatest pecuniary embarrassment.

It thus happened that the landowners of Russia,—in great part absentees from their domains, and even from their country,—were far from being in a position to meet the exigencies of a vast social revolution. Their coffers were empty; their banks had stopped; their estates were not saleable, or even divisible on death, in the absence of ready money; and the State was about to deprive them of their serfs, to expropriate their land, and, at the same time, to foreclose the heavy mortgages* with which it was burdened. The sacrifices which they were called upon to bear in the present, seemed to them light when compared with the struggle that evidently awaited them in the future.

The work of emancipation commenced, and, for two years after the promulgation of the Ukaze of 1861, the position of the landed proprietors remained precarious. Labour was scarcely to be obtained. The peasantry, excited and distrustful of their former masters, continued to wait for further liberty and more land. Agitators distributed

* In settling with the landed proprietors for the cession of lands to the peasantry, the State has already foreclosed mortgages to the extent of 30,500,000*l.*—*Vide* Balance-sheet of "Redemption Operation."

proclamations and "golden charters," bestowing the proprietors' lands on the peasantry. Partial risings took place,* from the misinterpretation of some of the provisions of the Emancipation Act. In some villages, and sometimes in entire districts, the peasantry refused to submit to the military authorities, and were punished,—sometimes shot down. About 200 peasants lost their lives in sporadic attempts at agrarian revolt, which proceeded generally from ignorance, and from the machinations of Socialist emissaries and religious fanatics.

The nobles—for all landed proprietors in Russia enjoy the privilege of nobility—felt the weakness of their position. Materially, they were for the time ruined,† and, politically, they had lost all their power. They had governed the people, and even that occupation had been taken from them. Alarmed at the progress of Democratic and Socialistic tendencies, they began soon after the emancipation to put forward their claims to political power in the State. The peasantry had received the right of self-government; the classes above had surely an equal claim to such a right? But the nobility asked for more than local self-government,—they demanded a central representation of the country. Like their enemies, the Democrats, they pointed to the ancient *Vechés* and to the *States-General*, which had elected the first sovereign of the reigning house. They showed that the Czars of Muscovy had taken away all those ancient political rights which the landed aristocracy had bartered away, in fact, for the material advantages which they derived from serfage; and serfdom, having been abolished, they asked for a restoration of their ancient privileges, and for a voice in the government of the country. Supported, as it was, by the intellectual classes, the struggle was apparently about to terminate in favour of representative institutions, when the intervention of the Western Powers in favour of the Polish insurgents turned the tide of affairs, and saved the existing form of government. The patriotism of all classes was awakened; the isolated position of the Government was acknowledged; and, in view of the danger of losing the western or old Polish provinces, as well as the Kingdom of Poland, the Russian public rallied round their Government, and imparted to it a strength which has not since left it.

As soon, however, as the Polish insurrection was quelled, the Government had once more the mastery of the position.

It began to pursue unimpeded a course of reform in every branch of the administration. In 1864, an *Ukaze* was issued, instituting territorial assemblies for the self-government of the various provinces of the Russian Empire. The accompanying abstract of that *Ukaze* will show that the new institutions were modelled on a Democratic basis, in order to meet, in a sense favourable to the Bureaucratic and Democratic parties, the proposal of the nobility or country party, for remodelling the old provincial assemblies of the nobles on an enlarged basis.‡

The land question became once more the topic of the day. Considerable alarm prevailed at the tendency of the Government to disregard the rights of property. The arbitrary measures adopted in the old Polish provinces might, it was feared, be extended to other portions of the Empire. The appointment to the Council of the Empire of Mr. Miliutin, the author of the Land Settlement Measure in Poland, and the ardent advocate of Democratic principles, gave some consistency to the fear that the Government

* Principally on the Volga and in the province of Kazan. At *Bezdna*, in the latter province, the rising under Anthony Petrof, who called himself a prophet and an ambassador from the Czar, assumed formidable dimensions. It was joined by 4,000 peasants, who stood four discharges of musketry before they dispersed. They lost 51 killed and 40 heavily wounded, while their leader was captured and shot by sentence of court-martial. Anthony Petrof had told them that they were free men, and that the land belonged to them; and they believed so firmly in their leader's mission, that, when the military fired, they continued to shout, "We shall not give him up; we alone are for the Czar; you are firing into Alexander Nicolaevitch himself." A still more serious outbreak took place in the province of *Penza*, in the centre of a population of 163,000 "souls." The rioters insisted that the true *Ukase* of emancipation was being kept from them by a priest, and, with shouts of "Liberty," they paraded a red flag through the villages. A company of soldiers sent to disperse them was attacked with staves and compelled to retreat. Their leader, a Molokan sectarian, announced that he was the Grand Duke Constantine, brother of the Emperor Nicholas. Risings took place also in the provinces of *Tambof*, *Chernigof*, *Podolia*, *Smolensk*, and *Witebsk*. The total number of rioters shot down is officially reported to have been 60, and the number of dangerously wounded 80. Many others were crushed to death, and a considerable number were sent to *Siberia*.

† The heaviest losses sustained by some of the larger landed proprietors are exemplified in the following extreme cases:—An estate that once yielded an income of 900*l.* to 1,000*l.* only returned 130*l.* for the first two or three years after the emancipation; another situated in the southern provinces, that formerly gave a nett revenue of about 2,000*l.*, entailed a loss in 1864 of 300*l.*; a proprietor in the province of *Chernigof* received in 1865 600*l.* in rent from his former serfs, but in return paid 1,275*l.* for their labour, with which, however, he cultivated one-third less soil than before 1861. On an average, the losses of the proprietors between 1861 and 1865 were at that time estimated at from one-half to two-thirds of their previous incomes.

‡ It was proposed to send deputies from those assemblies (which still exist) to a Central Imperial Legislative Assembly. The attributes of the Russian territorial institutions are very similar to those of the French *Conseils Généraux*.

would shortly compel the proprietors to sell the patches of land which the peasantry might desire to purchase. They feared the introduction into Russia Proper of the system of "compulsory redemption," which had been imposed with such ruinous effect on the landed proprietors of the North-Western and South-Western Provinces. The expectation of such a law created more excitement at Moscow than elsewhere, as land was more valuable in the neighbourhood of the ancient capital and the population denser. At last, the Minister of the Interior was obliged to announce that no such measure had been or would be contemplated by the Government.

Another subject of complaint at that period, more tangible and well founded, was the issuing of a secret Circular by the then Minister of the Interior, instructing the governors of provinces to throw every possible difficulty in the way of a final conveyance of territorial allotments to the peasantry.

The Act of February 19th had enjoined a definitive distribution and allotment of peasant holdings within a term of two years. Those which were inconveniently near to the residence of the lord or intersected his property were to be exchanged for others more distant, but of equal value. It was the object of the landed proprietors to render the property left in their possession as compact as possible; the peasants, on the other hand, were not inclined to exchange their old holdings for others, perhaps less valuable, and often composed of soil which had not yet been broken. The exchanges in such cases gave rise to much disagreement between the proprietors and the peasantry, and the Government, fearing a loss of popularity, and possibly an agrarian outbreak, adopted the plan of impeding a settlement so distasteful to the agricultural population. At the same time, a considerable number of noble proprietors lost the necessary qualification for a vote in the Nobility Assemblies, by being deprived of their land. The Senate declared that the right of vote at such assemblies could not be prejudiced by the Act of Emancipation; but the nobles of Moscow rejected the decision, and denied to several of their colleagues the right of voting, but without debarring them from a seat in their assembly.

Again, by the great judicial reform decreed by His Imperial Majesty, and which came into partial operation in 1865, the right of nominating judges was transferred from the nobles to the Crown.

Lastly, the new Territorial Institutions were calculated to take out of the hands of the Nobility Assemblies the administration of all matters relating to rural taxation and local improvements.

They gave to all holders of land, irrespective of class, to the peasant as well as to the noble, an "immediate participation in all affairs relating to the domestic welfare and requirements of each province."

In view of all these infringements of the Charter granted by the Empress Catherine, the nobles began once more to agitate for central representation. At their assembly in Moscow,* early in January, 1865, they voted an address to the Emperor, asking for

* The following are extracts from speeches made at that time:—"We (the nobles) have long pointed out that the only remedy against the abuses of the Executive is the Convocation of the Representatives of the People, who shall deposit their desires and their grievances at the foot of the Throne. We desire that the words of the people addressed to the Sovereign, and the words of the Sovereign to his people, should no longer be falsified and suppressed by the 'opritchniks' that stand round the Throne." The "opritchniks" were privileged functionaries drawn from the lower classes of society, with whose aid Ivan the Terrible ravaged and burned villages, and slew the inoffensive inhabitants of Moscow.

Another member of the Assembly:—"I am persuaded that, when the Territorial Institutions shall have been definitively organized, the necessity of a common centre of operations will be felt, and that the Convocation of a Central Assembly will be their inevitable result; but, if there shall be only one General Assembly, where is the counter-balance to the spirit of Democracy with which it will be imbued? Such an Assembly will be like an inflammable liquid that will ignite at the simple contact of the air.

"The elements capable of counter-balancing the Radical proclivities of those popular Assemblies do exist in Russia, and are indicated in the project submitted by Mr. W. Bezobrazoff. Opponents have compared the rights and prerogatives of our order to those of the Pope or Henry V.; but I do not see why oppressed right should be reviled. Unhappy will be the day when Russia shall only see in the person of her Sovereign a fortunate and mighty potentate, who only reigns because he is supported by a million bayonets! In the person of the Emperor we honour the anointed hereditary representative and the progenitor of future representatives of the majesty and supremacy of the Law.

"I protest against the term 'opritchna,' used by a previous speaker. It is not fair to apply it to all the officials of Government at St. Petersburg, for, in the highest Council Chamber of the State, there are many dignitaries who share the strong antipathy of the Assembly towards those traitors to their country who resort to communitistic and other dissolvent principles, in order to bring the Empire to ruin.

"The Emperor prides himself on being the first nobleman in Russia. He has every reason to adopt that title, for our noble ancestors raised him from their own ranks. But it has been for some time the fashion to assert that the Throne has no need of support, and that the Emperor is adored by the people on whom he has lavishly bestowed both land and civil liberty; that, in fact, the Emperor does not require the co-operation of a few thousand nobles, when he reigns over millions of hearts. I admit the argument, to a certain extent, as based on present circumstances. But what, I ask, will be the position of the Emperor when he shall have no more lands to distri-

the convocation of representatives of the people, on the basis of the new Territorial Institutions, and for the establishment of a "Chamber of Nobles," to be elected by the provincial assemblies of nobility, for the purpose of counter-balancing Democratic influences.

The Senate, however, annulled all the proceedings of the Assembly, on the alleged ground of its decision in the matter of disqualifying members from the right of voting, in cases where they had lost their property qualification by the emancipation of their serfs; and, within a twelvemonth, the dastardly attempt on His Imperial Majesty's life at St. Petersburg, caused the agitation to be abandoned, as in 1863.

The institution of the Territorial Assemblies may, with some justice, be considered as the turning point in the fortunes of the landed proprietors. This endeavour to obtain a paramount influence in the government of the country had failed, and they had even by their agitation strengthened the hands of a Government which remained under the influence of Democratic ideas. The Territorial Institutions, in which the peasantry—and the merchants, drawn from the same class as the peasantry—could command a majority of votes on questions of the deepest import to landed proprietors, compelled great numbers of the latter to give up absenteeism, and to study and promote their interest on the spot. Circumstances had become more favourable. The "Settlement Deed" had been drawn up. The peasantry knew, at least in Great Russia, what belonged to them, and what was their former masters'. It was evident they would get nothing more. Merchants and peasants were buying land. The money market was recovering, and the landed proprietors had by that time obtained considerable sums from the Government for the cession of peasant freeholds. The difficulties of the peasantry, at the same time, were beginning; their taxes and their arrears to the tax-gatherer were on the increase; they were splitting up into smaller families; crops had failed; manufacturers had introduced more steam machinery and deprived whole villages of hand-loom work; the want of ready money, in fact, promoted the seeking of work.

But, by this time, the fortunes of many landed proprietors, probably of about one-half, were beyond resuscitation. They had entirely succumbed—necessary victims of a State policy which was to benefit the masses, and which, therefore, could not reconcile interests comparatively so microscopic.

Special provision had been made for landed proprietors who, owning fewer than twenty-one male serfs,* possessed no arable land, or not a sufficient quantity to provide the emancipated peasants with a certain maximum allotment.

The lands of these were, as a rule, entirely expropriated in favour of the peasantry, on the same terms as the lands of larger proprietors, and a certain proportion, more needy than the rest, obtained small pecuniary grants from the State.

In some cases, the peasantry accepted the alternative of moving to Crown lands, where they were assisted by Government in establishing themselves.

The proprietors who retained lands, were, as already stated, divided into two distinct groups.

Those of the northern and central provinces, who had levied quit-rents, not in proportion to the income derived by the peasantry from agriculture, but in respect to their earnings from the pursuit of some industry or trade, went to the wall at a very early stage of the great reform. The sin of those who had made their serfs pay 12, 15, and 16 roubles per head was visited upon them, for they lost a great part of the income which they had derived by the uniform rental established by the Emancipation Act.

That uniformity injured the innocent as well as the guilty. The labour of a peasant under a lord who looked after the cultivation of his own lands, was far more valuable than that of a serf working for an absentee landlord.

As already frequently stated, the redemption scheme was not based on the value of land, but on the poll-rents levied from the serfs. The labour of a serf family might thus be worth £10 per annum to a proprietor whose lands were highly cultivated, and only £5 to him who paid no attention to the quality of work. Labour had a greater value when the lord had done his duty; and yet by the Emancipation Act he suffered most, for he got no higher compensation than his absentee neighbour.

Gradually, however, the landed proprietors who devoted themselves to agriculture in the southern and eastern provinces of the Empire recovered, while those of the

bute, no further liberties to confer on the peasants; when the nobles, ruined, shall have emigrated, and left the Emperor to face singly a peasantry clamorous for further boons? Imagine a country of peasants, and an Emperor the only nobleman in it!"

* They were 41½ per cent. of the total number of proprietors.

northern and of some of the central provinces were irretrievably ruined, after making in some cases futile attempts to introduce agricultural machinery, and to improve or enlarge their stock. The misery of the peasantry who were tied by the redemption process and the communal system to unproductive tracts of land, affected the circumstances of the landed proprietors. This peasantry sold much of their stock for rent and taxes, and consequently did not require the lease of pastures and meadows. A want of enlightenment, combined with careless management, favoured the spread of murrain among their cattle. From the village the rinderpest spread to the manor. Penury led to want of seed, and want of seed to short crops, and, in many provinces, to famine. The seasons were unfavourable, and there was no provision against such an emergency. The communal reserves of corn, placed under the special care of the peasant self-government, were in too many cases found empty. Province after province was called upon to feed the hungry. The charges on land consequently increased in the very provinces in which agriculture was pursued least advantageously. The inevitable emigration of the peasantry from those provinces in large numbers—not in 1870, for they are as yet too firmly attached to the soil, but as soon as the Government shall have become convinced of the necessity of allowing them to employ their labour more productively elsewhere—will finally accomplish the ruin of a great proportion of the proprietors of the northern and central provinces.

Those of the Volga basin and of the South, on the other hand, appear to have the fairest prospect before them. Their condition even now is one of considerable comfort, compared, of course, with the crisis through which they have passed. What they have lost in serf-labour and by the reduction of their tillage to the extent of one-half or even two-thirds, is amply made up by the rents which they receive from the peasants for the additional land which they lease in increasing quantities.

In the fertile Province of Samara, for instance, the peasantry now cultivate about 5,000,000 acres, of which at least one quarter is leased from the landowners, who have only about a quarter of that area under their own tillage. The landed proprietors do not seek to increase the extent of their own fields, and their incomes are becoming more and more of a rent-charge. They have not sufficient capital,* and the extent of their lands is altogether out of proportion with their financial resources. Most of them are scarcely equal to the cultivation of one half of the land left in their possession. In several districts the extension of proprietors' farms is impeded by the want of capital and manure, rather than by the scarcity of hands.

The entire system of farming seigniorial lands has been changed.

Formerly, a careless cultivation was spread over a great extent of land; now, a smaller extent of land is cultivated with more care and thrift and with better results.

Moreover, there is a growing increase in the revenue from the sale of timber, which is now better kept; the landed proprietor has reduced his personal expenditure, and introduced some amount of order and economy into his affairs; he has no longer the charge of the sick and the poor, and he has dismissed his large retinue of domestic serfs.

The proprietors of the favoured provinces to which these remarks chiefly apply may therefore be considered in a thriving position, and particularly those who have induced their peasantry to accept the "Beggars' Allotment."

They must, in the course of time, grow more and more prosperous, at the expense partly of the landed proprietors of the north and centre of Russia, whose tenants will, if permitted by law, gravitate towards the districts watered by the Volga.

Their danger perhaps lies in a liability to be called upon at some future period to provide "perpetual tenancies" for the peasants whom they may attract to their lands as tenants at will.

Such has been the fate of the Bessarabian landowners, whose present circumstances, almost as disastrous as those of the landed proprietors in the old Polish provinces,† are considered separately in an Appendix to the present Report.

* Only two land banks have as yet been established in Russia. By the 1st September, 1868, they had advanced 1,600,000*l.* to landed proprietors on the security of 729 estates.

† Although the Special Rules for the settlement of the north-western and south-western provinces are likewise appended to this Report in an abstract, it is unnecessary, for the purposes of the present inquiry, to examine their effect on the landed interest, which has not been taken into consideration from motives of Imperial policy.

III.—*Effect of the Emancipation Act on the Welfare of the State.*

After pointing out so many defects in the original scheme of emancipation, and the artificial relations of the peasant towards the soil which the Act has imposed, it would be illogical to admit that the well-being of the State has advanced since 1861, as a consequence of the settlement of the Russian Land Question.

It is in spite of that question, rather than owing to it, that the country has so far preserved a condition of slowly advancing welfare. The State has been put to the rudest trials. It emerged from the Crimean War with financial liabilities which it is still unable to meet. Its old institutions were shaken to their very foundations. Serf-emancipation was a matter of urgent political necessity, and no less urgent has since been the institution of a magistracy and of open courts of law with trials by jury. The army has been remodelled, the navy rebuilt in iron, and a network of railways is fast spreading over the Empire, which has thus been almost created anew since 1856; and all these great and glorious works have been undertaken without a Parliament, in the face of great financial embarrassment, of a wide-spread Polish insurrection, of an agitation for representative institutions, and of an internal disorganization and general uneasiness consequent on the first great reform of the present reign. These great changes did not even give rise to Ministerial crises. The Emperor's firm will to regenerate his country removed the effects of Ministerial disagreement, and many minor differences yielded before the imperious necessity of pursuing the path of reform on which His Majesty had entered.

One or two Ministers were, it is true, replaced; but without producing any important change in the policy of the Cabinet, which continued, in English parliamentary language, to be composed of "His Majesty's Opposition" as well as of "His Majesty's Government."

This dual character of the Administration is represented in the Russian literary world by the two parties which have recently been described* with great skill as the Party of "Conservatives" (or "Whites"), and the Party of "Progressists" ("Radicals" or "Reds").

There is another group of literary politicians, viz., the adherents of the "Moscow Gazette," who can, however, scarcely be said to form a party, in the same sense as the Conservatives and Radicals. They exercise a certain amount of indirect influence; but that influence is too often staked on questions on which they entertain the extremest views, such as the question of Russifying the Baltic and old Polish provinces. Their principal writers are political economists, who, while fighting the cause of free trade, are persistent in their advocacy of a system of avowed spoliation of Polish landed proprietors—a system that naturally does not possess the sympathies of the Conservative Party, the organ of which is, consequently, on terms of the bitterest enmity with the "Moscow Gazette." At the same time, the latter entertains the soundest economical theories respecting the rights of property in land elsewhere. The "Moscow Gazette" supports Conservatism as regards Russia Proper, and Radicalism in respect to Poland and the old Polish and Baltic provinces. Were it, indeed, not for the question of Poland, the "Moscow Gazette" would probably be the mainstay of the Country Party, which it once strongly supported in an agitation for representative institutions.

Under present circumstances, its alliance is rather with the Red than with the White section of politicians. It is this inconsistency between economical theories and political practices that prevents the "Moscow Gazette" school of politicians from taking up the position which the other two parties, active and organized, have conquered by their definite views and logical issues.† The field is, therefore, entirely in the possession of the Whites and Reds.

Their literature is almost specially devoted to an inquiry into the present condition of the Empire, and, starting from very different principles, they both unite in taking the same view of the effect of emancipation on the peasantry as well as on the State.

Mr. W. Bezobrazoff, an eminent political economist and academician, who is, perhaps, the only thoroughly consistent follower of the "Moscow Gazette," has recently done his country the great service of reviewing the statements and tendencies of the two parties.

* In the "Moscow Messenger." "Our Conservatives and our Progressists," by W. Bezobrazoff. Moscow, 1869.

† It is a striking fact that the "Moscow Gazette" and the organs of the "Whites" and "Reds" are all essentially alarmist. The one pursues phantoms of Polish intrigue and German treachery; the other predicts Red Republicanism; while the third also foretells revolution, as a consequence of agrarian misery and the want of sufficient land and liberty. Each is devoted specially to the demonstration of those several alarmist theories, and the public mind has acquired a morbid taste for mere evil forebodings.

Briefly sketched, the following are the statements made by the Conservatives* :—

“The moral and economic condition of the Russian people generally, and of the rural classes in particular, has sunk to a lower level. The peasantry are entirely demoralized and impoverished. Production has fallen off, particularly agriculture, causing, in some districts, death by famine. The antagonism of classes is sowing the seeds of enmity and internecine strife. In fact,” says Mr. Bezobrazoff, “the Conservatives state that the national life of Russia has been weakened, and that there are evident signs of imminent political revolution.

“At present, they assert, there are, not only individual peasants, but entire villages, bearing on paper the loud title of landed proprietors, but living, in reality, from day to day amidst the most dreadful privations, oppressed by their arrears, debts, and money lenders.† Is not the peasant in the condition of a person who has inherited an estate, burdened with a debt in excess of the value of that estate, and is it not his interest to relinquish his claim to such an inheritance?

“The land is indeed considered a burden which the peasantry forcibly throw on each other’s shoulders. The loss incurred by the untimely cutting of hay and corn is estimated, in the northern provinces alone, at tens of millions of roubles. The income from estates in those provinces has fallen below zero; the landed proprietors have become placemen. They flock to the towns, for in the villages the peasantry are insolent; they steal, cheat, rob, and keep the landed proprietor fully employed in bowing, writing, and complaining to the Justice of the Peace, the Arbitrator of the Peace, the District Police Officer, or the Cantonal Starshina (Chief). Hence the anomaly that no one desires to be a proprietor. It is more advantageous to be an excise officer than the owner of a distillery. The equipoise has been disturbed, and, by the laws of nature, the mass is moving towards its centre of gravity.

“‘The disorder that reigns in village life,’ says the ‘Viest,’ ‘threatens to produce general disorder in the state. There is a strong tendency to a general levelling of society. The idea of political equality is considerably developed, even in the midst of the new Territorial Institutions.’”

And thus Mr. Bezobrazoff shows that the general import of the statements made by the party of the “Viest” is, that Russia presents a picture of “anarchy,—impotency of the authorities (Government); neither a republic nor a monarchy; public incapacity to create anything even in place of those authorities; a deep inward recognition of the radical disease which has effected not only the whole of the popular economy (village life), but also all the functions of the State organism, and the expectation of still greater almost inevitable national calamities at no distant time.”

The Conservatives are reinforced by a writer‡ who insists, in very bold and plain terms, that “a constant and gradual gravitation of the State towards revolution” is the cause of the present absence of welfare in Russia. He points to the possibility of a Red Republic as a result of the communal organization.

The Progressists, who are the opponents of the Conservatives, describe the present state of affairs in Russia in the following terms :—

“And now those whitewashed walls, that looked like indestructable fortifications, have fallen to pieces at the first breath of air, and have suddenly exposed to the astonished world our moral and material wretchedness.§

“In whatever direction we gaze, we see the same poverty, among the rural population, the same half-famished existence, the same enervation. It is difficult to convince ourselves that modern civilization has done the peasant any good in the past, and it may strongly be doubted whether it can be of any use to him in the future, particularly if the direction at present given to it be continued. Modern civilization has pretty well ruined the manufacturing class, and, generally, the labourers in towns; but it has not killed their reason. On the contrary, it has developed in them a wide understanding of the present abnormal condition of social order; it has developed their capacities for a struggle with that abnormal condition, and fortified them with the hope that they will sooner or later gain the victory. The agricultural labourer, on the contrary, remains as dull and unconscious of what is passing around him as before. It cannot be said that the results of the immense changes that are taking place in society have not penetrated into the depths and recesses of isolated life; but they reach him by a process too slow and gradual to produce any great effort on the external circum-

* Their organ is the “Viest,” or “News.” “The Land and Liberty,” by P. L., and the “Progress of Legislation in Russia,” by Gregory Blank, are their chief works.

† “The Land and Liberty,” from which the greater part of what follows has been drawn.

‡ Gregory Blank. “The Progress of Legislation in Russia.”

§ The “National Memoirs,” No. 3,—Letters from the Country, p. 136

stances of his daily life. Amidst the general movement, he alone remains a firm ruin of the past, a walking history of generations that have long died out. In his life the manners and customs of antiquity have been petrified; morally, he reproduces, mechanically as it were, all the herd-like vices of his forefathers."

Mr. Bezobrazoff sums up these opinions as follows:—

"The immediate final results of the activity of either party on the field of literature are one and the same: each in its own manner, as far as it is able, and to the extent of its reasoning powers, endeavours to cast a shade over the beams of the new reforms. Each sees in those beams only sedition and disorder, an impoverishment and denudation of life; in those scarcely yet developed attempts at self-dependence and self-knowledge, they see tendencies that are either anarchical or anti-monarchical, or else wild impulses worthy of Khiva and Tashkend rather than of Europe."

Having thus summarized the views of the Conservative and Radical Parties, the learned academician proceeds to inquire into the facts alleged by those alarmists, without following them in their speculations as to the probable ultimate results of the changes made in the social state of Russia.

He points out that agriculture is passing through a crisis in every country in Europe, and that some of the complaints of Russian landholders are exactly similar to those made elsewhere, the causes being identical.* These general causes are, that agriculture is not permitted to pursue its wonted course; its forms are subjected to important changes that demand corresponding reform in legislation.

In addition to these common causes, special influences have supervened in Russia. The emancipation of the serfs, the construction of railroads, the foreclosing of mortgages, and a variety of other circumstances have combined to affect the value of land and its revenue. Estates have changed hands; small landed proprietors, not disposed to farm their properties, have moved into the towns, the abolition of serfage having rendered living in the country less cheap, and perhaps less comfortable, than formerly. A new class of proprietors is fast springing up—a fact which can be easily demonstrated by a reference to the electoral lists of the Territorial Institutions. It is true that in the industrial provinces peasants have in some cases relinquished their holdings, but those cases are, if anything, too rare. A considerable part of the rural population is artificially bound to follow agricultural pursuits, and the probable imminent reform of the system of poll taxation and the abolition of the system of "frank pledge" will considerably increase the tendency exhibited by the industrial peasantry to settle in towns. The absorption of the rural population by the towns is an inevitable law which Russia, like all other countries, must follow. It is an important fact, that a considerable proportion of the inhabitants of villages in Russia have for some generations past ceased to be agriculturists, although they still officially bear that title.

All these causes have combined to render fluctuating the value of land; but this can in no way be considered as a general fall in the value of land in Russia. It is the necessary effect of the progress and success of European civilization, of which only the Reds can repudiate the benefits.

Mr. Bezobrazoff very justly reproaches the Conservative party for introducing into its political programme "a prohibitive and protective tariff, which is one of the greatest acts of injustice that the Legislature can possibly commit against the interests of agriculture.† It took part in the tariff agitation, in the direction of results most unfavourable to agriculture, and already partly attained.

"Notwithstanding so many economical complications," continues that learned authority, "there are evident signs of an increase of the national wealth, as well as of industrial activity. The revenue from taxes, direct‡ and indirect, is steadily on the increase, in spite of great imperfections in the system of taxation; the revenue from Customs and the movements of foreign trade, have likewise considerably increased, notwithstanding the prohibitory character of the tariff.§ A similar increase is apparent in the goods and passenger traffic of railways."

* Mr. Bezobrazoff refers to an article by L. de Lavergne in the "Revue des Deux Mondes," 1868.

† It is difficult, Mr. Bezobrazoff shows, for agriculture to prosper in provinces such as those of Moscow and Wladimir, and partly in those of Tver and Jaroslav, where manufacturing industry, artificially stimulated by a protective tariff, forcibly deprives the land of labour. Mechanical processes are fast supplanting hand-spinning and weaving, and the combination of industry with agriculture is becoming from day to day more and more impossible.

‡ It is alleged by the Conservative Party that the revenue from direct taxation is kept at its present level only by the most rigorous measures for its collection.

§ The increase of importations has taken place principally under the head of railway stock, coal, and machinery for industrial purposes; and it is doubtful whether the great increase of importation that has taken place in manufactures, in 1869, does not, to a considerable extent, represent the quantity of the same goods smuggled

Referring more particularly to agriculture, the academician denies the existence of any facts amounting to an indication of a general decadence of agriculture in Russia, no more than local failures of crops or epidemic among cattle can be considered as tantamount to a general famine in the land, "On the contrary," he says, "we may rejoice that, amidst so many unfavourable circumstances of the times—natural, physical, and moral—the elements of development should have asserted themselves in agriculture, and given rise to hopes of a brilliant future."

He does not, at the same time, ignore the favourable influence that has been exercised on agriculture by the exceptionally great demand for corn in foreign countries, by the impetus given to the cultivation of beet by increased Customs' protection, and even by the cotton famine, which promoted the growing of flax.

The reduction of the extent of proprietors' farms has not, in many cases, had the effect of lessening their production. "In an immense part of Russia, the agriculture, both of lord and peasant, has assumed proportions formerly unheard of, and which, although not always intensive, is nevertheless extensive. The corn-dealers in the interior of Russia assert that the stores of grain which are now kept in the trade are incomparably greater than they were ten years ago, and the merchant who now buys the quantity of corn which a first-class merchant formerly dealt in is considered only as a small dealer. Corn is now coming into the market in extraordinary abundance from localities that formerly took no part in the grain supply of the world, namely, from the eastern part of the basin of the Belaya, from the province of Stavropol, &c."

In respect to this part of Mr. Bezobrazoff's answer to the assertion of the Reds and the Whites, it will strike any impartial observer that the construction of railways, and the introduction of steamers on rivers, must, under the unfavourable circumstances which he enumerates, have had a greater effect than any slight improvement in the condition of the peasantry on the corn markets of the interior. The cereals of the Belaya and of Stavropol have fortunately come to replace the corn that may have been previously grown in greater abundance in certain other provinces. Even the Conservatives and Radicals acknowledge a development of agriculture in the southern provinces, and particularly where the peasantry have been, for political purposes, enriched at the expense of the landowners. A country so wide-spread, situated under such a variety of climatic and geological conditions, affords a vast field for arguments such as those under review. They all possess a certain measure of truth, and are even susceptible of conciliation. Thus, Mr. Bezobrazoff admits that, notwithstanding his dissent from the views of the Reds and Whites, as to causes and ultimate results, he "cannot but see many melancholy defects in the state of the labouring classes, and desire the removal of many conditions extremely unfavourable to their welfare; although some of those defects—such as moral licence (which is not tantamount to demoralization), prodigality, want of foresight, and even drunkenness—are quite as general in other classes of society, and yet the latter circumstance does not allow us to speak of a general and progressive moral decadence.

"Every one must wish to see an improvement in the condition of the peasantry, an elevation of the level of their daily existence, and a development of higher necessities of life. At the same time," Mr. Bezobrazoff argues, "the extreme and melancholy absence of wants, and the patient endurance of the Russian peasant in respect of the circumstances of his life, facilitate rather than impede the arrangements of landed proprietors and contractors, at the present level of their own industrial training. We do not at all see that those who cry out against our labouring classes are themselves free from their economic vices; nor do we see that the measures which they desire to introduce are calculated to improve the condition of the country."

It would, in reality, seem that the disagreement between the three rival groups is referable to the future, rather than to the past. The abolition of serfage and the reforms that have followed are applauded by all. They have been introduced under circumstances of peculiar difficulty. Defects in the Emancipation Act have been discovered more than sufficient to account for the slow progress of the State towards prosperity. They require remedies, and the landed interest is on the watch to prevent those remedies from being introduced by the party under whose influence the Emancipation Act was, in their opinion, vitiated by provisions of a Socialistic tendency, which have proved either abortive or disastrous.

under the previous tariff. On the same hand, the exports from Russia have increased under several heads, but certainly, as shown by the "Viest," not in the same proportion as the exports from Egypt, which have been as follows:—1861, 373,000,000 piastres; 1865, 1,686,000,000 piastres. The exportation from Russia between 1857-61 and 1862-66 has increased as follows:—Wheat, 24 per cent.; wool, 23 per cent.; flax, 25 per cent.; linseed, 3 per cent.; hemp, 2½ per cent. Between the same periods the exports fell off under the following heads:—Oats, 28 per cent.; rye, 25 per cent.; tallow, 21½ per cent.

The struggle between the rival parties is all the more violent, inasmuch as the defects are on both sides acknowledged to be so serious as to require, not palliative remedies, but radical cure.

That cure will doubtless be found in the history of other European countries, which have long since abandoned the communal tenure of land, the system of "frank pledge," and poll taxation; which nowhere compel a man to be an agriculturist when he might be doing better as a carpenter or mill-hand; and which, while endowing all classes with civil liberty, have not placed that liberty at the mercy of ignorance. To deny that Russia will become more truly great and more decidedly prosperous when she has entered more completely upon the course of social and political development pursued by all other nations in Europe, would be to disbelieve in the potency of liberty and the superiority of enlightenment over ignorance.

In the meanwhile, the past experience of Russia in regard to Land Legislation would seem to afford a practical lesson of the injuriousness of laws intended to stimulate artificially the formation of a class of small proprietors and the attachment of a peasantry to the soil.

No. 7.

Sir A. Buchanan to the Earl of Clarendon.—(Received January 31.)

My Lord,

St. Petersburg, January 26, 1870.

WITH reference to my despatch of the 12th instant, inclosing Part I of Mr. Michell's Report on the Tenure and Cultivation of Land in Russia, I have now the honour to forward Parts II, III and IV of that interesting and exhaustive account of the present condition and future prospects of the rural population of this country.

In doing so, I must again express to your Lordship my deep sense of the zeal, labour and ability with which Mr. Michell has performed the duty confided to him.

I have, &c.
(Signed) ANDREW BUCHANAN.

Inclosure in No. 7.

Continuation of Report by Mr. Michell on the Tenure of Land in Russia.

PART II.—ANSWERS TO THE QUERIES APPENDED TO THE EARL OF CLARENDON'S DESPATCH OF AUGUST 26, 1869.

Name of Country.—The country to which the following queries and answers relate is Russia Proper in Europe, exclusive of the Kingdom of Poland, the Grand Duchy of Finland, and the Baltic Provinces of Esthonia, Courland and Livonia, respecting which separate inquiries are being made by Her Majesty's Consuls.

Area and Population.—The area of the country under consideration is 87,289 square geographical miles* inclusive of inland waters, or 84,577 square miles without the inland waters, and its population, according to an enumeration made in 1863, 59,097,859 of both sexes,† or nearly 700 inhabitants per square mile.

* The total general area of Russia in Europe is as follows:—

Russia Proper	87,289 square geographical miles.
Kingdom of Poland	2,314 " "
Grand Duchy of Finland	6,835 " "
Baltic Provinces	1,699 " "
Total	98,137 " "

† Exclusive of the Baltic Provinces 1,812,250 inhabitants.
 " " Ural and Orenburg Cossacks 124,356 "
 " " Inner Kirghes Horde 134,000 "

Their population is divided into the following classes :—

Nobility, gentry, officials ..	956,421	or 1½ per cent. of total population.
Clergy, with their families ..	607,454	1 " "
Urban population ..	4,665,668	8 " "
Rural " ..	47,929,697	81 " "
Military " ..	3,998,254	6½ " "
Foreign subjects ..	75,175	} 1½ " "
Not classified ..	865,189	
Total ..	59,097,858	100 " "

The rural population with which this Report has chiefly to deal is officially subdivided as follows :—

	Men.	Women.	Total.	Per Cent.
1. Rural population, or Crown domains ..	11,167,732	11,683,554	22,851,286	48
2. " " Private lands (ex-serfs) ..	10,673,632	11,080,767	21,754,399	45
3. " " Appanage and other lands ..	1,624,757	1,701,253	3,326,012	7
Total ..	23,466,121	24,465,576	47,931,697	100

Religion.—The Religion of the great majority of the landed proprietors and peasantry of Russia Proper is the Russo-Greek, inclusive of about 7,000,000 of Dissenters, only 802,000 of whom are officially registered as such. In the South-West and North-West, or old Polish Provinces, about 3,000,000 of the population are Roman Catholics. In both cases the landed proprietor and the peasant belong, as a rule, to the same religion.

Industrial Pursuits.—In thirteen of the central provinces of Russia, where the soil is less favourable to the development of husbandry, the population is very extensively engaged in industrial pursuits. The manufactories, spread over the country, but found mostly in the provinces of Wladimir, Moscow, St. Petersburg and Jaroslav give employment to about 358,000 workmen. Nearly all the villages in the latter province are interested more or less directly in the development of manufacturing industry. Thousands of hands are employed in the villages of Wladimir in spinning and weaving cotton, while entire village communities devote themselves to some particular branch of industry. Some villages produce hardware, others cutlery; wooden boxes will be made in one commune, boots and shoes in another.

But, apart from these well-established industries, which render the pursuit of agriculture in these districts of secondary importance, it may be said that, except in the Black Soil country (two-thirds of the agricultural population), the peasant in Russia is, at the same time, more or less a mechanic, a manufacturer, a trader, and a labourer for hire. The long months of winter, during which all agricultural operations are in suspense, favour the development of the industrial and commercial instincts of the Russian people. They have also, to a considerable extent, been developed by serfdom, under which the peasant attached to an unproductive soil was driven into other pursuits by the necessity of paying his quit-rent.

The tendency of the Russian peasant to seek industrial occupation after the termination of his field labours has been promoted by increased taxation, consequent principally on the system of land taxation.

The carriage of goods by the rivers and highways likewise continues to give employment to a considerable portion of the peasant population in summer and in winter. In the former case the peasant returns in time to reap his harvest.

In the purely agricultural provinces, the peasants make their own implements, and the women clothe their families with the wool and flax which they weave and spin. But their cottages are, for the most part, constructed by carpenters who come from villages on the Volga.

The relative prosperity which the peasantry have derived from industrial pursuits may be seen from the average rates of quit-rent which were payable by each male serf prior to 1861.

Thus, in the industrial provinces of Russia, the average rate of quit-rent was 9 roubles 29 copecks per male (24s. 9d. *); in the purely Black Soil provinces, 8 roubles 77 copecks (23s. 4d.); and in the steppe and other provinces, where the pursuit of industry is but an unimportant item of wealth, 7 roubles 89 copecks (21s.). The peasant, who, to a great extent, devoted himself to industry was thus supposed to

* Throughout the present Reports the value of the rouble has been taken at the mean rate of 32d.

be able to pay 15 per cent. more quit-rent than the serf who supplemented the income which he derived from agriculture by carrying goods in winter, or hiring himself out as a labourer in the towns.

(A.)—SMALL PROPRIETORS.

(B.)—TENANTS UNDER PROPRIETORS, AND SUB-TENANTS UNDER INTERMEDIATE TENANTS HOLDING FROM PROPRIETORS.

5. Since the Emancipation Act of 1861, the cultivable lands of Russia Proper have been approximately distributed as follows:—

Town lands, about	0.4 per cent.
Crown lands, about	33.0 "
Appanage lands, about	1.6 "
Lands attached to mines, &c.	3.5 "
Lands held by peasants:—	
(1). Crown peasants	14.7 per cent.
(2). Appanage peasants	0.9 "
(3). Former serfs of landed proprietors	5.0 "
Lands held by landed gentry and nobility	19.7 "
Lands held by other proprietors, or not surveyed.. .. .	17.7 "
Lands held by Colonists, Cossacks, &c.	2.7 "

One-third of the cultivable land in Russia Proper is therefore still held by the State, one-fifth by landed proprietors, one-fifth by the peasantry, and the remainder under a variety of forms—by colonists, churches, &c.

Prior to the emancipation, the landed proprietors had possession of 300,872,308 English acres, of which one-third (or 100,000,000 acres) was in the occupation of their serfs. The Emancipation Act raised to about 239,000,000 acres the quantity of land in the actual possession of the nobility or gentry, and reduced to a little over 60,000,000 acres the area of land which the serfs formerly held at a quit-rent or in return for service, but of which the emancipated peasantry were bound by law to become proprietors in freehold, or tenants at a rent fixed by law.

The landholders of Russia may be classified as follows:—

- (1.) Nobility or Gentry and Merchants.
- (2.) The Imperial Family (Appanages).
- (3.) The Crown.
- (4.) The Peasantry.

While the landed nobility and gentry, and the merchants who have purchased lands since 1861, form a class of landholders numbering a little over 100,000 (exclusive of their families), and holding one-fifth of the total area of land capable of being cultivated in Russia Proper, the peasantry of Russia, numbering about 48,000,000 of both sexes, and formerly known as serfs, Crown peasants and appanage peasants, now occupy, under a variety of denominations and forms of tenure, another fifth of the area of cultivable lands.

Although practically no distinction in regard to circumstances can yet be drawn between the peasantry who are acquiring the freehold of their allotments, and those who are only tenants at a fixed rental, they may technically be divided into (A) Small Proprietors and (B) Tenants.

(A.)—SMALL PROPRIETORS.

The peasantry of Russia may be divided into three principal groups in respect to the mode in which they have acquired the possession of land:—

- (I.) Peasants on land not mortgaged to the State.
- (II.) Peasants on lands mortgaged to the State.
- (III.) Peasants settled on Crown lands.

I.—*Peasant Proprietors of Lands not Mortgaged to the State.*

This group is composed as follows:—

- (1.) Of the few peasants who availed themselves of an Ukaze, permitting them to purchase their freedom and the lands which they occupied, whenever the latter were

put up to auction. They are officially styled "Crown peasants living on their own lands."

(2.) Of a small number of agriculturists, on the south-east borders of the Russian Empire, who, known as "Odnovortsi," may be compared to the copyholders of England. They obtained grants of land from the Crown in the seventeenth century, on condition of defending the Ukraine frontier. Like other proprietors, they held serfs, but from 1841 the Government began to buy them out. Only about 5,000 Odnovortsi, of both sexes, remained in 1858.

(3.) Of a very small number of communes and individual peasants who, in the seventeenth century, received grants of lands and an exemption from taxation, for special services rendered to the Czars of Moscow; they are technically called "Obelny," or "Whitewashed," and their number in 1858 was only 205 of both sexes.

(4.) Of a few thousand peasants who, independently of their communes or personal statute allotments, have purchased land in freehold since 1861.

(5.) Of an insignificant number of peasants who have paid off the mortgage on their lands or homesteads, and become absolute proprietors thereof in freehold; and,

(6.) Of about 600,000 of the ex-serfs who have accepted the gift of a minimum allotment of land from their former lords, in lieu of purchasing with the aid of Government, or of holding at a fixed rental, the lands to which they were entitled under the Emancipation Act.

II.—*Peasants on Lands Mortgaged to the State.*

This class is composed of two-thirds of the total number of ex-serfs, and of all the peasantry of the appanages, who, either at the instance of their former lords, at their own desire, or by legislative compulsion (as in the case of the appanage peasants), have contracted a debt with the State for the purpose of purchasing the lands allotted to them under the Act of Emancipation. It is, however, only in the southern, south-western, and north-western provinces of Russia,* where the communal system does not exist, that this class of peasants can, from an English point of view, be considered landed proprietors. In the rest of Russia, particularly in the thirty-three provinces of Great Russia, the proprietary rights in lands allotted to the peasantry are vested in the communes, of which the peasantry may, therefore, theoretically be considered only tenants. At the same time, they enjoy the perpetual, hereditary, and individual usufruct of their homesteads.

III.—*Peasants settled on Crown Lands.*

Technically, the peasantry, whether under the communal system or otherwise, occupying Crown lands, and hitherto known as "Crown peasants," are now known as "peasant proprietors." Their number is 23,000,000 of both sexes. It is, however, a matter of dispute whether the communes of this class of peasantry, or the Crown peasants, where the communal system does not exist, should be considered as having proprietary rather than tenancy rights.

The redemption scheme does not apply to this peasantry, and the Crown is not considered a mortgagee of their lands. At the same time, although the peasantry are termed proprietors, and have even the right of alienating their allotments, the State demands the payment of a yearly rental ("obrok"), and makes the alienation, or transfer of land by the peasantry, conditional on the purchase-money (which is fixed by the capitalization of the rent at 5 per cent.) being paid into the Exchequer of Crown domains. The proprietary rights of this peasantry would further seem limited, by the fact that the rents, the capitalization of which at 5 per cent. represents the price of the land, are fixed only for twenty years, after which they will be raised.

This form of land tenure is, in fact, a combination of proprietary rights with tenancy rights. The Legislature has bestowed the title of proprietors on the peasantry, and their lands can in no case revert to the Crown.

Although the quit-rent leviable on Crown lands occupied by individual peasants (where the communal system does not exist) cannot be capitalized and paid off, this class of peasantry may likewise be considered in the light of "small proprietors," with the right of alienating or inheriting their allotments, subject always to the payment of the "obrok," or quit-rent, to the State.

* In the Province of Poltava; in two-thirds of Chernigof; in one-third of Kharkof, Ekaterinoslaf, and Kherson; in the Provinces of Kief, Volhynia, and Podolia; in the Provinces of Wilna, Kowno, and Minsk; and in one-third of Witebsk and Mohilef.

(B.)—TENANTS.

The forms of tenancy may be classified as follows :—

- I. Tenancy under Legislative Acts.
- II. Tenancy by mutual agreement.

—*Tenancy under Legislative Acts.*

Under the first head may be placed, theoretically,—

(1.) The great bulk of the peasantry of Russia Proper, whose communes have accepted the aid of Government in the redemption of their lands, and who have not purchased from those communes their individual proprietary rights.

(2.) All the communes of ex-serfs which continue to hold their allotments and homesteads at a rental fixed by the Legislature, and paid either in money or service. This class of tenancy exists only in the thirty-three provinces of Great Russia, and still includes about 3,000,000 of males, or one-third of the total number of ex-serfs; and

(3.) The ex-Crown peasants, who continue to hold under communes that have not paid off the capital of the rent with which the land is burdened, and the payment of which in one sum converts the tenancy into freehold proprietorship.

II.—*Tenancy by Mutual Agreement.*

Notwithstanding the allotment of land to the peasantry, the leasing of lands from landed proprietors and from the Crown has become very general, particularly in the purely agricultural districts.

A very large proportion of the estates of the landed nobility or gentry, and large tracts of Crown lands, are thus held by the peasantry, at a rental fixed by mutual written agreement, frequently for periods of three, six, nine and twelve years, but, as a rule, for the term of one year.

It is only in exceptional cases that these lands are leased for the purpose of being built on. The peasantry having their own homesteads, require these additional lands only for cultivation.

6. The quantity of land left in the actual possession of the former privileged class of landed proprietors, gives an average of 673 dessiatinas (1,925 acres) to each proprietor, and that of which their ex-serfs are now either perpetual usufructuaries (proprietors) or perpetual tenants is about $3\frac{1}{2}$ dessiatinas (10 acres) per male. The ex-serfs of the appanages have, however, retained an average allotment of $5\frac{1}{2}$ dessiatinas ($15\frac{1}{2}$ acres), and the Crown peasants 7 dessiatinas, or 20 acres. In addition to these peasant proprietors, the Colonists, who settled in Russia originally under an Ukaze of 1763, hold an average allotment of about 6 dessiatinas (17 acres).

The Cossack population, which is agricultural as well as military (14,250,000 males), was, on the 1st of January, 1868, in possession of an average allotment of 48 dessiatinas (127 acres) per male; but the form and the conditions of their tenure exclude them from the range of the present inquiry.

Where the communal system exists, the peasant allotments are necessarily very much intersected, a disadvantage that arises principally from the three-field system of cultivation, under which a peasant obtains a small parcel of land near his own homestead and another at a considerable distance, each householder receiving his share of the nearest and best as well as of the furthest and worst lands held by the commune.

As regards the intersection of the peasant lands with those of other classes of proprietors, the arable land alienated from the lord of the manor for the benefit of the peasantry is generally well defined in the "Settlement Deeds" that were drawn up immediately after the emancipation, when the landed proprietors availed themselves very generally of a clause in the Emancipation Act, that provides for the removal of all peasant homesteads that are within a distance of fifty fathoms from the manor buildings.

Except in the southern provinces of Russia (Chernigof, Poltawa, Little Russia), where most of the landed estates intersect each other, the properties are generally very well rounded off, particularly where they adjoin lands held by the peasantry.

7. In the case of proprietors of the nobility (gentry) or merchant class, the descent and division of landed property on the death of the owner are regulated by the general laws of the Empire,* which, in the absence of any testamentary disposal of such property, recognize and prefer the right of the next of kin in the following order of succession, viz.:—

* Modified only as regards the Provinces of Chernigof and Poltawa.

(1) lineal descendants, (2) collateral relations, and (3) parents and lineal relations in the ascending line.

In the descending line, the right of inheritance belongs by preference to the male issue *in infinitum* in equal parts, the widow, however, receiving one-seventh part of the real estate and one-fourth of the personal property, while the daughters, if any, have a claim to one-fourteenth of the former and one-eighth of the latter. Failing male issue, daughters and their issue divide the real estate. On failure of lineal descendants, the collateral relations succeed in the following order of preference:—(1) Brothers and their issue; (2) sisters, married or single, and their lawful issue; (3) uncles and aunts of the whole blood and their descendants.

The descent of family estates in the collateral line follows the line from which they are derived, whether male or female.

In the descending line, parents do not succeed to the real property acquired by their children; but, should the latter die without issue, the father and mother become coparceners of such property for life, without the right of alienation.

But, if such intestate property shall have been originally derived from the parents as a gift, it returns to the paternal and maternal ancestors failing issue, even where collateral relations exist.

There is no general law of primogeniture, although in a few great families estates have been entailed under a special law passed in the reign of the Emperor Nicholas. In 1718, Peter the Great attempted to introduce a general inheritance in fee of the eldest son; but this was so much opposed to the spirit of the Russian landholders that one of the first acts of Peter II. was to cancel the Ukaze of 1713.

It will be observed that the male issue is preferred to the female descent in the case of succession to intestate property; but there is an important reservation as regards the property of married women, who, having the power of disposition over, and the separate benefit of property held in their own right, may, on the death of the husband, retain possession of such separate benefit and power of disposition. As regards, however, the peasantry, who had no civil rights up to the year 1861, the Act of Emancipation declares legal the descent and division of real property according to local usage, which is naturally based on the communal and patriarchal organization of the rural classes.

The following are the main features of the local usages:—The property, real and personal, of a peasant, is generally considered as the common patrimony of the household or family, the chief of the household being charged with its entire and uncontrolled management.

The several members of a peasant household have no personal rights of property, and, therefore, on the death of the head of the family or household, the property which he administered continues to be the common inheritance of all the members of the family; but its management for the benefit of all devolves on the successor, who may either be appointed or designated by the previous administrator, or who may succeed to the latter by customary right of seniority. In some localities the brother of the deceased succeeds by seniority; in others, the eldest son. But in many parts of Russia the administration of the household property devolves on the senior in years, irrespective of the degree of relationship; while in others, again, the family elects a capable and trustworthy administrator. Should the head of a household die, leaving only minors of the male sex, a kinsman from another household generally takes charge of the family property, and administers it (in some districts) not as trustee of such minors, but as full proprietor for life. On the death of such administrator, the household reverts to the eldest son of the previous occupant.

It is obvious that, since succession to the administration of a peasant household involves personal labour to an extent that will suffice for the payment of taxes and rent and the rendering of service in respect to land, the appointment of trustees for the benefit of minors is impossible.

In the provinces of Great Russia, the division of property on the death of a householder has hitherto been the exception—not the rule. The development, however, of the spirit of individual proprietorship, and consequently of family quarrels, since the emancipation, has had the effect of rendering very general a division both of personal and real property (as far as the rights of real property are not circumscribed by the operation of the Emancipation Act) on the basis of a common interest in joint accumulations. In such cases property is divided, not according to the degree of consanguinity, but according to the number of male labourers of which the family is composed. Grown-up sons receive equal shares with their fathers and uncles, while an orphan nephew, not of full age, is not entitled to his deceased father's share, and is

simply attached to one of the sections of the household subjected to partition. Brothers-in-law, and connections or males adopted by the household, living in the same house, receive an equal share with relations. Relations of whatever degree are not entitled to any share if living apart from the household to be divided, as long as any member is left in the latter.

The great question that arises on the division of peasant property is, who shall get the house? Who shall get the roof-tree? As a rule, the house falls to the share of the eldest son. In some localities, however, it becomes the share of the youngest son.* This exception is generally to be found in the western and southern provinces of Russia, where the eldest son generally separates from the family during the lifetime of his father, and establishes his own household with the general aid of the family. The younger son is in such cases left, on the decease of his father, in the occupation of the family homestead.

Where male relations exist, females receive no fixed share of the common inheritance. They remain under the care of one of the sections of the family that has divided. On their marriage they receive a dower commensurate with the means of the family. Nor do widows receive any well-defined portion of their husbands' estate. If they have children, they generally remain with them under the family roof-tree. If childless, they return to their parents. The husband's family is bound to restore her dower, and it depends entirely on the own free-will of the family to make any allowance beyond the restoration of the dower.

8. The sale, exchange, and division of real property is effected by the registration of deeds in the local civil courts.

The cost of registering such deeds of sale, transfer, &c., is as follows:—

(1.) Stamp-duty on the deed, from 20 copecks ($6\frac{1}{2}d.$) to 1,200 roubles (160*l.*), in proportion to the value of the property.

(2.) A duty of 4 per cent. on the value of the property.

N.B.—In order to prevent the value of the property from being underestimated,† the law fixes a minimum valuation of land for each province. This ranges between 1 rouble 50 copecks and 10 roubles 50 copecks per *dessiatina* (1*s.* 5*d.* to 9*s.* 10*d.* per acre).

(3.) A fee of 3 roubles (8*s.*) for engrossing the deed of sale or transfer, and a further fee of 8*s.* to the court.

After registering the deed of sale, the court returns it to the seller, who delivers it to the purchaser. The latter then presents it to the District Rural Court, which sends a commission to convey the property to the purchaser.

In the provinces, however, in which the new judicial institutions have been introduced, all deeds relating to the transfer, &c., of land are drawn up by notaries, and certified by the "chief notary" attached to the Court of the Province in which the property may be situated. The expenses are in such cases the same as above stated. The Provincial Court causes the local Justice of the Peace to place the buyer in possession of the property sold.

Being either mortgaged to the State, or held at a rental, the lands of the peasantry cannot be sold, transferred or divided, except under the provisions of the Emancipation Act, the due execution of which is committed to "Provincial Courts for regulating the affairs of the peasantry."

All transactions between peasants in respect to lands must be legalized by their Cantonal Administration, and confirmed by the Provincial Courts above named. Until the 19th of February, 1870, the peasantry are privileged to execute deeds of sale on paper bearing a 20-copeck stamp, and without being called upon to pay the duty of 4 per cent. *ad valorem*.

9 to 11. The peasant allotments are in process of being purchased, with the aid of Government, to the extent of four-fifths of the value placed upon them by the Emancipation Act. Until the general mortgage (now amounting to 487,174,281 roubles, or 64,956,570*l.*) is paid off, the peasantry will be unable to raise any further loans on the legal security of immoveable property.

While assisting the peasantry, the Imperial Government has, at the same time, foreclosed the mortgages which it held on the lands of the nobility or gentry to the extent of 53,000,000*l.* sterling.

The Act of Emancipation included a kind of Incumbered Estates Act, inasmuch

* A case has recently occurred in which two brothers divided the log-hut between them by taking two walls a-piece, the younger brother removing the walls that fell to his share.

† A fine of double the amount of duty is inflicted when an undervaluation has been discovered. The direct heir of the seller of hereditary real property may, within a term of two years from the decease of the seller, claim the right of purchasing back such property at the valuation specified in the deed of sale, provided, however, he was not a witness to the execution of the deed.

as all debts due to Government loan banks are deducted from the gross amount of compensation given to landed proprietors for the alienation of portions of their lands to the peasantry.

There are now two land banks in Russia, one at Kherson, the other at St. Petersburg; but their advances are made principally to the large landed proprietors, who, since the emancipation of their serfs, have endeavoured to work their estates with the aid of capital. On the 1st of September, 1868, the Kherson Bank held mortgages on 503 estates, against an advance of about 850,000*l.*, the average size of each estate being about 3,500 acres.

The Mutual Land Credit Bank of St. Petersburg, founded in 1866, with a capital of 750,000*l.*, had, on the 1st of July, 1868, advanced loans amounting to 700,000*l.* on 226 estates, averaging about 7,500 acres, the smallest estate mortgaged being 1,050 acres in extent.

The legal method of registering mortgages is the same as that of registering transfers, &c. (*Vide* Question 8.)

No *ad valorem* duty is charged, but the same stamp duty is leviable.

12. The principal modes of cultivation in European Russia are—(1) the triennial rotation of crops and (2) the long fallow system. There is another still ruder form of agriculture, that of clearing woods by fire, and sowing crops in the ashes without any preliminary ploughing. This primitive system is adopted in the thickly-wooded northern provinces of Archangel, Olonetz, and Vologda, and partly in those of Kostroma, Viatka, Pskof, Smolensk, Novgorod, Tver, and Perm, where it meets with the three-field system or triennial rotation of crops, so general throughout the central more thickly populated provinces of the Empire.

The long fallow (seven to twelve years) mode of cultivation is almost exclusively pursued in the southern provinces of Bessarabia, Kherson, Ekaterinoslaf, Taurida, Don Cossack Country, Astrakhan, Samara, and Saratof, of which the peculiar features are—thinness of population, absence of woods, abundance of steppe or grassy plains, and an extensive area of cultivable land, as will be seen from the following table:—

	Population per Square Verst.	Proportion of Woods to other Lands in 100 Dessiatinas.		Square Versts per Village.	Inhabitants per Village.	Cultivated Lands.	
		Woods.	Other lands.			To one Village. Dessiatinas.	To one Inhabitant. Dessiatinas.
Bessarabia	33.4	9.0	91.0	24.0	653	1,824	2.5
Kherson	21.0	1.3	98.7	25.0	383	2,128	4.1
Ekaterinoslaf.. ..	20.3	1.4	98.6	24.2	436	2,031	4.1
Taurida	11.3	5.2	94.8	27.0	251	1,921	6.2
Don Cossack Country ..	6.8	2.2	97.8	56.0	377	5,155	13.3
Astrakhan	1.9	0.6	99.4	333.0	809	3,088	3.2
Samara	12.1	11.9	88.1	63.1	734	2,113	2.8
Saratof	23.5	10.9	89.1	34.1	711	2,539	3.1
Average.. ..	12.9	4.7	95.3	44.0	502	2,615	4.5

Of the total quantity of arable land in European Russia (inclusive, in this case, of the Baltic provinces), viz., about 88,000,000 dessiatinas (252,000,000 acres), nearly 75,000,000 dessiatinas (215,000,000 acres) are cultivated under the three-field system, which is, therefore, the form of agriculture that has most influence on the production of the country. All these primitive forms of agriculture are destined to be supplanted by a system of proper rotation of crops as the land becomes exhausted, deforested, and more thickly populated.

Any attempt to modify the three-field system has hitherto been considered by the peasantry as a freak of the landed proprietor, whose agricultural experiments weighed heavily on the serf that was called upon to give more labour and attention to the fields of his lord. The serf's own farm suffered in proportion to the time which he was obliged to devote to the more careful culture of the lord's lands. The majority of landed proprietors have therefore hitherto preferred obtaining in quantity what they could only get with greater difficulty in quality. Manure is now being used to a greater extent than formerly, both by the landed gentry and the peasantry; but the total quantity applied is still comparatively insignificant. In the province of Simbirsk, where the landed proprietor will lay down fourteen tons of manure to the acre, the peasant will scarcely be able to lay down seven tons, owing to his relatively small stock of cattle.

Mr. Wilson, of the Russian Statistical Department, estimated the yearly yield of

corn in Russia at nearly 266,000,000 chetverts* (about 186,000,000 quarters), of which 70 per cent. is grown on the black soil by a population of 36,000,000, which gives about 5 chetverts (28·85 bushels) per head. In the other provinces of Russia, comprising a population of 25,000,000, the yield is only 3½ chetverts (20 bushels) to each inhabitant.

Compared with other countries in Europe, the position of Russia as regards the yield of crops appears to be as follows:—†

Belgium	∴	∴	∴	14·0	hectolitres of corn to 1 hectare of arable land.
Netherlands	∴	∴	∴	14·0	" "
Saxony	∴	∴	}	13·2	" "
Great Britain	∴	∴			
Wurtemberg	∴	∴			
Baden	∴	∴			
Austria	∴	∴	∴	10·3	" "
France	∴	∴	∴	9·3	" "
Switzerland	∴	∴	∴	9·3	" "
Prussia	∴	∴	∴	9·1	" "
Italy	∴	∴	∴	9·0	" "
Norway	∴	∴	∴	7·6	" "
Spain	∴	∴	∴	6·2	" "
Greece	∴	∴	∴	6·1	" "
Russia	∴	∴	∴	6·0	" "

Under the rude system of land cultivation pursued in Russia, the yield of crops is thus less than half the yield obtained in England or Saxony, and smaller than in any other country in Europe.

At the same time the great extent of fertile land cultivated in Russia,‡ with much smaller expenditure of capital and labour than in other parts of Europe, turns the scale in favour of Russia as regards the yield of corn per head of the population, which is 9 hectolitres in Russia, and only about 6 hectolitres in Switzerland, France, and Prussia, and 4·9 hectolitres in Great Britain. In other words, if the present agricultural population of Russia were to bestow on their lands the care which the soil receives in certain other countries, the produce of corn would be exactly double that which is now obtained, and which, while sufficing for a population of 124,000,000, would leave five times as much for foreign exportation as the country now sends abroad, viz., about 9,000,000 chetverts (about 6,500,000 quarters) per annum.

As regards the variety of crops sown in Russia, rye is the prevalent or almost exclusive grain produced, in the northern and central provinces as far as latitude 51° 52'. Beyond that line, rye is sown only for local consumption. Wheat is grown in the whole of the southern and partly in the western provinces, the sowing of spring corn being more general than the sowing of winter corn, particularly in the south-eastern part of the Empire.

Oats are very generally sown in the northern and central zone, and much less in the southern provinces. In Great Russia, buckwheat has an important place among spring crops, and millet in Southern Russia. The remaining spring crops are barley, peas, beans, and centil. Maize is much grown in Bessarabia, and is, to a great extent, exported abroad. Its cultivation is spreading over the northern part of the province of Kherson, and the more southern districts of the Provinces of Podolia and Kief.

Potatoes are principally grown in the Baltic and western provinces, and scarcely at all in Bessarabia and the eastern governments of the basins of the middle and lower courses of the Volga.

The growing of beet-root for sugar was first commenced in Russia in the early part of the present century. It is principally grown in the southern provinces, on the black soil. In 1864, about 290,000 acres were sown with it in Russia alone, irrespective of the Kingdom of Poland. The yield is generally about 65 cwt. to the acre (59 berkovts per dessiatina).

Mr. Wilson calculates that the home consumption of corn is about 175,000,000 chetverts (120,000,000 quarters), or about 3 chetverts (17¼ bushels) per head of the population of Russia in Europe.

The distillation of spirits consumes about 9,250,000 chetverts (6,500,000 quarters) of corn and potatoes.

The average annual excess of production over consumption, after deducting those two items, is about 85,500,000 chetverts (25,000,000 quarters).

* One chetvert is equal to seven-tenths of an imperial quarter.

† From Hausner's "Comparative Statistics," quoted in Mr. Wilson's "Explanation to the Agricultural Map of Russia." St. Petersburg, 1865.

‡ One-fifth of the surface of Russia in Europe is composed of black soil, or vegetable mould. But in several parts of Russia the black soil is much exhausted and requires manure. It has been found, during the last twenty years, that where it once produced wheat in abundance, oats and millet are not always good crops.

As a rule, the crops of peasant farmers (whether proprietors or tenants) are lighter by 50 to 75 per cent. than the crops of landed proprietors possessing capital and intelligence.

The proportion in which the various crops are sown by the peasantry depends very much on the seed which they may have retained from the previous year's harvest. They seldom retain a sufficient quantity even in the black soil districts, and are forced to purchase it in spring. It is too often bad and mixed.

The following table shows the rise or fall in the price and exportation of the principal items of Russian agricultural produce between the quinquennial periods that preceded and succeeded the emancipation of the serfs.

It shows that the price of the principal article of peasant produce—viz., rye, increased about 6 per cent. in 1862—1866, as compared with 1857—1861. As the foreign exchanges fell about 7 per cent. between the same periods, the increase of 6 per cent. in the price of rye would seem to show that its production has remained stationary,—a symptom that cannot but be considered unhealthy, since the construction of railways and the introduction of steamers on rivers should have had the effect in reducing the price of cereals. Wheat and oats, instead of rising in value with the fall in the exchanges, became cheaper by 3 and 4½ per cent., and the exportation of wheat, which represents 25 per cent. of the value of the total exports from Russia, increased 34 per cent.

The exportation of Russian produce depends so much on the competition and prices of the United States, Egypt, the Danube, &c., that it is scarcely safe to make from the above facts any deductions, favourable or unfavourable, as to the state of agriculture in Russia.

Its exports are, moreover, to a very considerable extent influenced by a tariff which still prevents Great Britain and other countries from extending very materially their commercial intercourse with the Empire, and which, by keeping at a high level the prices of goods and commodities, which are more and more required in Russia as a consequence of increasing civilization, has, at the same time, the effect of preventing the price of Russian produce from falling to a level that would enable the Russian farmer to compete on more favourable terms with other corn-growing countries.

Another important reason why the Russian producer finds it difficult to compete with other countries is, that the heavy charges with which freights are burdened at Russian sea-ports form an important item in the cost of carriage. Thus, while the the Russian Government imposes on shipping a tax of only 10 copecks per last at St. Petersburg, Riga, and Archangel, the merchants and commission-agents at those ports, in collecting that tax for the Government, levy three and four times as much for their own benefit and that of Custom House agents, in addition to numerous other commissions and charges, against the imposition of which shipmasters have but little redress.

TABLE showing the Rise or Fall in the Price and Exportation of the principal items of Russian Agricultural Produce.

Produce.	Prices.			Exportation.			
	1857-1861.	1862-1866.	Difference per cent.	Yearly average of 1857-1861.	Yearly average of 1862-1866.	Difference *per cent.	Relation to Total Value of Exports, 1862-1866.
	R. c.	R. c.		Chetverts.	Chetverts.		Per cent.
Rye, per chetvert ..	6 11	6 47	6 +	1,783,643	1,332,247	25 -	4½
Wheat ..	10 34	10 1	3 -	3,979,460	5,368,125	34 +	25
Oats ..	3 87	3 69	4½ -	1,780,152	1,280,250	28 -	2½
Linseed ..	10 0	11 50	15 +	1,390,656	1,431,446	3 +	10
Tallow, per pood ..	5 6	4 70	7 -	16,160,530	12,698,717	21½ -	7
Wool, raw ..	3 10	3 13	1 +	4,941,628	5,950,588	23 +	10
Flax, per berkootsi ..	35 49	47 0	31 +	3,839,675	4,784,604	25 +	12
Hemp ..	25 5	31 24	25 +	3,079,905	3,168,169	2½ +	6

* Fall in Exchanges between 1857-1861 and 1862-1866 = 7 per cent.

In 1867 and 1868 the Export was as follows:—

	1867.	1868.
	Chetverts.	Chetverts.
Rye ..	3,368,611	1,867,397
Wheat ..	8,612,351	6,754,452
Oats ..	1,175,811	2,278,710

13.* Owing to the great variety of the climate and soil of Russia, the greatest diversity exists in the proportion between tillage and grass lands in the several provinces of the Empire. Thus, while the general average proportion of tillage lands in Russia is about 20 per cent., the quantity of land under cultivation in the Province of Tula is 70 per cent., whereas in Astrakhan it is only 1 per cent. and in Archangel 0·1 per cent.

The grass lands are distributed with the same irregularity. The general mean proportion is about 12 per cent., while the maximum proportion is as high as 62 per cent. (in the country of the Don Cossacks); at the same time, the minimum proportion is about 1 per cent. (Vologda).

The proportion of land occupied by forests varies from 0·6 per cent. (Astrakhan) to 92 per cent. (Vologda); the mean proportion being about 40 per cent.

The following Table shows the distribution of tillage lands in the several provinces of European Russia :—

PROPORTION of Tillage Lands to 100 dessiatinas of general area.

	Per cent.		Per cent.
Tula	70	Smolensk	38·1
Kursk	67	Bessarabia	37·8
Voronej	60·2	Jaroslav	35
Tambof	60	Volhynia	33·7
Kief	57	Pskof	32·3
Riazan	56	Ekaterinoslaf	32·2
Kowno	55·3	Tver	31·7
Orel	55	Saratof	26·6
Chernigof	54	Don Cossack Country	25·5
Kaluga	53·7	Minsk	24·9
Podolia	52	Viatska	24
Penza	50·6	Kostroma	20·6
Simbirsk	47·9	Taurida	17·5
Kharkof	46	St. Petersburg	16·3
Mohilef	45·1	Samara	13·8
Witebsk	45·5	Novgorod	12·4
Kherson	45	Ufa	10·3
Poltawa	44	Perm	9·7
Kazan	44	Orenburg	5·6
Wladimir	43·8	Vologda	2·2
Wilna	42·9	Olonetz	2·1
Grodno	41·3	Astrakhan	1·1
Moscow	38	Archangel	0·1
Nijni-Novgorod	38·7		

In twelve provinces of Russia the proportion of tillage lands to the general area is above 50 per cent. (or on an average of 57·43 per cent.). These are the Central Black Soil Provinces, and partly those of the Ukraine and South-West of Russia.† The next group (twenty-four provinces) comprises the districts where the proportion of tillage lands ranges between 20 and 50 per cent. (or an average of 36 per cent.). They are situated on the borders of the more favoured provinces. The proportion of tillage lands is under 20 per cent. throughout the North of Russia Proper and in the Eastern Provinces beyond the Volga.

The proportion of tillage lands in Russia Proper is in direct connection with the distribution of the population, excepting perhaps near the capitals, where the density of the population affects the average relations.

As regards grass lands, the following table exhibits their absolute proportion to 100 dessiatinas of general area as well as their proportion in relation to lands under tillage :—

* The greater part of this answer is taken from Mr. Wilson's work.

† The corresponding average proportion in Poland is 50·2 per cent., in Finland, 1·2 per cent., and in the Baltic Provinces nearly 20 per cent.

Provinces.	To 100 Dessiatinas of General Area.		To 100 Dessiatinas of Tillage Lands.
	Tillage.	Grass Lands.	Grass Lands.
	Per Cent.	Per Cent.	Per Cent.
Astrakhan.. ..	19	81	424.2
Taurida:	26	74	350.0
Orenburg.. ..	27	73	344.4
Don Cossack Country	27	71	248.5
Saratof	39	63	165.0
Ekaterinoslaf	40	60	149.0
Archangel	43	57	147.7
Samara	43	57	132.4
Bessarabia	52	48	99.4
Ufa	53	47	89.3
Perm	54	46	86.7
Kherson	54	46	86.7
Poltawa	57	43	78.9
St. Petersburg	58	42	70.8
Tver	59	41	69.0
Kharkof	60	40	65.2
Vologda	64	36	56.2
Jaroslaf	65	35	54.5
Smolensk	70	30	43.1
Viatka	85	15	17.1
Riazan	85	15	17.0
Mohilef	85	15	16.8
Orel	85	15	16.6
Nijni-Novgorod	86	14	15.5
Tula	87	13	15.0
Minsk	71	29	40.0
Novgorod	73	27	36.1
Volhynia	73	27	36.1
Wilna	74	26	34.6
Olonetz	74	26	34.3
Penza	75	25	33.3
Podolia	76	24	30.5
Voronej	76	24	30.4
Grodno	78	22	28.3
Moscow	80	20	25.0
Pskof	80	20	24.5
Simbirsk	80	20	24.4
Kowno	80	20	24.1
Chernigof	81	19	23.9
Tambov	82	18	20.8
Kostroma	83	17	20.3
Kaluga	83	17	19.8
Kazan	84	16	18.2
Kief	85	15	17.6
Wladimir	87	13	14.7
Kursk	87	13	14.1
Witebsk	91	9	8.1

The most favourable relation of grass lands towards lands under cultivation is, therefore, to be found in the South-East Provinces (Astrakhan, Don Cossack Country, Samara, Saratof, Orenburg), and in the Southern Provinces of Taurida (Crimea), Ekaterinoslaf, and Bessarabia, where, however, owing to the long fallow system of cultivation, there is no strict distinction between tillage and grass lands. The considerable proportion of grass land in the North-Western Provinces of Russia* is attributable to the poverty of the soil fit to be cultivated. The proportion of half a dessiatina of meadow or grass land to one dessiatina (2.86 acres) of tillage land is found in some of the Northern Provinces (Archangel, Perm, Vologda, Tver, Jaroslav), as well as in the Ukraine Provinces of Poltawa and Kharkof.†

In the remaining parts of Russia‡ the proportion of grass to tillage lands is less than half a dessiatina (1.43 acre), and in the Central Provinces, which are principally agricultural, it is even under one-fourth of a dessiatina to a dessiatina of tillage land.

Since pastures are no longer held in common by lord and peasant, the latter finds

* The excess of grass over tillage lands in Finland and Esthonia may also be referred to the same cause.

† A similar proportion exists in the Baltic Provinces of Livonia and Courland.

‡ Also in the Kingdom of Poland.

it from year to year more difficult to raise and keep stock on his comparatively small allotment of land.

It is true that the allotments include a certain proportion of common for pasturage (*vide* abstract of Emancipation Act), and a third of the arable land held by the peasantry that lies fallow every year is likewise used for grazing purposes; but, as a rule, the peasants are obliged to lease pasturage lands and meadows for money or, most frequently, for service.

The peasantry certainly keep less stock now than they did before the Emancipation, and one of the reasons of this is that they have no longer the run of the lord's commons.

As cattle is liable to be seized for communal rents and taxes, the peasantry are not anxious to keep any superfluous quantity of stock, which is, moreover, liable to be carried off by the Siberian and other plagues.

It is asserted by writers of the Conservative Party that the quantity of cattle kept by the peasantry has been reduced by one-half since 1861 from the above causes.

Their agriculture has probably been kept back in the same proportion in provinces where the land requires the application of manure.

14. Agricultural machinery is employed to a small extent by the landed nobility or gentry; not by the peasant proprietors, who are as yet too poor and too unenlightened to purchase it. Apart, however, from the inability of the peasantry to purchase machinery, or their prejudices against its introduction, the difficulty of repairing it when broken or out of order is a serious obstacle to its employment even on large estates, when they are situated far from towns and out of reach of mechanics acquainted with its construction. On a few of the larger estates in Russia, mechanics are specially engaged for the purpose of keeping agricultural machinery in repair. On the other hand, proprietors of small estates have, to a great extent, been either discouraged in the employment of machinery by the difficulty, if not impossibility, of getting it mended, or they have gradually let more and more of their lands to the peasantry, who, cultivating comparatively small patches, find but little use for machinery.

The agricultural implements of the peasantry continue to be of the rudest description, the use of the modern plough being only known to a few of the more intelligent and enterprising peasantry, principally in the Southern Provinces.

At Moscow the trade in agricultural machinery, which assumed considerable proportions soon after the emancipation of the serfs, is now at a stand-still.

This may be partly attributed to the fact, that some of the simpler and more generally used agricultural machinery is, to a greater extent than formerly, made in the country.

The principal instrument is the "soca," or ancient "arère" of France and other countries. It has no mould-board and does not turn over the soil, but is used with advantage on large estates as an extirpator.

In the Southern Provinces and in the corn-growing districts on the Volga, the peasantry are beginning to see the necessity of using better implements. They frequently borrow ploughs of the great landed proprietors, who, in some cases (as at Usolyé, in the Province of Simbirsk), manufacture a kind of improved Hohenheim or Flemish plough, and sell it to the peasantry at a price which is considerably below that of a plough imported from England, the cost of a Howard plough at Moscow being about 4*l.* 10*s.*, while the home-made plough can be delivered to the farmer at about 3*l.*

15. The peasant proprietors and tenants, with whom the present Report has principally to deal, employ but little, if any, extraneous labour in the cultivation of their allotments, or even of the lands which they lease.* Each peasant householder reckons on completing his field-work with the aid of his own family. When, however, he has rented more land than he can harvest without aid, he calls on his friends, whose labour is most generally requited by a plentiful supply of food and drink.

Even on large estates, the labourers generally belong to a neighbouring village and live on their own land, engaging themselves either to do a certain amount of piece-work or to work during the months of summer, from the 25th March to the 15th November (o.s.), if their duties at home can be performed by other members of the family.

According to the usage of the country, a field of 4 dessiatinas (11½ acres) can easily be cultivated by one man.

From information laid before the Committee of Emancipation it would appear that the serfs' labour produced on an average the following results:—Ploughing, ½ dessiatina (1½ acres) per day; sowing, 2 to 4 dessiatinas (5½ to 11½ acres) per day;

* Except in the Central Provinces, where the fixed population is not purely agricultural.

reaping corn, $\frac{1}{2}$ to $\frac{2}{3}$ dessiatina ($1\frac{1}{2}$ to 2 acres) per day; cutting grass, $\frac{1}{4}$ to $\frac{1}{2}$ dessiatina ($\frac{3}{4}$ to $1\frac{1}{2}$ acres) per day.

A considerable portion of the farm work on the estates of the nobility, gentry, and merchants is now done by tenants, who contract to plough or reap a certain quantity of land in lieu of paying rent for meadows or fields.

The *metayer* system is also very common, the proprietor of the land generally giving the seed and sharing the produce with the cultivator.

Female labour is employed throughout the Northern, Central, and Eastern Provinces of Russia in most of the processes of agriculture, not even excepting the work of ploughing, where the husbands are engaged in industry.

The wife of the peasant proprietor is throughout Great Russia a farm labourer. She is employed from May to August in preparing the kitchen garden, sowing the spring corn, carting manure, tilling the land (where male labour is scarce), mowing and harvesting, and later in sowing winter corn.*

In the Southern Provinces of Russia, however, the female holds a more honourable position in the peasant household. Her hand never guides the plough, nor drives the team; it rears the flowers that grow round the neat cottage of the Little Russian, and at harvest time assists the husbandman in gathering in the corn with which a fertile soil and a climate more genial than that of Great Russia abundantly supply him.

The peasantry begin work in summer at the dawn of day, mostly at 2 A.M., when working for themselves,† and finish at 9 P.M., with periods of rest equal to two or three hours, leaving sixteen to seventeen hours' work per diem. Persons competent to form an opinion, consider that an English farm labourer would do the work of two Russian labourers, the latter working sixteen hours, the former only ten.

The Russian peasant would thus appear to have only half the amount of physical strength enjoyed by an English labourer. Mr. Hagemester gives the following reasons why the labour of a Russian husbandman is less productive than that of an agricultural labourer in Germany, France, or England:—

“Besides being less painstaking, less industrious, and less enlightened, the Russian workman is under the following disadvantages:—(1) Loss of at least thirty days per annum in village *fêtes* (besides Sundays); (2) field and farm work continued only seven months in the year, instead of ten months as in Western Europe; (3) the price of labour depends on a rise in the value of products, which value consists mostly of labour bestowed upon it; (4) bad roads keep down the price of heavy produce.”

Where the peasantry have elected to remain as tenants, at a fixed rent payable in service, the Emancipation Act permits the lord of the manor to demand twelve hours' work per diem in summer and nine hours' in winter, not inclusive of any rest which the peasant man or woman may take during the day. The labourers are not entitled to any deduction of time for going to their work, unless it be at a distance of more than four miles from their village, when half an hour is deducted for each additional verst (two-thirds of a mile).

16. Daily labour is only engaged at harvest time, when its price throughout Russia rises considerably above the average.

At that period its price differs in the several provinces, according to the abundance or scarcity of crops. Thus, in 1869, the cost of gathering in the harvest in some districts of Samara, was only about 2s. 10d. per acre,‡ whereas, even at an expenditure of about 25s. per acre in 1868, a considerable per centage of the rich harvest was left uncut. The average cost of harvesting wheat in that fertile but little populated province may be taken at 10 roubles per dessiatina (9s. 6d. per acre). In the Province of Simbirsk the cost of reaping in 1868 was as follows:—Rye, 2s. 10d. to 4s. 10d. per acre,§ without food; oats, 2s. 4d. to 2s. 10d. per acre,|| without food.

A day labourer's wages range between 25 copecks and 50 copecks (8d. and 1s. 4d.) in summer, with food, the cost of which is between 2d. and 3d. per diem. The average price of female day labour in weeding, hay-making, &c., is about 20 copecks (6½d.), with the addition of food.

Labourers at harvest time, when not hired for piece-work—viz., to receive a certain

* It has already been stated, that in some of the industrial provinces the villages and farms are entirely in the hands of women.

† Labourers on well-managed estates work from 4 A.M. to 9 P.M., with 3 hours' rest during the hottest part of the day.

‡ 3 roubles per dessiatina.

§ 3 roubles to 5 roubles per dessiatina. In Kharkof and Tambov the cost per dessiatina is sometimes only 2 roubles, or 1s. 10d. per acre.

|| 2 roubles 50 copecks to 3 roubles per dessiatina.

price per acre, can command the following scale of wages:—Male labourer, 1s. 4d. to 2s. 8d. per diem, with food; female labourer, 9½d. to 2s. 8d. per diem, with food.

The wages of the labourers engaged for the summer, from 25th March to 15th November (o.s.), or by the month, with food, are as follows:—Male labour for the summer 30 roubles (4*l.*) to 60 roubles (8*l.*), or average 6*l.*; by the month, 5½ roubles to 9 roubles (14*s.* 8*d.* to 1*l.* 4*s.*) in summer, or 2 roubles to 4 roubles (5*s.* 4*d.* to 10*s.* 8*d.*) in winter. Female labour for the summer 15 roubles to 20 roubles (2*l.* to 2*l.* 15*s.*).

Herdsmen receive about 60 roubles (8*l.*) for the summer months, and shepherd boys about 4*l.*

The average daily wages of the agricultural labourer in Russia may therefore be stated as follows:—Labourer by the day 1*s.* (37½ copecks) per diem; by the month 7½*d.* (23 copecks) per diem; by the season 5½*d.* (17 copecks) per diem; at harvest time 2*s.* (75 copecks) per diem.

At St. Petersburg the average rate of ordinary labour is 60 copecks (1*s.* 7*d.*) in winter, and 70 copecks (1*s.* 10*s.*) in summer, and the average pay of "navvies" is 80 copecks (2*s.* 1*d.*) in summer, and from 50 to 60 copecks (1*s.* 4*d.* to 1*s.* 7*d.*) in winter.

In a work in the Russian language, recently published, on "The Condition of the Labouring Classes in Russia,"* the following very serious considerations occur:—

"When travelling in Russia I have often been struck by the strange uniformity in the rates of wages in localities differing widely from each other in productiveness, population, and consequently in the price of corn, which constantly varies, while the wages of the husbandman remains the same. The bootmaker's or tailor's apprentice earns about 6 roubles (16*s.*) in the Provinces of Astrakhan, Vologda, and Tomsk. Both in Tver and at Tomsk the piece-work price of making boots is 1 rouble 30 copecks (3*s.* 5½*d.*). 5 roubles a month (13*s.* 4*d.*) is the uniform wage of a post-boy, whether in the black soil, the industrial, or unpopulated districts of Russia. . . . The men that bring the produce of the upper course of the Oka in barges to Kaluga or Kolomna, generally receive 4 roubles for the voyage (10*s.* 8*d.*). Women who assist in floating barges down the rivers from the Province of Vologda to Nijni-Novgorod, receive 2 roubles 50 copecks (6*s.* 8*d.*). Both men and women work until they become exhausted, and return back to their villages on foot. Their master (the contractor), who is bound to support them until they return, hastens as much as possible their homeward tramp, in order to save expense, compelling them to walk 80 versts (55 miles) a day along village roads and by-ways. They will sometimes have to wade for 20 miles through water and mud up to their knees. Such is a specimen of the work of a labourer who is accused of idleness!

"What means this fact, that the labourer toils for a uniform wage, under such different conditions of life? We need not hesitate in proclaiming the cause:—he toils and exhausts his strength, not in order to attain a condition of welfare, or to provide for his family—not in order to increase his comforts or enjoyments, but solely and exclusively in order that he should be able to pay the rents and imposts, which, being almost uniform over the whole of Russia, have produced such an extraordinary uniformity in the price of labour.

"His own welfare remains meanwhile in the very background of his aspirations. He is ready to carry any burden, to suffer anything, to impose any privations on his family, provided his principal object be attained, which is, to obtain means of paying his quit-rent and taxes. For that purpose he will not unfrequently send his young daughter alone to float timber down the rivers. Bending under the weight of labour unfitted for her age or sex, the unhappy creature becomes the object of every possible ill-usage. Without sufficient experience or force of will, compelled to spend days and nights amidst dissolute men, she falls an unwilling victim to their criminal attempts. . . .

"In the great majority of cases, the labourer is so poor, miserable and debased, that he cannot afford to think of respectability or of protecting his daughter from situations in which she must, voluntarily or involuntarily, be drawn into a course of immorality. His principal care is to place her in a situation in which she can earn a little money."

The same author continues: "At last the happy time approaches when, by hard work, the peasant can earn 30 or 40 copecks a-day (9½*d.* to 1*s.* 1*d.*) He contracts to cut the neighbouring lord's corn at the price of 2*s.* 10*d.* an acre, which falls to 1*s.* 10*d.* an acre before the harvest is completed. He cuts acre after acre, taking no time for rest, until his condition becomes one of utter prostration. And now his own corn begins to need the reaping-hook; but he has not yet earned, by a good deal, the sum that will pay the quit-rent and taxes that have fallen due.

* "The Condition of the Labouring Classes in Russia," by Mr. Fierofski. St. Petersburg, 1869.

“He puts off his own harvesting from day to day, until he can put it off no longer. At last he begins; but lo! he finds that neither he nor his family can work. Their hands are swollen from excessive labour; their fingers will not bend without pain, and illness succeeds exhaustion. The corn ripens every hour; to leave it uncut is to condemn himself to carry a beggar’s wallet, or to perish of want and hunger. No illness or prostration can interfere with the work in the face of such terrible necessities, but, however great may be the energy of despair, it has limits. The work proceeds slowly; the over-ripe corn strews the ground, and the crop, light from want of manure, becomes lighter still before it reaches the barn. In the ultimate result, it is difficult to decide whether those gigantic efforts have done the labourer good or harm, for his family have not only remained beggars, but also beggars exhausted in strength and ill in body. All these pictures of suffering pass painfully before me, and they are so numerous that I know not how to grasp them. Here is a priest, who has taken out of the hut of the sick peasant, to whom he has just administered the Holy Communion, the last loaf of ill-baked bread, provoking, thereby, an outburst of indignation on the part of the whole village! Along that road walks a peasant’s family in sorrowful procession, shedding bitter tears. Is it a funeral? No, it is only the last calf being led for sale, with the aid of the local authorities! It is necessary to levy rents with strictness, for are not the proprietors already ruined? And, indeed, were it not for the deep impression thus made on the peasant, did he not know that his last food-giving beast will be taken from him, his last pot of milk carried out of his hut, although wanted for his new-born child which will perish without it, the landed proprietors would not collect the tenth part of their rents.”

17. Emigration is prohibited by law; and migration is almost equally impossible, it being the policy of the Government to prevent the peasant from quitting the land on which he is at present settled.

After the 19th February, 1870, however, when the peasants who shall not have purchased their land allotments are nominally free to migrate, a certain gradual displacement of the population may be expected in those provinces where the land is comparatively unproductive, or where its value has been fixed too high under the Emancipation Act.

The tendency of the free peasant, if unchecked by administrative measures, will be to migrate towards the rich lands of the Volga basin, where hundreds of thousands of acres remain untilled for want of hands.

18. Except in the South of Russia, where detached homesteads are common, the Russian peasant-proprietors live in villages, in the midst of the lands which they purchase or lease.

The thinness of the population, the great extent of forests tenanted by wolves and bears, and the rigour of the climate, have hitherto compelled the peasantry to live together in large communities. As the population, however, increases, and the communal lands become insufficient for building purposes, the peasantry will be driven to establish themselves on lands which they will have to purchase or lease outside their communal allotment, but which will always be in proximity to their villages.

19. Like most of the queries that have preceded, the present question can only be answered without reference to the precise system of land tenure,* for, whether the Russian peasant be a small proprietor *de facto* or simply *de jure*, whether he be a tenant or hold no land at all, his general circumstances are as yet very much on the level which they had attained during the existence of serfage.

It can only be to some extent a matter of dispute whether the Russian husbandman, generally, was any better housed, fed, and clad as a serf, than he is now, as a man endowed with certain civil rights.

The Russian Democrats and Conservatives affirm that, in general, the circumstances of the peasantry have not improved, but the Liberal bureaucracy and the talented political economist and academician † whose statements occupy so prominent a position in Part I of this Report, are of opinion that an improvement has undoubtedly taken place, although not quite to the extent desired.

There are many reasons why the alleged improvement should be made the subject of doubt and denial. There is, in the first place, no single fact from which deductions applicable to the whole of Russia may be drawn.

The Conservative will speak of the barren, populous districts of Central or Northern Russia, while the Liberal official will point to the rich corn-fields and neat homesteads of Little Russia.

* It has been shown in the body of this Report that the Russian peasantry are as firmly as ever attached to the soil.

† Mr. Bezobrazoff.

Secondly, the very symptoms of improvement, as alleged on the one side, are differently interpreted by the other. A greater expenditure on dress, which is undoubtedly a symptom of the times, is held by one class of writers to be the proof of a reckless want of foresight,—of a tendency to dissipate the hoarded treasures of previous generations; whereas, by another set of politicians, it is regarded as the undisputable evidence of increasing contentment and riches.

It is naturally impossible to ascertain how much of the increasing expenditure of the peasantry on market days, at fairs, and in towns is made from previously accumulated and concealed wealth; but the arguments would certainly appear to be on the side of those who hold that, although more heavily taxed than formerly, and dependent entirely on their own exertions, the peasantry now supply themselves generally with better clothes, and, in a few favoured districts, with more nutritious food.

In considering the general circumstances of the Russian peasant, it is necessary to bear in mind the condition in which the Emancipation Act found him.

While it had always been the interest of the proprietor to keep the serf in good working order, to take from him only as much as would still leave him a tolerably productive machine, it was, at the same time, the interest of the serf to suppress the outward signs of any increasing prosperity. Having no civil rights, he was, in reality, only master of what he concealed in the earth or hid in his clothes-chest.

Under such circumstances, improvement in material condition and refinement in mode of life were almost impossible. Except in the vicinity of towns, railways, and navigable rivers, the interior of a peasant's hut, his dress, food, and habits, were subjected to very little change between the date of his enslavement and that of his liberation.

Throughout the whole of Great Russia, the dwellings of the peasantry are, therefore, still mere log-huts, frequently without chimneys,* and uniformly containing only one room, which is the common dormitory.

The division of families, which may justly be considered as one of the healthiest effects of emancipation; has not conduced to the improvement of peasant dwellings. On the contrary, the huts built by the seceding members of a large family, or after one of the fires that occur so frequently in Russian villages,† are noticeably smaller than the old patriarchial dwellings.

The rigour of the climate renders these habitations miserable in the extreme. Swarming with vermin, when not filled with smoke, and without ventilation, the hut is generally in winter the refuge of the sow and her farrows, of the lamb and the weakly sheep, as well as of men, women, and children. It contains no furniture beyond a deal table and a bench against each wall. Pillows, and sometimes felt, constitute the only bedding, the place of which is supplied by the sheepskin, that seldom leaves the peasant men and women of Russia. Their domestic utensils consist of a few pots of burnt clay or cast iron, the "samovar," or tea-urn, being only found in the hut of the well-to-do peasant. An earthenware cup and saucer, or a glass tumbler, are among the articles which the peasant deposits in a small cupboard below the images of saints.

There is no garden to this log-hut;—the heavily-worked peasant woman can scarcely find time to attend to the plot of flax which belongs to her, individually, and on which the family depends for the more necessary articles of clothing.

Such were the huts of the Russian peasantry before their emancipation, and such they still are throughout the greater part of Russia,‡ after nine years of personal freedom and fixity of territorial tenure. Any great material improvement of the peasant dwellings can only follow on education and enlightenment, for it is the tendency of the half-civilized peasant to expend his superfluous money on articles of personal adornment, rather than on those of mere comfort, of which he has, in reality, no understanding.

Thus, while little or nothing is done to render the cottages better fitted for human habitation, the peasant women spend more and more of their husbands' earnings in gay clothes.

"The Russian peasant," says the author of "The Condition of the Labouring Classes in Russia," is so poor, so hampered, hunted down, and miserable, "that he cannot make any material improvement in his dress or dwelling. The necessity of

* Cottages without chimneys are in some localities preferred by the peasantry, as the dense smoke with which they are daily filled destroys the insect life that teems in cottages where the smoke escapes by a chimney. The average size of a peasant's hut is 28 feet square (4 Russian fathoms).

† From an interesting work on "The Fires in Russia," by Mr. Wilson, of the Imperial Statistical Committee, it appears that the average yearly number of fires in the rural districts of Russia between 1860 and 1864 was 10,556; the average yearly losses, 20,000,000 roubles, and the number of houses destroyed in each year, 53,160.

‡ There are, of course, exceptions. Some villages have been entirely rebuilt in brick, while, in others, the brick cottages have been pulled down and replaced by log-huts, which are supposed to be warmer.

making such improvements is felt, but the means are wanting. The peasant is ashamed to dress badly—to live in a vile hut; but he is not able to increase his comforts materially. He learns to live for show. In anything that will bear concealment he submits to the greatest privations. His family may be starving, his children dying; but his daughter will have a silk gown, and his hut will be outwardly adorned with carved wood."

In villages on the Volga, where peasant families share the same roof with domestic fowls and animals, and burn wood laths* instead of tallow candles or oil, the women attire themselves on holy days in crinolines and silk damask dresses and jackets,† while the men cover their unsightly skeepskins with good broadcloth.

On rising, the Russian peasant will eat a hunch of black rye bread and a bowl of milk or curds; but his principal meal at noon consists generally of cabbage or mushroom soup, of which meat is but seldom the basis, of baked buckwheat eaten with milk, oil, or butter, according to the means of the family, and of an unlimited quantity of rye bread.‡

Potatoes are not a staple of food, except in the vicinity of the capitals, or in the neighbourhood of German colonists, who have taught the Russian peasantry around them to overcome their prejudices against the cultivation of the "devil's apple," the introduction of which at the commencement of the present century led to serious agrarian riots in the provinces of the Volga basin.

The drink is mostly water; a liquor made of fermented rye, and small table-beer, being only found on holy days in the houses of the richer peasantry, and principally in the Northern and industrial provinces.

Spirits are not consumed at meals, but only on occasions when the peasant's object is to get merry and drunk. These occasions present themselves on holy days, of which there are 115 during the year. A great part of the year is thus spent in drunkenness.

The bowl of soup, the pot of buckwheat, and the loaf of rye bread are placed again on the table at supper, after which the family retire to the stove and benches for rest.

It is not, perhaps, so much poverty as the discipline of the Russo-Greek Church that compels the Russian peasant to take but little nourishing food. For about 210 days§ in the year he is not allowed to eat meat, and, although sick persons, and women for a short time after their confinement can obtain dispensation to break their fast, they seldom avail themselves of it, clinging superstitiously to the severest forms of fasting, and that in a climate which requires a more than average consumption of animal food.

The loafs of rye bread, it is true, but seldom fails the Russian peasant family, except in years of famine or exceptional distress; but at least half the infant mortality in the agricultural districts is referable to the inability, of mothers to suckle their own children from want of proper nourishment.||

The mortality of the peasantry from this cause will be considered under the next question, and it may be interesting to insert here, for the purpose of comparison with other countries, a scale and estimate of the diet of Russian agricultural labourers on a large scale, under liberal management:—

Description of Victuals.	Annual Consumption per Man.¶		Cost of Victuals.	
	Russian Weights and Measures.	English Equivalent.	Rs. c.	£ s. d.
Flour, rye	12 pds. 19½ lbs.	451 lbs.	7 12½	0 19 0
" wheat	11 "	421 "	9 96½	1 6 7
Grits (buckwheat, &c.)	8 chetveriks.	5½ bushels.	1 80	0 4 9½
Peas	34½ lbs.	30½ lbs.	0 42	0 1 1½
Oil and butter	19½ "	17½ "	1 70½	0 4 6
Salt	36½ "	32½ "	0 52	0 1 4½
Meat	3 pds. 9½ lbs.	117 "	4 98	0 13 2
Fish and cabbage	1½ lbs.	1½ "	0 30	0 0 9½
Total cost per annum .. .. .	.. .. .	.. .. .	26 76½	3 11 4½

* A large proportion of the fires in villages is probably caused by the careless use of these laths, of which the sparks and ashes are allowed to fall freely on the wooden floor of the log-hut.

† When a peasant marriage is being arranged, the bridegroom's friends endeavour, first of all, to ascertain whether the bride can bring a silk dress or a jacket trimmed with fur.

‡ Except in the case of a bad harvest, when the supply of bread becomes very limited towards the end of the long winter. In the wheat-growing districts of Russia the bread is of wheat.

§ This is not inclusive of self-imposed fasts. Women frequently abstain from animal food on three days in the week, the men keeping only two fast days. A peasant would not consider his confession complete, if the priest failed to ask whether he had rigidly observed each fast.

|| *Vide* next query.

¶ Calculated on an average of 60 labourers per month.

This estimate, which is extracted from actual account books, shows that, under favourable circumstances, the Russian peasant will get about 12 oz. of meat (principally in soup) on 155 days in the year,* and 2 lbs. 6 oz. of bread and flour, besides buckwheat, peas, &c., at a cost of $2\frac{1}{3}d.$ per diem.

While the quantity of flour consumed by these agricultural labourers may be taken as the average consumption of corn per head in the village (with the difference, however, that the proportion of wheat will be smaller by two-thirds, taking all the provinces of Russia together), the quantity of meat will average in the same districts only one-half the quantity shown in the estimate.

Peasants who engage labour, also reckon the expense of feeding a man at about $2d.$ per diem. In the capitals the cost of feeding servants is reckoned at about 20 copecks ($6d.$) per diem.†

One of the greatest inducements to the peasantry in the less-favoured provinces of Russia to seek work in towns or on railways is a prospect of obtaining a sufficiency of food.‡ For the first month after joining a contractor's gang or "artel," the labourer literally gorges himself with food, and the contractor provides for such voracity, knowing that the quality of the labourer's work will depend upon his acquiring the physical power which he seldom brings with him from the village.

This sketch of the circumstances of the peasantry, painful as it may seem in many particulars, is applicable to three-fourths of the peasantry of Great Russia, fixed to the land as freeholders or perpetual tenants.

The small proprietors and tenants of Little Russia and New Russia, and the peasantry of the extreme north of Russia, as well as partly those of the industrial provinces, are very differently situated. The peasantry of Little Russia and New Russia have the advantage of a better climate, and they have no communal system to deaden their natural energies.

Proximity, likewise, to the earlier civilization of Poland must have been instrumental in producing the favourable difference which is so palpable in the condition of the population of the Southern Provinces of Russia.

The following estimates of the average income and expenditure of a Russian peasant family, prepared by competent persons in the provinces to which the estimates refer, will perhaps render more distinct the answer to the present query. They show that very generally the Russian peasant proprietor or perpetual tenant cannot make sufficient out of his land to defray the expenditure of the household, the rent, taxes, &c., for which he is liable in ready money. This compels him to seek "zarabothi" or "extraneous earnings," by working for neighbouring proprietors, carting, labouring in towns, trading, &c. Were it not perhaps for this necessity, the long months of winter, during which no farm work can be done, would be passed in idleness and vice.

Estimates of the Average Income and Expenditure of a Peasant Family, consisting of three men,§ three women, and three or four children, holding allotments mortgaged to the State, severally in the Provinces of Novgorod, Simbirsk, and Samara.

(A.)—*Peasant Family in the Province of Novgorod.*

The allotment per male ($5\frac{1}{2}$ dessiatinas) will give a total allotment of $16\frac{1}{2}$ dessiatinas, or 47 acres, of which only about 21 acres ($7\frac{1}{2}$ dessiatinas) will be tillage land and the remainder grazing or meadow land, and occupied by the homestead, &c.

The tillage land will be divided as follows:—1st field (7 acres), sown with rye; 2nd field ($5\frac{3}{4}$ acres), sown with oats, and ($1\frac{1}{4}$ acres) with barley, peas and flax; 3rd field (7 acres), fallow.

The pasturage and meadow lands will be 20 acres, or 7 dessiatinas. If the whole of the 20 acres were meadow land, the crop of hay would be at the rate of about 10 cwt. per acre (100 poods per dessiatina), while on inferior land, or on a hill side, &c., the crop would be only 5 cwt. per acre (50 poods per dessiatina). Taking half of each, the

* In the villages the peasantry seldom eat meat in summer, and in the winter they can only make use of animal food during 47 days, when their consumption will average about 12 oz. per diem.

† A Bohemian authority on agricultural matters in Russia, quoted in the Russian work on "The Condition of the Labouring Classes," states that no man out of Russia could possibly live on the food of a Russian peasant, even in the Black Soil Provinces.

‡ They often come into the towns to be fed up—"otkorm levatsa."

§ Father and son, or two brothers and a third young man.

average crop of hay would be at the rate of 75 poods per dessiatina, or about 8 cwt per acre.

The family and cattle would, during the year, consume the following quantities :—

(1.) Rye.—The family will require 80½ bushels, at the rate of about 11½ bushels each,* counting the children as one grown up person.

(2.) Oats.—Two horses will consume 20 bushels, as they would only get oats on rare occasions.

(3.) The barley and peas would be consumed at home, and the flax spun for home use.

(4.) Hay.—If the family keep 2 horses, 3 cows, and 4 sheep or goats, the annual consumption of hay would be 440 poods, or 7 tons (100 poods for 2 horses, 300 poods for 3 cows, and 40 poods for the sheep).

RECAPITULATION.

Description of Crops.	Acres under Cultivation.	Yield.	Consumption.	Retained for Seed.	Left for Sale.		
					Quantity.	Value.	
						Rate.	Total.
Rye	7	Bushels. 96 †	Bushels. 80½	Bushels. 14½	Bushels.	Per Bushel. s. d.	£ s. d.
Oats	5½	69½ †	20	11½ 5	37½	1 10 ½	3 9 0
Barley, peas, flax (consumed at home)	1½	..	..	..	..	..	..
Hay	20	Tons. 8	Tons. 7	..	Tons. 5	Per Ton. 16 10 ¾	4 4 2
Total realized value of crops .. .. .	..	..	..	..	..	..	2 13 2 or Rs. c. 47 45

On the other hand, the minimum expenditure of the same family would be as follows :—

	Rs. a.	£ s. d.
1. Redemption. Payments. The debt on the land would be 360 roubles,* or 80 per cent. of the capitalized value of the quit-rent, at the rate of 9 roubles per male. At the rate of 6 per cent. interest and sinking fund the annual Redemption Payment would be	21 60	= 2 17 8
2. Taxes—Imperial, provincial, and rural, at 3 roubles per male	9 0	1 4 0
3. Village priest	1 0	0 2 8
4. Repair and renewal of implements, carts, &c.... .. .	14 0	1 17 4
5. Additional food :—		
Fish, 1 pood (36 lbs.)	Rs c. 1 50	£ s. d. 0 4 0
Wheat, 1 sack	10 0	1 6 8
Buckwheat ½ chetvert (2·88 bushels)	8 0	1 1 4
Salt	3 0	0 8 0
	22 50	3 0 0
6. Dress, boots, &c., at least	20 0	2 13 4
Total minimum expenditure	88 10	£ 15 0

ABSTRACT.

Minimum expenditure	88 10	11 15 0
Realized value of average crops	47 45	7 13 2
Deficit	40 65	4 1 10

* 2 chetverts each. † 16½ chetverts. ‡ 12 chetverts. § 2 chetverts.
|| 4 roubles per chetvert. ¶ 10 copecks per pood.

** 48%, but the gross valuation was 60%. This calculation assumes that the lord has insisted on the redemption. Otherwise (i.e., had the peasants proposed to become purchasers) they would have been obliged to make good the 12% (or 20 per cent.) in one payment, or in instalments over five to ten years. In the latter case the annual expenditure of the family would be increased by at least 1%.

The following is an estimate of the labour which the family (six persons) would employ in cultivating and managing their farm of 47 acres :—

	Days.
Ploughing and sowing 5 dessiatinas (14½ acres)	15
Reaping 5 dessiatinas, 6 men to each dessiatina	30
Bringing the harvest home, 75 mows, at 5 mows a-day	15
Ploughing the fallow field	2½
Cutting and stacking the hay (20 acres)	42
	104½
Stacking wood for the winter, &c., and sundry jobs on the farm	95½
Total	200
Domestic work, thrashing, spinning, weaving, &c.	250
Additional work (to make up a round number of days)	140
Total labour	590
Holy days (100 at least during the year)—loss to 6 persons	600
Grand total	1,190
Days which the family can devote to extraneous work, for the purpose of making good the deficit on their farming operations	1,000
Total	2,190

Or, 6 persons × 365 days = 2,190 days.

(B.)—*Peasant Family in the Province of Simbirsk.*

The allotment per male of 4 dessiatinas (11.44 acres) will give a total allotment of 12 dessiatinas (or 34½ acres), of which about 2 acres would be occupied by the farmstead and grazing land (common), leaving about 32 acres for tillage.* These would be divided into three fields of about 10⅔ acres and be sown as follows :—

1st field (10⅔ acres), sown with rye; 2nd field, 5⅔ acres sown with wheat, 2⅔ acres millet, 2 acres oats, flax, &c.; 3rd field, fallow.

The yield of each crop would be as follows :—

(1.) Rye.—Average produce 70 poods per dessiatina, or 7¼ cwt. per acre. Total produce about 82 cwt.

(2.) Wheat.—Average produce 45 poods per dessiatina, or 5 cwt. per acre. Total produce 29 cwt.

(3.) Millet.—Average produce 80 poods per dessiatina, or about 9½ cwt. per acre. Total produce, 80 poods, about 25½ cwt.

(4.) Oats, flax, &c., consumed at home.

RECAPITULATION.

Description of crop.	Acres under Cultivation.	Yield.	Consumption.	Retained for Seed.	Left for Sale.		
					Quantity.	Value.	
						Rate	Total.
		Cwt.	Cwt.	Cwt.	Cwt.	Per Cwt.	£ s. d.
Rye	10⅔	82	50†	9½‡	22½	8 9§	4 3 5
Wheat	5⅔	29	3;¶	6¶	19½	5 0**	4 16 3
Millet	2⅔	25½	13††	45‡‡	12	2 8¼§§	1 11 8
Oats, flax, &c. (consumed at home)	2	..	..	..	..	..	..
Total realized value of crops .. .. .	..	..	..	..	..	..	10 11 4 or Rs. c. 79 52

* The family would possess 4 horses, 2 cows, 2 calves, 2 heifers, 10 sheep, and 2 foals.

† 156 poods. ‡ 30 poods. § 45 copecks per pood. ¶ 12 poods. § 18 poods.

** 60 copecks per pood. †† 4½ poods. ‡‡ 1½ poods. §§ 32½ copecks per pood.

On the other hand, the minimum expenditure of the same family would be as follows:—

1. Redemption Payments:—6 per cent. on 80 per cent. of capitalized quit-rent of three males	Rs. c.	Rs. c.	£	s.	d.
Annual payment to lord of remaining 20 per cent. of above*	21 60				
	9 0				
	—	30 60	=	4 1 8	
2. Taxes for three males:—					
	Rs. c.				
(1.) Imperial poll-tax at 2 88 per male	8 64				
(2.) Provincial .. 0 24	0 72				
(3.) Cantonal .. 1 3	3 9				
(4.) Rural .. 0 90	2 70				
	—	15 15		2 0 5	
3. Priest		0 30		0 0 9½	
4. Repair and renewal of implements,—blacksmith		17 0		2 5 4	
5. Salt		3 0		0 8 0	
6. Dress, boots, &c.		20 0		2 13 4	
7. Wages of shepherd, family's share of		3 73		0 9 11	
8. Rent of pasture		3 66		0 9 8½	
9. Rent of meadows		4 0		0 10 8	
		—		—	
Total minimum expenditure		97 44		12 19 10	

ABSTRACT.

Minimum expenditure	97 44	12 19 10
Realized value of average crops	79 52	10 11 4
	—	—
Deficit	17 92	2 8 6

In the Province of Simbirsk this deficit will be made good by extraneous earnings and jobs, such as carting, transporting merchants' goods, working for landed proprietors, leasing land, rearing cattle, and reaping in the steppes (for which the payment is sometimes 23s. 4d. per acre).

The following is an inventory and estimate of the agricultural "plant" of the above family:—

INVENTORY and Estimate of the Agricultural "Plant" of a Peasant Family, consisting of three Male Labourers, in the Province of Simbirsk.

	Value.		
	Rs. c.	£	s. d.
3 Ploughs, Russian (<i>arère</i>), at 3½ roubles (made principally at home)	10 50	=	1 8 0
4 Harrows with iron spikes, at 2 roubles	8 0		1 1 4
2 Carts, average value 5 roubles	10 0		1 6 8
2 Sets of harness	12 0		1 12 0
3 Scythes (will last two or three years), Austrian, at 1 rouble	3 0		0 8 0
4 Reaping-hooks, German, with English mark, at 30 copecks	1 20		0 3 2
2 Axes, at 75 copecks	1 50		0 4 0
3 Spades, wooden, at 6 copecks	0 18		0 0 6
2 .. tipped with iron, at 20 copecks	0 40		0 1 1
2 Baskets for sowing, at 10 copecks	0 20		0 0 6
Total	46 98		6 5 3

The value of their cottage would be about 150 roubles (20l.), with an addition of 50 roubles (6l. 13s.) for barns, &c.

(C.)—Peasant Family in the Province of Samara.

The allotment per male (5 dessiatinas) will give a total allotment of 15 dessiatinas, or nearly 43 acres, of which 2½ dessiatinas would be occupied by the cottage, buildings, and common, leaving 13 dessiatinas (34½ acres) for tillage.† These would be divided into three fields, of about 4 dessiatinas (11½ acres), and be sown as follows:—

1st field (11½ acres), rye; 2nd field, 8½ acres under wheat, 2¼ acres oats, and 1½ acres millet and buckwheat; 3rd field (about 10¼ acres), fallow.

* In the case of this family it is assumed that they have been anxious to purchase their allotments, and have agreed to pay the 20 per cent of the capitalized value to the lord in ten yearly instalments of 9 roubles (24s.)

† The stock of cattle would be composed of 4 horses, 2 foals, 2 dairy cows, 2 heifers, 2 calves, and 10 sheep

The yield of each crop, during an average season, would be as follows:—

- (1.) Rye.—70 poods per dessiatina ($7\frac{1}{2}$ cwt. per acre). Total produce, 280 poods (90 cwt.)
- (2.) Wheat.—60 poods per dessiatina* (about $6\frac{1}{2}$ cwt. per acre). Total produce, 180 poods (58 cwt.)
- (3.) Oats.—80 poods per dessiatina ($9\frac{1}{2}$ cwt. per acre). Total produce, 25 $\frac{1}{2}$ cwt.
- (4.) Millet and buckwheat.—100 poods per dessiatina (about 12 cwt. per acre). Total produce, 18 cwt. consumed by the family.

RECAPITULATION.

Description of Crop.	Acres under Cultivation.	Yield.	Consumption.	Retained for Seed.	Left for Sale.		
					Quantity.	Value.	
						Rate.	Total.
		Cwt.	Cwt.	Cwt.	Cwt.	Per Cwt. s. d.	£ s. d.
Rye	11 $\frac{1}{2}$	90	38 $\frac{1}{2}$	15 $\frac{1}{2}$	36 $\frac{1}{2}$	2 1 $\frac{1}{2}$	8 16 0
Wheat	8 $\frac{1}{2}$	58	29 $\frac{1}{2}$	8 $\frac{1}{2}$	20 $\frac{1}{2}$	5 0**	5 1 3
Oats	2 $\frac{1}{2}$	25 $\frac{1}{2}$	9 $\frac{1}{2}$ ††	2 $\frac{1}{2}$ ††	13 $\frac{1}{2}$	1 8 $\frac{1}{2}$ §§	1 2 6
Millet and buckwheat ..	1 $\frac{1}{2}$	18	16 $\frac{1}{2}$	1 $\frac{1}{2}$	..	..	..
Total realized value of crops	..	..	..	..	..	..	9 19 9 or Rs. c. 74 90

On the other hand, the minimum expenditure of the same family would be as follows:—

	Rs. c.	£ s. d.
1. Quit-rent, assuming that the peasants are only "perpetual tenants," at 9 roubles each	27 0	= 3 12 0
2. Taxes for three males:—	Rs. c.	
(1.) Imperial poll-tax	3 0	
(2.) Provincial tax	1 5	
(3.) Cantonal and rural tax	2 0	
	6 5	0 16 1
3. Priest	2 0	0 5 4
4. Repair and renewal of implements, &c.	15 0	2 0 0
5. Salt, 20 lbs. for each grown-up person, or 5 poods at 50 copecks (4s. 2d. per cwt.)	2 50	0 6 8
6. Dress, boots, &c.	20 0	2 13 4
7. Shepherd and grazing	4 0	0 10 8
8. Rent of meadows for grass	4 0	0 10 8
Total minimum expenditure	80 55	10 14 9

ABSTRACT.

Total minimum expenditure	80 55	10 14 9
Realized value of average crops	74 90	9 19 9
Deficit	5 65	0 15 0

The author of the work on "The Condition of the Labouring Classes in Russia," already quoted, draws the following vivid sketch of the circumstances of a peasant proprietor, or tenant, in the Black Soil Country:—

"Let us travel to the vast and isolated region of the North-East of Russia, far away from the main arteries of communication, and see what is taking place there. We shall find a young peasant, just married, commencing life on his own account. His father and mother, still capable of work, and his brother, 16 years old, live with him. They keep 2 horses and a foal, 3 head of horned cattle and 8 sheep, and they produce

* In a bad year the yield will not be more than 20 poods per dessiatina. No manure would be used in raising these crops.

† 118 poods, including 25 poods for horses.

‡ 48 poods.

§ 25 copecks per poood. The average price of rye grown on the lords' land would be 40 copecks per poood.

|| 90 poods.

¶ 27 poods.

** 60 copecks per poood.

†† 30 poods.

‡‡ 7 $\frac{1}{2}$ poods.

§§ 20 copecks per poood.

yearly 180 poods (58 cwt.) of corn, 2 poods (72 lbs.) of butter, and 10 poods (361 lbs.) of meat and tallow. Their rents and taxes amount to 23 roubles (3*l.* 1*s.* 4*d.*). In order to pay that amount they will sell 1 pood (36 lbs.) of butter, 5 poods (180 lbs.) of meat and tallow, and 16 poods (5 cwt.) of corn; leaving 49 poods (15½ cwt.) of their rye, wheat, &c., for seed. This will leave them 92 poods of corn (about 30 cwt., at the rate of about 24 oz. per diem of bread for each person) for their own consumption, and 23 poods (8 cwt.) of oats, &c., for their cattle. They will also be able to eat almost 1 lb. (12 oz.) of meat each on the 47 days in winter, during which they are permitted to make use of animal food. In the eyes of a European this will seem scanty fare, but the agriculturists of Samara will consider it very good.

“But now comes a change in the circumstances of the peasant. Eight years have elapsed and the peasant has three children; his father and mother, and particularly the latter, have become old; the brother has been draughted into the army. The family produces only 90 poods (29 cwt.) of corn; the rent and taxes amount to 30 roubles (4*l.*), and the yearly consumption of corn by the family alone will be at least 125 poods (40 cwt.). The cattle will also require some corn. And thus, in order to live as they had formerly lived, they should produce a value of 104 roubles (13*l.* 17*s.*), but they have only been able to realise 58 roubles 80 copecks (7*l.* 16*s.* 10*d.*) for their crops. Their food begins to get scantier and scantier, and towards spring they get more and more famished. The members of the family, unaccustomed to such privations, and especially the wife, who has retained some little influence over her husband, reproach the master of the house daily and ask for more food. The latter cannot withstand the appeal, and begins to pay his rent and taxes less regularly. The officer of Government comes and energetically demands the payment of arrears. Driven to desperation, the peasant acknowledges to the mayor of the village the cause of his want of punctuality, viz., the persistent demands made upon him by his family, and particularly by his wife. ‘Give her a good thrashing,’ is the advice of the mayor. The ‘moujik’ goes home, ties his wife by her hair to the tail of a cart, and flogs her unmercifully with a whip. At a convenient opportunity he will give his mother a knock or two on the head with a log of wood, and will give his father a good fright with anything that may come to hand. After this no one dares to annoy him. He has now enough to eat; he pays his rent and taxes with punctuality, and answers any complaint of unsatisfied wants by the infliction of blows, and, if any member of the family should die from privation, his death is attributed to fate. The ‘moujik’ becomes a zealous supporter of domestic despotism and harshness. Cynicism and a coarse egotism become the prevailing features of his actions, from his pastimes and fun to the most serious acts of his life. Under the influence of the constant complaints of the women against the harsh treatment which they receive, the young peasant seldom begins with despotism and harshness, and will never attempt to beat his father and mother before the age of thirty-five. As soon as he emerges from boyhood, he attends the evening gatherings of the girls of the village, whom he courts, and who, in their turn, inspire him with the best intentions, and teach him that it is wrong to use violence. The force of circumstances, however, finally compel him to succumb to the principles which are the source of all his trouble. But he does not allow his evil feelings to triumph before he has himself become the victim of harshness. Coarseness and ignorance are as prevalent in the higher as in the lower strata of society. In the poorer and thinly populated villages that harshness assumes a character of implacable austerity. The years pass gloomily, with few opportunities for diversion, producing no deep impressions. The life of the peasant drags on with an oppressive uniformity, amidst the care of earning his daily bread.

“But, if we pass from the village which we have just described to another that is marked by a higher degree of civilization, we shall frequently have cause to doubt whether the condition of the second village is preferable to that of the first. The chief features of such a village are fewer thrashings, a more perceptible tendency to personal adornment on the part of the women, a larger number of bachelors, and the existence even of old maids.* In such villages *fêtes* are held each Sunday, and all the village games, accompanied by much kissing, terminate in the coarsest sensuality. Immorality prevails, followed by infanticide.

“In such villages we shall find women ruling their husbands, and even living apart from them. Although of little comfort, this metamorphosis of village life in Russia is so progressive that, since the abolition of serfage, the villages of harsh type are quickly disappearing.”

20. The answers to these questions will, as in the case of the preceding queries, embrace the whole of the agricultural population of Russia, the distinctions between

* In the sense only of unmarried women.

proprietorship and tenancy being too minute to have as yet produced any perceptible effect on the circumstances of the peasantry.

The density of the general population of Russia in Europe is about 646 inhabitants to the square geographical mile, distributed very unequally over an area of about 87,000 square geographical miles. Thus, in the Province of Archangel, the population per geographical square mile is only 17; while in that of Moscow, the density attains its maximum in the rate of 2,911 inhabitants to the square geographical mile. Out of fifty-one provinces, twenty, embracing an area of about 65,000 square geographical miles, have a population under 1,000 inhabitants to the square mile, or an average of about 470 males and females to the square geographical mile.*

Less than 10 per cent. of the population of Russia in Europe dwell in towns, of which there are 900,—

64 with a population of more than	..	..	..	..	..	20,000
5 " "	..	..	..	..	..	80,000
5 " "	..	..	..	..	..	100,000

More than half the towns in European Russia have only 5,000 inhabitants, and there are many with a population of less than 1,000 of both sexes.

The proportion of the urban to the agricultural population may roughly be taken at 1 to 10,† and the agricultural wealth of the country exceeds several times that of the towns. Some towns have a yearly income of only 250 roubles (33*l.*), while the revenues of the majority do not exceed 5,000 roubles (666*l.*).

A considerable number of the towns are, indeed, mere agricultural settlements or organized villages, and at least 20 per cent. of the total urban population belong to the peasant class.

The peasant proprietors are fixed to lands which give an area of 1½ dessiatinas (4½ acres) to each man, woman, and child; but the lands held nominally in freehold by the ex-peasants of the Crown give 3½ dessiatinas (9½ acres) to each, thereby raising the average area of land to about 2½ dessiatinas (7 acres) to each head of an agricultural population of about 33,000,000 of both sexes.‡

Being less than 10 per cent. of the total population, the inhabitants of towns exercise but little influence on the general official returns of mortality in Russia, which show one death to twenty-six§ of the population.

In some provinces the mortality in the rural districts exceeds that of the towns; but, taking the whole of Russia Proper in Europe, the yearly diminution of the agricultural population may be taken at the same yearly average, which is the most unfavourable of any country in Europe.||

At the same time, the mortality is, in reality, considerably greater than official statements would make it appear, for it is notorious that nearly all the children who die before they are baptized, and a great number of stillborn children, are never registered at all.¶

It is a most serious feature of this excessive mortality that a great proportion of the registered children in Russia die before they attain the age of five years, as shown by the following statement:—

Countries.	Number of Males living.					
	Total.	Age.				
		1 Year.	2 Years.	3 Years.	4 Years.	5 Years.
Russia, according to C. Herman, 1819	1,000	..	..	..	..	555
" " H. Zernof, 1843	1,000	..	..	..	..	459
" " Mr. Brun, 1845	1,000	681	566	509	418	460
" " W. Buniakowski, 1865**	1,000	735	677	638	610	593
Great Britain " Dr. Farr	1,000	854	801	774	755	742
Belgium " Mr. Quetelet	1,000	851	794	764	744	730
France " Mr. F. de Montf6rand	1,000	824	770	741	722	707

* In the Kingdom of Poland the density of population is 2,055 to the square mile, but in the Grand Duchy of Finland only 2:9.

† In France and Prussia the proportion is 1 to 3. In Great Britain the inhabitants of towns are three times as numerous as the agricultural population.

‡ This includes only the peasants who are "redeeming" their allotments and the ex-peasantry of the Crown.

§ "Aperçu Statistique des Forces Productives de la Russie." A. Von Buschen, 1867.

|| "Il est peut être possible de mesurer par le chiffre de sa mortalité les progrès d'un peuple dans l'ordre des intérêts moraux et matériels. C'est ainsi que nous voyons l'Angleterre au sommet et la Russie au bas de l'échelle des mortalités Européennes." A. Legoyt.

¶ A. Von Buschen. "Children are generally baptized on the third or fourth day after birth."

** "Essay on the Laws of Mortality in Russia," by W. Buniakowski, member of the Imperial Academy of Sciences.

Taking the average of the four statements in respect to the mortality in Russia of children up to the age of five years, it would appear that only 51½ per cent. of the registered births attain that age; whereas the same average for Great Britain, France, and Belgium gives 72½ per cent., or an absolute difference of 20¾ per cent. to the disadvantage of Russia.

The whole of that difference may be assumed to represent the unnatural waste of child-life in excess even of the avoidable waste in other countries; for the still-births* and children who have died before baptism (not included in the Russian return) may be set off against a certain natural excess of mortality that may be attributed to the greater rigour of the climate of Russia, although it would, in reality, appear that there is less mortality among children in the extreme North of Russia than in the Central and Eastern Provinces, and there is undoubtedly less mortality during the months of winter than during those of summer.

The question of the excessive mortality among children in Russia is one of paramount importance, and, at the same time, one that does not admit of immediate solution. It is connected with the moral and material condition of the Russian people—a condition which the statistics of mortality prove beyond all dispute to be at a very low level.

The Rev. T. Giliarofski, corresponding member and gold medalist of the Russian Geographical Society,* has made a remarkable inquiry into the infant mortality in the Province of Novgorod, and, although his statistics do not embrace a later date than 1856, his statements and arguments are still applicable to the condition of the Russian peasantry, since religion and education have made but little progress during the period that has elapsed. Nor has the welfare of the peasantry advanced since 1856 to a degree that would remove the more prominent material causes of infant mortality.

The causes, as stated by that enlightened priest, and by other secular authorities, may be classified under three heads in the ratio of their importance:—

- (1.) Material.
- (2.) Educational.
- (3.) Religious.*

During the fasts of the Church, and even on some of its holy days, or during Easter week, no marriage can be celebrated. To this circumstance, as well as to the fact that during winter the peasantry are comparatively free of work, is to be attributed a preponderance of marriages in the months of January, October, November, and February, and of corresponding births in the months of October, July, August, and November.

The relative effects of marriages contracted during the several months in the year will be seen from the following Table, compiled from the work above cited, and which, although based only on the statistics of the Province of Novgorod, is applicable, with little modification, to the greater part of Northern, Central, and Eastern Russia:—

	Births.		Infant Mortality.	
	Per Cent.	Per Cent.	Per Cent.	Average.
October	9½	54½	36	56½
July	9½		75	
August.. . . .	9½		76	
November	8½		38	
March	8½		56	
June	8½		59	
January	8½	45½	50	
May	8		54	
September	7½		57	
February	7½		53	
December	7		50	
April	7		61	
			54½	

The months are arranged in the above Table in the order in which the greatest number of births occur. It will be seen that there is a relative difference of 28 per

* It is notorious that the statistics of illegitimate births in Russia (only 3½ per cent. of the total births) are kept down by the great prevalence of certain practices in Russian villages, in most of which may be found one or more women who, failing the effect of herbs, administer doses of the sublimate of mercury, or cocculus indicus. They also resort to a process popularly called "vytiranié."

† "Inquiry into the Births and Mortality of Children in the Province of Novgorod." Published in the "Memoirs of the Imperial Russian Geographical Society," 1866.

‡ The religious causes are but slightly alluded to in the Rev. Mr. Giliarofski's work, and he is therefore not responsible for any statements under that head.

cent. between the maximum number of births in October, and the minimum number in April, and that the largest group of births (viz., 54½ per cent. of the total number) falls in a period which is marked by an excess of 4 per cent. in infant mortality, as compared with the period that embraces the months of winter. A small part of this, however, represents an apparently natural excess which, even in other countries, accompanies an increase in the number of births. It is the great mortality among children in the months of July and August, when 75 and 76 per cent. of the births in those months do not survive, that causes the great waste of infant life in Russia as compared with other countries. Those months are the months of harvest, when the peasant women are forced by necessity to leave their new-born infants to be nursed by children of four or five years old, or by old women whose hands can no longer grasp the reaping-hook. Fed on sour rye bread and cabbage or mushroom water, working as much as the men, having less sleep, keeping even more fasts, the peasant women are only exceptionally capable of rearing their children entirely by the natural process. There are few children of peasant proprietors, and of peasants enjoying a fixed tenure of land, who are not brought up by means of a feeding-bottle or "poultice," which frequently convey not milk, but curds and water, or a kind of gruel mixed with water, or "kvas."* "The latter diet," says the Rev. T. Giliarofski, "is general during the prevalence of disease among cattle, or during the periods when cows give but little milk.

"I have seen," continues that authority, "children not a year old left for twenty-four hours entirely alone, and, in order that they should not die of hunger, feeding-bottles were attached to their hands and feet."

The poultices of rye bread, oatmeal, curds, &c., placed over the children's mouths when their mothers leave to work in the harvest-field, frequently choke them; frequently, also, domestic animals come and deprive the infant of its food. Its cries for natural sustenance produce internal distensions which, in the absence of any proper system of bandaging new-born children, result in hernia and other disorders with which the people of Russia are much afflicted.

The circumstances under which the peasant women give birth to offspring reduce the chances of life in the infant, and increase the mortality of women in child-bed.† Their confinement frequently takes place in a hut devoted to the purposes of a steam-bath, or, if in summer, in a barn, out-house, or stable. Midwives are now happily being introduced in the more populous villages of Russia, but it must be many years before the care now bestowed on the subject will bear its fruit in the smaller and more remote settlements of the peasantry. Many a poor woman will continue to bear her great trial unattended—perhaps even without the appliances the absence of which will force her to follow the instinct of the brute creation. In three days at the utmost she leaves the bath-house, or shed, and resumes her domestic duties, even her hard field-work. Cases occur in which the mother of only one day joins the mowers or the reapers. The custom of the country compels her to take a steam-bath on the third day, which still further exhausts her and renders less possible the natural nutrition of her child. The latter passes through its first great crisis on the third or fourth day of its existence, when the doctrines of the Russian Church demand complete immersion at baptism, in water of which it is sin to remove the chill. Within a week after birth, a large proportion of infants therefore succumb to the unfavourable influences of the world into which they have been ushered. Inflammatory affections of the intestinal canal, or what the peasantry call the "cholic," and diarrhoea, claim the largest number of victims, although the average number of infant deaths is officially attributed to "weakness" and "consumption."

Those who survive the ordeal of baptism on a winter's day, and pass safely over the second month of their existence, continue to hover between life and death until the twelfth month after birth, when, according to the Rev. Mr. Giliarofski's figures, death relieves three-fourths, five-sevenths, or six-sevenths of the infants born in some of the districts of the Province of Novgorod of their sufferings. It will be seen, however, from a previous Table, that the general official proportion of deaths in one year is about 30 per cent.

Mothers who have been able to suckle their own children generally wean them at the expiration of twelve months, and popular custom has appointed two days in the year for that purpose—one in July, the other in January. Both periods are unfavourable to the child, inexorably weaned by a mother who superstitiously believes in the efficacy of those days. In July the cattle are mostly afflicted with disorders and

* The liquid result of fermented rye.

† The average number of women who die in child-bed in the Province of Novgorod is 1 in 18.

epidemics, while in January cows give but little milk. Various devices, more or less prejudicial to health, are resorted to by the mother to affect her purpose at this period; one of the mildest being separation from her child for a week or longer, when she frequently returns to find it a corpse. The medical art has not yet penetrated into the great majority of Russian villages. Here and there a beneficent landlord, or a more than ordinary active "Territorial Assembly," may have established a "feldscheer," or hospital-dresser, who generally belongs to the school of Dr. Sangrado, and bleeds and cups the peasantry unmercifully in their steam-baths. His intervention in the case of infant disease is more frequently fatal than salutary. Those poor little victims of material poverty, ignorance, and superstition, are left in their many illnesses to Nature, which turns a deaf ear to the incantations, "whisperings," "fumigations," and other pagan rites by which the village crones undertake to avert the influence of the devil, or the evil-eye. The child that refuses the breast or the feeding-bottle is covered with a clean cloth and left to die, for it is then popularly believed to be beyond all human care. As soon as a child begins to crawl or to stand, another superstitious belief hastens it to the grave, for it is very generally considered a sin to give it any clothes beyond a shirt until it has reached the age of seven.*

These are but a few of the causes that prevent only half of the births in Russia from surviving the fifth year, while, in Belgium and other countries, half the births attain the age of twenty-five. Nature certainly provides a remedy, as far as the supply of mere numbers is concerned, for the practice of feeding infants by artificial means, and weaning them early—the great number of infant deaths within the first twelve months, and early marriages—give a greater fecundity to the population.

The number of children born in Russia is thus twice the number of those born in France.†

In the Province of Novgorod, for instance, between the years 1837 and 1856, the average number of births to one marriage was as follows, in the several classes into which the population is officially divided:—

Upper Class Officials, &c.	..	..	..	..	5½ children.
Peasantry	..	..	..	..	5½ "
Burghers	..	..	..	..	5 "
Merchants	..	..	..	..	4½ "
Post-drivers	..	..	..	..	4½ "
Fluctuating Population	..	..	..	..	3½ "

The following Table, extracted from Mr. Quetelet's work, and amplified, in respect to Russia, by figures taken from a work‡ by Mr. A. Von Buschen, the eminent statist of Russia, exhibits the relative fecundity of the principal nations of Europe:—

Countries.	Inhabitants.			Fecundity.
	To one Marriage.	To one Birth.	To one Death.	
Prussia	102	23·1	36·2	4·23
England	128	34·0	49·0	3·77
France	131	32·2	39·7	3·79
Belgium	144	30·0	43·0	4·72
Russia in Europe ..	100	21·0	26·0	4·96

A comparison between the statistics of births for St. Petersburg§ and other Continental cities, gives the following results:—

St. Petersburg	..	..	..	..	..	2·4 children to 1 marriage.
Berlin	..	..	..	..	..	2·9 "
Brussels	..	..	..	..	..	2·7 "
Vienna	..	..	..	..	..	2·6 "
Paris	..	..	..	..	..	2·4 "

The population of St. Petersburg is, however, much affected by its foreign element and its unstable inhabitants. The average number of births in other Russian towns is nearly four to each marriage, which would probably give an average of five to the rural districts, where the natural tendency of the population to grow is not checked by hygienic considerations.

* Rev. T. Giliarofski.

† "Physique Sociale." Ad. Quetelet. Brussels, 1869.

‡ "Aperçu Statistique des Forces Productives de la Russie." Paris, 1867.

§ "Statistical Description of St. Petersburg." 1868.

Mr. Senator Hagemeister has pointed out that, owing to the great waste of life in Russia from poverty and want of care, the number of able-bodied men in Russia in a population of 50,000,000 is the same as that produced in France by only 38,000,000.

Many other writers have shown that the development of the wealth of Russia is retarded by the physical weakness of its population, as well as by the inferiority of the latter in relation to geographical area.

In the body of the present Report it has been stated that only half the male population in Russian villages is capable of field-work, and the following Table, drawn up by Mr. C. Veselofski, of the Imperial Academy of Sciences, affords sufficient proof of the correctness of that statement:—

TABLE showing the Proportion per cent. of Labourers capable of Work.

Provinces.	Ages.		
	14 to 18, and 60 to 65.	18 to 60.	Infants and men above 65 and men physically incapacitated.
Saratof	12·22	53·34	34·44
Wladimir	9·58	52·85	39·57
Nijni-Novgorod	9·59	52·55	37·85
Moscow	10·18	50·86	38·95
Tver	10·52	51·54	37·94
Novgorod	9·38	53·89	36·73
Average	10·58	52·44	36·98

A recent official statistical description of Simbirsk shows that the population of that province is composed as follows:—

	Per cent.
1. Children up to 10 years, and old men and women above 80	29
2. Youths between 10 and 15, and men and women between 60 and 80	16
3. Labourers between the age of 15 and 60	55*

Compared with the population of Great Britain, that of Russia presents a most extraordinary weakness in productive ages. Thus, while in Great Britain the number of men and women alive between the ages of 15 and 60, out of 1,000, averages 548, and in Belgium 518, the same number in Russia is only 265, according to the tables of Brun and Zernof, already quoted.

Calculations of the average duration of human life in Russia bear out the above conclusions. In the extreme North of Russia, and in the Western Provinces, the average duration of life varies between 22 and 27, while, in the agricultural districts of the Volga basin, and generally in the South-East of the Empire, where the conditions of vitality are highly unfavourable, the average is reduced to 20 years. In the Provinces of Viatka, Perm, and Orenburg, the mean duration of life is, however, only 15 years.†

While, therefore, the average yearly increase of the population of Russia is officially taken at 1·20 per cent., allowance must be made, in considering the physical strength of that population, for the unproductive ages of the living. Indeed it is necessary to make a great allowance for the physical debility from sickness even of those who, from their age, might be classed as productive. A large proportion of the surviving population is incapable of proper physical exertion from the want of proper nourishment, from a general neglect of the art of life, from the extraordinary prevalence of certain diseases,‡ from the want or neglect of remedial measures, and from careless exposure to the extremes of heat and cold.§

21. This question has been answered in Part I of this Report, under the head of "Effect of the Emancipation Act on the Welfare of the State."

The remainder of the queries having reference to the tenancy and sub-tenancy

* Of which 28 per cent. women and 27 per cent. men.

† The average duration of life in other European countries is about 40 years.

‡ In the Province of Poltawa, for instance, 100,000 men are supposed to be afflicted with them.

§ From a Report on the Recruitment effected in 1868, it seems that 174,000 men were brought up from the villages to recruiting centres, in order to supply the annual contingent of 84,000 men, and that 44,000 men were rejected for disease and other physical defects, not inclusive of short stature. The proportion of men rejected for disease has been steadily on the increase since 1865, while, in the Kingdom of Poland, the number of men rejected for similar causes remains only 6 per cent.

of land by free contract, are not applicable to the present state of land occupation in Russia.

Being compulsory on the ex-serf as well as on the lord, the conditions of tenancy are complicated by political, fiscal, and military considerations that do not exist elsewhere, and which, therefore, appear to render unnecessary, as regards the object in view, any inquiry into the subject of Land Tenure in Russia.

PART III.—APPENDICES.

APPENDIX I.

Abstract of the Emancipation Act.

The general principles on which the serfs were emancipated in 1861 having been considered in Part I of this Report, the following Abstract of the Local Statutes, reproduced mainly from Professor Bunge's Lectures on the "Law of Police," is intended to show the manner in which those principles have been applied in detail.

Abstract of the Local Statutes for the Emancipation of the Peasantry in Great Russia, Little Russia, the North-West Provinces and the South-West Provinces of Russia.

The four Local Statutes which were appended to the Emancipation Act of February 19th, 1861, are applicable severally to—

(1.) Great Russia, White Russia, and New Russia. (2.) Little Russia. (3.) Kief, Volhynia, and Podolia (South-Western Provinces). (4.) Wilna, Grodno, Kowno, and part of Witebsk (North-Western Provinces).

Each Statute is divided into two parts:—

- (A.) Peasant Allotments, Usufruct of Land, &c.
- (B.) Payments leviable for the same.

(A.)—*Allotment of Land to the Peasantry.*

I.—*Extent of the Allotments.*

In the Provinces of Great Russia, New Russia, and White Russia, the Local Statutes have defined the extent of the allotments to be made to the peasantry, under a slight deviation from the general principles laid down by the Emancipation Act in respect to the legalization of mutual agreements, and the acknowledgment of existing circumstances.

Those provinces have been divided into zones, viz: (1.) the Zone without Black Soil (9 regions); (2.) the Zone of Black Soil (8 regions); and the Steppe Zone (12 regions).

A maximum and minimum allotment per male peasant ("soul") has been fixed for the first two zones, the minimum being one-third of the maximum.

Existing circumstances are respected within those limits. If the land already cultivated by the peasant is more extensive than the maximum allotment, the excess is taken from him, unless the proprietor shall agree to cede it; but, if it be less in extent than the maximum allotment, the deficiency is made good, unless the peasant shall prefer a reduction of his liabilities for the same.

Exceptions are only admitted in the case of industrial localities, where the peasants are not in the enjoyment of much land. But, in any case, the lord has the right of retaining within his manor one-third of the general area of the land capable of being cultivated.

Within the Steppe Zone there is a uniform allotment per male "soul," and the lord can retain one-half of the cultivable lands.

Exceptions are admitted in the case of certain estates, which can be classed in another zone for the purposes of allotment to the peasantry.

In the Little Russian Provinces of Poltawa, Chernigof, and Kharkof, the peasant allotments are regulated by a maximum and minimum scale, the latter being equal to one-half of the maximum. The lord retains one-third of the cultivable land.

In the Provinces of Kief, Volhynia, and Podolia, the communal lands, declared inalienable by Imperial Ordinances in 1847 and 1848, were left in *statu quo* for the perpetual use and enjoyment of the "temporarily attached" peasantry* of each village community, in return for a certain scale of payments. In case of any previous irregular diminution or exchange of the communal lands, the peasant allotments are to be restored to their former extent, and cannot be decreased (beyond the limit of the minimum statute allotment), except in accordance with the laws respecting the relinquishment or redemption of land.

In the Provinces of Wilna, Grodno, and Kowno, and in four districts of the Province of Witebsk, the Emancipation Act has left to the peasantry the "perpetual usufruct" of the fields and homesteads previously occupied by them. The allotment per male "soul" cannot be diminished by more than one-sixth, the remaining five-sixths constituting the inalienable possession of the peasantry, and destined to supply the wants of the whole agricultural population. The lord, however, has in every case a right to retain one-third of the land capable of being cultivated.

In fixing the extent of the peasant allotments, the statutes were naturally meant to affect only the lands of which the peasantry enjoyed the usufruct,—not such as were held by them at a quit-rent, or farmed under agreement with the lord of the soil.

The principle of respecting existing circumstances was thus retained in the four statutes, except in the case where the inalienability of the communal lands had been previously secured by ordinances. The statutes fixed the extent of the allotments in districts where the permanent usufruct of the land has not been hallowed by custom.

The following Table shows the maximum and minimum allotments of land:—

PEASANT ALLOTMENTS.

Zone and Region.	Maximum.		Minimum.	
	Dessiatinas.	Acres.	Dessiatinas.	Acres.
1st Zone, comprising no Black Soil—				
1st Region	3	8.58	1	2.86
2nd "	3½	9.29	1½	3.9
3rd "	3¾	10.1	1¾	3.83
4th "	4	11.44	1½	3.81
5th "	4½	12.87	1½	4.29
6th "	5	14.30	1½	4.77
7th "	5½	15.73	1½	5.24
8th "	6	17.16	2	5.72
9th "	7	20.2	2½	6.67
2nd Zone, Black Soil—				
1st Region	2½	7.87	0½	2.63
2nd "	3	8.58	1	2.86
3rd "	3½	9.29	1½	3.9
4th "	3¾	10.1	1¾	3.83
5th "	4	11.44	1½	3.81
6th "	4½	12.87	1½	4.29
7th "	5	14.30	1½	4.77
8th "	6	17.16	2	5.72

STATUTE ALLOTMENTS.

3rd Zone, Steppe Country—				
Great Russia—1st Region.	6	17.16	..	..
" 2nd "	7	20.2	..	..
" 3rd "	8	22.88	..	..
" 4th "	10	28.60	..	..
" 5th "	12	34.32	..	..
New Russia—1st "	3	8.58	..	..
" 2nd "	3½	10.1	..	..
" 3rd "	4	11.44	..	..
" 4th "	4½	12.81	..	..
" 5th "	5	14.30	..	..
" 6th "	5½	15.73	..	..

* Peasants who have not "redeemed" their allotments.

II.—*Nature of the Allotments.*

The peasant allotments include—1, fields, woods, and streams for watering cattle; 2, homesteads; and 3, timber for building purposes and fuel.

Each of the local statutes stipulates that the allotments shall be composed only of cultivable land. It is only within the first zone that woods previously held by separate peasant families (not by entire village communities), as well as those in certain (five) localities of that zone, in which the lords of the soil had granted to the peasantry the right of cutting timber, are included in the allotments.

Streams for watering cattle, already enjoyed by the peasants, or to be made over to them hereafter, are likewise included in the allotments, together with a right of way to such streams.

The homesteads of the peasantry include all the land within a certain radius of a village or small hamlet. The boundaries of such villages are defined either by the natural conformation of the land or by mutual agreement with the lord, failing which, recourse is to be had to the justices of the peace.

Within the first zone, in addition to the land actually occupied by the cottages of the peasantry, each male peasant can claim up to 120 square fathoms (of 7 feet each) of land for sowing hemp seed, and up to 200 square fathoms of common, if the limits of the lands attached to the cottages, or composing the homesteads, are not naturally defined.

In the Steppe country (third zone) the extent of common included in the homestead is not to exceed 320 square fathoms per male peasant.

In the second zone, also, each peasant family can claim up to 1,200 square fathoms; in the third zone, up to 1,800 square fathoms, and in the fourth zone, 1,600 square fathoms of land, as forming the homestead, which the lord is bound to cede to the peasant.

With the exception already stated, the lord is not bound to give the peasantry timber for building purposes. They can claim the right of receiving fuel, under certain conditions of payment, only in localities where they had previously enjoyed the right of cutting wood for fuel. These rights can only be ceded for nine years, a period which expires in 1870.

In Little Russia (second zone), where the communal system does not exist, the "family allotment" consists of the homestead and "field allotment." A maximum field allotment* is laid down for each locality.

III.—*Conveyance of Allotments.*

Under this head the statutes are divided into three parts, viz. (a) preliminary confirmation of allotments; (b) the surveying and definition of their boundaries; and (c) the removal of homesteads.

(a.)—*Preliminary Confirmation of Allotments.*

The preliminary confirmation of the peasant allotments within the first two zones was ordered to be completed in 1863, either on the basis of mutual agreement or according to the provisions of the Emancipation Act.

Under the statutes for the third zone, also, a period of two years was fixed for the settlement of the communal lands. The allotments in that zone are either "main" or "supplementary."

The "main" allotment comprises,—1, all the cultivable land attached to the homestead; 2, parcels of grass land held by families subject to service on foot. Each family liable to service with horse has a right to one "foot" parcel of the prevailing dimensions.

All the lands over and above the main allotment constitute a "supplementary" allotment.

In Zone IV the allotments are likewise to be confirmed within a period of two years, unless they shall have been previously settled by mutual agreement.

(b.)—*Surveying and Demarcation of Allotments.*

In each of the four zones the surveying and demarcation of allotments may at any time be effected by mutual agreement.

After the expiration of two years, however, from 1861, a period of six years is allotted for the "preliminary confirmation" of the allotments, during which the lord may insist on the surveying of commons and of lands intersecting those which he

* "Peshi,"—i.e., in lieu of service on foot, as distinguished from service with a horse.

retains; but such demand can only be made once. The survey of commons may be demanded even after the expiration of the six years. The peasantry have no right to insist on their lands being surveyed.

(c.)—*Removal of Homesteads from one spot to another.*

This is admitted in each of the local statutes under the following circumstances:—

- (1). By mutual agreement.
- (2). On the demand of the lord.
- (3). If the homesteads are situated at a distance of 50 fathoms from the manor buildings, or 100 fathoms from buildings containing machinery worked by steam.
- (4). If the homestead be situated outside the village bounds, in the midst of lands belonging to the lord.
- (5). If the demarcation of bounds should render it necessary. The period fixed for such removals was two to six years after the emancipation.

IV.—*Exchange of Lands.*

The same principles are laid down in each of the four statutes with regard to the exchange of lands; but they are practically applicable only in the first and second zones, as in the third and fourth zones the purchase of the land by the peasantry has been rendered compulsory, and the right of exchange necessarily terminates on purchase.

Exchanges can be made at any time by mutual consent.

Lands, when not purchased by the peasantry, with or without the aid of Government, can be exchanged, on demand of the lord of the manor, in the following cases:—

- (1.) On the discovery of turf, mineral springs and valuable minerals on lands occupied by the peasantry.
- (2.) Should the lord of the manor desire to construct mills, &c., worked by water-power, and should the peasant homesteads be thereby liable to be submerged.
- (3.) Should the lord require the peasant lands for works of drainage, irrigation, or water supply.
- (4.) Should the land be required for the purpose of making a road or way for cattle; and—
- (5.) If, situated on a stream, it be required for the construction of a wharf (landing-place) or ferry.

V.—*Usufruct of Proprietary Rights.*

The proprietary rights of the peasantry are defined in the statutes under three heads, viz.:—

- (a.) The right of usufruct;
- (b.) Compulsory usufruct, and the renunciation of lands;
- (c.) The restitution of lands to the lord.

(a.)—*The Right of Usufruct.*

The Emancipation Act lays down the general rule that the peasant allotments constitute the lands of the community ("mir"), of which the peasants enjoy the usufruct so long as they belong to the commune. This right of usufruct includes the raising of sand, turf, clay, and common stone. The right of water for the construction of mills, and the right of fishing and shooting, belong to the lord, although not exclusively, and subject to certain restrictions.

Thus, although the right of fishing belongs generally to the lord, within his manor, yet, where the peasantry have subsisted principally by fishing, the right of catching fish is reserved to them against certain payments. The right of shooting, also, belongs to the lord within the limits of his manor, yet the peasants are not precluded from destroying on the communal lands all wild or destructive birds and animals.

The right of using water confined within dams; the erection of buildings within a certain distance from the manor buildings, or from the borders of woods; the establishment of fairs, inns, and houses for the sale of spirituous liquors on the lands of the lord, can only be granted to the peasantry by the lord.

The establishment of fairs, &c., must, moreover, have the consent of the communal council.

Within the first zone, the proprietary rights (or rights of usufruct) are either communal or hereditary.

The homestead of a peasant descends by hereditary right, but, when no heir can claim it, it is escheated to the commune, as in the case also of the hereditary allotment of a peasant dying without issue or heirs.

The repartition of the communal lands, and the substitution of hereditary for communal rights of proprietorship, can only be effected with the consent of two-thirds of the householders forming the commune.

The right of hereditary usufruct (*i.e.*, personal—not communal—tenure) is retained wherever it has previously existed.

Within the second zone, the right of hereditary personal usufruct is retained, subject to local usage as to succession and division, and with the right of transfer during life to a lawful adopted heir. Lands may also on demise be parcelled out to heirs, on condition of each parcel being equal to at least one half of the local maximum allotment in lieu of foot service.

Under the statutes for the third zone, the peasant lands, &c., descend hereditarily, and the lord or the commune have no right of interference.

The right of usufruct is limited so far that no peasant can hold two parcels, "in lieu of foot service," of a main allotment, and two homesteads. On division, the minimum of each parcel must not be below the local allotment for foot service.

In the fourth zone, the descent of family allotments is regulated by local custom, and the number of allotments cannot be reduced. The statute at the same time forbids the union of more than three parcels, and the breaking up of parcels of less than ten dessiatinas (29.60 acres).

(b.) —Compulsory Usufruct.—Relinquishment of Land.

By each of the four statutes, the occupancy, or rather usufruct, of land is declared to be compulsory on the peasantry for the term of nine years from the date of emancipation. It is also compulsory on those who shall have purchased their homesteads.

Special rules are, however, attached to the statutes, specifying the cases in which the peasantry may relinquish the right of enjoying the usufruct of their lands.

The rules distinguish between relinquishment during the period of nine years from 1861, and relinquishment after the expiration of that period.

(1.) The relinquishment of land during the period of nine years is permitted in the following cases:—

(A.)—In Zone I.

(a.) When the usufruct of the land is held by the commune.

(aa.) By mutual agreement between the lord and the commune, to the extent of half of the maximum of the statute allotment.

(bb.) On the purchase of the freehold of one-third of the statute allotment.

(cc.) On receiving, as a gift from the lord, one-fourth of the maximum or statute allotment, inclusive of their homesteads, the peasantry may surrender their right to the remainder of their allotments.

(dd.) On the number of male peasants in the commune being reduced one-fifth or more, the peasantry may relinquish one-fifth and more of the land, and obtain a corresponding reduction of their liabilities.

(ee.) A peasant, belonging to a commune, who shall acquire or possess the freehold of land to the extent of at least two statute allotments (according to their size in the locality), and provided such freehold be within a distance of fifteen versts (ten miles) from his village, has the right of relinquishing his share in the communal usufruct of the land.

(b.) Where the the usufruct of the land is personal or hereditary.

(aa.) A peasant who shall have acquired in freehold from the lord of the soil a part of his allotment equal to the extent of twice the size of the local allotment per male, may relinquish his right to the rest of the allotment, and the comune may relinquish its right to such surrendered portion also.

(bb.) A peasant who has or may acquire such a freehold may decline the compulsory usufruct of his allotment, which then devolves on the commune.

(B.)—In Zone II.

(a.) When the usufruct of the land is held by the commune.

(aa.) The commune may relinquish up to half of the allotment per male held in usufruct.

(bb.) It may relinquish up to one-third on purchase, and—

(cc.) Up to one-fourth of the allotment received in free gift.

(b.) Where the usufruct of the land is personal or hereditary.

(aa.) The peasant may relinquish his allotment on purchasing the freehold of half of the maximum allotment for foot service.

(bb.) He may relinquish only a portion of the land attached to his cottage in excess of 1 dessiatina (2·86 acres), as well as—

(cc.) Any supplementary allotment.

The conditions under which communes and peasants in Zones III and IV could relinquish their rights to land allotted to them, were set aside by subsequent enactments contingent on the late Polish insurrection.

(2.) Relinquishment after the expiration of nine years from 1861 :—

In Zone I the peasantry may relinquish their right to the land allotted to them, provided they observe the rules which regulate secession from communes; and in each of the four zones they may surrender on acquiring the freehold of a statute allotment, and without leaving the commune. The four statutes also permit relinquishment where the peasantry have purchased only their homesteads.

Communes are not bound to accept or to take over relinquished allotments, nor to discharge the liabilities connected with the tenure of such allotments.

In the three last zones, the peasant who shall not have purchased the freehold of his homestead may surrender his allotment, but not without the consent of the lord.

(c.) With the exception of some restrictions in favour of communes, all lands that are relinquished devolve on the lord throughout the four zones.

VI.—*Release of Peasants from Village Communes, and the Admission of other Persons into them.*

The rights of the peasantry to move from one place to another are defined under this head.

A peasant may leave his commune on the following conditions :—

(1.) In the first zone, on payment into the communal fund of a sum which shall represent his yearly quit-rent multiplied by 16 $\frac{2}{3}$, without the consent either of the commune or the lord.

(2.) Without the consent of the commune, if the lord shall relinquish his right to the quit-rent.

Under the statutes for the second zone, an individual peasant may also be released from the commune, provided the peasant who remains in the homestead shall take upon himself his allotment of land.

In the second, third, and fourth zones, peasants having no lands (former domestic serfs) may quit the commune, and in the third and fourth zones, they may be released from the commune on acquiring land in freehold or becoming merchants (traders).

Other persons may be admitted into the communes without being subjected to service, in lieu of payments in money. The consent of the lord is required while the peasants remain temporarily attached to him, *i.e.*, before they have arranged for the purchase of their allotments.

Peasant proprietors are admissible into the communes on the resolution of a communal public meeting.

VII.—*The Redemption (Purchase) of Homesteads.*

Under Statute I the peasants have the right of purchasing their homesteads, either individually, or in communities, provided they owe no arrears of quit-rent, &c. The terms of purchase may be arranged by mutual agreement with the lord, failing which the price of the homestead is fixed at the capitalized rent of 16 $\frac{2}{3}$ years. The lord may, however, decline the sale of the homesteads alone, and may insist on the purchase of the entire allotments as well.

The repartition of the cost of purchasing the homesteads may be made by the commune. When homesteads are purchased by individual peasants, 20 per cent. is added to the price.

In all four zones, the peasant who has purchased his homestead in freehold retains the right of using the common or waste lands.

In Zones II to IV there is no general repartition of the sum paid for home-

steads, but the price of each homestead is fixed at from 102 roubles to 240 roubles per dessiatina.

Commons and waste lands are included. The value of homesteads, whether purchased singly or by an entire community, is payable in one sum.

(B.)—*Liabilities of the Peasant towards the Lord.*

I.—*General Rules.*

The liabilities of the peasant towards the lord are of two kinds—viz., (1) money-rents (quit-rent—"obrok") and (2) service ("barschina"). Both may be regulated by mutual agreement, on condition that engagements to render service be not made for a longer term than three years, and that they do not violate the general laws and provisions of the Emancipation Act.

In Zones I and II the payments leviable on the allotments per male "soul" are not inclusive of (a) payments for timber; (b) rents of water-mills, fisheries, and lands leased, and (c) rents for lands occupied by peasant buildings. All tribute in kind, contributions and supplementary payments have been abolished within the first two zones, as are also, in Zones II and III, female service, male service with horse—including service with carts, night-watching, capitation quit-rent, right to domestic service, &c. In Zone IV, likewise, a great variety of services, &c., formerly rendered to the lord, have been abolished.

In Zone I the statute ordains that the peasantry who held lands at a rent or for rent and service together, should in future pay a quit-rent ("obrok"), and that those who held land for service should have their liability to render such service computed in days and money equivalents in their "Settlement Deeds."

The rent or purchase price of the homesteads is included in the general total of the rent or redemption price. On the "redemption" (purchase) of the peasant allotments, a certain portion of the redemption price is considered to be the value of the homestead.

In Zones II and III special payments are leviable for the homesteads, as well as for parcels held at "foot service" and for "supplementary parcels." The payments in respect to homesteads represent the value of the latter capitalized at 5 per cent.

Lands held at a rent or on "mixed terms" (i.e., rent and service) are in future to be held at a money-rent, and those held at service may be held against money payments, or the service may be converted into a fixed number of days of male labour.

In Zone IV the conditions of tenure of each parcel are expressed separately in each "Settlement Deed."

Within the first zone, the extent of the liabilities of the peasantry coincides with that of their allotments, and, under the other three statutes, the liabilities are also determined by the quantity of land conveyed in usufruct.

Where the usufruct is communal, the internal repartition of the money payments is made by the commune, and where the land is held personally (by hereditary right) the payments are commensurate with the quantity of land held.

II.—*Liabilities in Money.*

(a.)—*Amount of Quit-Rent.*

In Zone I the amount of quit-rent varies according to localities, and is 8, 9, 10 or 12 roubles (21s. 4d., 24s., 26s. 8d., 32s.) per allotment for a male peasant. Where the actual allotment is smaller than the maximum or statute allotment, only half the fixed rate of quit-rent is payable on the first dessiatina (when not situated in the Black Soil Country), one-fourth of the rate of rent on the second dessiatina; while only a quarter of the rate of rent payable on a maximum allotment is leviable on any further quantity of land (in excess of the second dessiatina and less than the statute allotment).

In similar cases, the rents in the Black Soil and Steppe Countries are reduced to 4 roubles for the first dessiatina (3s. 9d. per acre), and to 5 roubles (4s. 8½d. per acre) on the remaining quantity (in excess of 1 dessiatina and less than the statute allotment).

The quit-rent ("obrok") may be reduced or raised in certain cases by the provincial

courts for the settlement of matters relating to the peasantry, but it can in no case be raised above the rate paid previously to the emancipation.

The conversion of rents into payments in kind (corn and other products) or into labour is admitted, but not for a longer term than three years.

The following are the cases in which the rents may be raised at the request of the lord:—

(a.) By 1 rouble (32*d.*) per male:—

(1.) If the peasantry hold valuable meadows.

(2.) If the village be not more than 5 versts (3½ miles) distant from a town with 20,000 inhabitants, or from a wharf on a river.

(3.) If the village has a wharf on a river.

(4.) If the peasantry have fisheries, or any peculiar advantages or conveniences.

(b.) By more than 1 rouble (32*d.*) per male:—

(1.) If the manor be not more than 25 versts (18¾ miles) distant from one of the capitals, and if it be a place of resort in summer for the inhabitants of such capitals ("datchi").

(2.) If the villages pursue any manufacturing industry, or are engaged specially in trade.

(3.) For market-places, fisheries and leased meadows.

On the other hand, the quit-rent may be reduced, on the demand of the peasantry, in the following cases:—

(1.) Where the land allotted is poor, as compared with neighbouring land.

(2.) Where the fields are inconveniently distant from the villages.

(3.) Where the peasants are deprived of fuel.

(4.) Where the statute allotments have been reduced.

In Zone II the amount of quit-rent leviable is computed per dessiatina for each "family allotment," according to the following scale:—

Locality.	Province of Chernigof.		Province of P'oltawa.		Province of Kharkof.	
	Per Dessiatina.	Per Acre.	Per Dessiatina.	Per Acre.	Per Dessiatina.	Per Acre.
	Rs. c.	s. d.	Rs. c.	s. d.	Rs. c.	s. d.
1	2 50	2 4	2 50	2 4	2 80	2 8
2	1 60	1 6	2 0	1 10½	2 40	2 3
3	1 40	1 4	..	..	2 10	2 0
4 .. ..	..	..	..	..	1 80	1 8½

These rents may be raised by 10 per cent. in cases where they are raised by 1 rouble (32*d.*) in Zone I., and they can also be reduced 10 per cent. under the same circumstances as in Zone I.

In Zone III (South-West Provinces) the rents are payable either in service or money, on the following scale per dessiatina:—

Locality.	Male Foot Service.		Or Money Rent.	
	Days.	Per Dessiatina.	Per Acre.	
			Rs. c.	s. d.
1	20	3 30	3 1	
2	20	3 10	2 11	
3	16	2 70	2 6	
4	15	2 50	2 4	
5	13	2 0	1 10½	
6	12	2 0	1 10½	
7	9½	1 60	1 6	
8	9½	1 50	1 5	
9	8½	1 35	1 3	

The rent into which the former "mixed" liabilities of the peasantry (i.e., service and rent) are converted, may be fixed higher than the money-rent previously paid.

The quit-rent may be raised or reduced to an extent not exceeding 15 per cent. in the same cases as those above enumerated.

The peasant allotments cannot, however, be reduced.

The original enactments relative to the tenure of land in Zone IV having been subsequently modified under the influence of a certain policy,* it is useless to review them here.

* Vide Appendix 11.

It will suffice to state that the scale of rent originally fixed varied between 1 rouble 65 copecks and 3 roubles per dessiatina (1s. 6½d. and 2s. 1d. per acre), according to density of population.

(b.) The periods at which the rent is payable may be fixed by agreement with the lord, who has, however, the right to demand half a year's rent in advance.

The rent is payable either collectively, under the mutual guarantee of the members of the commune (in the first zone only), or by the peasant tenants singly.

(c.) In the first three zones the rents will be re-assessed after the expiration of twenty years from 1861, and earlier in Zone IV.

III.—*Liabilities in Service.*

(a.)—*Extent of Service.*

In the first zone, the service due by the peasant in lieu of rent is fixed in "working days," and cannot in future be increased. Contracts by mutual agreement for the tenure of land in return for service can be made for periods of three years.

The rent service (under such agreement) of a maximum allotment (in Zones I and II), or of a statute allotment (in Zone III), is forty days' service per annum of a male peasant, and thirty days' service of a female. The service due for smaller allotments is regulated according to a sliding scale.

(b.)—*Division and Distribution of Working Days.*

The working days are either vernal or hibernal, male (with horse or on foot) or female. A day on which the peasant supplies two horses is equal to one and a-half working days, and the labour of three horses is equal to two working days. Three-fifths of the days fall in summer and two-fifths in winter.

The working days are repartitioned equally on each week of the half-year. The remainder (after such distributions) are repartitioned by the lord, to the extent, however, of not more than one day per week. Where the land is held by the commune the lord cannot demand more than one-third of the number of days' service due in any week; and where it is held by peasants individually, he cannot demand more than one labourer from a family that owes three days' service in the week, nor more than two labourers where the family owes four to six days' service in any week. The same order is observed with respect to the days of female service, but alterations in the days appointed may be made with the consent of the peasantry—a consent which is also required for the substitution of male for female labour, and *vice versa*. Where the land is held on the communal system, the lord settles with the commune, but with individual householders where it is held personally. The lord may demand the service of male labourers, either on foot or with horse; but, in the provinces of New Russia, the days for service with horses are fixed by mutual agreement.

The law regulates in detail the mode of rendering service in lieu of money-rent, under the following heads, viz. :—

(1.)—*The order of appointing Work.*

The lord informs the starosta (mayor) of the village of the number of days' service he will require during the week, and, where the land is held hereditarily, he will also specify the families from which he will require such labour, as well as the number of labourers. The place where the labour is to be performed, the nature of the labour, and the description of agricultural implements which will be required, must be communicated by the lord over-night to the starosta, who sends the labourers accordingly.

Service falling due on holy days is rendered on week-days. The age of a male labourer must be between eighteen and fifty-five; that of a female labourer between seventeen and fifty. Labourers, male or female, below or above those ages, may render service by agreement with the commune or with the holder of an allotment. Men who are sick, and pregnant women cannot be told off for work; where the commune is responsible they are replaced by other labourers, but, where the land is held hereditarily, the sick perform their service later, if their sickness has not lasted longer than two weeks. Service cannot be demanded from them in respect to time lost, if the illness has lasted more than a fortnight. Women are also exempt for six weeks after their confinements.

(b.)—The order of rendering Service.

The Emancipation Act leaves it to the Provincial Court for regulating the affairs of the peasantry, to draw up statutes for the regulation of labour, but their application (or introduction) is made to depend on the demand of the peasant or lord. The law, however, fixes the duration of labour service at twelve hours in summer and nine hours in winter, not inclusive of rest. It also regulates the quality of the labour.

The lord is liable for a sum equal to twice the latter when the latter is irregularly imposed.

Labour at a distance, not further than twelve versts (eight miles) with a deduction of half an hour for every hour beyond six versts, may be performed consecutively on all the days of the week.

A day's labour interrupted by bad weather is considered as performed, but the lord may set the labourer to do other work. The lord superintends the work.

(c.)—Conversion (Commutation) of Rent Service into Money Rent ("Obrok").

The peasantry have the right of electing to pay money-rent in lieu of service by informing the lord thereof a year beforehand, collectively, as an entire village, or individually (with the consent of the head of the family), provided they owe no arrears of service. Where four-fifths of the peasants of a Commune hold their lands at a money-rent, the lord may insist on the remaining fifth paying such rent in lieu of service. Peasants holding land partly for service, partly at a money rent, may elect to pay money-rent in lieu thereof when their Settlement Deeds are drawn up, or they may render service and pay rent as before by agreement, for term of three years.

The same rules are applicable to the other Zones, with the following modifications:—

Under Statute II, service is due according to a certain scale per dessiatina, which varies in each locality.

The scale is as follows:

Per Dessiatina.		In Chernigof.	In Poltava.	In Viharkof.
1st locality	.. ..	21 Days.	21 Days.	19 Days.
2nd "	.. ..	14 "	16 "	16 "
3rd "	.. ..	12 "	..	14 "
4th "	.. ..	..	..	12 "

The labour due to the lord can only be male labour on foot; but it may be replaced by labour with horses or female labour by agreement with the last.

For any additional allotments of land, the lord may demand quit-rent in lieu of service at the expiration of three years from the date of the confirmation of the statutes (1861).

In Zone III the number of male working days is fixed for each family holding separately. Half an hour per verst each way is deducted for any distance above five versts.

Under the statute for Zone IV a deduction of ten per cent. is made from the amount of service due under the "Inventories" or Settlement Deeds, and which cannot exceed twenty-three days in the year. The number of days' service varies from twelve to twenty-three, of which one half is due from men, the other from women.

IV.—Payments for Homesteads.

In Zone I. the sum of 1 rouble 50 copecks, 2 roubles 50 copecks, 3 roubles 50 copecks (4s., 6s. 8d., 9s. 4d.), and more is included in the general amount of payment due to the lord as a rent for the homestead.

In order to ascertain the portion of rent that falls on the homestead, in cases where the peasant purchases only his homestead or where he is deprived of his field allotment for arrears of payment due, the homesteads of the peasantry are divided into four classes—viz., 1, homesteads in purely agricultural districts; 2, homesteads in districts where the peasantry are principally engaged in trade, industry, &c., and also where, although the homesteads are situated in agricultural districts, their occupiers possess extensive or valuable vegetable gardens, &c.; 3, homesteads of which the situation affords some special advantages, and all those which are within 18½ miles of St. Petersburg or Moscow; and, 4, homesteads situated in localities where the

peasantry are subjected to higher rents on account of the pursuit of industry, or trade on a large scale, or where they hold the lease of extensive meadows.

It is left to the lord to specify the portion of rent which shall fall on the homesteads within the limits laid down by the statute for the first three classes of homesteads. If the latter be placed in the first or second class, the valuation need only be confirmed by an Arbitrator of the Peace, but if the lord insists on the homesteads being included in the third class, the valuation has to be confirmed by the District Sessions.

No homestead can be placed under the 4th category without the approval of the Provincial Court for regulating matters relating to the peasantry, to which also an appeal lies from the decision of the District Sessions.

In Zone II and III a separate rent is liable, but in Zone IV no special payment is exacted for the usufruct of homesteads. If the peasant only purchases his homestead, the payment due from him in respect to the land of which the homestead is part, is diminished by 6 per cent.

V.—Measures for Securing the Regular Payment of Rent in Money or Service.

In Zone I the village authorities and the Arbitrators of the Peace ("Mirovi Posrednik") are charged with the duty of watching over the regular payment of the rents and other liabilities due by the peasantry. Work not finished or irregularly done has to be done over again. If arrears of work be not made good within three days, a payment in money of double the value of service is leviable for each day's work in arrear. The rules respecting arrears of quit rent are applicable to cases where work is not done on account of holydays.

The payment of quit rent is enforced with the same strictness as that of the Imperial taxes, preferentially above all other claims in respect to pecuniary engagements, and a fine of 1 per cent. per month is imposed on the amount of arrears.

An arrear of quit rent may be worked off according to a fixed tariff. Should no agreement be arrived at in respect of such tariff, or should the peasant in arrear fail to render the service due for such arrear, the latter is leviable under the following rules, viz. :—

(a.) Where the communal system of mutual guarantee prevails, the commune makes good the arrear, either by repartition among its members or out of its reserve funds or other communal means, excepting always the fund which is set aside for the purpose of making good any deficit in the payments due by the whole village. At the same time the commune can adopt the following measures for recouping the amount thus paid :—it may, 1, seize the income of the real estate of the defaulter; 2, place him out at service; 3, appoint trustees or guardians over him; 4, sell his real property; 5, sell his moveables; and, lastly, take away the land attached to his homestead.

On the demand of the lord an arbitrator of the Peace can forbid the issue of new passports, remove the village authorities elected by the commune and appoint others in their stead, make the peasants work out their arrears, levy a distress on their moveables with the assistance of the territorial police, seize portions of their lands (not more than one third), and put the latter up for auction.

Should the arrears amount to the entire yearly rent, and have been caused by some calamity, the Government comes to the assistance of the defaulters.

(2.) Where the land is held hereditarily, the same order of distress is observed as in the case of communal defalcation. Should the measures above enumerated prove insufficient, the allotments can be seized and made over to other peasants in the same village. Should no peasant desire to take over such allotments, they lapse temporarily to the lord, and after nine years (from 1861) may again form part of his manor. After the lapse of the nine years, the remedy of distress applies to the homesteads, with the permission, in each case, of the Provincial Court for regulating the affairs of the peasantry.

(C.)—Redemption (Purchase) of Lands.

The laws under this head are classified as follows :—

- (1.) Redemption of homesteads.
- (2.) Redemption of lands with homesteads.
- (3.) The rights and obligations (duties) of peasant proprietors.

I.—Redemption of Homesteads apart from Lands.

Under the general law, as well as by the local statutes, the peasantry, either in entire villages or singly, have the right of redeeming their homesteads without the land or field allotments; but the assistance of Government is not given in such cases, and the lord may insist on the allotments being redeemed as well as the homesteads. The price of the homesteads is arranged by mutual agreement, but failing such agreement, the legal value of a homestead in Zone I is ascertained by the capitalization of the quit rent ("obrok") due thereon, which quit rents is calculated in the proportion of 150 roubles, 2 roubles, 2 roubles 50 copecks, 3 roubles 50 copecks, and in certain cases even more per male peasant.

These rates multiplied by $16\frac{2}{3}$ give the value of the homesteads, *i.e.*, for every rouble of quit rent due on a homestead the purchase money would be 16 roubles 67 copecks (2l. 4s. 5d.).

In the other Zones the normal value of the homesteads (when the purchase is not arranged by private agreement) is fixed at 102 roubles per dessiatina (4l. 15s. per acre), but any local advantages (such as trade, industry, &c.) may raise the value to 240 roubles per dessiatina (11l. 5s. per acre).

Peasants who desire to purchase their homesteads only, deposit their purchase money at the District Treasury, and inform the lord of their desire by petition.

II.—Government Aid to Peasants desirous of Purchasing their Land Allotments together with their Homesteads.

(a.)—General Rules.

(aa.) The purchase may be effected either by agreement with the lord or on his demand. In the latter case, the purchase must include the lands of an entire village and allotments not below the legal standard.

(bb.) The land must be held under a money rent not under rent service, *i.e.*, before the peasant can purchase it, his rent in service must be converted into a money rent.

(cc.) Where the purchase is effected by mutual agreement, the peasantry may arrange to make payments over and above the sum paid to the lord by the Government as a "redemption advance." These extra payments are not guaranteed by the Government.

(dd.) The redemption advance is payable in Five Per Cent. State Bank Bills, and in certificates, which are gradually exchanged for Five Per Cent. Bills, and also (from the 27th June, 1862), in Five and-a-half Per Cent. Rents.

(b.)—Financial Operations.

The financial operations connected with the purchase of land by the peasantry, are under the control of a special Board, under the Ministry of Finance

(c.)—Definition of Lands which can be Purchased with the Assistance of Government.

The redemption advance refers only to the allotments. These can be decreased to the following extent:—in Zone I, to one-third of the maximum allotments, where the land is purchased by the commune, and to two maximum allotments per soul, where it is held by peasants singly, (*i.e.*, the head of a family cannot purchase less than two maximum allotments.)

In Zone II, the allotments subject to purchase can be reduced to one-third of the maximum allotment per male, when held on the communal system, and to one-half of the allotment for foot service, when the land is held by peasants singly.

In Zone III, the original enactments were annulled by the introduction of a law for the compulsory sale and purchase of the peasant allotments.

In Zone IV, the land to be purchased may be reduced to 10 dessiatinas ($28\frac{1}{2}$ acres) in each family, parcel, or holding.

The purchase of lands in commercial and industrial villages, is regulated in each case by the higher Departments of State.

(d.)—Extent of Redemption Advance and mode of issuing it.

The amount of the redemption advance is determined by the rental, multiplied by $16\frac{2}{3}$; four-fifths of such capitalized rental are advanced by the Government when the whole of the allotment specified in a Deed of Settlement is purchased, and three-fourths when any reduction of the allotment has been made on purchase. The advance is not diminished, even if the quit rent previously paid shall have been lower than the rate fixed by the statutes; and if the advance fixed by the extent of the quit rent previously paid is not in excess of the four-fifths and three-fourths of the advance on the full quit rent, payable in a given locality.

The following are the regulations respecting the payments made by the peasants to their lords, in addition to the Government advance:—

(*a a a.*) When the land is sold and purchased by mutual agreement, the additional payments are likewise left to voluntary arrangement.

(*b b b.*) When the allotments are purchased at the demand of the lord, he cannot insist on any additional payment, except in case the peasants desire to purchase only a portion of their allotments; in which case the peasants are bound to pay one-fifteenth of the redemption advance, as a supplementary payment.

(*c c c.*) When the purchase is effected on the demand of the lord, in consequence of the peasant's having expressed a desire to purchase their homesteads, the peasants are bound, when purchasing their entire allotments, to pay one-fourth; and when purchasing a reduced allotment, one-third of the redemption advance in the shape of a supplementary payment.

The Government advances the purchase-money, after deducting from it any debt due by the lord to the State Bank. The ratio in which the several descriptions of redemption stock are issued, is as follows:—

(1.) If the advance (after deducting the debt to the bank), does not exceed 1,000 roubles (about 135*l.*), it is paid entirely in bank bills.

(2.) If it amounts to any sum between 1,000 and 10,000 roubles (135*l.* to 1,350*l.*), the first 1,000 roubles are paid in bank bills in full; and of the balance a fifth is payable also in bills, and the rest in "redemption certificates."

(3.) If the advance ranges between 10,000 and 50,000 roubles (1,350*l.* to 6,700*l.*), the sum of 2,800 roubles (375*l.*) is payable on the first 10,000 roubles in bills, in accordance with § 2; while of the remainder (beyond 10,000 roubles), one-tenth part is likewise paid in bills, and the rest in certificates; and,

(4.) When the redemption advance exceeds 50,000 roubles, the sum of 6,800 roubles (905*l.*), is paid in bank bills on the first 50,000 roubles, in accordance with § 3; and of the remainder one-twentieth in bank bills, and the balance in certificates.

The interests of private creditors, and those of the Crown, are protected in all these operations. The discharge of debts due by the lord on his lands to the Crown, is effected first out of the supplementary payments of the peasantry (should any such be due), secondly out of the bank bills, and lastly out of the certificates. In these cases, the bank bills and the certificates are accepted by the Government at their nominal value.

Should an estate have been privately mortgaged before the emancipation, and should the redemption advance, together with the supplementary payments, not suffice to cover such debt, the land can only be purchased by the peasantry with the consent of the creditor, who is then paid on the same conditions as when the crown is a creditor; the land purchased by the peasantry is at the same time released from the mortgage; and any portion of the debt which remained unpaid is guaranteed by the remainder of the estate mortgaged.

Creditors under mortgages effected after the Emancipation Act, have a preferential claim on the redemption advance made in respect to the land mortgaged; but such transactions cannot prevent the peasants from purchasing their allotments.

(e.)—Deeds of Sale.

The law regulates the form in which the Deeds of Sale are to be drawn up, and the order in which the purchases are to be consummated.

The peasantry and the lord agree on the conditions of a Deed of Sale, and when drawn up in a certain form (on paper without a stamp), it is exhibited to the local Arbitrator of the Peace, whose duty it is to see that the provisions of the contract are legal in every particular. He satisfies himself thereof by comparing the Deed of Sale with the Settlement Deed, by questioning the peasantry, and by personally inspecting the property in question.

As soon as the Deed of Sale is approved by that officer, he forwards it to the Provincial Court for regulating the affairs of the peasantry.

The Provincial Court applies to the District Civil Court, for the purpose of ascertaining whether there are any disputes, claims, distresses (private or Government), on the lands in question; and the Civil Court is bound to reply to such inquiries within a month.

If the property has been mortgaged in any local institution, the Provincial Court enters into communication with such institution, and on receiving all the necessary replies proceeds to examine the conditions of the contract submitted to it, and if the latter be found in perfect conformity with existing laws, the Provincial Court forwards it to the Governor of the Province, who, on his part, transmits it, with all the accompanying documents, to the Redemption Board at St. Petersburg.

On receipt of such documents, the Redemption Board communicates with the bank and other institutions which may have liens on the estate (should this not have been done by the Provincial Court), and examines minutely the calculations made in the documents, and their conformity with regulations.

On receiving the reply of the bank and other institutions, and on the deed of sale being found in perfect order, the Redemption Board definitively authorizes the redemption advance to be made, and notifies the same through the Governor to the Provincial Court, and returns the documents. The Redemption Board forwards, at the same time, the redemption certificates and 5 per cent. bank bills in the proportion already specified, after deducting the debt, if any, due to the State bank on the property.

The Provincial Court next informs the lord and the peasants of the confirmation of the deed of sale, and gives notice of the same to creditors and all others whom it may concern by advertisements in the "Senate Gazette" and "Provincial Journal."

At the same time, the Court makes over to the lord or his creditors, or transmits to the proper person the 5 per cent. bank bills and certificates received from the Redemption Board, and makes arrangements for the payment of the supplementary amount due by the peasants as well as for the immediate preparation of a document called a deed of gift ("dannaya"). The Civil or Local Courts are bound to prepare such documents within three days, and to make arrangements for placing the peasants in formal possession of the land, which the local police is instructed to effect within a period of nine months from the date of the issue of the deed of gift.

The final demarcation of lands purchased (if such demarcation be not previously settled by mutual agreement), is to be made the subject of future legislation.

(f.)—*Terms of Repayment of Redemption Advance.*

The redemption payments due by the peasants are equal to 6 per cent. on the sum advanced by the Government, and are continued during a period of forty-nine years.

The peasantry may elect to repay the capital in instalments of not less than ten roubles, in which case a corresponding deduction of 6 per cent. is made from the yearly payments due by them.

By the 1st November of each year, the Provincial Court for regulating the affairs of the peasantry forwards to the Provincial Tax-office ("Kazzennaya Palata") a return of the payments due by communes or individual peasants in respect to the purchase of land. The Provincial Tax-office forwards such returns, together with the schedules of other taxes leviable during the year, to the District Treasuries, which again transmit these returns and schedules to the several cantons.

When the land has been purchased by the commune, the repartition of the annual payments among the several peasants, or among the families of a village, is left to the commune.

The payments are collected by the mayor (starosta), or by the tax-gatherer (where such shall have been appointed), together with other taxes due to the Crown. The mayor or tax-gatherer pays the amount to the District Treasury, but peasants who may have purchased land individually, may make their payments to the District Treasury direct.

The payments in respect to redemption must be made into the Treasury within the same terms as those appointed for the payment of taxes, i.e., between the beginning of January and the 1st of March for the first half-year, and between October and the 1st of January for the second half. As in the case of taxes, fifteen days' grace is allowed at the payment of redemption dues, at the expiration of which the District Treasurer prepares a return of payments and arrears which he is bound to forward to the Provincial Tax-office and Provincial Court for regulating the affairs of the peasantry

within a week after the term of payment has elapsed. At the same time he forwards to the local police a schedule of the arrears due, and the police proceeds to induce the defaulters to make good their arrears.

The mode of distress has been already described.

(g.)—*Government Redemption Stock.*

This consists, as already stated, of (a) 5 per cent. bank bills to be amortized in thirty-seven years; (b) Certificates of Redemption (redemption bonds) exchangeable gradually during three periods of five years each for 5 per cent. bank bills; and (c) of 5½ per cent. rentes, respecting the amortization of which legislation will ensue in 1873.

The bank bills are issued under an Ukaz of 1859 in special series, and are amortized by special drawings, and are, together with the 5 per cent. certificates, guaranteed by the State as well as by the payments of the peasants.

The payment of interest due on the bank bills and certificates, the amortization of the bills and the repayment of debts due to the bank by the landed proprietors, are first of all effected out of the payments made by the peasants. The remainder of the payments received form a reserve fund, out of which the expenditure in connection with the redemption operation, as well as losses, &c., are made good.

With the permission of the Minister of Finance, the Redemption Board may increase the ratio at which the bills are drawn at their nominal price and purchase them on the Stock Exchange at their market value, for the account of the Redemption Reserve Fund.

The redemption certificates (bonds) are nominal, and can only be transferred with the same formalities as those which attend the transfer of real property, but without the payment of any duty.

The bank bills and redemption bonds run from the 1st February, 1st May, 1st August, or 1st November, according to which of these dates shall have followed the final grant of the redemption advance.

The interest on the certificates is payable half-yearly at all the District Treasuries, but it is not allowed to run for more than 10 years, when, if unclaimed, it is added to the sinking fund of the 5 per cent. Bills.

At the expiration of the first five years from the date at which the interest shall have become payable on any Redemption Certificate, one-third of the amount of such certificate is converted into 5 per cent. Bank Bills, and a new certificate is issued for the remaining two-thirds. Another third of the original amount of the certificate is paid at the expiration of a second period of five years, and the remaining third is similarly converted after a third quinquennial period. The conversion of the certificates is effected at the Provincial Courts for regulating the affairs of the peasantry.

III.—*The Rights and Obligations (Duties) of Peasant Proprietors.*

Peasants who have redeemed their allotments are freed from their relations of dependence towards the lord, and become *de facto* proprietors of the soil, with the following limitations of their proprietary rights.

(a.) During the first nine years (*i.e.*, until 1870) the communes cannot alienate the lands which they may have purchased.

(b.) After 1870 and before repaying the redemption advance, the alienation of such lands can only be permitted by the provincial Court for regulating the affairs of the peasantry on condition that the money received on account of such alienation be paid towards the extinction of the redemption debt on such land.

When the land is purchased by an entire commune it becomes the property of such commune, which thereupon has the right of repartitioning it among its members. But the original repartition, as well as all subsequent repartitions, can only be effected by a resolution of at least two-thirds of the peasants having a right of vote at the communal meeting.

With the consent of two-thirds of the peasants present at a communal meeting, the lands purchased (redeemed) may be broken up into family parcels, but until the Redemption Debt on such lands shall have been paid off, the resolution of the meeting must be certified by an Arbitrator of the Peace, who transmits a copy of the resolution to the provincial Court, which will confirm the repartition of the payments due in respect thereof by individual householders.

A peasant cannot cede his right of participating in the general possession of the

lands purchased by the commune except with the consent of such commune, which must likewise be obtained if any individual householder should desire to obtain the conveyance to him personally of his share of the land purchased by the community. But if such householder deposits at the District Treasury the whole of the redemption debt due on his parcel, the commune is bound to make the parcel over to him, and the householder becomes freed from any further payments in respect to the land thus purchased.

Until the whole of the redemption advance is repaid, family parcels purchased by individual householders cannot be broken up by inheritance, alienation, or in any other manner.

The Provincial Court for regulating the affairs of the peasantry may, however, authorize the repartition of extensive parcels, provided such repartition shall not render less secure the payments due in respect to the redemption advances.

Parcels of land purchased by individual householders, not by an entire community, become the property of such householders and descend by inheritance in accordance with local usages.

In the absence of heirs, such parcels are escheated to the village community within the boundaries of which the parcels are situated.

Parcels of land acquired by individual householders may be alienated on the following conditions.

(1.) Until 1870, such parcels can only be sold to a member of the same village community (whether already belonging to it or newly entering into it), on condition, however, that the purchaser shall undertake all liabilities in connection with the redemption advance.

(2.) After 1870, such parcels may be sold to other persons, provided the latter shall pay the whole of the redemption debt due thereon.

Until the repayment of the redemption advance due thereon, the lands purchased by communes or by individual householders, cannot be mortgaged or pledged as security, nor can the communes or individual householders, by leasing their lands, or in any other manner, prevent the Government from levying a distress in the order prescribed in case of default, &c.

Any individual member of a commune may with its consent remove to any other commune on paying one-half of his part of the redemption debt. In this case the commune is liable for the remainder of his part of the debt.

He can remove his homestead or sell it on condition of removal within a term of six months; or he may sell it to the member of the commune on whom his parcel may devolve.

If one-third of the members of a commune shall have left it on the above conditions, without having been replaced by others, no further members can be allowed to leave the commune without paying the whole of their share of the redemption debt, and except the permission of the Provincial Court be given to such effect.

Nor can any member of a commune be released from it without the consent of the same Court if the commune is in arrears in respect to the redemption advance.

Any individual householder who may have purchased (redeemed) his allotment with the aid of the Government, is free to leave the commune, but unless he shall have repaid the redemption debt due on his parcel, he must sell the latter to a purchaser who will undertake to pay the balance of the redemption debt still due.

Male peasants belonging to the family of a householder who shall have redeemed his land must have the consent of such householder before they can leave the village community.

The foregoing regulations in respect to the migration of the peasantry do not apply to female peasants, unless they shall be in possession of parcels burdened with a redemption debt.

APPENDIX 2.

Abstract of the Law of Communal and Cantonal Organization.

THE Imperial Ukaze of the 19th February 1861, ordered the "organization of a communal administration on the seigniorial lands," and with that object left the "rural communes in their present form." The communes of which the history has

been traced in the body of this Report, and of which the form and attributes were more or less Conventional while the peasantry were serfs, was by the Emancipation Act transformed into a corporate body recognized and authorized by the State, and responsible to it in respect to all the public liabilities of its members. The law enacts that "each village community, whether the tenure of its lands be communal or individual (hereditary), is responsible by a reciprocal bond* for each of its members, in respect to the accurate payment of Government, Provincial, and Communal taxes.† Thus bound, the commune was made the basis of an entire system of self-government which, by the agglomeration of communes, extends to the administration of cantons" (*Volosti*).

The new legal commune is composed of "peasants established on the land of the same proprietor: it may consist either of an entire village, or of a detached portion of a hamlet, or of groups of small farms, habitations, &c., in close proximity to each other and enjoying in common, either a part of the lands &c. allotted or possessing other general economical advantages."

It is governed by a communal meeting and Starosta or Mayor, assisted by certain officers‡ the meeting being composed of all the male heads of families appertaining to the commune, and all the officers elected by it; the Starosta "occupying the first place and maintaining due order."

The head of a family (the patriarch of the old system) may be represented by a delegate, and families composed of many tiaglos (or abstract labour and tax units) may send two or more delegates to the communal meeting, provided such a course be not opposed to local usages.

Convoked by the Starosta§ (as far as possible on a Sunday or holyday), the communal meeting is competent to transact the following business:—

1. To elect the communal officers and representatives of the Cantonal meetings.
2. To expel from the commune any person who may be "vicious or pernicious."
3. To liberate members from the commune and to admit new members.
4. To appoint guardians and trustees, and to control their acts.
5. To sanction the division of families.
6. To regulate all matters relating to the communal usufruct of land, viz., the repartition of lands, the increase or decrease of the number of tiaglos, the final repartition of the communal lands in separate personal lots (*i.e.* when the peasantry should, by a majority of votes, demand the breaking up of the system of communal tenure.
7. To dispose of any allotment which may be vacant, whether the land be held communally or individually.
8. To discuss and make representations respecting the common requirements, the care of the poor; the instruction of children, &c.
9. To present complaints and petitions in the proper quarter, by the hands of elected delegates.
10. To levy taxes for the communal expenditure.
11. To assess the Imperial, local, and communal taxes among the members of the commune, as well as the contribution in service (carts, quartering of troops), and to keep the communal accounts of taxes and imposts.
12. To control the accounts of the communal offices, and to fix their remuneration.
13. To conduct all affairs relating to recruitment, as far as they may concern the commune.
14. To distribute the quit rent (*obrok*) or rent service by tiaglos, "souls" (heads of male population), or by any other customary process, where the rent is payable to the lord under the collective responsibility (*frankpledge*) of the entire community.¶
15. To adopt measures to prevent the accumulation of arrears, as well as for the recovery of arrears of taxes, &c., due.
16. To lend corn from the communal reserve, and otherwise to afford assistance.
17. To execute powers of attorney.
18. To conduct and settle all matters that may, under the Emancipation Act, require the consent and permission of the commune.

* "Caution solidaire."

† Communes within the same Canton may unite for the purposes of such collective responsibility.

‡ The officers are: tax-gatherers, inspectors of grain-stores (reserves in case of famine), of schools, hospitals, &c., where such exist.

§ A justice of the peace or local lord has a right of ordering the "starosta" to convoke a meeting of the commune.

¶ *i.e.*, where the peasants have not yet redeemed their allotments or accepted the "beggar's allotment."

All these matters are decided by majorities of those who may be present, but no meeting is legal for the purposes above specified unless it be attended by the starosta and at least half the members of the commune. Certain questions are, however, excepted from decision by a bare majority of votes, and require the assent of at least two-thirds of the peasants present.

Those questions are as follows:—

1. The conversion of communal into individual tenure.
2. The conversion of the communal lands into perpetual freehold allotments.
3. The repartition of communal lands.
4. The raising of sums by voluntary contributions for communal purposes, and the employment of the communal funds.
5. The expulsion of "vicious" peasants from the commune, and the "placing of such peasants at the disposal of the Government."

The administrative functions of the communal chief (starosta) are exercised within the limits of the attributes of the communal meetings. His judicial powers do not extend beyond the infliction of 1 rouble (2s. 8d.), imprisonment for two days, and labour in works of public utility in cases of trifling importance within his own commune.

The constitution and functions of the Cantonal Administration (Volestnoé Fravlenié), founded on the communal organization, may be briefly described as follows:—

The Cantonal Administration consists—

1. Of the Cantonal Meeting;
2. Of the Cantonal Starshina (elder).
3. Of the Cantonal Council (réyence).
4. Of the Cantonal Tribunal.

The Canton itself is composed of communes situated within the same district of a province, and must embrace a population of at least 300 males, and not more than about 2,000 "souls." The villages situated within a Canton must not be at a distance beyond 8 miles from the seat of the Cantonal Government.

(1.)—*The Cantonal Meeting.*

This is composed of the communal and Cantonal officers and of peasants elected by each village or hamlet belonging to the Canton, in the proportion of one delegate for every ten householders, but in matters relating to recruitment all peasants who are liable to be draughted, as well as their parents or guardians, have the right of attending the Cantonal meeting.

It transacts the following business:—

1. The election of Cantonal officers and of the judges of the Cantonal tribunal.
2. All matters relating to the economical and public interest of the Canton.
3. Measures of public relief, the establishment of schools, the care of the Cantonal reserves of corn.
4. The presentation of petitions in the proper quarter by chosen delegates in matters relating to the Canton.
5. The imposition and distribution of taxes and liabilities due from the entire Cantonal community.
6. A control of the actions and accounts of the Cantonal officers.
7. The verification of recruitment rolls and the selection of peasants to serve as recruits.
8. The execution of powers of attorney to persons charged with representing the affairs of the Canton.

In order to constitute a legal Cantonal Meeting, two-thirds of the peasants entitled to a vote must be present, as well as the Cantonal elder or his substitute, and all questions are decided by a majority of votes.

An appeal from the decision of the Cantonal Meetings lies to the local Arbitrator of the Peace,* who transmits the appeal to the Sessions of Arbitration.

* An officer created by the Emancipation Act, and to which was assigned the duty of carrying out its provisions, drawing up the "settlement deeds," conveying the peasant allotments, marking their boundaries, and generally of acting as arbitrator between the lord and the peasant. The Arbitrators are accountable to the Sessions, and the latter to the "Provincial Board for Regulating the Affairs of the Peasantry."

(2.)—*The Cantonal Elder.*

The functions of the Cantonal Elder, who is elected at a cantonal meeting, and confirmed in his appointment by the district Arbitrator of the Peace (who causes him to take an oath of faithful service), are of great importance. He is responsible "for the preservation of order, tranquillity, and decorum" within the canton, and all the communes, as well as the officers and individual members thereof, are subject to his authority. His duties are defined under two heads:—

- (1.) Police.
- (2.) Communal matters.

Under the first head, his functions are very similar to those of the French "Commissaire de Police." He notifies and carries out the orders of the rural police, acts as sheriff's officer, goaler, and generally as executive officer of the district sessions of arbitration.

In respect to his functions as the servant of the commonwealth, he presides over the cantonal meetings, and has generally the powers of a communal chief on a larger basis, but no greater authority than the latter in the punishment of small delinquencies.

(3.)—*The Cantonal Council.*

This is a kind of standing committee composed of the chiefs of dependent communes and of tax-gatherers. It expends the cantonal funds in conformity with estimates previously passed at cantonal meetings; it conducts the sale of the personal property of peasants at the pursuit of the Crown, the lord, or any private individual, except in cases which are subject to the jurisdiction of the general laws of police; and it has the power of appointing or removing peasants who have been hired to fill certain offices.*

The council also keeps a register in which, at the desire of the parties, contracts and other legal instruments (involving a sum of not more than 300 roubles) are recorded and legalized. It also preserves the minutes of business transacted at the Cantonal meetings.

(4.)—*The Cantonal Tribunal.*

Four to twelve judges, elected annually at a Cantonal meeting, constitute the Cantonal tribunal which meets once a fortnight, or oftener if required, and must on such occasions be composed of at least three judges. The latter sit by turn, or they may be elected for a whole year. In the former case only, the Cantonal meeting may remunerate the judges for their services.

The competency of the tribunal is limited to the trial of disputes and actions between peasants of the same Canton and to small delinquencies committed by them.

The judgment of the tribunal is final in all matters not involving a sum of more than 100 roubles (13*l.* 6*s.*), unless the plaintiff and the defendant should desire to be bound by its decision.

In certain cases the suit may, at the desire of one of the parties, be removed to the ordinary tribunals of the country.

Except in cases connected with the commission of any crime, the peasantry of a Canton may decide their differences by arbitration, without the observance of any formalities beyond the registration of the judgment of the arbitration in the Record Book of the Cantonal Tribunal.

As regards delinquencies, the Tribunal is competent to try and punish the peasants of the Canton for any small offence not amounting to a crime which may be brought to its notice by the plaintiff (or by his parents if he be a minor), by the Cantonal elder, by his assistant, or by a Communal Mayor ("Starosta"), or even by a witness, if the injured party be unable to come forward.

Should the latter not belong to the peasant class, he may seek redress before the ordinary tribunals.

The punishments which the Cantonal Tribunal is competent to inflict are as follows:—

- (1.) Six days' labour on works of public utility.
- (2.) A fine not exceeding 3 roubles (8*s.*).
- (3.) Imprisonment for not more than seven days.

* Such as inspectors of grain-stores, keepers, watchers, communal and cantonal writers, &c. All other officers are elected for a period of three years, except the tax-gatherers, who can only be called upon to serve one year.

(4.) Up to twenty strokes with a rod.

Peasants who have reached the age of 60, the communal and cantonal officers, men who have worthily filled public offices, and peasants who shall have passed through a course of instruction at a district school, or other scholastic establishment, are exempt from corporal punishment.

The communal and Cantonal officers are subject to the jurisdiction of the Arbitrators of the Peace (and by the District Sessions of Arbitration), by whom they can be reprimanded, fined, or removed.

APPENDIX 3.

Abstract of Ukas of January 1, 1864, for the Organization of "Territorial Institutions."

SECTION I.—OBJECT AND ATTRIBUTES OF THE INSTITUTIONS.

1. Provincial and district institutions, the composition and mode of action of which are hereinafter detailed, are hereby established for the administration of affairs relating to the local domestic welfare and requirements of each province and each district.

2. Those affairs are:—

(1.) The administration of the property, moneys, and taxes appertaining to the rural (territorial) body.

(2.) The construction and maintenance of buildings belonging to the rural body, of works and ways of communications undertaken at the expense of that body.

(3.) Measures for securing the population against famine.

(4.) The administration of rural beneficent institutions and other measures of public charity; the means of abolishing pauperism; the care and the construction of churches.

(5.) The administration of affairs relating to the mutual insurance of property.

(6.) The care of the development of local trade and industry.

(7.) Participation (principally in a domestic respect, and within the limits defined by law), in the care of popular education and of the public health, and also in the administration, &c., of prisons.

(8.) Co-operation in preventing disease among cattle, and likewise in preserving young corn and other plants from destruction by locusts, by the marmot and other noxious animals and insects.

(9.) The fulfilment of demands made by military and civil authorities, and participation in postal matters.

(10.) The distribution of such taxes of the State as may be laid on the provinces and districts by Imperial authority.

(11.) The ordering, the distribution, the levying, and the expenditure of local taxes for provincial and district requirements.

(12.) The submission, through the provincial authorities, to the Superior Government, of information and of resolutions respecting matters of local, domestic advantage and requirements, and solicitations in regard to such matters, likewise through the provincial authorities; also the supply of information relative to rural economy when demanded by the Superior Government institutions and the governors of provinces.

(13.) The election of persons to fill the offices created by the Territorial Institutions, and the appropriation of moneys for their maintenance.

(14.) Matters that may be referred to the Institutions by special ordinances or laws.

3. The action of the Institutions is limited to the province or the district of each assembly.

4. The Institutions are charged with the consideration, determination and execution of all lawful measures indispensable for the conduct of affairs entrusted to those Institutions.

5. The Institutions have the right of acquiring and alienating in the name of the Rural (territorial) Body, in conformity with the general civil laws of the empire, any moveable or immoveable property whatever, to make contracts, undertake obligations, to enter actions at law, and to defend suits in civil courts in matters appertaining to the Rural Body.

6. The Institutions act independently within the limits of the matters committed to them. The law determines the cases and the manner in which their acts and

orders are liable to the confirmation and inspection of the general authorities of the Government.

7. In their enactments and arrangements the Institutions cannot go beyond the limits herein assigned to them; they therefore do not meddle in matters appertaining to the authorities and institutions of the Government, or of any class or body. Any resolution contrary to this rule is declared null and void. The Institutions are subject to legal responsibility for exceeding their authority, for acts contrary to existing laws, for non-fulfilment of demands made by local authorities founded on the law, for irregular arrangements in domestic matters, and for any loss or oppression inflicted on any community or individual.

9. The Chief of the Government (Governor of the Province) has the right of arresting the execution of any resolution of the Institutions contrary to the law or to the general interests of the empire, in accordance with rules hereinafter stated. The Minister of the Interior, on his part, may, during the interval between two meetings of an assembly, suspend a resolution contrary to the laws or to the advantage of the empire, informing the assembly thereof at its next meeting. His further action in such cases is defined in another paragraph.

10. Should the Institutions not make arrangements for the fulfilment of such obligations (payment of taxes, &c.), as may be legally imposed on them, the Chief of the Province (in case his representation be unheeded) shall proceed, with the sanction of the Minister of the Interior, to inflict executive measures at the expense of the Rural Body.

11. The Institutions may, with regard to the arrangements of the Chiefs of Provinces and the superior administrative authorities, present complaints to the First Department of the Ruling Senate. Such complaints must be forwarded before the convocation of the Assembly next to that to which the complaint refers.

SECTION II.—FORMATION OF THE INSTITUTIONS.

1. *Their Composition.*

The District Institutions are, the District Assembly and the District Court.

The District Assembly is composed of representatives elected (a) by the proprietors in the district; (b) by town communities, and (c) by village communities, at meetings of those several classes.

The following persons are disqualified from taking part in those electoral meetings:—

- (a.) Persons under 25 years.
- (b.) Persons under criminal judgment or trial.
- (c.) Persons dishonoured by criminal trial or by public condemnation.
- (d.) Foreigners who are not Russian subjects.

Women and minors may be represented by persons holding their powers of attorney, or by near relatives.

Charitable institutions, commercial companies, and other bodies possessing immoveable property, and qualified for a vote, may be represented by deputy.

No person can have more than two votes at an electoral meeting: his own by personal right, and a second by procuracy.

At the district electoral meetings of landed proprietors, the power of voting is exercised by—

(a.) Persons possessing land in freehold within the district to the extent shown in a table annexed to the ukaz.

(b.) Persons holding other immoveable property within the district of a minimum value of 15,000 roubles (2,000*l.*); likewise those possessing factories or any description of industrial establishment, if not less than the above value, or producing yearly to the minimum extent of 6,000 roubles (800*l.*)

(c.) Persons acting by procuracy for landed proprietors, companies; and

(d.) Persons empowered by several landed proprietors, companies, or any other bodies, possessing within the district land below the extent required as a qualification for a vote, but forming not less than a twentieth part of it.

(e.) Persons acting by procuracy for servants of the church, possessing church land to the extent required by law.

Observation.—Peasants who may have acquired freehold property to the extent established in the table, showing the property qualification for each province, may take part personally or by deputy in the electoral meetings of landed proprietors.

The number of deputies to be elected is regulated by the quantity of land in each district, and is laid down in a separate table.

(Peasant allotments, purchased in freehold, are alone excluded from the total of the land held by any proprietor, i.e., he can vote for land of which he may have only ceded the perpetual usufruct.)

The district electoral meeting is convened by the District Marshal of Nobility, who also presides over it.

2. *Town Electoral Meetings.*

The following persons take part in the Electoral Meetings in towns held under the presidency of their Mayors:—

(a.) Persons having licences as merchants.

(b.) The proprietors of factories or other industrial establishments, situated on town lands, and returning a minimum capital of 6,000 roubles (800*l.*)

(c.) Persons holding immoveable property on town lands rated for taxes—in towns of more than 10,000 inhabitants at a minimum of 3,000 (400*l.*); in towns of 2,000 to 10,000 inhabitants not under 1,000 roubles (1,330*l.*), and in all other towns not under 500 roubles (67*l.*).

(d.) Deputies from householders and others in towns.

3. *Electoral Meetings in Villages.*

These are composed of electors chosen by the peasants of the Volosti (Cantons), assembled by the District Justice of the Peace, who invites the peasants to appoint a President, and decides any disputes that may arise among the electors. The electors must not exceed in number one-third of those who have a right to take part in the cantonal meetings; taking care that each village community be represented at least by one elector.

The number of representatives to be elected is determined by the number of villages in each district, the amount of its population and the extent of the lands held by the peasants in freehold.

Should an Electoral Meeting be attended by less than the number of representatives to be chosen, the electors present are declared representatives.

4. *Qualifications of Representatives.*

(a.) The district electoral meeting of landed proprietors can elect members of that body.

(b.) The town electoral meetings may elect qualified members of those meetings, not excluding such landed proprietors as may have a right to take part in the town electoral meetings.

(c.) The village electoral meetings can elect peasants, members of the electoral meetings of landed proprietors, or the local orthodox clergy and church servants, generally.

Observation.—The Governors of Provinces, Vice-Governors, Provincial and District Procurators and Lawyers, and members of the Local Police, cannot be elected as Representatives.

The assemblies, when constituted, exercise a supervision over the electors, as to their legality and the number of Representatives sent, &c.

The representatives are elected for three years, at periods appointed by the Minister of the Interior.

No pay or official rank is attached to the office of a representative.

(*Observation.*)—The Minister of the Crown Domains and the Minister of the Appanages may appoint one to three Representatives in districts containing Crown lands not held by peasants.

The assemblies, to be legal, must be composed of at least one-third of the total numbers of deputies, and in any case of not less than ten members.

SECTION III.—ASSEMBLIES.

1. *District Assemblies.*

The District Assemblies are presided over by the District Marshals of Nobility. The District Court (*Zemskaya Uprasa*) is composed of a president and two members, elected by the Assemblies for three years. The numbers may be increased to six.

Observation.—Certain officials connected with the Treasury and Law Courts (excepting the new Justices of Peace) and the Clergy cannot be elected members of this Court.

The President of the District Court is appointed by the Assembly, and confirmed by the Governor of the province.

2. *Provincial Assemblies and Courts.*

The Provincial Assemblies are composed of representatives elected for three years by the District Assemblies. Their number is regulated by the number of representatives in each district.

Observation.—The Presidents of the Courts of Crown Lands sit in these Assemblies.

The Provincial Court is composed of a President and six members, chosen for three years by the Provincial Assembly. The payment of the members of the Court is optional with the Assemblies. The President is elected by the Assembly and confirmed by the Minister of the Interior.

3. *Functions and Competency of the Assemblies.*

The Provincial Assemblies are charged with the administration of such rural matters specified in Article II, as refer to the whole province or to several of its districts.

The following matters are also within their competency:—

1. The distribution of buildings, houses, roads, taxes, charitable institutions between the Provincial and District Assemblies, and changes in such distribution.
2. Matters relating to the establishment of new fairs, alterations of the dates when such fairs are to be held, and changes in the place of holding them.
3. The establishment of new wharves on navigable rivers and the removal of old wharves.
4. Petitions to place certain roads under the charge of the Government.
5. Mutual insurance of property against fire.
6. The distribution of the State taxes among the Districts.
7. The examination and settlement of any difficulties that may arise in the preparation of estimates and the distribution of direct taxes.
8. Examination of complaints against the District Courts.

The District Assemblies are charged with administration of matters appertaining to each separate district.

The following matters are also within their competency:—

1. The distribution of the State taxes among the population of the District.
2. The preparation of preliminary Reports for the settlement of the Provincial estimates with reference to the extent and mode of assessing provincial taxes; which Reports are to be presented to the Provisional Courts.
3. The supplying of information and resolutions to the Provincial Assemblies relative to domestic affairs.
4. Permission to hold public sales and bazaars.
5. Village and district roads, distinctions between, &c.
6. Tow paths along rivers.
7. Local arrangements and supervision at the instigation of the Provisional Court, in matters relating to the competency of the former.

The Assemblies possess, an administrative power and a general supervision over affairs. The Courts are charged with the executive, and generally with a closer supervision of affairs relating to the rural body.

The Provisional Assemblies may issue ordinances locally obligatory within each province, and the District Assemblies may issue instructions to the Courts of the several districts and to all persons in authority under them, with reference to the execution of the ordinances of the Provincial Assemblies, and in conformity with the general laws of the Empire and the present Ukaz.

The Assemblies and Courts cannot carry into execution without the confirmation of the local or superior authorities such of their resolutions as may require confirmation by law.

SECTION IV.—PERIODS OF MEETING AND FORM OF TRANSACTING BUSINESS AT THE ASSEMBLIES.

The Provincial and District Assemblies meet once a year; the Districts not later than September, the Provincial Assemblies not later than December.

The District Assemblies sit ten days, the Provincial twenty days, but the sessions may be prolonged on petition (the Provincial by the Minister of the Interior, the District Assemblies with the sanction of the Governor of the province.)

The Minister of the Interior may convene extraordinary assemblies.

The Provincial Assemblies are opened and closed by the Governor of the province in person, the District Assemblies by the District Marshals of Nobility.

The members of these Assemblies are required to take the oath usually administered to those who enter the service of the State. The resolutions of the Assemblies are legally binding only when one third of the representatives, of whom the Assemblies are composed, were present when the resolution was carried, and at all events not less than ten.

No member has more than one vote. Votes cannot be given by deputy. Elections and dismissals from service or impeachments of members are decided by ballot; all other questions by open voting. The Assemblies will frame the necessary rules in both cases.

All questions are decided by a majority of votes. The President has the casting vote in case of an equality of votes.

APPENDIX 4.

TABLE showing the Number of Landed Proprietors and Serfs in Russia, and the Quantity of Land held by them, severally, prior to 1861.

Provinces.	Number.		Dessiatinas of Land.				
	Landed Proprietors.	Serfs.	Held by * Proprietors.	Occupied by Serfs.	Total.	Average.	
						To one Proprietor.	To one Serf.
Astrakhan	36	5,723	36,008	45,757	81,765	1,000	8.0
Wilna	2,096	179,188	1,871,235	527,784	2,399,019	895	3.0
Witebsk	1,529	208,868	1,704,029	826,415	2,530,444	1,185	3.9
Vladimir	2,635	313,818	916,891	1,289,096	2,205,987	347	4.1
Vologda	1,256	99,129	1,112,434	500,865	1,613,299	806	5.0
Volhynia	2,275	336,158	3,629,703	1,205,785	4,835,488	1,595	3.6
Varonej	2,475	225,297	1,151,803	730,487	1,882,290	465	3.2
Viatica	87	16,850	86,214	67,653	1,153,867	991	4.0
Grodno	1,564	162,909	1,480,465	417,566	898,321	945	2.6
Country of Don Cossacks	2,011	140,802		500,106			3.5
Ekaterinoslaf	2,297	154,560	2,553,989	533,452	3,092,441	1,114	4.0
Kazan	854	95,242	613,153	361,384	974,537	718	3.8
Kaluga	2,418	269,824	870,325	960,481	1,831,306	360	3.5
Kief	1,388	530,629	2,158,758	1,072,282	3,231,040	1,553	2.0
Korono	1,542	159,350	1,921,005	541,822	2,462,827	1,248	3.4
Kostroma	3,247	277,818	1,752,418	1,418,883	4,171,301	539	5.1
Kursk	5,363	281,841	916,425	804,109	1,720,534	171	2.8
Minsk	1,878	265,305	4,429,725	1,244,021	5,673,746	2,356	4.7
Mohilef	2,023	269,975	2,308,611	1,261,891	3,569,902	1,142	4.7
Moscow	2,299	283,482	710,167	922,867	1,633,034	306	3.3
Nijni-Novgorod	1,384	337,974	1,031,977	1,321,125	2,353,102	747	3.9
Novgorod	4,232	187,647	3,190,879	1,031,707	4,272,586	754	5.8
Olonets	208	5,026	379,331	35,182	414,513	1,826	7.0
Orenburg and Ufa	706	60,819	919,223	293,208	1,212,430	1,302	4.0
Orlof	3,732	307,675	1,112,391	1,062,765	2,175,156	298	3.4
Penza	1,969	248,529	796,119	836,851	1,632,970	404	3.4
Perm	33	171,910	5,770,195	1,051,933	6,822,128	174,854	6.1
Podolia	1,454	474,544	2,237,963	639,612	2,877,575	1,543	1.4
Poltava	7,053	285,617	1,301,658	806,094	2,107,752	814	2.8
Pskof	1,927	175,111	1,571,491	885,521	2,457,012	814	6.0
Riazan	5,134	357,400	980,762	1,082,872	2,063,634	191	3.0
Samara	852	103,481	1,328,304	538,530	1,766,834	1,442	5.2
St. Petersburg	1,339	114,910	1,514,003	545,610	2,059,613	1,130	4.7
Saratof	2,463	301,252	1,956,504	1,346,168	3,302,672	795	4.4
Simbirsk	1,609	202,008	1,008,097	735,914	1,744,011	630	3.6
Smolensk	5,209	343,433	1,560,152	1,412,371	2,972,523	300	4.1
Stavropol	84	6,848	116,420	82,176	198,596	1,366	10.5
Taurida	303	17,876	1,079,741	108,080	1,187,821	3,563	6.0
Tambof	3,164	331,182	1,352,223	1,041,326	2,393,549	427	3.1
Toer	3,470	341,381	1,959,825	1,453,399	2,813,224	352	4.8
Jula	3,860	363,918	958,929	1,072,444	2,031,373	248	2.9
Kharkof	3,017	185,894	1,295,908	638,936	1,933,942	429	2.9
Kherson	2,591	129,597	3,329,364	522,608	3,851,972	1,285	4.0
Tchernigof	4,233	240,721	1,193,545	954,898	2,148,443	281	3.9
Taroslaf	2,793	243,643	948,733	996,980	1,945,713	340	4.1
	103,158	9,795,163	69,421,094	35,779,014	105,200,108	261,673	3.6

* Not including domestic serfs.

APPENDIX 5.

TABLE showing, approximately, the present Distribution of Cultivable Lands in Russia.*

Provinces.	Total Cultivable Lands.	Town Lands.	Crown Lands in excess of Peasant Allotments.	Appanage Lands in excess of Peasant Allotments.	Lands attached to Mines (Government and Private).	Peasant Lands.			Lands of Landed Nobility or Gentry.	Lands of other Private Proprietors.	Sundry Proprietors.
						Ex-Crown Peasants.	Ex-Appanage Peasants.	Ex-Serfs.			
Desiatinas in Thousands (approximately).											
Archangel ...	66,981	51.6	60,870	1,673	...	291	117	...	...	...	...
Astrakhan ...	20,493	35.2	1,334	8	...	2,657	11	17	61	8,315	8,089
Bessarabia ...	8,396	17.8	39	...	...	290	...	...	2,375	243	448
Wilna ...	8,854	12.3	454	...	...	519	...	793	1,606	449	20
Vitebsk ...	4,153	25.5	404	...	...	326	...	577	1,853	113	83
Vladimir ...	4,333	34.1	256	143	39.5	861	170	401	1,805	624	...
Vologda ...	26,251	32.1	27,847	1,117	133.1	2,819	274	134	1,479	3,180	...
Volhynia ...	6,656	28.5	860	...	...	375	...	1,495	2,134	1,606	25
Voronej ...	6,101	27.9	161	...	...	343	...	349	822	1,467	...
Viatka ...	13,130	26.6	4,139	173	1,834.4	7,171	285	43	111	...	...
Grodno ...	3,484	64.1	724	...	...	566	...	619	1,379	232	10
Ekaterrinoslaf ...	6,296	72.9	50	16	38.8	1,735	...	308	2,741	925	136
Kazan ...	5,708	47.7	1,137	43	3.7	3,438	67	...	789	787	...
Kaluga ...	2,884	29.9	80	...	208.2	463	...	379	1,434	281	...
Kief ...	4,659	10.8	496	...	...	421	...	1,224	1,937	188	62
Kovno ...	3,711	14.2	377	...	...	611	...	677	1,785	183	62
Koostroma ...	7,394	42.3	1,144	476	...	668	306	407	8,705	495	...
Korsk ...	4,173	17.3	24	...	...	1,687	...	348	1,371	532	...
Minak ...	8,177	31.4	620	...	...	242	...	1,430	4,323	3,499	...
Mohilef ...	4,577	18.9	213	...	...	206	...	1,269	2,301	370	...
Moscow ...	8,072	18.9	39	56	...	818	82	345	1,294	431	...
Nijni-Novgorod ...	4,658	29.9	521	98	170.6	848	117	512	2,041	516	...
Novgorod ...	10,452	47.5	638	799	...	1,340	185	529	3,753	2,836	347
Olonetz ...	11,980	40.7	8,547	20	1,164	777	9	16	899	324	...
Orenburg and Ufa ...	24,549	26.2	207	113	2,232	2,144	192	250	943	17,717	91
Orel ...	4,380	35.9	235	89	11.7	998	146	406	1,770	700	...
Penza ...	3,472	21.9	186	...	4.4	1,313	...	450	1,168	334	...
Perm ...	30,873	39.6	8,937	101	10,604	4,408	90	211	6,011	...	...
Podolin ...	3,885	40.3	339	...	...	379	...	1,131	1,747	315	34
Poltava ...	4,580	17.1	20	18	...	369	...	379	1,728	1,075	948
Pskof ...	4,023	24.4	60	...	...	739	...	321	2,136	794	36
Riazan ...	3,838	7.3	95	...	...	404	...	404	1,660	715	24
Samara ...	14,582	84.9	1,758	768	...	4,743	885	229	1,538	4,849	376
St. Peterburgh ...	4,133	12.7	313	137	...	379	101	294	1,760	1,130	...
Saratof ...	7,496	24.1	39	95	...	2,266	182	629	2,643	894	478
Simbirsk ...	4,451	44.4	17	1,015	...	190	1,065	335	1,409	374	...
Smolensk ...	5,171	23.5	123	...	...	549	...	685	2,287	1,504	...
Taurida ...	6,575	58.7	983	3	...	1,346	...	63	1,124	2,993	163
Tambof ...	6,058	26.1	524	...	60	2,260	...	481	1,912	633	...
Tver ...	5,934	19.1	191	201	...	1,228	156	680	2,153	1,226	...
Tula ...	2,813	13.9	44	...	0.6	391	...	316	1,715	327	...
Kharkof ...	4,988	25.6	295	...	...	2,236	...	432	1,592	492	...
Kherson ...	6,584	120.7	530	...	...	1,243	...	354	3,498	453	386
Chernigof ...	4,796	43.8	274	...	...	766	0.2	605	1,544	1,464	...
Yaroslaf ...	8,132	21.2	69	8	...	562	...	234	1,711	541	7
Total ...	495,737	1,710	136,787	7,055	16,950	62,667	4,396	21,336	83,580	90,265	11,902

* This Table, like the preceding one, has been extracted from an excellent work in course of publication, by Colonel Obruchef, "The Magazine of Military Statistics," vol. iv. (Voенно-Statisticheski Sbornik.)

APPENDIX 6.

STATEMENT showing the Progress of the Peasant Redemption (Purchase) of Land in Russia Proper under the Emancipation Act of 1861 and Supplementary Rules of 1862.

Date.	Number of Transactions.		Number of Peasants who have become Proprietors.	Quantity of Land Purchased.		Redemption Advance made by Government.		
	Submitted for Confirmation.	Confirmed.		Total.	Per Male.	Total.	Per Dessiatina.	Per Acre.
1862	2,776	1,568	193,161	673,990	31	20,687,293	30 69	1 8 7 1/2
1863	7,394	6,174	763,019	2,459,757	31	78,086,341	31 74	1 9 7
1864	8,336	9,352	964,278	3,057,371	31	97,347,828	31 84	1 9 8
1865	5,501	5,946	498,720	1,693,533	31	52,633,935	31 08	1 9 0
1866	6,033	5,456	385,068	1,337,251	31	41,660,561	31 15	1 9 1
1867	4,135	4,723	319,492	1,145,962	31	34,877,981	30 43	1 8 4
1868	4,556	3,802	244,327	879,605	31	26,881,080	30 56	1 8 6
1869, to Nov. 1/2 ..	4,209	3,933	246,817	908,454	31	27,574,718	30 35	1 8 3
Total	42,940	40,954	3,614,862	12,155,923	Average 3.36	379,749,737	Average 31 24	1 9 2
				Acres.	Acres.	£		
				34,765,940	9.61	50,633,298		

APPENDIX 7.

TABLE showing the Quantity of Land Redeemed (Purchased) by the Russian Peasantry (exclusive of those in the North-Western and South-Western Provinces), and the Average Price paid per Acre in the several Provinces.

Province.	Maximum Land Allotment per Male.		Legal Maximum Quit-Rent per Annum.				Quantity of Land actually Redeemed by Peasantry.			Average Price.		Annual Redemption Payment 6 per Cent.	
	Desiatinas.	Average Acres.	Per Male.		Approximate per Acre.	Desiatinas.	By Male Peasants.	Desiatinas per Male.	Per Desiatina.	Per Acre.	Per Desiatina.	Per Acre.	
			Rs. c.	s. d.	s. d.	s. d.	Number.		Rs. c.	s. d.	Rs. c.	s. d.	
Astrakhan ..	10 to 12	31½	9 0	..	24 0	0 9	18,231	1,767	10½	10 36	9 8	0 62	0 7
Wladimir ..	3½ 4½	11½	9 10	24 0	to 26 8	2 3	430,644	112,794	3½	30 72	28 8	1 84	1 9
Vologda ..	4½ 7	15	9 0	..	24 0	1 7	141,418	27,413	5	22 28	20 9	1 84	1 3
Voronej ..	3 4	10	9 0	..	24 0	2 4	314,405	124,065	2½	38 49	35 11	2 31	2 2
Viatka ..	4 7	13	8 0	..	21 4	1 7	28,633	8,902	3	29 28	27 4	1 76	1 8
Ekaterinoslaf ..	3 4½	11½	9 0	..	24 0	2 1	266,831	78,377	3½	31 11	29 0	1 87	1 9
Kazan ..	3 4	10	8 9	21 4	24 0	2 3	157,938	46,499	3½	32 15	30 0	1 93	1 10
Kaluga ..	3½ 4	10	9 0	..	24 0	2 4	394,056	115,798	3½	33 84	31 7	2 03	1 10½
Kostroma..	4 6	14½	9 0	..	24 0	1 8	487,448	99,083	4½	23 41	21 10	1 40	1 3½
Kursk ..	2½ 3½	8½	9 0	..	24 0	2 10	349,590	154,242	2½	43 39	40 6	2 60	2 5
Moscow ..	3 3½	9½	10 0	..	26 8	2 10½	360,471	125,185	2½	41 76	39 0	2 51	2 4
Nijni-Novgorod ..	3½ 5	12	9 10	24 0	26 8	2 1	313,405	884,023	3½	31 52	29 5	1 89	1 9½
Novgorod..	5½ 7	16½	9 0	..	24 0	1 5	549,873	97,296	5½	21 99	20 6	1 32	1 2½
Olonez ..	7 0	20	8 0	..	21 4	1 1	14,847	2,136	7	14 88	13 11	0 89	0 10½
Orenburg..	5 7	17	9 0	..	24 0	1 5	41,918	6,450	6½	18 41	17 2	1 10	1 0
Orel ..	3 4½	10	8 9	21 4	24 0	2 3	424,839	133,201	3	34 32	32 0	2 06	1 11½
Penza ..	2½ 4	9½	8 9	21 4	24 0	2 5	413,388	143,899	2½	35 82	33 5	2 15	2 0
Perm ..	5½ 7	17	9 0	..	24 0	1 5	9,632	1,802	5½	21 53	20 1	1 29	1 2½
Psko ..	4½ 6	14½	8 9	21 4	24 0	1 7	354,103	72,863	4½	22 04	29 7	1 32	1 3
Riazan ..	2½ 4	8½	9 0	..	24 0	2 10	416,794	148,109	2½	39 11	36 6	2 35	2 2
Samara ..	4 12	20	9 0	..	24 0	1 2	169,445	36,508	4½	24 49	22 10	1 47	1 4
St. Petersburg ..	3½ 5½	11½	10 12	26 8	32 0	2 6½	315,769	69,280	4½	26 83	25 0	1 61	1 6
Saratof ..	4 7	13	9 0	..	24 0	1 10	496,597	132,524	3½	28 07	36 2	1 64	1 7
Simbirsk ..	3½ 4	10	9 0	..	24 0	2 4	308,470	102,430	3	34 02	31 9	2 04	1 11
Smolensk..	3½ 4½	11½	8 9	21 4	24 0	1 11½	701,112	173,656	4½	26 83	25 0	1 61	1 6
Taurida ..	3 6½	17	9 0	..	24 0	1 5	52,448	8,329	6½	19 06	17 9	1 14	1 1
Tambof ..	3 3½	9½	8 9	21 4	24 0	2 5	470,947	174,158	2½	37 66	35 1	2 26	2 1
Tuer ..	4 5	12	9 0	..	24 0	2 0	673,062	166,429	4	28 62	26 8	1 72	1 7
Tula ..	2½ 3½	8½	9 0	..	24 0	2 10	358,132	132,114	2½	41 21	38 5	2 47	2 2½
Ufa ..	4½ 6	14½	9 0	..	24 0	1 8	128,822	29,528	4½	25 59	23 10	1 54	1 5
Kharkof ..	3 4½	10	9 0	..	24 0	2 4	410,490	157,070	2½	37 19	34 8	2 23	2 1
Kherson ..	3 5½	11½	9 0	..	24 0	2 1	335,337	87,134	3½	29 27	27 4	1 76	1 7
Tarosal ..	3½ 5½	11½	10 0	..	26 8	2 11	254,639	67,299	3½	33 78	31 6	2 03	1 11

APPENDIX 8.

TABLE showing the Progress of the Peasant Redemption (Purchase) of Lands under Special Enactments in 1863, applicable only to the North-West and South-West (old Polish) Provinces of Russia.

Date.	Number of Compulsory Sales submitted for Confirmation.	Number of Peasants who have become Proprietors.	Quantity of Land Purchased.		Redemption Debt on Land.		
			Total.	Per Male.	Total.	Per Desiatina.	Per Acre.
1863 ..	5	1,270	Desiatinas.		Roubles.		
1864 ..	846	68,714	4,158	3½	95,265	Rs. c.	£ s. d.
1865 ..	3,803	316,992	265,523	3½	4,529,951	17 07	0 15 11
1866 ..	4,411	457,172	1,234,748	3½	21,190,213	17 16	0 16 0
1867 ..	4,123	462,070	1,606,127	3½	33,393,232	20 73	0 19 4
1868 ..	7,138	608,481	1,543,851	3½	29,863,107	19 34	0 18 1
1869 ..	7,138	608,481	2,145,556	3½	35,940,185	16 75	0 15 7
1869, to Nov. 17 ..	688	149,843	576,988	3½	9,036,262	17 39½	0 16 2
Total ..	21,014	2,064,642	7,376,951	Average. 3.57 Acres. 10	133,958,215	18 16	Average. 0 16 11
					£ 17,861,095		

APPENDIX 9.

FINANCIAL Balance Sheet of the "Redemption Operation" on November 1st, 1869.

	Russian Currency.		English Equivalent.			Russian Currency.		English Equivalent.	
	Roubles.		At 32d. per Rouble.			Roubles.		At 32d. per Rouble.	
			£					£	
To debt of peasantry secured on their lands	487,174,281	64,956,570			By debt of landed proprietors to State Loan Banks	217,989,273	30,398,569		
					By payments issued to landed proprietors, viz. :—				
					Rs.				
					1. 5 per cent. bank bills	55,362,250			
					2. Redemption certificates at 5 per cent.	99,372,450			
					3. Kentes at 5½ per cent.	102,686,974			
					4. Cash at 5½ per cent.	1,763,334			
						259,185,008	34,558,001		
	487,174,281	64,956,570				487,174,281	64,956,570		

Appendix 10.

Memorandum on the Law of Land Tenure in Bessarabia.

By an Ukaz of July 1st, 1868, the tenure of the land in the province of Bessarabia is to be subjected to a law of which the full operation will commence in 1870. As the population for whom the new law has been enacted, namely, the Tsarané, a people of Latin race, numbering about 350,000 males, are not in the condition of serfs, and are even at present in the occupation of land as tenants under lords, a short review of the reform which the Imperial Government desire to introduce with the object of improving the condition of the Tsarané, cannot well be omitted from the present report.

The province, which once formed part of Moldavia, was originally colonized by immigrants from neighbouring countries, whom the native rulers encouraged, by exemption from taxation for a series of years, and other privileges, to settle on the lands of the boyars or aristocracy.

From the earliest times the landholders supplied the Tsarané with farms, on condition of the rent being paid in service, which consisted of 12 days' work in the year, and in a tithe of the produce which they raised; the proprietor reserving to himself, moreover, a monopoly of the sale of spirits.

Attracted by the wonderful fertility of the soil,* and multiplied by the prosperity which it engendered, the population of the most favoured districts of Moldavia began at the early part of the present century to grow so dense, in comparison with the population of neighbouring countries, that the extent to which the landowners could be legally called upon to increase the territorial allotments of the rural population became an important question, and in the reign of Prince Murusi (1802 to 1804) a right of demanding a lease of land in return for service was granted to the peasantry, on condition, however, that such a right should not extend to more than two-thirds of the lord's manor.

By the Treaty of Bucharest in 1812, Bessarabia was annexed to Russia, and for some years Prince Murusi's Agrarian Law, which had been applied to that province, had been undisturbed.

In 1828, during the Russian occupation of Moldavia, Count Kisselef caused an organic law to be promulgated in that country regulating, principally, the amount of work which the peasant could be called upon to do during the 12 days specified in Prince Murusi's law.

Some years later, in 1834, Count (subsequently Prince) Woronzoff, introduced a

* The average yield of maize, which is principally grown in Bessarabia, is over 60, and frequently, as in 1869, 70 bushels to the acre (35 chotverts per dessiasina), without the application of manure, of which the use is almost unknown. By working on one day of the week the peasant can support himself for six days on the produce of his labour.

law into Bessarabia based on the principle of absolute freedom, both of land and labour, by which the settlement of the terms of tenancy was left to mutual arrangement between lord and peasant.

Count Kissleff's organic law, on the other hand, which continued to prevail in the neighbouring State of Moldavia, compelled the lord to lease and the peasant to rent land on terms specified by the law.

The Tsarané, however, having become almost nomadic in their mode of life, from the effect of Count Wáronzoff's law, were endowed in 1846, for the purpose of attaching them to the soil, with the Moldavian right of demanding the lease of about 11 acres* of arable land for each family, with an additional plot of 5½ acres for each couple of oxen kept by the tenant. The terms of occupation were permitted to be settled by mutual agreement, failing which, by a "normal contract" that admitted service in respect to the holder of 11 acres, nominally of 12 days', but in reality of 36 days'† labour, and service at the same rate for the additional plot of 5½ acres to which he might become entitled by each pair of oxen which he might own. The lord's rent was further augmented by a tenth of the produce raised on his land, and by the power of exacting four "simple day's labour," from dawn to sunset, during 4 days in the year. Including the advantages which the lord continued to derive from the spirit monopoly, his rental amounted in a money equivalent to about 4s. 8d. per acre.‡

In 1858, when measures were under consideration for the emancipation of the serfs in Russia Proper, the attention of the Government was directed to the condition of the rural population of the province of Bessarabia, the area of which had been somewhat reduced by the Treaty of Paris. A Commission was appointed to enquire into the question at the Imperial Home Office, but the project of settlement which it drew up was finally rejected in consequence of the objections made to it by the principal land-owners in Bessarabia.

A revision to those proposals resulted, however, in the adoption of the law of July 14 1868, the provisions of which form the subject of the present memorandum.

The law in question obliges the lord to grant the perpetual usufruct (tenancy) to the Tsarané of the lands they at present occupy; and each family of Tsarané, whether in actual occupation of land or not, has acquired the right to claim an allotment within the limits of a maximum which varies in each of the seven districts of Bessarabia from 22 acres to 38½ acres* per family, inclusive of the land occupied by homesteads; and failing a mutual agreement between the lord and the peasant as to rent, the Ukaz fixes that of arable land in each locality at 1s. 1d. to 2s. 4d. per acre||.

The Bessarabian land tenure law not only takes within a maximum limit, the actual state of occupancy as the basis of the land expropriation, but it confers, also, on the Tsarané, whether now occupying land or no, the right of demanding from their lords, during a period of five years from the date of the "Settlement Deeds," which are to be drawn up in 1870, a grant of the tenancy of such additional allotments as the increase either of their number or their necessities may require; the law reserving to the lord, only the right of refusing to grant more than two-thirds of his arable land. Thus during a period of seven years from 1868, the law is calculated to keep the landed proprietor in a state of suspense as to the ultimate form and extent of his own estate, which, consequently, he cannot sell during the whole of that period; nor can he make improvements or raise money on it.

The State offers the same assistance which it affords in other provinces of Russia

* About 4 dessiatinas.

† The amount of work which the peasant could be called upon to do under the Organic Law in 12 days in reality amounted to 36 days' work.

‡ 5 roubles per dessiatina. The following is an approximate calculation of the value of the labour, &c. rendered by the Bessarabian tenant for an allotment of about 11 acres (3 falches):—

Tythe valued at	3 roubles, or £0 8 0
Spirits, licences for sale of	3 " " 0 8 0
5 days' harvesting and carting	5 " " 0 13 4
5 days' carriage of produce to market	6 " " 0 16 0
2 days' mowing, half falche (1½ acres)	2 " " 0 5 4
4 "simple days" at 25 copecks	1 " " 0 2 8
Total	20 roubles, or £2 13 4

§ 8 to 13½ dessiatinas.

|| 1 rouble 20 copecks to 2 roubles 50 copecks per dessiatina.

for the purchase of peasant allotments, and exactly on the same terms.* The law gives the lord power to compel his tenant to become a purchaser if he remains on the land, but if, on the other hand, the tenant occupier leaves the land, it must be assigned to the remaining tenants on the same terms. In other parts of Russia, the land reverts in similar cases to the lord, but the law of July 14, 1868, is expressly devised to prevent the reversion of any land to the lord whom it thus deliberately and effectively deprives of two-thirds of his estate at a compensation of about 1*l.* 6*s.* for an acre of which the produce can be sold on the spot for 3*l.* 18*s.*

The landed proprietor can only escape such an expropriation if he happen to be a Jew, for under the laws of the Empire, persons of the Hebrew persuasion cannot hold lands on which Christians are settled.

It is difficult to see the object of such exceedingly harsh treatment of the landed proprietors. Among other inconveniences resulting from the law by which they are obliged to expropriate so much of their land, they will be called upon to pay up the sums which they may have borrowed on it. The Tsaranés were not serfs; they required no expropriation of the land which they lease, as a guarantee of their freedom; and they are not likely to migrate from a soil so exceedingly fertile merely to avoid the payment of taxes and the supply of recruits. Their attachment to the soil is natural and based on their own interest. They have been growing rich and were gradually becoming a class of peasant proprietors by the purchase of land. That movement, however, is now arrested by the new law, which holds out to the peasantry the prospect of acquiring the greater part of the landed estates of the country at a nominal rentor price.

At the same time, the colonization of the province, which has been steadily increasing by immigration from the opposite side of the Pruth, and from the Beckhovina, will be checked by the fear which the proprietors will entertain of being obliged at some future time to grant to their new labourers land from estates which have been already so much reduced. As long as the rural population shall have been bound to the soil by holding mortgaged freehold properties, and shall have been agglomerated by artificial means in the north of Bessarabia, the cultivation of the vine, so extensively pursued in the south of the province,* will be partly abandoned from want of labourers.

Again, in order, it would seem, to provide a sufficient allotment of land for each male peasant, whose interest it will be to marry and represent the standard "family," it will be necessary to reduce the large holdings of those who, being richer than the rest in oxen, are at present in the occupancy of the greatest acreage. As the land to be divided among the peasants is a fixed quantity, the man with no oxen will lease at a low rent the land which is taken from the man who possesses a team (which is the working capital of the Bessarabian farmer), or he will purchase it at a corresponding low price, with the assistance of Government, but will sub-let it at the high rent, which, owing to the scarcity of land, the neighbouring bezeches, or small proprietors, settled in particular localities, will be compelled to give.

Many other considerations arise as to the probable effects of so serious a violation of the rights of property; but it is unnecessary to pursue them any further, as the present and prospective consequences of the application of a false principle of

* The terms, as in Russia, are 16½ years' purchase of the statute rent (1*s.* 1*d.* to 2*s.* 4*d.* per acre), the lord sacrificing 20 per cent. of the purchase price if he demands "redemption" by the peasants. In such a case the lord's compensation per acre will be calculated as follows:—

16½ years' purchase of 2 <i>s.</i> 4 <i>d.</i>	..	..	..	..	..	..	£1 18 11
Less 20 per cent.	..	..	..	..	..	..	0 7 9
						Nett Value	£1 11 2

The Government will pay him in stock, which, being at 18 per cent. discount, will reduce the nett compensation to 1*l.* 5*s.* 8*d.* for an acre, of which the produce can be sold on the spot for 3*l.* 18*s.* 4*d.*, and at Odessa for 9*l.* 2*s.* 6*d.*, as shown by the following statement:—

Cost of raising a crop of maize on 1 acre of land in Bessarabia—

Ploughing and harrowing	..	..	..	..	..	..	£0 4 8
Harvesting, &c.	..	..	..	..	..	..	0 7 6
Value of land if leased	..	..	..	..	..	..	0 4 8
						Total per acre	£0 16 10

Produce, 30 chetverts per dessiatina, or 61 bushels per acre, sold on the spot at about 1*s.* 3½*d.* per bushel (3*l.* 18*s.* 4*d.*) At Odessa the same corn will be sold at 3*s.* the bushel, for, owing to the absence of good roads, the carriage to that port will cost 1*s.* 2*d.* per bushel, or 2.50 roubles per chetvert. This fact gives an idea of the immense importance of railroads in Russia.

† Portions of the lord's vineyards would fall into the hands of the peasantry under the Law of 1868, at a rent of 2*s.* 4*d.* per acre, of which the produce in grapes is worth about 18*l.* per acre, or 400 roubles per dessiatina.

compulsory occupancy and attachment to the soil, carried to its extreme in the Bessarabian law, evidently with the same fiscal and recruiting objects as in the Russian Emancipation Act, have already been inquired into in the body of this Report.

Moreover, it is not improbable that the Commission to which the law of 1868 has lately been referred at the instance of the Bessarabian landowners, will modify some of its clauses, so far as to permit those landowners to escape from impending ruin by making it obligatory on the tenant to accept the freehold gift of one-half of the land, which the lord is bound to lease at a rent fixed by law. This sacrifice will entail on the 400 Bessarabian proprietors an estimated money loss of eight millions sterling.

APPENDIX 11.

Memorandum on the Law of Land Tenure in the North-West and South-West (old Polish) Provinces of Russia.

While no changes have been introduced in the Emancipation Act as regards the Provinces of Great Russia, New Russia, and White Russia, material alterations have been made since the Polish Insurrection of 1862 in respect to the North-West and South-West (or old Polish) Provinces.

By an Ukase of the 1st March, 1863, the peasantry of the North-West Provinces were ordered to purchase their allotments simultaneously with the "verification" of their liabilities in respect to the lord of the soil, while their relations of semi-dependence on the landed proprietors were made to terminate on the 1st May, 1863, from which date, also, peasants paying a quit rent were bound to continue such payments to the same extent as before, and those paying rent service to pay the quit rent entered in their settlement deeds (with a reduction of 20 per cent.) into the district treasury, by which it is paid to the landed proprietor. On verifying the rent liabilities of the peasantry, "verification commissioners" were instructed to draw up the deeds of purchase and to settle the terms of redemption.

The action of those Commissioners was defined by rules which enacted that the redemption payments should not exceed 90 per cent. of the quit rent thus paid, nor 80 per cent. in the cases that came under the Ukase of the 1st March, 1863. At the same time, the peasant allotments were ordered to be grouped in classes in respect to rate of redemption, which varied from 60 copecks to 3 roubles the dessiatina (6½d. to 2s. 10d. per acre).* In localities particularly unfavourable in respect to soil, &c., those rates could be lowered. By an Imperial Order of the 15th August, 1863, the redemption advance was ordered to be paid to the landed proprietors in 5 per cent. Rentes only on the termination of the insurrection, until the cessation of which they were to receive only such income from the land as might be collected by the officers of Government.

The forced sale of land to the peasants was extended on the 2nd November, 1863, to the Province of Mohileff and to the remaining districts of the Province of Witebsk, the quit rent being reduced by 20 per cent. of the amount previously paid or entered in the settlement deeds, drawn up under the terms of the Emancipation Act. The relations of semi-dependence terminated on the 1st January, 1864.

Similar measures have been adopted in the South-West Provinces. The peasants were finally emancipated from their lords on the 1st September, 1863, from which date, also, their quit rents were reduced by 20 per cent. of the amount previously fixed, and were made payable into the district treasuries. The settlement deeds were converted into title deeds.

Further changes in favour of the peasantry were introduced in 1864. The Provincial Courts for regulating the affairs of the peasantry were empowered to reduce the payments of the peasantry by 15 per cent., and the Governor-General to reduce them still further. Lastly, the peasantry were acknowledged to have a right to the gardens which they held under these "inventories," and a revision of settlements made in alleged violation of the law was permitted.

The following are examples of the results produced by the revision of the settlements that were made on the strength of the Emancipation Act:—

	Price per Dessiatina agreed upon before 1863		Revised Price.	
	Rs.	c.	Rs.	c.
Volhynia	36	61	13	87
Kief	41	73	26	20
Podolia	45	13	27	88

* The Crown peasants in the Province of Grodno redeemed their land at 11½ copecks to 1.56 copecks per dessiatina (1d. to 1s. 5½d. per acre).

It will be seen from Appendix 8 that the average "redemption" price of land in the old Polish Provinces has, since 1863, averaged 16*s.* 11*d.* per acre; while in the rest of Russia the Government advance alone (irrespective of the 20 per cent. payable by the peasant himself), has averaged 29*s.* 2*d.* per acre.

APPENDIX 12.

LIST of Authorities.*

1. "The Act of Emancipation," 1861.
2. "Reports of the Emancipation Committees," 17 vols.
3. "The Law of Police." Lectures by Professor N. Bunge, Kief, 1869.
4. "Statistical Annals of the Russian Empire," vol. i, 1866.
5. "Statistical Annal of the Ministry of Finance, edited by A. von Buschen, vol. i, 1869.
6. "Aperçu Statistique des Forces Productives de la Russie," par M. de Buschen, Paris, 1867.
7. "Statistical Tables of the Russian Empire," edited by A. von Buschen for the Central Statistical Committee, 1863.
8. "Magazine of Military Statistics (Russia) (Voenno Statisticheski Sbornik)," vol. iv, 1870.
9. "The Peasant Population of Russia," by A. Troinitzki, 1861.
10. "Explanations to the Agricultural and Statistical Atlas of European Russia," by J. Wilson, 1869.
11. "The Journal of the Ministry of Domains," 1862.
12. "Etudes sur la Question de l'Abolition du Servage en Russie," par un Contemporain (T. de Thørner), Paris, 1859.
13. "The State Budget of 1866," by Senator Hagemeister, 1866.
14. "The Land and Liberty," by P. L., 1868.
15. "A Voice from the Country" (Golos iz Zemstva), A. Kos' e'ef, vol i, 1869.
16. "On Self-Government," by Prince A. Vassilchikof, 1869.
17. "The Condition of the Labouring Classes in Russia," by N. Flerofski, 1869.
18. "The Russian Messenger," October, 1869. W. Bezobrazoff on the Conservative and Radical Parties in Russia.
19. "The Intellectual Development of the Russian People," by A. Schapof, St. Petersburg, 1870.
20. "Russland's Ländliche Zustände," J. Eckardt, Leipzig, 1870.
21. "Organisation Sociale de la Russie," par un Diplomate, Paris, 1864.
22. "The Memoirs of the Statistical Section of the Imperial Russian Geographical Society."
23. "The Memoirs of the Imperial Free Economical Society."
24. The Russian Journals and Magazines.

No. 8.

Lord A. Loftus to the Earl of Clarendon.—(Received January 10.)

My Lord,

Berlin, January 8, 1870.

I HAVE the honour to forward to your Lordship herewith a despatch from Mr. White, Her Majesty's Consul at Dantzig, transmitting a Report on the present laws regulating Land Tenure in the Province of Silesia, and on the condition of the peasant proprietors in the District of Lusatia, forming part of that province.

This Report is founded on information received on the spot, and from ocular testimony of the state of the peasant properties in Silesia.

Mr. White has shown great zeal in the fulfilment of the instructions with which I furnished him, as well as great ability and industry in condensing the information he has collected on a subject of such vast scope and magnitude.

I have, &c.

(Signed) AUGUSTUS LOFTUS.

Inclosure 1 in No. 8.

Consul White to Lord A. Loftus.

My Lord,

Dantzig, December 22, 1869.

I HAVE the honour, in accordance with your Excellency's instructions, as contained in your despatch of the 14th October, 1869, to submit to your Excellency the accompanying General Report, containing the results of my recent visit to the Prussian province of Silesia, with a view of supplementing the data collected by Mr. Gastrell for his Report upon the various questions connected with the ownership and tenure of land in this country.

* The books mentioned in the following list are in the Russian language, with the exception of those of which the titles are quoted in French and German.

I have added to this Report an Appendix of tables and five inclosures, and although I fear that these results may appear inadequate, I can assure your Excellency that I have spared no pains to put together all the information I was able to collect and to reproduce it as accurately and in as concise a form as I was able.

I have, &c.
(Signed) W. A. WHITE.

Inclosure 2 in No. 8.

Report by Consul White respecting Tenure of Land in the Province of Silesia.

WITH the exception of a certain district, known as "Ober Lausitz," or Lusatia, and acquired from Saxony in 1814, the possession of the Province of Silesia by Prussia dates from the year 1740, and was definitively confirmed by the Treaty of Breslau, in 1742.

This province is justly considered one of the most valuable possessions of the Prussian Crown, and formed one-seventh, or more accurately 0.146 of the entire area of Prussia's dominions, as these existed prior to 1866.

Silesia is not only a large mining district, but likewise a manufacturing one; its linens are in high repute all over Germany; and its cottons commanded not only the home market, but were largely exported to Russia and the United States before the tariffs of these two countries submitted them to the present high duties.

The area of this province is calculated at 15,544.7 English square miles (731.2 geographical square miles), or 9,948,707 English acres.

Population.—Its civilisation population at the last census was 3,547,709, of whom 777,167 belonged to the urban, and 2,770,542 to the rural population.

The increase of the latter was in the following ratios:—

Each 1000 inhabitants in 1831, increased till 1858, to 1313.

From 1758 to 1861, the increase was at the rate of 0.95 per 100 inhabitants.

From 1861 to 1864, at 0.99 per 100 inhabitants.

Whilst from 1864 to 1867, at 0.44 only per 100 inhabitants.

For administrative purposes, the province is divided into three districts, pretty nearly of the same size, the proportions, however, of the two prevailing religious creeds are very different in each. Upper Silesia may be said to be almost Roman Catholic; Lower Silesia, or Liegnitz, is chiefly Protestant; whilst the intermediate district of Breslau contains both creeds, with a Protestant majority, most prominent in the urban population; thus Breslau has two-thirds of its inhabitants professing the religion of the majority.

The area, present civilian population, and religions professed at the census of 1864, will appear for each subdivision from this table:—

Name of Subdivision.	Population, Religious Census, 1868.	Religious Creed.			Area, English Miles square.	Inhabitants, Census 1867.
		Protestants.	Catholics.	Other creeds.		
Liegnitz	963,170	804,760	140,378	9,032	5,249	969,613
Breslau	1,327,708	772,740	535,385	19,583	5,200	1,350,315
Upper Silesia ..	1,192,381	109,052	1,051,877	21,452	5,095	1,227,781
Total Silesia ..	3,473,259	1,686,552	1,736,640	50,067	15,544	3,547,709

All three districts are agricultural; but Upper Silesia is a most important mining province; whilst the subdivisions of Breslau and Liegnitz produce fewer coals and ores, but have mills and factories, and a numerous class of weavers in flax and cotton.

Omitting all general statistics, as not entering within the task assigned me by my instructions, I may here state that though Silesia contains some of the largest landed proprietors in Prussia, still a little more than one half of its area is in the hands of the peasant proprietors. The average size of these properties is 22½ morgen, or about 14.2 acres each, and only 10 morgen (6.3 acres) in towns, which is lower than in any other of the Eastern Provinces of Prussia, and is to be ascribed to the large proportion of very small holdings which are scattered all over the country, and consist of some fraction of an acre, sometimes of one or two, up to three acres (5 morgen), whilst large properties vary from 20 to 400 acres.

By taking all kinds of land property into calculation, i.e., by including estates, there is an average of 33½ acres to each freehold in this province, or there are 19 owners of land to an English square mile.

The number of draught horses is sixteen, and that of plough-oxen ten to a mile in this province.

I have considered it advisable to draw up a special paper respecting tenants in Silesia, and to devote separate reports to Upper Silesia, and to Lusatia. The latter district forms a part of Liegnitz, or Lower Silesia. I have divided the remaining portion of that subdivision into two districts, the hill district with six circuits, and Liegnitz with the seven remaining circuits, supplying a set of statistical Tables I to X, five to each district, and including all properties comprised within municipal boundaries in both in Table XI.

1. *Hill District.*

The first district comprises an area of 1,071.48 English square miles, or very nearly one half of the district of Lusatia, thus facilitating a comparison; it contains, therefore, 685,743 acres.

The rural civilian population is 214,481, the urban, 52,009; of the whole, 66,400 are Roman Catholics, 747 Jews, and 1546 profess different creeds, whilst 127,797 belong to the Protestant Church.

By grouping together the six hilly circuits we obtain a district where the weaving industry predominates, and where 61.5 of the peasant properties are below three acres.

In fact, the existence of these industries appears to favour single holdings, as they are to be met with together always in Silesia, whether from this reason or from a more divided attention, but the exercise of an auxiliary occupation does not appear conducive to good farming; and this locality, where the population is not of excessive density, 240 inhabitants to an English square mile is, I understand, more exposed to seasons of distress than the properly agricultural district which follows.

2. *Liegnitz District.*

The seven circuits about Liegnitz, advancing from the ridge of the Silesian Mountains into the plains bordering Brandenburg and Posen, cover an area nearly double of that of the former district, 2,035.4 English square miles, or 1,303,453 acres. The soil is of different qualities; 55 per cent. is under tillage, and 25 per cent. is wooded; there is 10 per cent. of meadows.

The rural civilian population is 272,746; the urban, 85,839; together, 358,585 inhabitants.

The density of population is 176 to a square mile, or very nearly what it is in the neighbouring district of Lusatia, and the condition of the people is very similar also.

The last religious census was taken in 1864, and gives 51,627 Roman Catholics to 306,000 Protestants.

In this district, the holdings of middle size, from 3 to 19 acres, are more numerous than either in Lusatia or the Hill District, numbering 37 per cent. of the whole, and properties of more than 19 acres are also more abundant. Agriculture is carried on here for its own sake, and the peasants devote much attention to the feeding of cattle and pigs for the Berlin market; in fact, the prosperity of the peasant class is such that several estates have been bought up and subdivided by them in the circuit of Glogau.

Indeed, wherever the peasants of Silesia were found in possession of large enough holdings at the time of their relief from feudal burthens, they appear to have thriven since, though this prosperity grew upon them gradually, and is most apparent within the last 20 years, when a new generation had grown up more disposed to follow, in introducing those practical improvements in cultivation of which the owners of estates set them abundant and praiseworthy examples.

The cessation of rights of common, &c., has also given a new stimulant to this class of owners by making them rely exclusively on their own holdings for supplying subsistence for their cattle. It must not be supposed, however, that the Silesian peasant has lost all that neighbourly feeling which had its origin in the bearing of common burthens. To this day, in many cases, the labour required for rebuilding farm-buildings among them is, in Silesia, supplied by the voluntary and gratuitous services of their immediate neighbours, the peasant proprietors of the same commune.

The object of the following Table is to show the relative per centage and distribution of the three several dimensions of peasant holdings, in the different districts described in this Report, and also in some particularly striking localities:—

RELATIVE per-centage of Peasant Holdings, large ones, middle sized, and small ones.

Name of Subdivision, District, or Locality.	Holdings under 5 Morgen. (3·1 Acres.)	Holdings above 5 and under 30 Morgen. (3·1 to 19 Acres.)	Holdings above 30 and under 300 Morgen. (Or, from 19 to 190 Acres.)
Breslau	41·7	41·5	16·7
Upper Silesia	36·3	44·6	19·0
Liegnitz	51·8	31·5	16·7
District—			
Lusatia	48·7	83·8	17·5
Hill Districts	64·5	23·5	12·0
Liegnitz (seven circuits)	42·2	37·2	20·6
Localities—			
Oppela (circuit)	99·0	49·7	21·2
Rosenberg and Creutzburg (circuit)	16·8	59·4	24·2
Grotthau Neisse (circuit)	35·4	41·2	23·3
Bolteenhain	56·2	30·8	12·9
Landeshut and Loewenberg	68·1	20·3	11·6
Hirschberg	66·4	23·5	10·9
Glogau	31·2	45·5	23·2

Properties of more than 300 Prussian morgen (190 acres) have been omitted purposely in this calculation, for though holdings of that size are included in Tables V and X in the Appendix, as extracted from official sources, it is known that under this head peasant properties are included as well as estates, and, moreover, it may be supposed that peasants who have attained to the possession of that number of acres are placed in a position too far in advance for purposes of comparison with the very small allotments.

Landeshut and Loewenberg.—A glance on that Table shows that the two circuits of Landeshut and Loewenberg in the hilly portion of Lower Silesia have a particularly large number of holdings under 5 morgen (3·16 acres).

The two circuits have together 112,229 inhabitants, 88,533 of whom constitute the rural population.

The latter had been 87,874 in the year 1858, and 83,409 in 1831, thus showing the increase to be particularly slow, or 1,062 inhabitants now, to 1,000 in 1831.

As to religion, nearly 40 per cent. of the inhabitants are Roman Catholics.

Both the mining works and the large cotton mills of these circuits give industrial employment to many hands; there are also paper mills, numerous flour mills, and Bohemian glass is also manufactured. 26,000 persons are said to be exclusively gaining a livelihood in all these establishments, or as tradespeople, whilst 4,265 owners of land are described as having some auxiliary occupation besides farming. Including these and their families, 58,229 inhabitants are returned as engaged in agriculture, and without the existence of various industries the position of the numerous small owners of land would be untenable.

In Landeshut there are 3,439 and in Loewenberg 6,229 owners of less than 5 morgen, making, altogether, 9,668.

This figure is so considerable, that the cause of this striking proportion of very small holdings appears to me deserving of a few observations, when it appears that three out of thirty-five inhabitants hold properties of these dimensions, and that to every twenty acres of land under cultivation (exclusive of forests) there is one such holding.

The explanation is partly supplied for the Landeshut circuit by the Official Report of the "Landrath," or Head Sheriff, "Herr von Klützwow," for the year 1862. It appears that at the time of the suppression of Monastic properties, the State, in appropriating their lands, created a number of copyholders with three morgen of land each. The owners are now freeholders, and of these the Landrath says: "In diesen Ortschaften herrscht die grösste Armuth" (the greatest poverty prevails in these localities).

The number of localities subdivided in this manner is stated at thirty-six, which belonged to the monastery of Grussau, and large peasant properties are only to be met with in this district on estates which have never been under the Crown.

In the circuit of Loewenberg the Crown held at one time twenty estates, the lands of which have also been disposed of. In that circuit one-third of the soil under tillage is in the hands of sixty-nine proprietors of estates.

The largest 1st class peasant holding (*i. e.*, employing cattle) is 500 morgen.

The smallest holding in this class contained 85 morgen in 1837, and those as low as sixty were included in 1851.

The largest holding comprised in the 2nd class in 1851 consisted of 36 morgen, and the owner employed no cattle for tillage.

The following table drawn up from the results of various official enquiries in the circuit of Loewenberg, throws some light on peasant properties there.

Peasant properties at different periods :—

	First Class Peasant Properties. Horses or Cattle employed.	Land in Possession of the foregoing.	Second Class Peasant Holdings. No Cattle for Tillage Purposes.	
			Number of Holdings.	Acreage.
1816	1,119	Prussian Morgen. 108,794	.. ..	Prussian Morgen.
1837	649	49,852	2,259	7,341
1851	594	45,310	2,384	11,883
1858	About 900	Not stated	About 8,000	Not stated
1860	1,010	97,100	9,495	30,421

The smaller holdings appear to have originated at first by subdivisions of larger ones, until their number suddenly increased by the extension of laws abolishing Feudal burthens to them (they were not at first included), and by the creation of new holdings on Crown lands.

In the circuit of Landeshut the subdivision of holdings is ascribed to some active speculators who pay high prices and sell them again in lots to owners anxious to increase their properties.

In Loewenberg the following data concerning subdivision are given :—

From 1837 to 1851, 158 holdings, containing 5,384 morgen were subdivided.

From 1851 to 1859, 1,903½ morgen of peasantlands were disposed of, having been detached (from one gentleman's estate) from 24 large and 46 small peasant holdings.

How disposed of :—

In the first period (1837-1851) new holdings were created with 1,095 morgens, 78 peasant proprietors purchased 642 morgens, and 3,617 morgens were added to increase 736 small allotments.

During the second period (1851-1859) two new peasant properties originated with 74 morgens, and 11 small ones with 161 morgens; the following acquisitions were made for other properties :—

For 2 estates	9 morgens.
„ 23 peasant property	273 „
„ 261 small peasant holdings	1,900 „

Within these two circuits there are 83,000 acres forest and 200,000 acres of all other kinds of land; the per centage of grass land to the whole area is 14.6 per cent., and different qualities of soil are to be found.

Bolkenhain.—In the small circuit of Bolkenhain, with an area of 138 English square miles, or 88,400 acres, there is a rural population of 29,203, and two small boroughs with 3,466 inhabitants.

In this circuit the forests are 23.3, and grass-land 13 per cent. of the entire area, whilst 58.5 per cent. is tilled land.

In this circuit, again, cotton and flax spinning gives employment to a good many hands; there were 3,171 looms in 1861, and again small peasant holdings constitute a large proportion, viz., 56 per cent. of the entire number of properties of this class.

The property of churches and schools consists of 1,333 acres. There are—

Estates	45
Large peasant properties	462
Small holdings	3,230
Total owners of land	3,737

The sizes of the different properties (including estates and those within municipal boundaries) are given as follows :—

Dimensions of Properties.	Number of Properties.	Area in Morgen.	Average Number of Morgen to each
Estates and properties above 600 morgen	35	47,991½	1,371
Ditto, under 600 and above 300 morgen	17	5,985	352
Properties under 300 and above 30 morgen	504	46,050	91.3
Ditto, under 30 and above 5 morgen	1,179	14,037½	11
Ditto, under 5 morgen	2,195	4,895½	2.2
Total	3,930	118,959½	..

These results differ somewhat from the particulars contained in Prussian general statistics, from which Tables V and X were drawn up, but they are also derived from official sources and of a later date, so that similar changes in properties are not unlikely to have taken place in this circuit during the four years from 1858 to the end of 1862.

On the subject of more recent changes with regard to peasant properties in this circuit, it appears that during the three years, 1860-1862, there were—

Properties undergoing diminution :—Three estates, 17 peasant properties, 23 small holdings, and 4 allotments without any buildings on them, consisting together of 6,211 morgen, were diminished by 832 morgen.

This land was disposed of as follows :—

New holdings.—With $\frac{1}{2}$ of a morgen	..	..	..	..	2
With $3\frac{1}{2}$ of a morgen, without buildings	..	..	..	..	1
Consisting of 27 morgen	..	..	..	..	5
Consisting of $36\frac{1}{2}$ morgen, without buildings	..	..	..	..	3
Consisting of $103\frac{1}{2}$ morgen, without buildings	..	..	..	..	11
					—
New allotments in three years	..	..	..	..	22

During that time $77\frac{1}{2}$ morgen were purchased for an estate, $142\frac{1}{2}$ morgen were added to 10 peasant properties, and 286 morgen were added to 50 small existing allotments.

It must be observed that those changes have been occasioned chiefly from a spirit of speculation in land, as sub-division between heirs to landed property is not in the habits of the Silesian peasantry, and I was assured that it occurred but seldom.

Hirschberg.—Hirschberg is a circuit situated quite in the mountains of Silesia with a population largely employed in weaving; the area is 231 English square miles, or 148,300 acres, the rural population 47,616, and the total number of inhabitants, including those of two townships (13,563), 61,179.

The proportion of forests in this circuit is considerable, 49 per cent.; that of meadows above an average, 11·8 per cent., and the land for tillage only 34·6 of the entire area.

This is therefore a manufacturing highland district, with 264 inhabitants to a square mile, and by deducting forests with about $1\frac{1}{2}$ acres of cultivated land to each rural inhabitant.

The following particulars are given with regard to the occupation of the inhabitants :—

Owners or tenants exclusively employed in farming	...	..	..	..	1,790
Ditto, having some auxiliary occupation	..	..	..	..	1,898
The families of the above	..	..	..	..	13,076
Agricultural farm-servants	..	..	..	..	1,305
Agricultural labourers	..	..	..	..	1,557
Handicraftsmen, artizans	..	..	..	..	4,411
Tradespeople	..	..	..	..	873
Employed in industries, chiefly weavers	..	..	..	..	5,697

There are in this locality a class of lodgers who do not exist in other circuits, and who are attracted to the large factories by the facility for earning wages. It appears that there are 3,092 families of such lodgers, and 1,055 widows.

Small holdings are again very numerous here, and constitute 66·4 per cent. of the peasant holdings.

The large Barony of Kynast, with three estates and three isolated farms, and eleven estates with nine separate farms, constitute the property of the circuit known by the denomination of Dominial property or estates, and consists of about 90,000 morgen forest and 20,000 arable land or meadows.

The peasant properties consisted originally of 655 large holdings and of 5,267 allotments, known as gardeners' or cottiers' holdings.

From 1816 to 1859 fifteen new peasant holdings were formed by purchases, whilst 113 became subdivided, so that 557, with 38,000 morgen, were returned at the end of 1859 as first class peasant properties.

It appears that three of these were again subdivided from 1859 to 1862.

The size of these properties are from 20 to 200 morgen, with a few about 300 morgen; their fields are most inconveniently situated, through hills and vales forming a narrow pass, two or even four miles in length; their cultivation is laborious and expensive, each proprietor having to keep up a road for his own use; the soil is not only very uneven but the fields lie frequently on both sides of a brook, which does not facilitate farming operations.

In this respect the smaller proprietors, of from 20 to 30 morgen, are better situated, having their fields close to the village which they inhabit.

Many of the cottiers have only one or two morgen, and a peculiar kind of property in this circuit are patches of meadows in the midst of the brown forests; these were let for a moderate rent, became copyhold and ultimately freehold property. It is estimated that there are about 1,000 acres so held.

During the year 1862 3,689 individuals settled in the circuit, coming from other parts of Prussia, and 3,522 left it for some other locality within the kingdom.

If we pass from the vicinity of the hills of Silesia to the district about Liegnitz and north of that city, we find seven circuits forming part of Silesia, but having a more exclusively agricultural character, and the larger peasant holdings are more numerous than in the hill district, as will appear by a reference to the table.

Glogau.—Two circuits are prominent by the large proportion of tilled land, 62·5 per cent. in Glogau, and 72·4 per cent. in that of Goldberg Haynau, the latter verging almost on the ridge of the mountains. The proportion of forests is of course small in these two circuits, whilst the meadows are somewhat below an average.

In every part of Silesia one hears of the frequency with which properties change hands, and estates, when not entailed, more so even than peasant properties, though the owners of the latter cannot resist sometimes the offer of a higher price which is offered them by speculators, who after having purchased such a holding cut it up in lots and sell these to other peasants desirous of increasing their possessions. In every district I heard numerous cases cited of such speculation, and the price of a morgen of land in a peasant holding fetches in this way a higher price than the land on estates. The process of speculating in this way in holdings is known under a special name of "Güterschlächtere," and from some reason or other appears to have flourished particularly in Silesia and Posen from 1857 to 1861 and 1862; prices however had run up so unreasonably that many such scheming speculators in holdings burnt their fingers, and from 1862 there appears to be an abatement of this head of speculating fever which was looked upon most unfavourably by the authorities and by the peasant class.

That the sales of estates are very frequent in some parts is confirmed by a statement that in the circuit of Goldberg Haynau, of which I am speaking, twenty-seven estates changed hands within a short time, whilst in that of Glogau "Weidisch," an estate near the town of Glogau was pointed out to me which was bought and subdivided by peasants a few years ago. Two other estates were cut up in the same way in that circuit, the owners finding a considerable pecuniary advantage in disposing of them in lots instead of selling them entire. The fondness for property in land appears to be innate in the Silesian peasant, whether of German or Slavonian race; and in studying their condition, their habits must not be left out of sight; it is to these habits that the paucity of cases of subdivision of properties between heirs must be ascribed, and the prevailing desire among them to keep the land in their possession acts certainly as a check, and a salutary one, in diminishing their holdings and as an incitement to increase them, if possible. The temptations to which the peasant proprietors were exposed during the speculating mania of which I have spoken were very great, but for the present even small holders appear quite able to keep their ground.

From enquiries made in Glogau concerning the loans advanced on land by the Land Debenture Association existing in that locality, I find that whilst sixty-two landlords had mortgaged their estates, only nine peasant proprietors had availed themselves of the facilities afforded them, and were in debt to this Association for the sum of 31,195 thalers in 1860.

Having spoken of the estates subdivided ("parzellirt") among peasants in this circuit, I may mention that the estate of Kutschwitz has been disposed of in this way, and that the purchasers being residents of neighbouring villages there are no buildings left, and not a single inhabitant in this former manor.

From all I have heard in Silesia I am disposed to think that farming is far in advance on gentlemen's estates to what it is even on the best peasant properties; draining, machinery, artificial manures, are all liberally applied by the landlords, and in very few cases by the peasants; but, on the other hand, the estates are almost all mortgaged, fifty per cent. of their value on an average, whilst the peasants in general owe very little money; they avail themselves to a small extent of the Land Debenture Associations, and in general they object to registered mortgages. I was assured that those who were deserving credit could always procure money, on note of hand, from persons of their own class, from neighbours, at four or five per cent.

The General Silesian Land Debenture Association, which is the great institution of

the province, established in 1763 by Frederic II., grants, since 1849, loans on peasant or "non-incorporated" properties by issuing debentures at 3½ and at 4 per cent. In the last Report I have seen of that Association the sum thus mortgaged and represented by debentures amounted at the end of 1868—

	Thalers.						
At 3½ per cent.	120,745
At 4 per cent.	2,385,300
Total	2,506,045

I am told that such loans are not given higher than 50 per cent. of the estimated value of peasant holdings, and that therefore it may be assumed that 35 thalers is the average amount of loan given per morgen of peasant land. At this rate there would be 71,600 morgen mortgaged to the Association at the present time, or 1 in a 1,000 of the area constituting peasant properties in Silesia.

Three years ago the sum lent was only 2,065,090, or 440,955 thalers less; thus showing, however, that peasants are beginning to avail themselves of this Institution, which has a branch office in each district.

Sums mortgaged on peasant lands in the branch offices of the Silesian ("Landschaft") Debenture Association:—

	Thalers.						
Schweidnitz-Janer branch	141,040
Glogau-Sagan	119,060
Upper Silesia	466,690
Breslau-Brieg	539,285
Liegnitz-Wohlau	449,745
Münsterberg-Glatz	68,990
Neisse-Grottkau	143,420
Oels-Militzsch	108,560
Goerlitz	83,300
Total, January 1, 1866	2,065,090

The owners of small holdings are, of course, placed at a disadvantage, and not only debarred from obtaining loans from this Institution but from getting accommodated in any way except by having recourse to professional money-lenders, and among these there are many usurers, who get even ten or twelve per cent. Nothing has been done to assist this class of owners when in difficulties.

Friestadt.—The Circuit of Freistadt is a very large one, having 338 English square miles area, 44 per cent. of which is in the hands of peasant proprietors. The average holdings of the three dimensions contained in the returns are two, 12 and 96 morgen to each property.

In the year 1861, 49 changes of ownership were reported, affecting 640 morgen of land and belonging—

Two morgen to 1 estate, the rest to 18 peasant and 24 small owners.

With this land 19 new small holdings were created, making 102 morgen.

Ninety-eight morgen were purchased for estates; 119 morgen by 8 peasants 229 morgen by 48 small holders to enlarge their allotments.

Liegnitz.—The Circuit of Liegnitz contains an area of 2,467 English miles, or 157,800 acres, of which 76.3 are land for tillage, 7.6 meadows, and only 8.5 (a very small proportion), is wooded. The population of this circuit is 67,841 or 275, to a square mile. The town of Liegnitz has 20,000 inhabitants. The rural portion of the circuit gives 2.2 acres to each individual.

In this circuit I was also told of many cases of subdivision of peasant properties brought about by speculators.

There are 100 estates in this circuit having 900 morgen on an average, and constituting 40 per cent. of the entire area.

The peasant properties occupy 52 per cent. of the same, the rest being under towns, or Crown property.

	Morgen.						
There are 594 peasant holdings	80,663
1,713 gardeners' ditto	18,892
1,677 cottiers' ditto, having	5,138

The peasant properties (so called) are more extensive than in some of the adjoining circuits.

The changes in these from 1859 to 1861 affected the following number of properties:—

	Increased Holdings.	Diminished Holdings.
Peasants, First Class	35	22
Ditto, Second class	49	28
Cottiers	23	9

Husbandry in this Circuit appears to be vigorously carried on, and the larger peasant proprietors give the impression of being very prosperous.

The preceding examples of the working of the system will, I hope, serve to illustrate some of its practical results. In the Report which I have drawn up on the District of Lusatia (Inclosure No. 1), I have described my impressions of the condition of those properties ranging from 40 to 400 morgen, and known either from their origin as peasant properties ("Bauerngüter"), or from the cattle employed for farming by their present owners, as "Spannfähige Wäninge." I would not add anything to what I have stated on the subject. Those properties among them which are favourably situated both with regard to quantity and quality of the holding, flourish and prosper, and are highly favourable and creditable specimens of yeomen proprietors.

But the number of those who are in this position bears but a small proportion to the total number of holdings; in some localities 24·2 to a 100; whilst in others this percentage is only 11·6. The average number of substantial proprietors of this class is 16·7 in the 2 subdivisions of Breslau and Liegnitz, and as high as 19 per cent. in that of Oppeln or Upper Silesia.

In this calculation all properties between 19 acres (30 morgen) and 190 acres are accepted as first-rate holdings; but I have been assured that 50 morgen, and at the utmost 40, ought to be considered as a limit below which a Silesian peasant cannot be supposed as sufficiently well off. Unfortunately I am not in possession of statistical data to enable me to estimate the numbers within these limits.

On the other hand, it must be remembered that properties consisting of more than 300 morgen have not been included in this calculation of percentage of holdings of various sizes.

It appears that the existence of 1,064 peasant properties of more than 300 morgen has been ascertained throughout Silesia, as will appear from the following table of summary results:—

All kinds of Estates above 300 morgen in Silesia.

Subdivision.	In Towns and Country.			Returned as Gentlemen's Estates.	Probable Number of Peasant Properties.
	Above 300 and under 600 Morgen.	Above 600 Morgen.	Together.		
Liegnitz	457	893	1,350	943	407
Breslau	491	1,298	1,789	1,502	287
Upper Silesia	256	812	1,068	678	390
Total Silesia	1,204	3,003	4,207	3,123	1,084

Probable number of estates as returned, 3,123.

Probable number of peasant properties, 1,064 of this size.

This is at the rate of 38·7 large possessions of holdings above 190 acres to each 10,000 of all kinds of peasant properties below that average.

This will appear better from the following table:—

Relative percentage of Peasant Properties of different dimensions in Silesia.

Holdings under 300 Morgen (190 Acres) whether in the Rural or Urban Localities.				Peasant Properties above 300 Morgen. (190 Acres.)
Holdings under 5 Morgen. (3·15 Acres.)	Holdings above 5, but under 30 Morgen. (19 Acres.)	Holdings above 30, but under 300 Morgen.	Total.	
4,320	3,921	1,759	10,000	38·7

Estates and manors existing in Silesia, the property of landlords and gentry, 111·5, to 10,038·7 to peasant properties.

The owners of the first two descriptions of peasant holdings constitute, therefore, the large majority of proprietors, viz., 8,241 or four-fifths ($\frac{4}{5}$) of the total number of individuals owning land, and hold less than 20 English acres, which is generally considered as the minimum of profitable cultivation. Many of them have only half an acre, or even less; and though a certain number may be doing comfortably as farmers, the great majority have to depend on agricultural wages, or on some industry for their living, and their cottages and adjacent patches of land can only be looked upon in the light of a protection against the worst risks of poverty: and their condition may be described as that of labourers. As Silesia is by no means over-populated, and presents a large variety of occupations, in industries, on railways, &c., this numerous class has not felt any inconvenience from any precarious effects of the labour-market. The only people that have been exposed to considerable distress at times are the cotton weavers, and even at the present moment there is a strike among them in the neighbourhood of Waldenburg. The facilities for keeping cows or goats in a province where the proportion of grass-land is large tend so very considerably to the comfort of families of small landholders that the inhabitants of this province avail themselves in an increasing ratio of such opportunities as the possession of land affords them in this respect.

Number of horned cattle of all kinds in 1816	..	..	..	..	765,438
Ditto, in 1861	..	..	..	..	1,060,501

The number of cows in 1816 is not stated separately, but—

In 1861 at	..	..	..	..	..	684,882
1867	..	..	..	..	..	793,770

Thus showing an increase of cows in the Province within six years of . 108,888

But the rapid increase of goats is still more striking, and has been quoted to me as a proof that with an increasing number of very small allotments, the families owning them seek in this way to provide themselves with this animal when unable to keep cows. The number of goats was—

In 1861	..	..	..	..	..	72,801
1867	..	..	..	..	..	126,037

An increase of 53,236

Or 73 per cent. in six years.

Lastly, as bearing on this subject, the number of swine is worth inquiring into, as they constitute a kind of stock easily subsisted in the smallest household; they were—

In 1861	..	..	..	..	..	..	Swine.	231,195
1867	..	..	..	..	..	..	..	445,563

Increase 214,368

Or 92 per cent. in six years.

The breed of cattle has only improved on estates and farms, the property of country gentlemen, where it has made great progress. The cattle on the peasant holdings is mostly still of the old Silesian stock, and in Upper Silesia of the Polish breed, and very inferior in every respect; but the abolition of rights of common and of grazing, which accompanied it, and thereby the compulsory introduction of State feeding, is very beneficial in making the peasants look to stock of better and improved breeds. The larger peasant proprietors are also finding it their interest to feed cattle for the markets of Berlin and Breslau. The large quantities of linseed sown in Silesia procure abundance of oilcake; and in many localities in Silesia a brisk cattle trade is carried on. I had an opportunity of seeing evidence of this when visiting the cattle markets of Broslau and Glogau.

The improvement of the breed of hogs by crossings with English pigs has proved so advantageous, that the rapid increase in the number of those animals throughout Prussia may be ascribed to the results which have been attained in this direction.

As regards drainage the last statistical data collected in Silesia date as far back as 1855. At that date 5,138 morgen had been drained on peasant properties, and 5,095 morgen were going to be so. It is supposed that ten times that amount has been improved since in this manner, though no assistance with credit is given them for this special object.

As regards emigration from Silesia, the Prussian Government is in possession of

accurate returns from every province, from which it appears that the number of persons leaving their country is by no means considerable.

Emigration from Silesia from the year 1844 to 1863.

Name of Subdivision.	Persons Emigrated.				Immigrated.	
	From October 1844 to end of 1859.	Annual Rate of Average.	From 1860 to 1863.	Annual Rate. Average.	From October 1844 to end of 1863.	Annual Rate. Average.
Liegnitz	7,451	488	1,523	381	2,451	127
Breslau	5,529	363	1,205	301	2,388	121
Upper Silesia ..	5,326	349	940	235	2,224	115
Total Province of Silesia ..	18,306	1,200	3,668	917	7,013	363

A calculation derived from the same source estimates the capital which 11,376 persons out of 18,306 who took their departure from Silesia for foreign countries from October, 1844, to the end of the year 1859, possessed at the time, at 2,236,434 Prussian thalers, or 335,465*l.*, making 28*l.* 9*s.* to each person on an average, which proves so far that the majority of persons thus leaving their homes were by no means without resources.

From these and similar facts, I have come to the opinion that the progress which is everywhere visible in Silesia, both in its industries and in the cultivation of the soil, not only is an evidence of growing prosperity, but inspires the labouring population with hopes that they may in time improve their condition.

The Prussian officials with whom I had occasion to come in contact during my short visit to Silesia, and who gave me numerous proofs of their kind willingness to afford most varied and useful information, have spoken to me very hopefully as to the prospects of the independent peasant proprietors, much less so on those of small holdings, and even rather despondingly of the future of that class of cottiers who own their habitations but have no land whatever, deserving of that name, attached to these.

The peasant proprietors who, as a rule, prefer the employment of small holders of allotments to that of farm servants, hired by the year, and who keep up a good feeling with their less affluent neighbours, look most unfavourably on any increase in the number of those cottiers, suspecting them of becoming, sooner or later, recipients of relief from the Poor Law funds of the village commune, to which they have to contribute as proprietors. Cases have been quoted to me of peasants buying up, with a view to their demolition, such cottages, merely to prevent the possibility of the next lodgers in them becoming chargeable to the commune and a burthen to the rates.

Whilst in some localities complaints are made of an insufficiency of labourers, especially at Harvest time, in others there is a redundance; but no doubt with the increasing application of machinery and motive power in agriculture, the necessity for manual labour will not go on augmenting, and a portion of the population of Silesia must continue to depend considerably for their support on handicrafts or weaving. The latter industry has proved very precarious of late, owing partly to the fluctuations in the price of cotton, which affect also flax, and in a great part to the protective obstacles to be met with for woven goods in the American markets.

The estates belonging to the gentry provide to this day the best and safest employment for the majority of agricultural labourers in Silesia, to some as farm servants hired by the year, to others who happen to be married, by giving them and their families quarters in large barracks, constructed for that purpose, and employing them at a fixed rate of remuneration as day labourers, or by task work; and lastly, to the population of cottier owners, by some arrangement to their advantage which gives these people, who have land of their own, a temporary interest in some bit of grass or garden land forming a part of the manorial possessions.

That the owners of estates are so little prone to accommodate their labourers with permanent cottages, or with land by any other arrangement but one of the most transitory character, must be ascribed to prudential motives, the reason for which must be sought in the previous history of peasant holdings in this country.

At the time of the abolition of feudal burthens, a free title was conferred on occupiers; and there is a latent feeling in existence that a long occupation of self-

contained premises, or of small farms, may be invoked at some future period as conferring a title to permanency and to further limitations of the rights of property; and nothing is done which could lead to such a construction.

The traditions of the Silesian people as well as their tastes lead them to ask for the acquisition of land as owners and not as tenants. If they can obtain enough to make independent, so much the better; but even as labourers or artizans they desire to own some, even though it be not sufficient to provide for their modicum of wants, increasing the quantity as their means or opportunities enable them to do so: hence arise those changes of ownership which are reported in every locality, and which tend to reduce some holdings and to increase others, and are and must be inseparable from free-trade in land.

The desire, however, of preserving their holdings to their posterity, which is naturally to be found in a people attaching so high a value on ownership, produces, as it would be likely to do, a remedy against a too rapid subdivision by inheritance, which would otherwise be sure to follow where the laws of the country entitle each child to an equal share of every kind of intestate property, and impose on the parents the obligation of leaving their offspring a certain minimum share of their substance.

A deeply ingrafted habit of the Silesian peasantry, common both to those of Teutonic or Slavonic race, counteracts the dispositions of the laws, and renders subdivisions of holdings by heirs so unfrequent, most of those actually taking place being the result of speculation.

This habit consists in one of the surviving parents, or sometimes both of them during their lifetime, disposing of the holding and stock in favour of one of the children by going through a form of sale.

The price is then fixed much below the actual value, and the terms of payments are so arranged as to afford the purchasing child every facility. It most frequently happens that this favoured child is the youngest son, the elder ones having previously left home and been portioned off, sufficiently to enable them to enter into possession of some other property by marriage or by purchase. The remnant of what comes to them by this arrangement is paid off some time after the death of the parents.

These stipulate for themselves during the remainder of their life a room on the premises, and an allowance of corn, potatoes, &c., which latter arrangement is very general in the Eastern Provinces of Prussia (including Silesia, Posen, Pomerania, East and West Prussia); and the parents who thus have secured to themselves the necessaries of life after giving up working, are known by the German names of "Altsitzer," "Ausgedinger."

It is considered that this ancient custom is a very valuable one, as it facilitates the disposal of the property during the lifetime of parents, and gives to the sale effected by them a subsequent sanction by enabling the purchasing son to enjoy possession and to accumulate some capital before they die, and thus renders these sales so secure that I understand they are never called in question by the other children.

I may here mention that I have been told that ante-nuptial arrangements are often made by peasants in Silesia, by which the surviving parent is enabled to dispose of the property in favour of the child of his or her choice in this manner.

To the social habits of the Silesian peasantry, to their industry and economy, must be ascribed a good deal of whatever success has heretofore attended the existence of its distribution of property in land. If at the time of the cessation of feudal burthens there had been in existence a class capable and willing to introduce the practice of leases, and to farm the vast possessions of the nobility, there would be at the present day means to establish a comparison of the two systems. As it is, the large area in the possession of peasants is distributed among larger and smaller freeholds, and among labourers, artisans, and cottiers. Comparisons with the state of things in other countries cannot be made with any degree of accuracy, as the consideration of the social habits of a people and of their antecedents, their actual feelings—nay, even their prejudices—cannot be brought within one universal rule, though all these may have their share in influencing the social condition of different classes of a people.

In conclusion, I beg leave to state that I have consulted the collections of provincial laws of Silesia, of Brachvogel, Von Moeller, &c., and also living authorities; but have not been able to ascertain any provincial law, whether local or customary, derogating from the general laws of the country, or binding at the present day in such a manner as to affect the subjects treated in the present inquiry.

British Consulate, Dantzic, December 21, 1869.

Enclosure 3 in No. 8.

Report by Consul White on Tenures and Leases in the Province of Silesia.

In the instructions issued for my guidance by Her Majesty's Ambassador at Berlin, my special attention was directed to the nature of leases and to the position occupied by tenants in Silesia and other places visited by me under those instructions.

It has appeared to me that what I could say on the subject could best be said in a separate paper, instead of being incorporated in the several Reports.

The persons occupying the position of tenants under landlords are returned in Prussian statistical tables under two heads—those leasing only either estates or farms, and those whose lease includes, in addition to land, some industrial undertaking, such as a mill, a factory, &c.

Of both these classes the following number of tenants are returned in the districts visited by me:—

District.	Area in English Square Miles.	Tenants.	
		Of Farms only.	Of Land, including some Industry.
Silesia	15,544	3,167	4,520
Posen	6,756	844	400
West Prussia ..	9,947	2,120	1,403
Total . . .	32,247	6,131	6,413

As regards all those with whom farming is only an auxiliary occupation, and in most cases a secondary one, I have not considered it possible to inquire into the nature of arrangements which present so great a variety, and cannot be productive of any uniformity in their results.

With regard to those tenants who are described above under the first head, and whose exclusive pursuit is farming, there are three different classes in these districts, though I believe that only two of them are included in the official returns; and of each of these three kinds of tenants, I beg leave to make some short remarks.

The first class of tenants are those of estates or lands held under the Crown; these properties are let by the Finance Department, generally for eighteen years, under a written lease, printed forms of which have been drawn up by the legal advisers, and have been adopted by that department, having been in use for such leases now for many years. The conditions of these covenants are so severe upon the tenants that they would hardly venture to accept them if they did not know that these are equitably and humanely interpreted by the Treasury. Leases for Crown estates are very much sought after in this country, and the position of a gentleman tenant upon one of these is a highly respectable one, giving the title of "Amtmann," or "Ober Amtmann," appellations very much prized.

Not only entire estates, but also smaller properties, under the name of "Arrende," &c., are held under the Treasury. The rent at which such lands are let varies, of course, considerably. In the District of Dantzic, in West Prussia, the average rent of an acre of tilled land, including a proportion of meadow, is about 10s. an English acre, the highest rent under the Treasury being as much as 24s. on a farm in which grass land predominates, whilst the lowest rent is 3s. per acre of inferior land.

The above must be considered as exceptionally high prices for Prussia. From inquiries made in Silesia I find that in the neighbourhood of Oppelu the rent of an acre of Crown lands was, on an average, 5s. 9d.; whilst the highest was 9s.

The private estates of country gentlemen, and single farms detached from the manor, are also occasionally let, generally for six or for twelve years, with live stock. The class of persons who are tenants of these are pensioned-off officers of the Prussian army, or gentlemen who have sold their freehold estates and combine a taste for farming and a taste for country pursuits with a small capital. As the farms are stocked, the capital required for entering on such an occupation is by no means large.

For the purpose of showing what are the terms of such tenancies I have the honour to forward a translation of a form of lease which meets the conditions generally required. It was given me in German by a notary public, in extensive practice at Liegnitz; and, from inquiries, I am disposed to believe that corresponding covenants are introduced into similar leases in other districts.

Several of these stipulations in this form of lease are only intelligible by comparing them with the laws of Prussia on the subject, as it is evident the landlord in these cases wishes to protect himself against various claims for which the tenant might appeal to the provisions of general Legislation in his favour.

These provisions are contained in the codified Laws of Prussia (*Allgemeines Landrecht*, Part I, Cap. 21), Articles from 400 to 625. In these will be found certain principles laid down in favour of the tenant, enabling him to claim compensation.

In Article 420 for new taxes imposed on the estate during the lease.

In Article 431 for deficiencies in his income from irregularities in the estimates produced to him on agreeing to the lease.

Articles 455, 456, for certain casualties causing loss in live stock.

Articles 481-5, for casualties therein described, causing a loss in the crops.

Cases of war, and other calamities, are taken notice of in these laws, as to how far they affect the tenure and rent.

But the tenant is generally required to renounce the benefit which might accrue to him from invoking any of the above provisions in his favour.

The standard of living of the tenants, situated as this class generally are, does not differ from that adopted by their neighbours, the owners of middle-sized estates.

It does not appear that peasants take to leasing of farms, as they prefer, as a rule, to be proprietors, and the letting of peasant properties for rent is only practised under very exceptional circumstances; I have heard of such cases, but have not been so fortunate as to meet with any.

The Prussian Laws require all leases for 50 thalers rent, or above that sum, to be in writing, and those where the rent reaches 200 thalers per annum, it has to be executed in Court, or before a notary (Article 402-3). Whenever a tenant happens to be in possession without a written agreement, the interpretation of doubtful points is to be always in favour of the tenant; but he may be served with a notice to quit every year. Should no such notice be given the lease is supposed to continue from year to year.

The Prussian Law requires, therefore, written agreements, and even notarial contracts for leases; it presumes the duration of an expired lease to continue for one year only in general, but the Article 330 leads one to suppose that when the fields and tilled land of a farm are divided according to a rotation of several years, a lease continuing by silent consent presumes a duration of as many years as the rotation requires, and the provisions of the Code Napoléon are similar in this respect, as Article 1774 of the French Code (Code Napoléon) enacts:—

“Le bail des terres labourables, lorsqu’elles se divisent par soles ou saisons, est censé fait pour autant d’années qu’il y’a de soles.”

But there exists in Silesia a third mode of letting tilled or grass land, detached from an estate or from a farm, and uninclosed, without either stock or buildings of any description; in fact, the bare land, at so much an acre, for three, but generally for six, years.

These kind of leases are sometimes made direct with the tenants, but generally through the intervention of a middle-man, who sublets the land leased, by dividing it into small lots or patches of a few morgen, or even less. This middleman of course charges a percentage for his trouble and for his responsibility for regular payment of rent, this addition to the rent coming, of course, out of the pockets of those who cultivate the soil thus let.

This system of letting bare fields is known in German by the name of “*Ackerpacht*,” and prevails in almost every part of Silesia, but particularly in those districts where the small holdings predominate, or where there is a class of cottiers or other labourers chiefly dependent for a livelihood on wages.

It appears that the rent of land which may be obtained in this way is much higher than any that could be obtained in any other way, and that many landlords avail themselves of the advantages offered them by the prevailing desire of the inhabitants of towns, or of industrial districts, in devoting a portion of their fields to that purpose.

It appears that there are in the Province of Silesia, in the rural portions of it alone, 59,811 owners of houses, without any land attached to them or cottiers, besides the existence of many others similarly situated (21,445) in the towns. All these people are but too glad to be able to do some farming on a small scale; and it is this disposition on their part, and their wish to grow the own potatoes and vegetables, which has produced this sort of arrangement, the only possible one to a certain class; and I have heard no complaints made on the score of the high rent which it presupposes.

When it is considered that a large tract of country is owned by peasants in Silesia 7,500,000 of nungen, out of a total area of 15,781,000, this is certainly the last place

where one expects to meet with the letting and sub-letting of small patches of land, and with the existence of middle-men, even though they be but few; and this state of things reminds one somewhat of Ireland.

It must be however borne in mind that not only is this arrangement felt to be highly acceptable to the parties chiefly interested, but likewise that these parties either hold already some land of their own as freeholders, or at least a cottage, and are thus at least partially independent, and that, moreover, it is for their benefit that they are desirous of extending their farming, and are disposed for that purpose to offer the payment of rent at a rate higher than would be likely to be agreed to by any other tenant willing to lease the estate with all the charges, risks, and repairs which attend the farming of an estate, with its buildings, stock, and with the necessity of being provided with capital.

Indeed, I have been told that persons leasing an acre or more in this way are more desirous to procure the means of applying to their own use the rubbish accumulated on the dunghill within their premises, as manure, to occupy the leisure time and the taste of their own children for fieldwork; and when a bit of grassland can be obtained to enable them to keep a cow or a she-goat, when possibly their own allotment would prove insufficient for that purpose.

In cases where the land they are able to procure in this manner assists them in keeping two cows, these are expected not only to supply milk, but are likewise employed to labour in the fields; and their owner, in such a case, does not set an exact money value on work done by them in this manner.

There is no probability of procuring any statistics on this subject; but, more or less, this kind of letting open uninclosed fields is practised in every part of Silesia; and even peasant proprietors occasionally let a few acres in this way, whilst on some large estates a considerable portion of the area is profitably let under such a system. This is the case, I understand, on the property of Count Stolberg Wernigerode, the Governor (ober President) of Silesia, and on the estates of Schwarzwaldan, likewise situated in the district of Landeshut.

Through the kindness of the count, I obtained a general copy of a form of lease used on his Excellency's estates of Kreppelhof, of which I enclose an English translation. It may be observed, however, that the Prussian laws dispense with the obligation of written agreements for letting open fields in this way (*ackerfracht*).

The rent for a morgen of land let on this system varies from 2 to 7 thalers (6s. to 21s.) for a Russian morgen, equal to 0.63 of an English acre. In the neighbourhood of Landeshut it is 10s. 6d. per morgen, a price it could not fetch if let otherwise. In the circuit of Hirschberg this system is adopted on a large scale on six estates, the morgen paying from 2 to 4 thalers; in the circuit of Bolkenheim the price of a morgen is stated to be from 4 to 7 thalers rent, and even sometimes as high as 10 thalers, whilst the rent on townlands in the same circuit is only 2½ thalers; but then the tenant has to pay taxes and various charges when leasing an estate, which have all to be borne by the landlord when lands are let by the acre. I understand that glebe lands are also often let under this system.

In Upper Silesia the same system prevails, and in the manufacturing districts the miners and other workmen avail themselves of it, the price of morgen of inferior soil near Tarnourtz being as high as 7 thalers per morgen (21s.).

The condition of the people leasing these small patches of land is not altered by that fact, although it is somewhat improved; but as they remain in the position of their calling it would be impossible to make any special observations applying to them in particular, as to standard of living, habits, or general circumstances.

British Consulate, Dantzic, December 14, 1869.

Inclosure 4 in No. 8.

Form of Written Agreement or Lease of a Gentleman's Estate ("Rittergut") in Prussian Silesia.

(Translated from the German.)

§ 1. The landlord, N.N., hereby leases his seigneurial property (Rittergut), the estate N., with all kinds of stock, to the farmer N. N., in consideration of the yearly rent of — thalers, for the term of twelve years, viz., from Midsummer-day next till the same day A. D. 18 . The said rental having been agreed upon as a lump sum ("in Pausch and Bogen"), and irrespective of the items and particulars estimated during the negotiations which were carried on previous to the conclusion of the present covenant.

§ 2. The entrance into possession is to take place according to the forms prescribed by law, in the presence and with the co-operation of valuers, three to be selected by

each party to this indenture, the said valuers to draw up an inventory or schedule containing the description and value of all and singular objects belonging to the said tenement, the value set in the said inventory to be estimated, not according to the actual trade or market price of any single article, but according to the relative or worth for farming purposes of each.

The object of the said contracting parties being that the said tenant should be obliged to replace, irrespectively of any losses or casualties whatever, and to restore to the said owner the farm and all live stock, the same in quality and quantity as he has received into his possession with the tenement; but that he may at the same time be credited, at the expiration of the lease, with any surplus of one kind of stock, as making up for any insufficiency of another sort, provided the sum total of the values be the same on leaving as on taking possession of the said farm.

The owner has a right, and is moreover bound to accept all surplus of stock, paying for the same, whilst the tenant dare not remove any such surplus from the premises, and is of course liable to make good any deficiency in the sum total of the value of the same.

§ 3. The rent to be paid by equal quarterly payments on the following days—24th September, 24th December, 24th March, and 24th June, — thalers each time; and if the rent shall be in arrear for the space of eight days after any of the said days, the landlord to have a right to demand and apply for immediate ejectment. All arrears have to be paid, notwithstanding such ejectment, and the tenant thus ejected to have no further claim to compensation for the time the lease had to run, or for any farming arrangements or preparations likely to become productive.

§ 4. The tenant covenants and agrees to pay all existing and future ordinary and extraordinary taxes or imposts, under whatever designation, and without any exception; and also all billeting and war charges, contributions in kind or money, and all warlike levies, military requisitions and transport services; he must also pay all precautions taken against the enemy, seizures, fines, and the like; even moneys paid to the enemy on account of rent cannot be charged to the landlord, but must be borne by the tenant; and the only expenses he can charge to the owner's account are those incurred for constructions ordered by the Government; but roadmaking is an exception to this last clause, and is to be at the tenant's expense.

§ 5. No kind of guarantee of whatever description, other than those specially covenanted for in this indenture, can be claimed by the tenant.

§ 6. The tenant has no right to any kind of compensation by reason of casualties, such as loss of live-stock by contagion or fire, and remains bound to replace the same notwithstanding; he is not entitled to any remission of rent on account of any losses arising by failure of crops, hurricanes, hailstones, mice, locusts, inundations, by war or fire, and must bear the risk of any of these calamities and those arising out of hostilities, even though by them the estate itself ("die substanz") should happen to be affected.

§ 7. Any building decaying on the farm during the lease must be replaced by the landlord, the tenant supplying all the necessary unskilled labour of men, and the horses ("hand und spaunndieuste"). All repairs must likewise be done by the tenant, in so far as skilled workmen may be dispensed with for the purpose. Thatching of roofs, the pasting of partitions with clay, the preparing of threshing-floors and the like, are not to be considered as requiring skilled labour.

§ 8. If the lease should cease within the time assigned by this indenture, without the fault of either of the contracting parties, the tenant will be entitled to a compensation of thalers for every year of the lease remaining till its final expiration; and this sum shall be considered as a full and sufficient indemnity for all improvements or beneficial investments.

§ 9. The tenancy to cease before the expiration of the lease in the following cases:—

1. On the application of the owner whenever the rent has not been paid within eight days of the time appointed for payment. The tenant having no claim in such a case for expected profits out of the harvest next following, but being himself still liable for any deficiency if caused by his negligence.

2. On application of either party when the estate is sold, either privately or in court, or when mortgages are foreclosed, or the revenues of the estate are distressed by creditors; but in all such cases the lease to run to the end of the farming year then commenced, and with four weeks' notice for removal.

A declaration of war not to affect the lease in any way.

§ 10. On surrendering the estate at the termination of the lease three valuers to be appointed again by each party, and a choice between them to be effected by drawing lots; the Judge supplying another in the place of any valuer refusing to serve after eight days' notice.

The said valuers have to pronounce on the following items:—

1. Deficiency or surplus of acreage under crops, calculating the value of seed according to the official market prices at seed-time, and at the rate of 6*d.* (5 silver-groschen) per acre for the labour of cattle, and 1*d.* (6 pfennings) for sowing. If potatoes or other digging roots have been planted, and all labour connected with them is completed, the digging is to be calculated at 4*s.* 6*d.* (1½ thaler) per acre.

2. The difference as to the quantities of manured and ploughed acres.

Labour with cattle per acre 6*d.* The manured acres 6*s.* each first year, 3*s.* in the second, and 1*s.* 6*d.* in the third year, and not to be taken into account after that; no difference is to be made respecting the kind of manure used, but for marl 3*s.* per acre will be credited in whatever year the manuring took place.

3. Besides the above the tenant has to pay at the rate of 6*s.* for every acre less under crops, and is entitled to compensation at the rate of 2*s.* for every acre more.

As regards the repairs of farm buildings which the tenant may have neglected to effect, these are to be estimated by proper appraisers; the labour of farm servants is not to be taken into account, not having been employed at the proper time, but the building materials found on the estate which have been spared may be deducted from the estimated loss.

§ 11. The sum of _____ thalers shall be placed in the hands of the landlord as security on the part of the tenant for the performance of all the engagements of this covenant. No interest is to accrue on this sum, but the capital is to be repaid, except as much as is necessary to reimburse the owner for his claims. The landlord gives a guarantee to the tenant on the estate for this sum and for the performance of his part of the covenant, and he consents to the lease being inserted with such guarantee in the Register of Hypothec.

No right is given to the tenant to remain in possession after the expiration of this lease.

§ 13. The stamp duty and expenses of valuation, in and out of possession, are to be defrayed by the tenant; the expenses of entrance into possession are to be borne by the landlord; the cost of the contract is to be divided between the parties.

Signed and executed &c.,

Dated at _____ this _____ 18 .

Inclosure 5 in No. 8.

Form of a Written Agreement or Lease for Letting Open Lands as practised in Silesia.

(Translation from the German.)

THE agency for Count Stolberg's entailed estates, Kreppelhof, &c., represented by Mr. _____ on the one hand, and N. N. on the other hand, have agreed to the following lease:—

The above named agency hereby lease out of the farm N., attached to the estate, a quantity of open lands, inserted in the register as containing _____ acres _____ perches, for the term of six years, *i.e.*, from _____, 18—, to _____, 18—, in consideration of an annual rent of _____ thalers, payable half yearly in advance.

§ 2. The leased lands having been duly pointed out to the tenant, he hereby expressly renounces all legal or extra legal claims to any reduction of rent in future.

§ 3. In case of any arrears of rent remaining unpaid, the agency can distress the growing crops of the tenant for the same without requiring the assistance of judicial proceedings; the lease also expires *ipso facto* in such case without any compensation being due to the tenant, who is, moreover, liable with his entire property for any payment still due from him.

§ 4. The said open lands are leased in proper condition as to cultivation and manuring, and must be restored likewise in such a state. The meadow land must not be ploughed up.

§ 5. Both the contracting parties renounce every interpretation contrary to the stipulations of the present indenture, which has been duly agreed upon, signed, and executed by them, in duplicate, at Kreppelhof this _____, 18—.

(Signatures.)

Inclosure 6 in No. 8.

Report by Consul White on Peasant Properties in the Province of Upper Silesia.

OF the three sub-divisions of Silesia, that of Oppelu, or Upper Silesia, does not differ much from either of the two others as regards its area or the number of its inhabitants, but it has other distinctive characteristics.

The ratio of its increasing population is greater than anywhere else in Silesia, the religious creed of the inhabitants is principally Roman Catholic, the purely Slavonic element in the rural districts is still very strongly represented, and the proximity of provinces peopled by the same race in Austria and Poland give to this district quite a distinct aspect.

But the chief peculiar features of the tract of country, which would almost justify for it the denomination of Black Country, are its extensive coal-pits and the variety of rich mineral ores, which have made the district a most valuable possession to the Prussian Crown; have fostered the existence of new industries, have contributed to raise very high the value of land, and have finally stimulated every trade, every employment, every undertaking within its borders.

Population.—The civil population of this district in the last census, in December, 1867, was 1,227,781 inhabitants, of whom 192,443 belonged to the urban, and 1,035,338 to the rural population.

The increase of the latter had been as follows:—

1,480 inhabitants in 1858 to each 1,000 in 1831.

From 1858 to 1864 the increase had been at the rate of 1.76 annually to each 100 inhabitants.

From 1865 to 1867 the per-centage of increase had only been 1.069 a-year.

For the entire population (urban and rural) the increase will appear from the following Table:—

Inhabitants in Upper Silesia.							
1816	..	..	..	1,000	1849	..	1,840
1822	..	..	..	1,176	1858	..	2,020
1831	..	..	..	1,391	1864	..	2,253
1840	..	..	..	1,726	1867	..	2,365

The density of population varies much, the average being for the entire district 240 to an English square mile; but whilst some, more especially agricultural localities, have only 168, the circuit of Beuthen, with its industrial activity, is one of the most densely populated, and has 660 inhabitants to a mile.

There are three acres to each inhabitant in the rural portion of the district.

Religions.—As to religion, there were in 1864:—

Evangelical Protestants	..	..	..	..	..	..	109,052
Roman Catholics	..	..	..	..	..	..	10,051,877
Of the Jewish religion	..	..	..	..	..	..	21,342
Of various denominations	..	..	..	..	..	..	110
							1,182,381

Or a per-centage of 89.1 of Roman Catholics to 9.1 Protestants and 1.8 Hebrews.

It appears, further, that the Polish and Slavonic nationality was distinctly preserved by 717,000 inhabitants of that race in the year 1861, thus leaving the German element still in the minority.

Notwithstanding the industrial activity of the district, its agricultural character is still very prominent and important, and this is chiefly owing to the fact that the numerous class of freeholders apply themselves to both pursuits at the same time.

The number of persons employed exclusively in the various mines and factories is variously estimated, nor is it possible to draw a line where the two occupations are carried on by members of the same family, who devote their time alternately to industry, handicrafts, or farming.

The number of persons in agriculture is returned at 652,371, a larger figure than in either of the two subdivisions of Silesia, and, including proprietors, their families, labourers, and farm-servants of both sexes.

Among proprietors, 60,144 make farming their sole occupation, whilst 25,015 hold some auxiliary trade or industry. Further particulars may be found below in table I.

There are forty towns in the district with an area of 166,915 Prussian morgen, part of which is corporate property, and part is owned by the inhabitants.

The return of the holdings in these towns, as to their various sizes, gives the following average:—

Above 600 morgen	..	..	..	..	..	..	19
Below 600 morgen, but above 300	..	..	..	..	..	..	18
Below 300	..	80	..	..	..	..	696
Below 80	..	5	..	..	..	..	2,825
Under 5 morgen	..	..	..	..	..	..	3,708
Total							7,266

In another official return, the number of these freehold properties within municipal boundaries, is stated at 9,249; but it is known that some proprietors own several patches of land, and, with a view to arrive nearer to an approximate estimate of the actual number of proprietors, most German writers on statistics exclude altogether from their tables non-resident owners (forensen). This has its advantages, but cannot always be adhered to without conveying an inaccurate impression of some localities. Thus within this district, there is a town called Katscher, with 1,350 inhabitants, and an area of 2,716 morgen, in which only 1,826 are owned by sixty-two resident burgesses, whilst the remainder 890 morgen is the property of peasants living in the adjoining villages, and would have to be left out entirely, if no notice was taken of non-resident owners.

The largest holding in this little town consists of 160 morgen (101 acres), the smallest of three morgen, not quite two acres.

As there are 2,025 owners of holdings returned in these towns as residing elsewhere, the number of 7,224 is given generally as to proprietors of land in them; and, moreover, 4,849 are stated to own cottages without land attached to them.

The urban population of Upper Silesia is 192,443 civilians; or to 100 of these there is 6.2 freeholds, and a per centage of 3.75 of persons owning land. But it must be observed that most of these persons are either artisans or tradesmen at the same time.

The population of the above towns is not large, not one of them having 20,000 inhabitants: Neisse has 19,000; Ratibor, 14,554; Beuthen, 14,517; three (Oppeln, Gleiwitz, and Leobschütz) have between 10,000 and 12,000 inhabitants; Neustadt has nearly 9,000 inhabitants; and thirty-three have an average population of 3,100; the largest being at Tarnowitz, 6,377, and the smallest, 1,016, at Sosnoirtz (Kieferstädtel).

The area of Upper Silesia consists of 5,095.8 English square miles (239.7 geographical square miles), or 3,261,358 English acres. The different kinds of land, and their respective per-centage of acreage, are given in Tables III and IV.

The property (omitting highways, canals, &c.) is distributed as follows within the district:—

AVERAGE of various kinds of Property in Upper Silesia.

						Prussian Morgen.
Crown property, including forests	..	..	..	..	..	853,222
Private property of Royal Princes	..	..	..	..	..	37,532
Corporate property of all kinds	..	..	..	..	..	151,265
Private property situate within municipal boundaries	..	..	..	..	..	115,934
Entailed baronies and estates	..	..	..	..	..	766,858
Gentlemen's estates, not entailed	..	..	..	..	..	1,474,054
Rural property owned by peasants	..	..	..	..	..	2,058,950
						<u>5,057,810</u>

The different kinds of land in the district, and their per-centage to the entire area, will be given in the following Tables III and IV.

In Tables I and II are given the existing statistical data on the subject of persons engaged in agriculture, and in what capacity, of the number of landed properties returned separately in towns, on estates and in communes, consisting of peasant holdings, with the acreage of each class (Table II). In this table I have likewise inserted the number of peasant proprietors working with cattle or horses, or without either, as supplied by the official returns collected in 1859.

With a view of giving a more detailed account of the different properties, a table (V.) is reproduced from official sources, giving the five different dimensions of all kinds of properties within the district, separating those situated within municipal boundaries from the rural ones. Those under columns 4 and 5 include the property of the gentry as well as of peasants, those in the three first columns of Table V give the following relative proportions:—

PER-CENTAGE of Peasant Holdings in Upper Silesia.

All Holdings under 300 Morgen (190 Acres.)			Total.	Number of large Proprietors of Estates, in proportion to foregoing.
Proportion.				
Under 5 Morgen.	Above 5 and under 30 Morgen.	Above 30 and under 300 Morgen.		
363	447	190	1,000	6.8

(Table 1.)—OCCUPATIONS of the Rural Population in the Four Districts of Upper Silesia, stating the Numbers employed in each, also those among them owning Lands or Cottages.

Name of District.	Rural Population, Census of 1867.	Engaged in Agriculture.										Peasant Properties.					
		Total No. of Persons.	Exclusively.			As an Auxiliary Employment.			Stewards, Agents, &c.	Female House-keepers.	Farm Servants.		Labourers.		Residing on their Holdings.	Living away from their Land.	Owning Cottages only.
			Owners.	Tenants.	Families.	Owners.	Tenants.	Families.			Male.	Female.	Male.	Female.			
1. Oppeln, Kreuzburg, Rosenberg, Strelitz ..	211,150	137,484	12,058	224	65,644	5,145	257	26,154	561	114	6,540	6,308	6,793	7,686	18,476	3,728	4,236
2. Beuthen, Gleiwitz, Lublinitz, Pless ..	339,237	172,604	15,758	492	84,341	6,512	637	30,267	737	115	8,283	8,085	7,966	9,411	20,993	1,782	5,129
3. Ratibor, Rybink, Cosel, Leobschütz ..	278,824	196,454	16,773	311	95,157	8,578	424	39,157	733	119	7,340	8,413	9,683	9,766	29,270	6,753	7,452
4. Grotthan, Neisse, Neustadt, and Falkenberg ..	206,127	145,829	15,555	169	73,591	4,780	265	20,288	560	128	7,473	8,788	6,638	7,594	20,941	4,533	3,911
Total	1,035,338	652,371	60,144	1,196	318,733	25,015	1,583	115,866	2,591	496	29,636	31,594	31,080	34,457	89,680	16,796	20,728

(Table 2.)—DISTRIBUTION of Lands in Four Districts of Upper Silesia among Towns, Large Landowners, and Peasant Proprietors, giving the Numbers of each, and dividing the latter into Two Classes, as they employ Horses or Cattle for Tillage, or are unable to do so.

District.	Total Area.		Townships.			Estates and Manors.			Peasant Villages.			Peasant Properties.			
	English Acres.	Prussian Morgen.	Towns.	Land in Towns.	Holdings.	Area.	Estates.	Knights' Estates.	Area.	Village Communes.	Peasant Holdings.	Employing Cattle for Tillage,		Not able to employ Cattle.	
				Morgen.	No.	Morgen.	No.		Morgen.		No.	Morgen.	No.	Morgen.	No.
1. Oppeln, Kreuzburg, Rosenberg, Strelitz ..	933,322	1,479,881	10	38,277	1,682	899,152	232	162	542,681	428	22,204	297,278	7,788	60,053	10,448
2. Beuthen, Gleiwitz, Lublinitz, Pless ..	918,420	1,457,994	11	49,362	2,525	914,164	301	251	496,872	406	22,775	266,766	8,446	57,443	12,100
3. Ratibor, Rybink, Cosel, Leobschütz ..	759,242	1,202,296	9	43,500	2,468	520,176	624	240	640,192	455	36,023	349,708	9,288	80,085	19,278
4. Grotthan, Neisse, Neustadt, and Falkenberg ..	650,374	1,029,625	10	35,776	2,674	385,125	402	243	609,365	399	25,474	384,614	7,889	67,036	14,363
Total	3,261,358	5,169,796	40	166,915	9,249	2,718,617	1,589	896	2,289,110	1,688	106,476	1,298,366	33,411	264,617	56,189

(Table 3.)—DISTRIBUTION of every kind of Cultivated and Uncultivated Land in the Districts of Upper Silesia, stating quantities of each in Prussian Morgen.

Districts.	Total Area.			Uncultivated.					Premises including adjoining Gardens.	Cultivated Lands.					
	Geographical Square Miles.	English Square Miles.	Prussian Morgen.	Water.	High- and Water-ways.	Waste.	Not capable of Cultivation.	Total.		Garden Land.	Tilled Land.	Meadows.	Pasture Land.	Woods and Plantations.	Total.
1. Oppeln, Kreuzburg, Rosenberg, Strelitz ..	68·6	1,458·3	1,479,881	6,885	35,439	4,228	378	46,930	14,552	3,396	674,076	105,772	39,305	595,850	1,418,399
2. Beuthen, Gleiwitz, Lublinitz, Pless ..	67·5	1,435·0	1,457,994	11,706	31,918	3,758	772	48,154	19,354	4,097	654,550	119,981	48,971	562,890	1,390,486
3. Ratibor, Rybink, Cosel, Leobschütz ..	55·8	1,186·3	1,202,296	6,539	31,776	1,238	163	39,716	23,044	4,580	780,681	76,948	20,434	256,893	1,139,536
4. Grotthan, Neisse, Neustadt, and Falkenberg ..	47·8	1,016·2	1,029,625	6,155	27,636	931	71	34,793	15,968	6,833	689,402	90,208	6,736	185,685	978,864
Total.	239·7	5,095·8	5,169,796	31,285	126,769	10,155	1,384	169,593	72,918	18,903	2,798,709	392,909	115,446	1,601,318	4,927,383

(Table 4.)—PER-CENTAGE of Acreage of the various kinds of Land in the Districts of Upper Silesia.

District.	Total Area.		Land for Tillage.	Gardens.	Meadows.	Pasture.	Woods and Plantations.	Total Cultivated.	Premises.	Total Uncultivated.
	Square Miles.	Acres.								
1. Oppeln, Kreuzburg, Rosenberg, Strelitz ..	68·6	933,322	48·6	0·2	7·3	2·5	37·3	95·9	1·0	3·1
2. Beuthen, Gleiwitz, Lublinitz, Pless ..	67·5	918,420	45·3	0·3	8·0	3·4	38·3	95·3	1·4	3·3
3. Ratibor, Rybink, Cosel, Leobschütz ..	55·8	759,242	65·6	0·4	6·3	1·6	20·9	94·8	1·9	3·3
4. Grotthan, Neisse, Neustadt, and Falkenberg ..	47·8	650,374	66·9	0·6	8·9	0·6	18·0	95·0	1·5	3·5
Average for Total ..	5,095·8	3,261,358	56·6	0·38	7·6	2·02	28·6	95·2	1·5	3·3
Average according to M. Meitren ..	..	..	54·1	0·4	7·6	2·2	31·0	95·3	1·4	3·3

(Table 5).—STATEMENT of Peasant Holdings of different Dimensions in the District of Upper Silesia, distinguishing Rural and Urban portions, according to their sizes.

District.	Under 5 Morgen.	Above 5 and under 30 Morgen.	Above 30 and under 300 Morgen.	Above 300 and under 600 Morgen.	Above 600 Morgen.	Total.
1. Oppeln, Kreuzburg, Rosenberg, Strelitz	4,003	8,708	3,702	39	188	16,638
2. Beuthen, Gleiwitz, Lublinitz, Pless ..	4,969	10,210	2,660	61	234	18,134
3. Ratibor, Rybink, Cosel, Leobschütz ..	11,355	10,028	4,166	72	198	25,819
4. Grotthau, Neisse, Neustadt, Falkenberg .	9,105	8,973	6,291	68	173	24,610
Total in rural portions	29,432	37,919	16,819	239	793	85,201
Holdings situate within townships. ..	3,708	2,825	696	18	19	7,266
Total for entire sub-division	33,140	40,744	17,515	256	812	92,467

By way of showing the practical working of the system of land properties in this part of Silesia, I have considered it necessary to give a summary description of a few districts included in the foregoing Tables, and illustrating, as far as possible, the numerical results which are stated there.

I shall begin with the circuit of Oppeln, which is included in the first sub-division, and which has given its name to the entire district of Upper Silesia, as its principal town, Oppeln, is the residence of the Government authorities for that district.

Oppeln.—The area of this circuit is 550 English square miles (25·9 geographical square miles) with a proportion of 88,364 in the rural portion, and 11,004 and 2,507 in the two towns. The area of the latter is only 4,070 acres, whilst that of the former is 348,330 acres. Of the total population, 98,875, 85·7 per cent. are Roman Catholics, 1·3 are Hebrew, and the remaining 13 per cent. are Protestants.

The density of population for the entire circuit is only 178·8 persons to a square (English) mile, which is low for this part of Silesia, though the rate of increase of population is fully an average one, but this is explained by the large tract of forests still in existence.

The woods and plantations constitute 45·9 per cent. of the total acreage; tilled land only 38·6 per cent; grass lands 11·1, so that there are nearly two acres to each inhabitant if the land under forest is not taken into account.

As regards industries, there is a number of weavers in flax and cotton in one locality, and iron-works in another; there are four glass-works and a good many flour-mills; two of these are worked by steam. 14,651 persons are returned as employed in industries, trade, and handicrafts.

The property of this circuit is distributed as follows:—

The Crown holds 148,586 acres, of which 94 per cent. consists of forests.

Three large estates, viz.: Karlsruhe, Turawa, and Krappitz, holding, together, 33,000 acres, are entailed property, whilst 4,000 acres are either glebe lands or the property of corporations; about 8,000 acres are in the hands of a dozen gentlemen, under the denomination of manors and estates, whilst 43 per cent. of the entire area of the circuit are divided into 139 village communes or parishes, and these constitute the peasant properties in the circuit.

The number of persons owning land employed solely in agriculture is given at 4,811; of those having some auxiliary occupation, at 2361.

The number of owners of land is returned at 2,918 peasants employing horses or cattle for tillage, and at 5,076 of those who employ neither.

The number of peasant proprietors residing on their holdings is stated at 8,681, which gives a much larger number than the two foregoing ones.

Lastly, the following Table of the different sizes of peasant holdings within the circuit is extracted from official sources, and includes those in towns:—

Prussian Morgen.	Number of Holdings.	Total Acreage in Prussian Morgen.	Average Size in Prussian Morgen.
Upwards of 600	20	19,281	964
Above 300 under 600	9	4,177	464
" 30 " 300	1,556	129,084	82
" 5 " 30	3,641	82,467	22
Below five morgen	2,127	6,081	28
Total	7,353	241,090	..

It would be no use endeavouring to reconcile these differences in the number of peasant proprietors, as they all proceed from reliable sources, and do not appear so

striking in the general statistics when the differences in the totals are not so considerable.

One thing appears certain, that whilst so large an area of this circuit is in the hands of the peasant proprietors, there are two-thirds of these, or about 5,000, who are unable to employ even cows for tillage, and are therefore disadvantageously situated. The position of this class deserves further researches, and I think I cannot do better than by giving some statistics and facts of a more minute character, throwing light upon the subject.

The origin of many of these small holdings may be traced to the reign of Frederic II. of Prussia, who, after becoming Master of Silesia, was desirous to strengthen in that province the German and Protestant element, and from 1770 to 1774 His Majesty adopted various measures with a view to induce immigrants of that description to settle on Crown lands, mostly in the midst of forests. They obtained holdings consisting of 12 morgen, land for tillage, 4 morgen grass land, and 1 morgen for a garden and premises, and, moreover, pecuniary assistance was given them. As this plan did not make sufficient progress, the religious distinction was gradually dropped. Landowners were even encouraged by a bounty to introduce new settlers as proprietors on a similar system on their estates, and the result has been that there are thirty-six hamlets of this kind, and dating their existence from that time in the circuit of Oppeln at present.

I shall attempt to give an account of a few of them:—

Grabchock, 16 miles from Oppeln, in the midst of royal forests; 292 inhabitants (of these 279 Roman Catholics); 42 inhabited houses; 480 morgen (303 acres); sandy, damp soil.

Live stock:—8 horses, 20 oxen, 70 cows, 30 young cattle, 6 swine.

22 owners of land, 4 of cottages only, 15 lodgers.

Murow, 18 miles from Oppeln; proximity to glass-works; 544 inhabitants (422 Roman Catholics, 115 Protestants, 7 Jews); 41 inhabited houses; 290 morgen (187 acres); a poor soil.

Live stock—14 horses, 6 oxen, 82 cows, 15 calves, and 12 swine.

Owners—11 gardeners, 5 cottiers with land, 25 without, and 40 hedgers.

Passing to another part of the circuit we find—

Munchausen, a hamlet, twenty miles from Oppeln, founded in 1774. The settlers obtained each a gift of 12 morgen arable land, 4 of meadow, and 1 morgen for garden and premises. The soil is sandy. A further grant of land was bestowed on them, so that each holding consists at the present day of 28 morgen and a fraction (18 acres). There are now eighteen proprietors, three cottiers, one of them with land, and thirteen lodgers; 201 inhabitants, of whom 122 are Protestants.

The land does not afford a sufficient subsistence to the owners, and they have to go out as labourers to the adjoining forests, or to work as weavers or shoemakers at home.

Friedrichgratz, a colony of Tchekh Protestant refugees, 18 miles from Oppeln, established in 1752 by Frederick the Great, and patronized by that King. Population, 1,313; of whom only 22 are not Protestants. The soil is poor, and the owners have to work at various handicrafts. There are 42 shoemakers and 136 handloom weavers in the village, which contains 189 inhabited houses. The land consists of 2,368 morgen arable land, and 1,400 morgen forest and common pasture, and is divided into 97 holdings of 23 morgen (about 14½ acres) each, which are owned at present as follows:—1 proprietor has 3 holdings; 6, have two each; 1, has 1½; 75, have 1 each; 11, have half a holding each.

If we go into the large villages, most of them of very ancient origin, we find a number of prosperous peasants in them with large properties, and a certain number of smaller ones, or of cottiers by their side, all freeholders.

Gross Schimnitz, 8 miles from Oppeln, 680 inhabitants (666 Roman Catholics, 8 Jews), 67 inhabited houses, area 2,512 morgen, distributed as follows:—2,000 morgen arable land; 28, premises; 62, roads, &c.; 65 garden land; 60, meadows; 109 pasture; 188, wood.

Proprietors—24 peasant proprietors; 65 gardeners' allotments; 27 cottiers, of whom 7 have some land.

Quantities of land held by each not stated.

There are two mills in the village, two blacksmiths, and seven shops.

Live stock, 83 horses, 15 foals, 1 bull, 16 oxen, 176 cows, 58 young cattle, and 109 swine.

The breed of cattle is pretty good, and may be contrasted favourably with that of the circuit, which is generally not of the best. The old triennial system of rotation is still adhered to by the farmers, with certain modifications.

Having been told that the Village of Sackran or Zackrow, near Oppeln, was considered a good specimen of a village presenting a favourable view of peasant ownership, both as regards farm-buildings and cultivation, I determined to devote a day to visit it. I found, in reality, that the 9 peasant proprietors who own land here are in a condition of prosperity; they are of Slavonic origin, and speak Polish; their holdings are not all of the same size. There are 1,100 morgen of land, of which they have the largest share; but there exist, moreover, in the village, 15 smaller holdings and 9 cottiers with land; the total population consists of 482 inhabitants. The live stock of the peasant consists of 62 horses, 50 oxen, 90 cows, 60 young horned cattle, and 60 swine.

A few years ago, 700 morgen of common were divided among the proprietors, under the Law for the Cessation of Commons, &c.; each peasant obtained 56 morgen, the smaller holders receiving a proportional share of the remainder. One of the peasant proprietors whom I visited told me that he had purchased the property from his own father, during his lifetime, to avoid any division at his death; that the property consisted then of 106 morgen, for which he paid, including stock, 1,500 thalers; that his brother and sister were paid their shares of the proceeds at the demise of the father. He further told me that he had since added to his property 18 morgen by purchase, and had had his share of the common; that the latter arrangement had been at first unpalatable to him, but that he had since seen the advantages of stall-feeding of cattle in preference to grazing on a common.

The habit of settling a holding in this way by the parents on one of their children by preference, I have fully described in my general Report. I have had sufficient opportunities to convince me that it prevails very generally in the provinces visited by me.

Kreuzburg and Rosenberg.—The two districts of Kreuzburg and Rosenberg, which are both of them included in the 1st district of this subdivision, have this peculiarity about them, that they have a very considerable proportion of middle-sized holdings, between 50 and 60 per cent., and also that more than one-fifth of the peasant properties belong to the larger kind, whilst a smaller proportion of small holdings under 3-16 acres, are to be met with than is the case in most of the circuits of Silesia.

The acreage of lands under forest is 45·7 in Rosenberg, and 17·6 per cent. in Kreuzburg; whilst that of tillage is 40·8 and 60·3 respectively in each.

The breed of cattle on peasant properties I have found to be inferior in these parts of Silesia to what I had seen in the neighbourhood of Glogau.

It is in the neighbourhood of the small agricultural townships that the largest number of smaller holdings is to be found, whilst the villages farther off from these are almost generally divided into larger possessions.

Thus, in the vicinity of Kreuzburg (a township with 4,600 inhabitants), the estate of Ellguth was sold in lots to peasants in 1854; in the adjoining village (bearing the same name as the estate), there are 18 larger and 18 smaller peasant properties, besides 12 cottiers and a shop, with a total area of 925 morgen arable land and 207 morgen meadow.

In the hamlet of Sophienthal, there are 10 proprietors owning 10 morgen land for tillage, and 5 of grass land each.

At Ober Ellguth 700 morgen were divided between twelve peasant proprietors and ten gardeners' allotments; at present there are fifty-four persons owning various portions of the same area.

At Burtülschütz, a village near Constadt, there are ten owners of small allotments, of which the largest consists of 13½ morgen, the smallest of 2½ only. Of nine cottiers residing here, only one holds 2½ morgen, the others own only habitations.

In the village of Simmenan, there are seventy-five owners of land, the largest possession consisting of 40 morgen, the smallest of four. A century ago it appears there existed eleven peasant properties of more considerable dimensions, which have thus dwindled away. The last so called peasant holding, "Banerhof," was subdivided in 1833. The entire area of the village is 1,200 morgen; the present number of inhabitants 1,352; of habitations 109.

The circuit of Rosenberg presents great similarities with the foregoing, and both of them contain a very small number of industries, and are farming districts almost exclusively.

Beuthen.—In contrast to these is the circuit of Beuthen, included in the second district of the present Report, and the focus of Silesian mining industry. Here we have the most rapid increase in population, and the greatest density, viz., 660 inhabitants to an English mile. Here also the position of farming to industry is

inverted, the former becoming the auxiliary occupation for all, even on middle-sized farms, where horses are frequently employed to carry loads from a coal pit in the vicinity, and to earn money in diverse ways. This accounts for the large number of horses in this circuit, viz., 23 to a square mile.

The area of the circuit is 291 English miles, the rural population 160,000, and the urban, in four towns, 32,000, and it would be quite beyond the scope of this Report to attempt to give a sketch of the great industrial activity that prevails within its limits.

One half of the soil is under tillage. Of an area of 186,000 acres 77,000 are the property of two branches of the family of Count Henckel von Donnersmark, and about 20,000 acres more are in the hands of proprietors of estates, whilst 67,600 acres constitute the peasant property of the circuit.

On this last area there were, in 1859, 487 owning more than 19·1 acres, 2,702 more than 3·16 and less than 19·1 acres, and 2,052 less than 3·16 acres. Whilst the number of persons owning land within municipal boundaries was 356 on an area of 7,000 acres.

Without possessing any precise data it may be assumed that one-half of the lands belonging to the villages are the property of larger holders, thus giving an average of nearly 70 acres to each such proprietor, and 11 acres and 2 acres as an average of each of the other two classes of middle-sized and small freeholders.

Of course the production of all these holdings is especially adapted to the requirements of the numerous population of workmen in the mines and coal-pits; eggs, butter, milk, and vegetables, are all in great demand, and the circuit does not produce enough corn for its own consumption. The habits of the people, likewise, are naturally affected by contact with a numerous class differently employed; it is worth observing, however, that out of a population of 160,000 rural inhabitants, 37,000 are more or less engaged in agriculture.

Leobschütz.—In the third district referred to in the tables is included the circuit of Leobschütz, containing some of the best soil in Upper Silesia, 170,000 acres (of which 12,650 belongs to three towns), with only 5 per cent. forest, 4 per cent grass land, and a very large acreage, i.e., 85·8 per cent. under tillage.

The population of this circuit amounted in 1867 to 80,581 persons, of whom 91·6 are Roman Catholics.

The rural portion of the circuit contained 64,747 civilian inhabitants, and therefore 2·47 acres to each.

I have considered this circuit as worth describing more minutely as it is situated under most favourable circumstances for farming, and not only does agriculture constitute its principal occupation, but, for some reason for which I am not able to account, the former estates of the gentry have most of them disappeared, and peasant properties are to be found in their stead. It would appear that on some properties this happened fifty years ago, and that the industry and economy of the peasant class have enabled them to make great advances in this direction, and by availing themselves of every opportunity of obtaining the ownership of deeply mortgaged estates, they have had occasion to satisfy that craving for ownership which is innate in the Silesian peasant.

In the mean time the husbandry of the remaining estates has been very much improved, and I was assured that further subdivision in this direction was not likely to take place. About 12 per cent. of the entire area constitutes all that is left to those who have inherited the position of former landlords, 7 per cent. are under towns, and 80 per cent. of the soil is in the hands of peasant owners.

Of the thirty-one seigneurial estates recorded in the statistical works on Prussia, as existing in this circuit, four, I understand, have been expunged since from the register ("Matrikel"), and a few manors remain with any demesne of those still having lands. Four hold together 4,878 morgen; two, upwards of 6,000; four, about 2,000 each; four, above 1,000; four, 600; and four, 300: total, 22 estates.

In ancient times the peasants doing service to each estate held from 30 to 180 morgen land, and were denominated occupiers of full holdings of three-fourths, one-half, and one-fourth peasant holdings according to the size of these.

Those who discharged certain special functions were called "Erbrichter," and held from 100 to 300 morgen. There were also in olden time gardeners' allotments of 10 to 15 morgen each, and cottiers with a small garden attached to the house, or with none at all.

These denominations vary in different localities, but this state of peasant tenures was the same all over the provinces. By a careful compilation from minute statistics

of this circuit I find that at the present day the following number of properties are still designated by these old-fashioned names in ninety-one villages and hamlets:—24 "Erbrichter" holdings; 563 peasant holdings; 51 partial peasant holdings; 1,692 gardeners' allotments; and 1,187 cottiers with small patches of land: total, 3,517.

The mode in which this subdivision of estates was carried out was the following:—An association of some peasants was formed, the purchase was effected, and the fields were at first cultivated for joint account, but ultimately were partly detached by those among the new owners who had their own adjoining; partly were made into lots and sold. The manor itself was at last sold to some bidder, curtailed of its possessions.

It must be expected that peasants who had reached the position of purchasers of fresh land must have had the command of capital, and their houses and farm buildings show evidence of substantial prosperity; the increase of livestock in the circuit may be also adduced as a trustworthy criterion.

Number of Live Stock in the Circuit of Leobschütz.

	1819.	1831.	1864.
Horses.. .. .	6,593	5,835	8,719
Horned cattle	14,842	14,424	26,702
Sheep	45,246	50,860	40,716
Swine	Not stated.	Not stated.	6,697

The following data in illustration of the facts adduced speak for themselves:—

Groebing, formerly an estate, was sold to peasants in 1861; area, 7335 morgen, good farming; live stock, 228 horses, 597 cows, 5 bulls, 117 calves, 453 sheep; the former residence of the lord of the manor turned into a public-house. Proprietors, 2 so-called "Erbrichter" farms, 53 peasant proprietors, 85 gardeners' holdings, 90 cottiers with allotments.

A hamlet, New Wiedeck, founded in 1776, is attached to the estate of Pommerowitz; area, 80 morgen; 24 owners of allotments; cattle, 28 head. Inhabitants go out as labourers.

Village, Damark; 24 gardeners' holdings and 29 cottiers' allotments; area, 246 morgen; live stock, 11 horses, 78 cows and 15 calves.

The village of Thomnitz consists of an area of only 60 morgen of good land, divided between 8 owners of allotments and 10 cottiers with land. These people go out as masons or carpenters to Poland.

Village Glaesen; 2068 morgen land, 175 morgen grass-land besides; very good soil; wheat, rapeseed, and barley grown; 21 peasant properties, 22 gardeners' holdings, 64 cottiers with small allotments; they live exclusively from their land. Two schools, 174 pupils.

The following short table has been prepared by me in further illustration of the state of a few villages in this circuit.

Name of Village.	Area.			Peasant Owners.					Total Population.
	Lands.	Meadow.	Pasture.	Large Farms.	Proprietors.	Gardeners.	Cottiers.	Total.	
Koeling ..	1,619	99	..	1	16	11	32	60	458
Dirschel ..	3,946	194	160	..	19	26	123	168	1,380
Ehrenberg ..	579	..	..	..	4	..	15	19	136
Roeswitz ..	3,811	148	180	..	29	51	66	146	1,036
Branitz ..	1,038	..	..	..	12	21	46	79	1,860
Bleischwitz ..	3,474	230	309	..	32	..	77	109	1,158

A hamlet of the name of New Katscher, near the town of that name, consists of 39 morgen (24½ acres), purchased from a neighbouring estate for the construction of 50 labourers' cottages, with small gardens attached to them. Some of these are still in debt for part of the purchase money, and pay 5 per cent. per annum for what remains due.

Conclusion.—Upper Silesia.—This district contains a fewer number of small holdings than other parts of Silesia, and still I was told by the President Viebahn, a good authority, that there are twelve villages where the owners are not provided with working cattle; on the whole, however, the differences between the state of things between one village or another are local and not provincial, and I have endeavoured to give in this portion of my Report as minute statistics as I could obtain.

British Consulate, Dantzic, December 21, 1869.

Inclosure 7 in No. 8.

Statistical Tables, illustrating the preceding Reports on the Province of Upper Silesia.

(Table 1.)—OCCUPATIONS of the Rural Population in the District of the Hills of Lower Silesia, stating the Numbers in each, also those who own Land or Cottages.

Circuit.	Rural Population Census of 1867.	Engaged in Agriculture.											Peasant Proprietors.				
		Total number of Persons.	Exclusively.			As an Auxiliary Employment.			Stewards, Agents, &c.	Female House-keepers.	Farm Servants.		Labourers.		Residing on their Holdings.	Living away from their Land.	Owning Houses only.
			Owners of Land.	Tenants.	Families of Foregoing.	Owners of Land.	Tenants.	Families of Foregoing.			Male.	Female.	Male.	Female.			
Bolkenhain	29,203	18,017	1,576	30	5,939	1,280	16	4,240	96	26	1,705	1,195	1,067	847	No. 3,214	No. 288	No. 586
Hirschberg	47,616	20,693	1,724	46	6,439	1,884	80	6,607	30	23	1,203	1,103	985	572	4,613	569	2,616
Tauer	24,192	14,875	1,494	15	5,263	632	12	2,032	84	30	1,610	1,524	1,114	1,065	2,239	283	640
Landeshut	32,910	19,666	1,575	39	6,568	1,847	25	6,628	18	6	1,131	904	627	298	3,876	644	657
Loewenberg	55,623	39,563	4,039	94	14,692	2,418	261	8,812	44	26	2,372	2,402	1,860	1,543	8,024	1,192	3,419
Schoenan	24,937	15,137	1,326	36	5,130	1,068	50	3,314	45	13	1,247	1,075	959	874	2,612	406	1,162
Total	214,481	126,915	11,734	260	44,031	9,129	444	31,633	317	121	9,268	8,203	6,612	5,199	24,578	3,382	9,080

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(Table 2.)—DISTRIBUTION of Lands in the District of the Hills of Silesia, among Towns, Large Landowners, and Peasant Proprietors, giving the Numbers of each, and dividing the latter in Two Classes, as they employ Horses or Cattle for Tillage, or are unable to do so.

Circuit.	Total Area.		Townships.			Estates and Manors.			Peasant Villages.			Peasant Properties.			
	English Acres.	Prussian Morgen.	Towns.	Land in Towns.	Holdings.	Quantities of Land.	Total of Estates.	Knights' Estates.	Quantities.	Village Communes.	Peasant Holdings.	Employing Cattle for Tillage.		Not able to employ Cattle.	
												Morgen.	No.	Morgen.	No.
Bolkenhain	88,439	140,458	2	Morgen. 2,340	No. 187	P. Morgen. 52,520	No. 42	No. 35	P. Morgen. 85,679	57	Total. 3,502	Morgen. 45,104	No. 461	Morgen. 19,969	No. 3,026
Hirschberg	148,305	234,280	2	11,846	274	114,614	72	49	107,890	52	5,182	38,069	557	18,977	5,267
Tauer	80,276	128,216	1	5,291	112	53,479	39	36	69,605	48	2,522	42,923	420	13,367	2,576
Landeshut	97,963	155,637	3	7,012	392	39,325	22	14	109,320	57	4,520	59,842	798	18,977	4,045
Loewenberg	185,042	293,224	5	10,502	992	80,165	69	39	202,313	97	9,216	95,270	1,010	30,921	9,509
Schoenan	85,718	136,366	2	2,298	151	49,250	40	35	84,925	38	3,018	33,431	427	14,161	3,029
Total	685,743	1,088,401	15	39,589	2,108	389,353	287	208	659,732	349	27,960	311,639	3,667	116,372	27,615

(Table 3.)—DISTRIBUTION of every kind of Cultivated and Uncultivated Lands in the Hill District of Lower Silesia, stating quantities of each in Prussian Morgen.

Circuit.	Total Area.			Uncultivated.					Premises including adjoining Gardens.	Cultivated Lands.					
	Geographical Square Miles.	English Square Miles.	Prussian Morgen.	Water.	High- and Water-ways.	Waste.	Not capable of Cultivation.	Total.		Garden Land.	Tilled Land.	Meadows.	Pasture Land.	Woods and Plantations.	Total.
Bolkenhain	6·5	138·19	140,458	99	2,639	54	2	2,794	2,140	2,367	92,062	15,655	2,614	32,228	135,526
Hirschberg	10·9	231·73	234,280	1,340	3,650	237	161	5,388	4,468	848	81,007	25,168	2,657	114,744	224,424
Tauer	5·9	125·43	128,216	62	2,794	296	..	3,152	2,502	12,70	88,886	7,908	429	24,070	122,563
Landeshut	7·2	153·07	155,657	18	2,539	69	33	2,659	2,319	76	78,077	26,298	1,484	44,744	150,679
Loewenberg	13·6	289·13	293,224	591	5,576	79	1	6,247	6,829	3,938	155,370	28,937	3,990	87,913	280,148
Schoenau	6·3	133·93	136,566	160	2,711	19	29	2,919	2,301	1,990	70,338	17,481	3,085	38,453	131,347
Total	50·4	1071·48	1,088,401	2,270	19,909	754	226	23,159	20,559	10,489	555,840	121,447	14,259	342,652	1,044,687

(Table 4.)—PER-CENTAGE of Acreage of the various kinds of Land in the Hill District of Lower Silesia.

Name of Circuit (Kreis).	Area in English.		Land for Tillage.	Gardens.	Meadows.	Pasture.	Woods and Plantations.	Total Cultivated.	Premises.	Total Uncultivated.
	Square Miles.	Acres.								
Bolkenhain	138·19	88,439	58·5	1·7	11·1	1·9	23·3	96·5	1·5	2·0
Hirschberg	231·73	148,305	34·6	0·4	10·7	1·1	49·0	95·8	1·9	2·3
Tauer	125·43	80,276	69·3	1·0	6·2	0·3	18·8	95·6	2·0	2·4
Landeshut	153·07	97,962	50·2	0·0	16·9	1·0	28·8	96·9	1·5	1·6
Loewenberg	289·13	185,042	53·0	1·3	9·9	1·4	30·0	95·6	2·3	2·1
Schoenau	133·93	85,718	51·5	1·5	12·8	2·3	28·1	96·6	1·7	2·1
Total	1071·48	685,743	52·8	1·0	11·3	1·3	29·7	96·1	1·8	2·1

(Table 5.)—STATEMENT of Peasant Holdings of different Dimensions in the Rural portions of the Hilly District of Lower Silesia, according to their sizes.

Name of Circuit (Kreis).	Under 5 morgen.	Above 5 under 30 morgen.	Above 30 under 300 morgen.	Above 300 under 600 morgen.	Above 600 morgen.	Total.
Bolkenhain	1,273	1,074	470	18	81	3,566
Hirschberg	3,038	1,032	440	10	11	4,531
Tauer	1,493	778	441	9	32	2,753
Landeshut	2,992	919	768	8	15	4,702
Loewenberg	5,731	1,610	828	47	22	8,238
Schoenau	2,248	876	420	3	29	3,576
Total.	17,475	6,289	3,367	95	140	27,366

(Table 6.)—OCCUPATIONS of the Rural Population in (seven Circuits) District of Liegnitz, Lower Silesia, stating the Numbers in each, also those among them owning Lands or Cottages.

Circuit.	Rural Population. Census of 1867.	Engaged in Agriculture.											Peasant Proprietors.				
		Total No. of Persons.	Exclusively.			As Auxiliary Employment.			Stewards, Agents, &c.	Female House-keepers.	Farm Servants.		Labourers.		Residing on their Holdings.	Living away from their Land.	Owning Houses only.
			Owners of Land.	Tenants.	Families of Foregoing.	Owners of Land.	Tenants.	Families of Foregoing.			Male.	Female.	Male.	Female.			
Freistadt	37,083	27,807	2,920	47	11,637	1,300	57	4,119	143	26	2,403	2,137	920	1,298	4,484	747	753
Glogau	55,359	37,803	4,071	50	16,152	1,118	57	4,376	247	41	3,821	3,162	1,728	2,980	6,073	1,072	871
Grünberg	38,359	26,031	2,752	37	12,118	1,126	58	3,807	151	26	1,472	1,392	1,108	1,984	4,888	874	635
Goldberg-Haynau	38,685	24,461	2,724	54	8,447	1,069	52	2,900	138	73	2,833	2,450	1,673	2,048	3,971	551	1,503
Liegnitz	47,774	29,639	2,896	56	11,253	856	99	3,313	152	51	3,045	2,710	2,332	2,876	4,153	1,322	950
Lüben	28,751	17,869	1,755	18	7,022	765	10	2,700	155	35	1,557	1,202	1,101	1,549	2,712	443	462
Sprottau	26,835	19,559	1,892	39	7,251	911	136	3,820	82	19	1,685	1,434	930	1,340	2,741	730	560
Total	272,746	182,349	19,010	301	73,880	7,145	459	25,035	1,068	271	16,816	14,467	9,792	14,075	29,022	5,739	5,734

(Table 7.)—DISTRIBUTION of Lands in the District of Liegnitz (seven Circuits), in Lower Silesia, among Towns, Large Landowners, and Peasant Proprietors, giving the Numbers of each, and dividing the latter in Two Classes, as they employ Horses or Cattle for Tillage, or are unable to do so.

Circuit.	Total Area.		Townships.			Estates and Manors.			Peasant Villages.			Peasant Properties.				
	English Acres.	Prussian Morgen.	Towns.	Area.		Holdings.	Area.	Total of Estates.		Area.	Village Communes.	No. of Holdings.	Employing Cattle for Tillage.		Not able to Employ Cattle.	
				Pr. Morgen.	No.			Morgen.	No.				Morgen.	No.	Morgen.	No.
Freistadt	216,335	843,252	5	8,983	862	180,608	140	70	153,299	122	5,231	102,971	1,302	22,284	3,264	
Glogau	231,302	366,523	2	5,482	88	177,645	116	90	183,284	158	7,145	104,174	1,423	36,580	4,447	
Grünberg	212,253	335,440	3	16,143	1,402	159,955	50	30	159,690	68	5,762	99,309	1,490	26,048	2,900	
Goldberg-Haynau	151,027	238,774	2	11,299	534	92,027	118	76	135,508	103	4,522	64,732	575	21,738	4,907	
Liegnitz	157,829	249,868	2	4,436	797	100,848	241	95	144,538	132	5,475	82,301	585	27,493	3,696	
Lüben	155,108	246,825	1	1,563	109	157,640	78	54	87,702	74	3,155	43,364	438	29,203	2,407	
Sprottau	179,599	284,788	2	4,748	330	160,098	266	51	119,938	69	3,471	77,255	844	17,175	2,088	
Total	1,503,453	2,065,470	17	52,654	4,122	1,028,781	1,009	466	983,959	726	34,761	574,106	6,657	180,521	23,709	

(Table 8.)—DISTRIBUTION of every kind of Cultivated and Uncultivated Lands, also stating Quantities of each in Prussian Morgen, District Liegnitz (Seven Circuits), of Lower Silesia.

Circuit.	Total Area.			Uncultivated.					Premises including adjoining Gardens.	Cultivated Lands.					
	Geographical Square Miles.	English Square Miles.	Prussian Morgen.	Water.	Water and High-ways.	Waste.	Not capable of Cultivation.	Total.		Garden Land.	Tilled Land.	Meadows.	Pasture Land.	Woods and Plantations.	Total.
Freistadt	15·9	338·02	343,252	5,345	10,837	321	12	16,515	3,968	3,151	162,441	34,251	9,156	113,767	322,766
Glogau	17·0	360·41	366,553	1,381	13,644	702	6	15,733	4,676	3,083	229,188	41,193	7,909	64,740	346,113
Grünberg	15·6	331·35	335,440	1,998	11,543	750	1	14,292	3,897	8,445	129,792	31,610	13,447	134,156	317,450
Goldberg-Haynau	11·1	235·98	238,774	555	4,853	176	36	5,620	4,240	1,022	172,823	19,299	2,669	33,702	228,915
Liegnitz	11·6	246·71	249,868	1,222	6,977	290	11	8,500	3,442	4,936	190,664	18,980	2,015	21,240	237,925
Lüben	11·4	242·35	246,825	325	5,900	287	15	6,527	2,463	1,825	117,854	28,869	2,711	86,477	237,836
Sprottau	13·2	280·61	284,788	306	5,890	194	..	6,390	2,604	851	115,639	36,420	2,830	120,054	275,794
Total	95·8	2,035·43	2,065,470	11,132	59,644	2,720	81	73,577	25,090	23,313	1,118,401	210,722	40,227	574,136	1,966,799

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(Table 9.)—PER-CENTAGE of Acreage of the various kinds of Land in the District of Liegnitz, including seven Circuits, of Lower Silesia.

Name of Circuit ("Kreis").	Area in English.		Land for Tillage.	Gardens.	Meadows.	Pasture.	Woods and Plantations.	Total Cultivated.	Premises.	Total Uncultivated.
	Square Miles.	Acres.								
Freistadt	338·02	216,335	47·3	0·9	10·0	2·7	33·1	94·0	1·2	4·8
Glogau	360·41	231,302	62·5	0·8	11·2	2·2	17·7	91·4	1·3	4·3
Grünberg	331·35	212,253	38·7	2·5	9·4	4·0	40·0	94·6	1·1	4·3
Goldberg-Haynau	235·98	151,027	72·4	0·4	8·1	0·9	14·1	95·9	1·8	2·3
Liegnitz	246·71	157,829	76·3	2·0	7·6	0·8	8·5	95·2	1·4	3·4
Lüben	242·35	153,108	47·8	0·7	11·7	1·1	35·1	96·4	1·0	2·6
Sprottau	280·61	179,599	40·6	0·3	12·8	1·0	42·2	96·9	0·9	2·2
Total	2,035·43	1,303,453	55·1	1·1	10·1	1·8	27·2	95·3	1·3	3·4

(Table 10.)—STATEMENT of Peasant Holdings of different dimensions in seven Circuits of the District of Liegnitz, in Lower Silesia, according to their sizes. Containing the Rural portion of the above districts only.

Name of Circuit (Kreis).	Under 5 morgen.	Above 5 under 30 morgen.	Above 30 under 300 morgen.	Above 300 under 600 morgen.	Above 600 morgen.	Total.
Freistadt	1,484	1,548	1,133	23	67	4,255
Glogau	1,792	2,463	1,342	20	94	5,711
Grünberg	1,761	1,514	1,138	11	45	4,469
Goldberg-Haynau	2,911	1,199	664	32	69	4,865
Liegnitz	1,642	1,768	689	54	67	4,223
Lüben	867	1,268	590	11	62	2,798
Sprottau	876	956	669	17	33	2,551
Total	11,333	10,716	6,225	168	427	28,869

(Table 11.)—PEASANT Holdings of different dimensions, divided according to their sizes, situated within Municipal Boundaries in the Hilly and Liegnitz Districts of Lower Silesia.

Name of Circuit.	Under 5 morgen.	Above 5 under 30 morgen.	Above 30 under 300 morgen.	Above 300 under 600 morgen.	Above 600 morgen.	Total.
Bolkenhain	101	69	7	1	..	178
Hirschberg	71	62	25	..	4	162
Taner	54	24	34	1	..	113
Landeshut	447	115	43	1	2	608
Loewenberg	494	238	21	2	1	756
Schoenau	64	58	9	1	..	132
Freistadt	437	181	47	3	..	668
Glogau	18	179	..	1	1	199
Grünberg	845	196	73	3	..	1,117
Goldberg-Haynau	180	130	18	1	1	330
Liegnitz	163	57	16	1	2	241
Lüben	50	39	1	2	1	93
Sprottau	103	103	20	..	1	227
Total	3,029	1,451	314	17	13	4,824

Inclosure 8 in No. 8.

Report by Consul White on the Condition of Peasant Properties in the District of Upper Lusatia.

IN speaking of the Province of Silesia in general, I alluded to some districts incorporated as late as 1814 by cession from Saxony (Separate Treaty of Vienna, May 18, 1815) under the name of Prussian Upper Lusatia.

Although, at the present day the limits of some of the circuits of Lusatia have considerably extended into Lower Silesia, whilst other portions have been detached, and the entire Circuit of Sorau, once belonging to it, has been included in Brandenburg, still this ancient principality may be said to have preserved as a whole sufficient characteristics from its former autonomous existence as to make me deem it deserving of a special notice in this Report.

In the addition to the fact of its having become incorporated with the Prussian Monarchy so much later than Silesia Proper, it contains a population, in some parts, deriving its origin from the Slavonian race, of whom 40,000 still continue to employ the Wendish dialect of that language, and the chief occupation of its inhabitants continues to be agriculture, the different industries not having attained the importance they have in other districts of Silesia.

For the purposes of this inquiry I have included in one district the six following Circuits of Silesia with their present limits, viz. :— Bunzlau, Goerlitz, Hoyerswerda,

Lauban, Rothenburg, Sagan, with an area of about 2,142 English square miles (100.75 geographical square miles), or nearly, in round figures, 1,371,000 English acres.

Population.—The total population of the above six circuits was, exclusive of the military, 338,758 in December 1864, and 344,538 according to the last census taken on December 3, 1867.

Of the last figure, 83,795 were returned as constituting the urban and 260,743 the rural population of the District of Lusatia (Lausitz).

The latter total shows a diminution of 683 persons at the last census (1867) whilst the increase had been at the rate of 0.52 and 0.16 to each 100 inhabitants during the triennial periods (1861-4 and 1858-61) immediately preceeding.

The rate of increase had been 0.95 and 0.99 during the same period in the rural population of the Province of Silesia.

During the twenty-seven years which elapsed from 1831 to 1858 the rural population increased as follows; within the present district 1,000 to 1,233, throughout Silesia from 1,000 to 1,313.

As regards the density of population, the greatest is in the circuit of Lauban, 225 inhabitants to an English square mile, the least in that of Hoyersweld 94.5 inhabitants to a mile, whilst the average (including towns) is 173 to a mile.

The following number of acres exist for each individual:—3.7 acres within the present district, 3.6 in Prussia; and 2.9 in the Province of Silesia, showing that this district may be considered as an average specimen of the state of things existing in Prussia as regards population.

If the towns are deducted there are five acres (or thereabouts) to an individual.

So far, therefore, as this district is concerned, and the same may be said of the whole of Silesia, the existing land system does not appear to have led to a too rapid increase of population.

Religions.—As regards Religions the census of 1864 gives:—

306,068 inhabitants as belonging to the Protestant Church.
31,352 or 10.5 per cent. of the total population, Roman Catholics.
795 of the Jewish religion.
543 of various denominations.
—
338,758

Industries.—Some localities have particular industries and occupations, thus among the Wendish population there are many cattle-dealers, a large number of shoemakers are to be found at Hoyerswerda, at Creba there are basket-makers, at Bunzlau a china manufacturè, and in other places there are potteries, and glass is made.

At Girlitz the manufacture of cloth is of some importance, whilst many weavers in cotton are to be found near Lauban. The annual fair held at Bunzlau for the sale of flax yarn points to that branch of industry as giving employment to many hands in that neighbourhood.

Iron, and other ores, and coals are found in several places in the district, but the mining population is by no means considerable.

I have not succeeded in obtaining reliable data as to the number of hands employed in industrial pursuits. I have heard it stated that 4 and 5 per cent. are supposed to be thus engaged in the rural population of four circuits, and 11.15 and 18.2 per cent. in the two remaining ones.

Another statistical authority gives the number of individuals under this head at 72,668, or about 28 per cent. of the rural population, but this evidently includes not only the families of these persons but also all the different handicrafts working for the agricultural population, as bakers, butchers, carpenters, joiners, masons, tailors, &c., and who do not, properly speaking, belong to the great industries of the country. It is probable that the actual number of those following industrial pursuits for mines or manufactures is 25 per cent. of that figure, or at most 20,000 persons.

The urban population of the district, amounting, in 1867, as stated previously, to 83,795, is distributed as follows:—Gecrlitz had nearly 36,700 inhabitants; Sagan, above 10,000; two other towns, above 8,000 each; four, upwards of 2,000 each; whilst seven places, called towns, had less than 2,000 inhabitants each; and one, only 870.

The town lands belonging to these sixteen places amount to 58,000 English acres, or 4 per cent. of the total acreage of the district, the largest number being attached to the city of Bunzlau, the entire number of freehold properties is returned at 4,110 within municipal boundaries, but the size of only 3,244 is stated, and 521 owners of townlands are said not to live on their property.

The acreage of the freeholds is returned as follows :—

	5	above	600	morgen.
	5	below	600	but above 300 morgen.
265	"	300	"	30 "
1,095	"	30	"	5 "
1,874	with holdings of less than five Prussian morgen.			
<hr/>				
3,244				

The number of inhabited houses in these sixteen towns was 6,594; and of these, 2,563 were owned as freeholds by people, probably artisans and working men, who had no land as property attached to them.

The system of land occupation in this part of Prussia may be called a mixed one. There are some very large landowners. There is a highly prosperous and valuable class of yeomanry or peasant proprietors; and a much more numerous class of more or less small proprietors, who, though freeholders, are obliged, the greater part of them, to eke out their means of support by working for hire on some neighbouring farm, or in some branch of industrial pursuit.

Before proceeding to make any observations on these various systems of land occupation, it is desirable to place a general view of the existing statistical information on the subject in the following four tables :—

(Table 1.)—OCCUPATIONS of the Rural Population in the District of Lusatia, stating the Numbers in each, also those among them owning Lands or Cottages.

Circuit (Kreis).	Rural Population Census of 1867.	Engaged in Agriculture.											Peasant Proprietors.				
		Total number Persons.	Exclusively.			As Auxiliary Occupation.			Stewards, Agents, &c.	Female House-keepers.	Farm Servants.		Labourers.		Residing on their Holdings.	Living away from their Land.	Owning Houses only.
			Owners of Land.	Tenants.	Families of Foregoing.	Owners of Land.	Tenants.	Families of Foregoing.			Males.	Females.	Males.	Females.			
Bunzlau	48,459	27,147	2,664	29	9,679	1,958	66	6,305	76	36	2,020	2,250	1,008	1,086	No.	No.	No.
Goerlitz	45,051	30,488	3,130	41	12,011	1,742	21	5,483	58	42	2,211	2,749	1,352	1,648	4,977	880	1,455
Hoyerswerda	25,119	24,322	3,184	100	13,280	1,322	71	3,263	31	19	1,028	1,176	434	462	5,405	978	1,499
Lauban	51,644	30,275	2,653	39	9,973	2,544	91	8,432	81	38	1,638	1,732	1,569	1,485	4,014	991	386
Rothenburg	47,609	36,294	3,614	46	16,103	1,690	216	7,478	138	53	1,345	1,718	1,764	1,129	7,740	983	1,978
Sagan	42,781	30,610	2,809	62	12,104	1,765	44	6,878	88	38	1,963	2,061	924	1,274	6,288	826	1,049
Total	260,743	178,536	17,974	317	73,150	11,021	509	37,839	479	226	10,200	11,686	7,051	8,084	33,427	5,444	6,910

(Table 2.)—DISTRIBUTION of Lands in the District of Lusatia among Towns, Large Landowners, and Peasant Proprietors, giving the Numbers of each, and dividing the latter in Two Classes, as they employ Horses or Cattle for Tillage, or are unable to do so.

Circuit (Kreis).	Total Area.		Townships.		Estates and Manors.			Peasant Properties.			Holdings as Classed.				
	English Acres.	Prussian Morgen.	Number of Towns.	Townlands.	Owners of Freeholds.	Area.	Number of Landowners.	Rights' Estates.	Area.	Village Communes.	Peasant Owners.	I.—Possessing Cattle for Tillage.		II.—Not possessing Horses or Oxen.	
												Morgen.	No.	Morgen.	No.
Bunzlau	256,600	406,924	2	Morgen.	435	168,760	55	44	Morgen.	No.	No.	Morgen.	No.	Morgen.	No.
Goerlitz	216,300	343,061	2	45,457	475	172,405	140	49	197,845	87	5,857	84,038	1,025	26,201	4,887
Hoyerswerda	215,000	339,761	3	8,288	1,703	142,138	120	33	162,535	105	6,383	80,293	994	33,237	4,934
Lauban	128,000	202,801	4	11,755	634	74,953	110	63	185,808	91	5,005	115,584	1,811	14,449	1,853
Rothenburg	281,000	444,329	2	7,228	244	281,301	142	76	121,029	86	8,723	43,699	576	34,015	9,029
Sagan	274,100	434,268	3	2,675	619	192,298	108	59	160,384	137	7,114	74,418	1,269	43,077	4,929
Total	1,371,000	2,171,144	16	16,670	4,110	1,026,855	675	324	225,511	644	38,871	518,962	6,698	193,448	29,691

(Table 3.)—DISTRIBUTION of every kind of Cultivated and Uncultivated Lands in the District of Lusatia, stating quantities of each in Prussian Morgen.

Circuit.	Total Area.			Uncultivated.					Premises including adjoining Gardens.	Cultivated Lands.					
	Geographical Square Miles.	English Square Miles.	Morgen.	Water.	High- and Water-ways.	Waste.	Not capable of Cultivation.	Total.		Garden Land.	Tilled Land.	Meadows.	Pasture Land.	Woods and Plantations.	Total.
Bunzlau	18.9	401	406,924	608	8,748	398	252	10,006	4,735	627	159,452	25,850	8,903	197,351	392,183
Goerlitz	15.9	338	343,061	2,485	6,784	151	88	9,508	4,340	1,894	140,553	41,139	2,864	142,765	329,215
Hoyerswerda .. .	15.8	336	339,761	11,800	9,814	361	209	22,184	2,704	290	86,773	34,766	9,169	183,875	314,873
Lauban	9.4	200	202,801	653	4,063	319	..	5,035	3,951	747	119,050	31,999	1,487	40,531	193,814
Rothenburg .. .	20.6	439	444,329	10,573	11,576	39	56	22,244	3,576	507	129,211	36,261	9,078	243,452	418,509
Sagan	20.1	428	434,268	1,130	10,547	377	33	12,087	3,836	3,000	148,330	30,223	11,266	225,525	418,344
Total	100.7	2,42	2,171,144	27,247	51,532	1,645	638	81,064	23,142	7,065	783,369	200,238	42,967	1,033,499	2,066,938

(Table 4.)—PER-CENTAGE of Acreage of the various kinds of Land, District of Lusatia.

Circuit (Kreisl).	Area in English.		Tilled Land.	Garden Land.	Meadows.	Pasture.	Woods and Plantations.	Total Cultivated Lands.	Premises, &c.	Total of Uncultivated Lands.
	Square Miles.	Acres.								
Bunzlau	401	256,600	39.2	0.2	6.0	2.2	48.5	96.5	1.2	2.8
Goerlitz	338	216,300	41.0	0.6	12.0	0.8	41.6	96.0	1.3	2.7
Hoyerswerda .. .	336	215,000	25.5	0.1	10.2	2.7	54.1	92.6	0.8	6.6
Lauban	200	123,000	58.7	0.4	15.8	0.7	20.0	95.6	1.9	2.5
Rothenburg .. .	439	281,000	29.1	0.1	8.2	2.0	54.8	94.2	0.8	5.0
Sagan	428	274,100	34.1	0.7	6.9	2.6	51.9	96.2	0.9	2.9
Total	2,042	1,371,000	37.94	0.35	9.92	1.83	95.20	95.20	1.15	3.65

In Table I it has been my object to show the distribution of the rural population of this district devoted to agriculture, distinguishing those exclusively employed in the cultivation of land, and those who have some auxiliary occupation; also, giving the number of owners and tenants under each head, and of male and female farm-servants and labourers.

The number of resident and also non-resident peasant-freeholders in each circuit, and that of freehold cottages ("leerhäuser") without land attached to them, has been inserted in the three last columns.

In the second table, next to the gross total area, given in English acres and in Prussian morgen, the numbers of the three important classes of landed proprietors are given separately, with the quantities of land (in morgen) held by each class, viz., in towns; in communes consisting of manors and large estates; in communes consisting of peasant proprietors. Also, this time the total number of peasant holdings is given according to the statistics of the Hypothec Books, or Register of Titles, and without any regard to residence of occupiers.

In the year 1859, the Prussian Government was induced, at the desire of the Upper Chamber of the country, to set up an enquiry on the subject of the subdivision of peasant properties, and with a view to ascertain whether these holdings were not becoming excessively small.

The figures resulting from this enquiry, and giving the number of holdings existing in 1859 in two classes, and the quantities of morgen of land held by each class, are included in Table II.

The possession of ploughhorses or yoked, or the inability of employing either of these on a farm, was the sole criterion established for including a holding in one or the other class of these official returns.

In the third and fourth table I have endeavoured to state the quantities of each kind of cultivated and uncultivated land in morgen, and to give a general view of the per-centage of acreage of each kind throughout the district.

The entire rural population referred to in the above tables are living in 626 villages ("Doerfer");* in 197 hamlets ("Kohneien weiler"); in 197 isolated properties; in fifty-three detached farms ("Vorwerke") belonging to large estates. These constitute, for police purposes and for taxation, 449 communes ("Gemeinde"), composed of estates and manors, and 644 consisting of peasant properties and cottages. These communes are somewhat similar to our parishes, and differ very much in size, owing to which the distance of the various holdings from the habitations of the owners, who reside principally in the villages, varies considerably, and is frequently great.

The two largest communes contain 4,926 and 5,769 morgen, whilst the two smallest consist of only fifty-two and twenty-two respectively, in this district.

Estates.—An area of 647,500 English acres, or 47·2 per cent. of the total district, is in the hands of large landowners, many of them holding several estates, but the quantity of arable land in their possession is by no means so considerable, as the extensive forests are chiefly included in their property.

The number of these estates, varying much in dimensions, and known under different denominations is, returned at 675.

I have purposely employed the word denominations, as these estates were obtained and held during many generations under different titles, and though most of the distinctions have ceased, the designations derived from them have been preserved.

A description of these estates and of their legal nature, is, properly speaking, beyond the scope of the present Report, but I cannot consider a few remarks as quite out of place, so far as they are likely to throw some light on the distribution of landed property and nature of ownership.

The first series of estates in importance constitute the Principality of Sagan. A portion of this vast property is situated within the limits of Lusatia (circuit of Sagan), but the whole consists of upwards of 50,000 acres, and is at present the property of the Duke of Sagan.

The next denomination of large property are mediatised baronies, called in German "Standesherrschaft," and recurring frequently in Silesia. Of these there existed at one time three within this Principality, enjoying certain seigniorial rights; but one of these, Seidenberg, has its lands in Saxony, and only the chief residence has become Prussian; another, Hoyerswerda, has become the property of the Prussian Crown, and its arable lands have been disposed of in favour of hereditary tenants ("Erbpächter"), so that it consists only of 32,000 morgen (22,190 acres) forest.

The only barony of this kind remaining is Muskau, once the property of a person

* In eighteen of the villages markets are held.

well known in England, Prince Puckler-Muskau, and now of Prince Frederick of the Netherlands. It consists of the town of Muskau and of 39 villages, containing about 82,000 acres.

Some small estates, as Welrau, Penzig, &c., were once held under similar titles, but are now included with other seigneurial properties, styled "Rittergüter," or literally Knight's Estates.

Of these there were returned in 1867, 324 estates, but the number appears to vary, and I have been told that a diminution of the property deprives the estate of that designation, below a certain point.

These estates in the district vary from 500 to 5,000 morgen; the estate of Uhyst (circuit Hoyerswerda) is returned as consisting of 8,627 morgen, whilst Kolbitz, with 394 morgen, still retains that appellation.

As regards the privileges of these Knight's Estates they have been gradually curtailed, and appear at present to be limited to the owner, exercising the functions of a sort of justice of the peace, *ex officio*, and being entitled to a certain vote at the Local Provincial Assemblies; but even these are likely to cease as soon as the projected reform of circuit institutions has become law.

Of these estates (Rittergüter) there remain six in the district entailed in certain families; of these four are Majorats, and two are Seniorats; a seventh, Radmeritz, is a foundation for a widow and twelve unmarried ladies of a particular family.

It appears that there was much more latitude left in the transmission of estates in feudal times in Lusatia than was the case under the Saxon and other German laws. These fiefs were called in the provincial laws, "*Feuda Anomala et Improperia*," and could be held by non-nobles.

Another kind of estates existing in this province are called "Vasallen und Landsassengüter," which appear to have been held at one time not directly from the sovereign of the land but by a sort of feudal tenure from barons or cities. They have all become freehold property by the abolition of feudal distinctions. There are 31 estates derived from such an origin, situated mostly in the circuit of Goerlitz; one of them is entailed.

As to size, three are returned at upwards of 1,000 morgen, seven as consisting of above 500, and the remainder as between 200 and 500 morgen.

All the estates situated within the Principality were taxed at a reduced rate for the land-tax, and were allowed the privilege of a repartition of that tax by the provincial states until the 31st December, 1864, when they were brought under the provisions of the Law of May 21st, 1861, applicable to the entire Prussian Monarchy.

Attached to many estates there are outlying farms called in German "Vorwerke." These are frequently let to tenants for a certain number of years. Estates are also sometimes let, but this system prevails to a limited extent, and will form the subject of a separate paper attached to this Report.

Peasant Property.—A percentage of 48·7 of the total average of the district, and a very considerable portion of its arable lands, is held as freehold property by a numerous class of persons, who may be designated as peasant proprietors; their number we have seen above is stated once at 38,871 (Table I), another time at 38,549 (Table II). The following table will assist in showing the relative size of their holdings.

(Table 5.)—ACREAGE of Peasant Properties in the Rural portion of the District of Lusatia.*

Circuit (Kreis).	Less than 5 morgen.	Above 5 under 30 morgen.	Above 30 under 300 morgen.	Above 300 under 600 morgen.	Above 600 morgen.	Total.
Bunzlau	3,251	1,666	789	39	37	5,782
Goerlitz	2,510	2,233	990	39	39	5,811
Hoyerswerda ..	1,042	1,193	1,384	17	42	3,678
Lauban	5,058	1,787	653	15	47	7,560
Rothenburg ..	2,347	2,479	1,173	15	88	6,093
Sagan	1,613	1,850	1,125	47	55	4,690
Total	15,821	11,199	6,114	172	308	33,614

Before entering upon the subject of the relative size and proportion of these holdings and commenting upon the figures of the foregoing table, as derived from

* In Prussian Morgen.

official sources, I wish to be allowed to refer to the different kinds of peasant properties existing in this district, and I may say throughout the entire Province of Silesia, which I have visited.

Just in the same way as large estates, these properties also derive various names from the terms upon which they were held when first called into existence.

Some farms on large estates to which I have previously referred as detached properties, "Verwerke," became tenanted by peasants as late as the eighteenth century, became successively hereditary tenures by the name of "Erbpacht," and finally freeholds. Many farms attached to corporate towns passed into the hands of burghers in the same way; and these, with the peasant properties situated in villages, and denominated "Scholtiseien," constitute the largest and best cultivated possessions of that kind in Silesia; in fact they can as a rule stand a comparison, with respect to intelligent farming and good cultivation, with large estates in the neighbourhood, whilst their owners are supposed frequently to be in possession of capital, which is not often the case with the lord of the manor when his estate happens to be not much larger than these holdings.

The "Scholtiseien" were originally lands with which particular peasants were endowed with the obligation of performing certain police and semi-judicial functions in the village, in a more primitive state of society. The office held by these people was called "Schulze, Scholter," and the bearer of it was relieved from all feudal burdens, and had his holding enlarged. It is not to be wondered at that the result gives this kind of properties a visible superiority over those of other peasants.

Under the designation of peasant properties, "Bouerugüter," are understood those very ancient holdings in Silesia the introduction of which is traced by antiquaries to the twelfth century. Whatever may have been the original condition of their owners or occupiers they became "Glebæ adscripti," and constrained to perform soccage and villenage services in course of time, until they acquired a fee simple in them under the modern legislation of the Prussian Monarchy.

From "Hufe" or "Hube," a hide of land of 60 Magdeburg morgen, the names of "Hüfner," "Halbhüfner" were derived, as the primitive holdings became subdivided; whilst smaller allotments gave the occupants the names of sixroodmen, nineroodmen, in German, from the measure employed in surveying.

If 60 morgen was the maximum of such holdings, they must have gradually increased since, for by far the larger number of those now going by that name consist of above 100 morgen (63 acres), whilst they frequently have from 200 to 300 morgen, and secure to their happy possessors a position of prosperity and independence in their villages, probably not inferior to that occupied in former ages by the owners of these villages themselves.

As residing in a province (West Prussia) where a large tract of land, in the Valley of the Vistula, has been, from time immemorial, in the hands of wealthy peasant proprietors, I was aware of the position which may be attained, under favourable circumstances, by this kind of freeholders, but I own I was not quite prepared to meet in Silesia, where the peasants have been relieved from feudal services at a comparatively recent period, with a similar class, doing so well in every respect, and who have by this time attained the position of substantial yeomen, and can be said to constitute a valuable element in the social arrangement of the Prussian Dominions.

This class has preserved the economical habits for which the peasantry are generally known, and their standard of living is therefore still very simple; the fare I saw on their table was, however, substantial and abundant, and their whole arrangements such as to confirm what I heard on trustworthy authority in these localities, that most of them had arrived at that stage at which they were accumulating capital, and becoming quite able to afford out of their savings marriage portions for their sons and daughters.

As regards the cultivation of the farms owned by this class of freeholders, it has been constantly improving during the last twenty years, and the example set by the larger proprietors, and so successfully carried out on many estates, is beginning to be followed by those peasant owners. The farmbuildings are constructed with every regard being had to the proper housing of stock, a demand for better bred cattle is becoming more and more felt, and their habitations are provided with every accommodation suited to the habits of this class of people.

Whilst the farm-servants on estates are either married people receiving an allowance in money, corn and potatoes, or cottage proprietors receiving remuneration for a portion of their time at a fixed rate of wages, the peasant proprietors prefer to have unmarried people in their employment, who are admitted to the same fare as the family, and live as regular inmates in their houses.

The diet of these people varies in different localities; the consumption of meat is confined in some places to two or four days a-week, whilst in others it constitutes the main portion of every meal; milk, butter, potatoes and other vegetables, and an unlimited supply of rye bread, are the staple articles of food with this class of masters and servants.

On inspecting the premises occupied by their farmbuildings, and inquiring about the dates of the various additions, as also of the more recent constructions, the owner will point out what has been done by himself, and will of course establish a comparison with their condition at the time of the previous occupants, possibly his own father or grandfather; and it becomes easy to come to the conclusion that all these arrangements must have undergone gradual improvements as the capital of the proprietor was increasing.

I have in my general remarks on Silesia made some observations on the subject of the unwillingness of the peasants to raise loans on their property. The Credit Company issuing debentures within this principality is called "Landwirthschaftliche Credit Verein der Oberlausitz." This association extended its rules in 1849, so as to enable it to grant loans on peasant properties, but from 1849 to 1860 only nineteen peasants availed themselves of it, borrowing 26,230 thalers (about 4,000*l.*) at 4½ per cent. The loans granted on estates by the same association amounted, till 1860, to 1,421,900 thalers.

The employment of artificial manures for agricultural purposes is a good criterion of improved cultivation of the soil. A Return which I have seen, dated as far back as 1857, is reproduced by me merely as an indication that the peasant freeholders were following, ten years ago, in the steps of their landlord neighbours in this respect, and that there is every reason to believe, and I have seen various testimonies in support of such a conclusion, that they have continued since to do so, even on a larger scale.

Artificial manures used in 1857 in the district of Upper Lusatia :—

	Artificial manures used in 1857 in the district of Upper Lusatia :—		
	Bones.	Guano.	Lime.
	Tons.	Tons.	Bushels.
On estates	460	460	68,826
On peasant properties	125	143	100,506
Total	585	603	169,332

A considerable quantity of land has been improved by draining on estates, but I understand that the peasant properties have participated but to a small extent hitherto in this salutary melioration; the same may be almost said of irrigation.

By the expensive works carried out for changing the course of the river Elster, a tract of land will be benefited and will have to participate in the cost. Peasant lands, amounting to about 3,300 acres, are calculated as belonging to the district of Lusatia, and as included in those deriving advantage from this undertaking.

As regards agricultural machinery, the smaller implements for field work, and also winnowing machines and chaff-cutting ones, have found a general application among peasants; but threshing machines are still confined to estates. It is probable that the substitution of steam to other power in them, which is being adapted generally on estates in Silesia, and combined with a system of hiring these for short periods, will prove more eligible to the peasant proprietors than the fixed threshing machines hitherto in use in that province with horse power.

With respect to crops raised, wheat, rye, oats, barley, buckwheat, among cereals, potatoes and the beet among roots, clover among grasses, and flax and rape among oilseeds, are principally grown. But I was assured that no uniform rule could be laid down on the subject of the rotations adopted on peasant properties, as their owners were passing alternately from one system to another, or, rather, following no particular plan.

The primitive triennial German rotation of a bare fallow, followed by a crop of wheat or rye, and then by barley or oats, with its repetition of the same kind of crop at too short intervals, still lays at the foundation of those in general use among peasants, though the introduction of potatoes and flax first, later of beetroot and rape, and lastly the necessity for clover for cattle, have brought on considerable modifications in this originally defective system.

Next to those holdings which now bear the appellation of peasant properties, comes

a very numerous class known in Silesia by the name of "Gacrtner nahnowgen," garden holdings, and which originally consisted but of very few acres. In fact, they owe their origin to a desire on the part of the landlords in former times to secure a class of tenants more dependent on them, and with more time at their disposal, than were the original peasants who were gradually emancipating themselves; and on that account these later holdings consisted only of a quantity of land barely sufficient to enable the so-called gardener and his family to subsist; whilst his cow was allowed to graze on the lord's lands or in his forest.

These allotments must, in course of time, have had some facilities for extending, for though the appellation has come down to our days, and has survived the services to which they owe their origin, many of them come up nearly to the size of peasant properties. I had occasion to see several, containing 100 morggen (63 acres), and all these may be classed with those described above by me, and the remarks made with respect to them are equally applicable to this class of holdings.

The same may be said of those among the so-called gardeners who, as millers, tavern-keepers, village blacksmiths, bakers, are to be found in every village, and who, by these auxiliary occupations, are enabled to hold a position superior to that which could be attained merely by the cultivation of a property of 30 or 40 acres.

The inquiries I have made in all directions do not enable me, I am sorry to say, either to fix a limit of the number of acres necessary to enable a freeholder in Silesia to carry on vigorous husbandry and to live in comfort with his family, irrespective of any auxiliary employment, nor to state, with complete precision and accuracy, the real number of actual proprietors enjoying these conditions.

It is very much to be regretted, not only for the purposes of this inquiry, but also for the elucidation of the working of the land system in operation in Prussia, that there exists no statistical data to give a precise answer to such a query. I shall endeavour, at least, by a comparison of published results, to arrive at figures nearly approaching the probable state of things.

The total of all kinds of peasant properties in the district, inclusive of 4,110 settled on townlands, was given in Tables I and II (col.), at 38,871 and 38,519, leaving for the rural portion alone 34,761 or 34,439; whilst Table V gives the different sizes of 33,614 rural holdings. These slight discrepancies may be explained by the Returns having been collected at different periods and on quite different systems.

The number of owners engaged in agriculture in the district is stated at 28,996 (Table I, columns 3 and 6); but 5,444 peasant freeholders alone are supposed to reside away from their holdings (Table I, 16). From all these figures it may be assumed that there are about 34,000 peasant proprietors of all kinds in the district.

As regards those among them supposed to give the owners the position of substantial yeomen, whether in town or country, the official figure (Table II, 12) gives 5,444 as employing either horses or yoked cattle for tillage; and it is probable that this criterion may be taken as the safest guide failing any other, though I have not unfrequently had occasion to observe in Silesia yoked cows; and I was told that their owners were on that account included among the better class of peasant proprietors, though certainly there must be a considerable difference between their position and that of the class of which I have attempted to give a description above.

In Table V (column 5) 6,114 peasant properties are described as holding above 30 morggen (19 acres); this must, of course, include a considerable variety of positions. The average size of these holdings is 110 morggen near Goerlitz, and 78 morggen in the circuit of Hoyerswerda. I should be disposed to think that below 40 morggen (25½ acres) they can hardly, under ordinary circumstances, be put in the same class as the large ones of 100 morggen, and I was assured everywhere, that there has been for some time a tendency, on the part of the peasants of Silesia, to increase their properties by purchase, whilst the number of properties of the better class is said to be gradually undergoing diminution, a fact alluded to with regret by all those who have paid any attention to the subject, and respecting which some data will be given below.

Upwards of 28,000 rural holdings, whether called gardeners' or otherwise, may therefore be supposed to exist under conditions which do not enable the owners to keep cattle or horses for tillage; and to this class belong—11,199 with an average of 18 morggen, but having more than 5 but under 30 morggen; 15,821 with an average of 2½ morggen but having less than 5 morggen, together with an unknown number of less prosperous owners of holdings returned in column 5 of Table V.

Jacobi, a writer on Lusatia, whose work ("Der Grundbesitz, &c., der Preussischen Oberlausitz, &c.:" Görlitz, 1860) contains many valuable observations, gives 8,051 as the number of allotments under 1 morggen, and 9,239 of those above 1 and under 10

morgen (6·8 acres); but as his calculations were only made for two-thirds of the area included in these Tables, his figures would have, therefore, to be increased to 10,000 and 12,000 allotments, with a view to obtain a number corresponding for the entire district reported on, thus leaving about 6,000 as the number of holdings above 10 morgen, and not coming up to the position of what is termed in German as "Spannfähige Nahrungen," or holdings generally sufficient to enable the owners to be independent. On this intermediate class I cannot venture to make any remarks, as it includes people whose position depends on a variety of contingent circumstances which easily escape observation during a flying visit. I understand, however, that many of these, as well as those who have smaller allotments, seek employment at some distance from their homes as masons in Berlin or Breslau, or even as navvies on railways, leaving their families to cultivate their properties in the mean time.

Jacobi remarks that in general, those who are employed part of their time on industries are worse off than those exclusively devoted to farming, but he also warns visitors not to form too hasty conclusions, from their habits and dress, of the people they see in this district; and he quotes a small freeholder, whose appearance was that of an ordinary labouring man, and who had 20,000 thalers (3,000*l.*) capital, besides his land and stock. I was informed that many of those who deal in cattle, chiefly people of the Wendish race, are worth several thousand thalers.

In visiting the owners of small properties, I found a very different standard of living from that of prosperous peasants, and frequently inferior to that of most labourers in England. They seldom eat meat except on Sundays, and, during harvest, buttermilk, potatoes, and rye-bread, with other farinaceous substances, constitute their daily food; but this mode of living is not to be always ascribed to want of means.

Besides the very numerous class of small land proprietors in the district, here spoken of, there are 6,910 owners of cottages (Table I, 17,) who have no land whatever attached to them, and all these are more or less dependent on wages, almost as much so as if they had no allotments or huts of their own, or even more so, because they are to a certain extent more dependent on the offers of neighbouring farmers for agricultural wages, and obliged to be content to accept those offered within a certain "radius" of their habitations, unless they prefer to leave their homes for some months seeking for work at a distance.

It must not be supposed, however, that all these small holdings in the district are the result of subdivision; some of them, as will appear presently, are due to this cause, but this state of things is ascribed, originally, to the conversion of feudal tenants into freeholders at a time when many of them were in possession of a small number of acres.

From statistical data collected in 1859, it appears that 69,713 morgen had been detached from larger peasant properties between 1816 and 1850, or 12·41 per cent. of the total area occupied by these; viz., 66,883 morgen (42,200 acres) had become the property of small owners, whilst 2,830 morgen had been incorporated in estates.

As regards other changes connected with this subject, it appears that during the same period 707 larger, or first class peasant properties, with 56,966 morgen, and, therefore, having on an average 80 morgen, have ceased to exist as such, through sub-division; 26 with 1,700 morgen have been bought up by other peasants, and 95 have been purchased by owners of estates. By this we see that the smaller holdings are increasing to the detriment of the larger ones at the rate of 1,723 morgen a-year; but, on the other hand, 343 new peasant first-class holdings have come into existence during that time, with 19,146 morgen, or with an average of 55·8 morgen to each.

From further inquiries I find that the circuit of Bunzlau has participated in the above changes from 1816 to 1859 by the loss of 111 holdings on one hand, of an average of 88 morgen; and by an increase of 43 new such holdings of an average of 61·8 morgen on the other hand.

This circuit is described in the Tables given above, as having 1,025 first-class holdings in 1859, and 865 peasant properties of above 30 morgens in 1861. Local statistics of a more minute character, which I have examined, give the number of ancient peasant holdings (Bauernhoefe) at 700 for this circuit; they also give the following changes for all kinds of holdings:—

As regards sales, 276 were registered during 10 years in 6 of the largest villages of the circuit: these villages contain 148 larger peasant properties, besides many minor ones. The sales in other villages were from 2 to 20 during the same time.

From 1859 to 1861 a diminution in the size of 7 estates—40 first-class and 78 small ones—took place, and two larger ones and five minor ones lost their separate existence.

By this, 1,789 morgen (1,130 acres) changed hands, and were disposed of as follows:—

63 morgen were joined to estates.
409 morgen were joined to nine larger peasant properties.
1,110 morgen were joined to small holdings.
207 have served to constitute thirty-seven new small allotments.
1,789

In the neighbouring circuit of Goerlitz a diminution of the size of 23 larger properties and in 96 small ones is reported for the same triennial period, whilst three larger properties and two allotments have been merged in these changes; and the result has been an addition of 72 morgen to estates, 221 morgen to 21 peasant properties, 807 morgen to various minor allotments; with 106 morgen 36 new small holdings have been formed; and with 102 morgen two peasants have constituted new peasant properties of the first-class; total, 1,303.

I think those examples will serve to show the way in which such changes affect the property in land.

In every portion of Silesia the labours of the Commissioners appointed by the Government for the adjustment of compensation, for the cessation of rights of fuel and common, are progressing with their work, and producing the most beneficial results. If by the removal of feudal burdens the first foundations were laid of agricultural progress, and a vigorous husbandry rendered possible, the relief of rights of common has stimulated farmers to rely on their holdings for supporting stock, to substitute stable feeding for grazing, and to look more to quality than to quantity; whilst a number of offences against property, very common formerly, have, I was assured, diminished immensely. Small farmers have told me that this reform, which was looked upon unfavourably by them at first, has proved advantageous in the end, whilst the compensations adjudged to them by the Commission have proved highly acceptable to them, and have not unfrequently contributed to increase the size of their holdings. The work of these Commissions is, however, far from being near termination in many localities; and very little has been done as yet to bring the land of the small holding together, by exchanges, when portions of it happen to be intersected by other property.

That these suppressions of rights of common have not caused administration in the live stock of the district is evident, as the number of horses and cattle have increased considerably.

By leaving out the forests from the cultivated lands, we see that one-half of the entire area consists of arable or grass lands, and on this surface there was the following average number of each kind of live stock to an English square mile:—

	In 1831.	In 1864.
Horses	8	14·3
Horned cattle	81	135
Sheep	125	162
Swine	Not stated.	33

Whilst in the circuit of Lauban, the average number of horned cattle was, in 1864, as much as 210 to a square English mile.

With respect to emigration, during three years, 1860-62, only 554 persons left the district; of these 129 went either to America or to other countries out of Europe, 14 to Poland, and the remainder to German countries and Bohemia, but principally to Saxony. Of these, a few were young men who left the country, absconding before military service, and who went, of course, out of Europe; but the majority were people who sold out small holdings with a view to better their condition elsewhere.

During the same period 299 foreigners came to settle in the district, and became naturalized for that purpose. Thus the loss of population seems to have been only 82 per annum.

A comparison of the percentage of persons engaged in various occupations in the district, even though the figures can only be given approximatively, will enable me to conclude this portion of my Report with a summary view of the relative proportions borne by the various owners of land to the other classes of the rural population:—

Rural Population.	Total of Owners of Land.	Owners of Small Holdings.	Peasant Proprietors (First Class)	Peasant Owners of large Properties.	Owners of Estates.
1,000	131	107·4	19	2	2·6
		Farm Servants and Labourers (Male.)	Families of all engaged in Farming including Female Servants.	Industries, Trades, and Artizans, including Families.	All Professions and other Occupations in the Country.
		68	488	274·6	38·4

British Consulate, Dantzic, December 7, 1869.

No. 9.

Lord A. Loftus to the Earl of Clarendon.—(Received January 17.)

My Lord,

Berlin, January 14, 1870.

I HAVE the honour to inclose to your Lordship herewith a copy of a despatch which I have received from Her Majesty's Consul at Dantzic, transmitting a Report on the question of Land Tenure in the Province of Prussia.

I have no doubt that the industry and zeal evinced by Mr. Consul White in carrying out the instructions I conveyed to him will meet with your Lordship's approval.

I have, &c.
(Signed) AUGUSTUS LOFTUS.

Inclosure in No. 9.

Report by Consul White on Peasant Properties and Land Occupation in West Prussia.

THE Province of Prussia Proper, which has given its name to the entire Monarchy, is generally divided into two districts, according to the geographical situation of each portion, and these are called in conformity with it East and West Prussia.

West Prussia consists of two sub-divisions—Dantzic and Marienwerder—with an area of 9,947 English square miles, extending from the Baltic to the frontiers of the present Kingdom of Poland, and was successively incorporated with the Prussian dominions, after having been subjected, during several centuries, to Poland by the different partitions effected in the territories of that country since 1772.

West Prussia contained at the last census (in December, 1867) 1,268,470 civilian inhabitants, of whom 966,901 belonged to the rural, and 301,569 to the urban population.

Towns.—The urban population is to be found in ten larger towns and in forty-four small ones. These last partake more of a rural character, as, notwithstanding their designation, they contain many landowners and agricultural labourers.

To the former class belong—

	With a Population exclusive of Soldiers.
Dantzic	82,192
Elbing	27,673
Thorn	13,447
Graudentz	12,662
Marienburg	8,200
Culm	7,910
Marienwerder	7,465
Dirschau	6,900
Two towns of above 6,000 inhabitants	12,593

Of the other class there are—

Eight towns with from 4,000 to 6,000 inhabitants, with a total of	36,020
Ten towns of 3,000 inhabitants and more, but less than 4,000, total	32,839
Fifteen towns of 2,000 inhabitants, but less than 3,000, total	37,405
Eleven towns of less than 2,000, total	16,963

The area situated within municipal boundaries consists of 267,000 acres. Of these 85,000 are the property of the several corporations, and the remainder is owned by

private individuals residing in or near these towns. The number of persons owning land in these is returned at 9,830 (*vide* Table VI below), whilst the number of freehold houses without land in these was 9,913 in 1866.

The average size of properties of this kind differs in both sub-divisions: in Marienwerder it is 25·7 acres; in that of Dantzig it is 17 acres.

Population.—The census of population is taken in this country every three years. In the month of December the increase in the Dantzig portion of West Prussia was at the rate of 1·78, and at that of 1·66 per cent. per annum in the Marienwerder portion, between 1858 and 1861, and has fallen below one per cent. annually since.

The following short Table will assist in showing the rate of increase in the urban and rural population which has taken place in each of the sub-divisions of this district, and also throughout the entire Prussian Kingdom, within its former limits, during the last fifty years.

INCREASE of Population in West Prussia.

Relative Number of Inhabitants in the Year.

	1816.	1822.	1831.	1840.	1849.	1858.	1864.	1867.
Urban population—								
Dantzig section ..	1,000	1,103	1,205	1,248	1,308	1,556	1,729	1,804
Marienwerder section ..	1,000	1,101	1,248	1,371	1,588	1,749	2,089	2,138
Rural population—								
Dantzig section ..	1,000	1,317	1,468	1,709	1,925	2,107	2,302	2,376
Marienwerder section ..	1,000	1,242	1,407	1,739	1,952	2,142	2,345	2,400
Entire population—								
Dantzig district ..	1,000	1,238	1,372	1,540	1,700	1,906	2,100	2,176
Marienwerder district ..	1,000	1,210	1,368	1,644	1,864	2,047	2,288	2,342
Average of the increase in the ancient Provinces of Prussia ..	1,000	1,130	1,263	1,447	1,579	1,702	1,859	1,933

It may be said, therefore, that the rate of increase in the population of West Prussia has been larger than in the kingdom, and still this district is rather thinly populated. Of a total area of 6,366,000 acres, six per cent. are excluded from cultivation, and 267 acres are under towns. As the rural population amounts to 966,901 persons, there are, therefore, upwards of six English acres to each individual in the country districts.

Fully one-half of the total area consists of arable land (in the fertile circuits as much as 66 per cent.); meadows and pasture constitute one-fifth; and a little more than another fifth of the whole are under forests.

If we take the entire population, both rural and urban, it will be found that its density is 129 inhabitants to an English square mile; the rural portion alone numbers 97·2 to a mile.

The contrast between the nature of the soil in the fertile alluvial lands on the banks of rivers and of the large sandy plains in the north-westerly circuits is very striking, and accounts sufficiently for a considerable difference in the density of population in different circuits, though it appears that the number of inhabitants in the less productive portions of the district increased more rapidly for some time after the abolition of feudal tenures than in the fertile parts.

The present density of population to a mile is, taking the rural inhabitants alone, as follows:—

In the circuit of—	In the circuit of—
Schlochan	Culm
.. .. . 57·9	.. .. . 119·7
Deutsch Krone	Grandentz
.. .. . 56·2	.. .. . 122·3
Konitz	Stuhm
.. .. . 67·8	.. .. . 142·3
Thorn	Marienwerder
.. .. . 106·3	.. .. . 145·7
Elbing	Dantzig
.. .. . 115·4	.. .. . 160·4

Religions.—The census giving the different religious creeds of the population was published for 1864, when the number of inhabitants was 1,233,372, or 35,098 less than the number actually returned. At that time there were—

Protestants conforming to the Established Church	601,756
Roman Catholics	590,076
Mennonite Baptists	10,974
Belonging to different Christian denominations	3,240
Persons of the Jewish religion	27,326
	<u>1,233,372</u>

In the Marienwerder portion of West Prussia, the two creeds recognized by the State "Landeskirchen" have an equal number of adherents each. At Dantzic, the Protestant majority in the towns turns the scale in favour of the latter.

Emigration.—The subject of emigration is one which affects not only the general question of population, but is likewise an indication of the views of the various classes on the subject of their position and prospects.

It is only within the last twenty-five years that a tendency to seek for a new home across the Atlantic has manifested itself in this part of Germany, and comparatively very few families have availed themselves of it, principally either tradesmen in difficulties or apprentices who wish to avoid compulsory military service in this country, and hope to earn higher wages in other lands. The agricultural class has contributed very few persons as emigrants, with the exception of landowners of the Mennonite persuasion.

From October, 1844, to the end of 1859, 4,024 persons departed from West Prussia with a license to leave the country, or an average of 264 persons a year. During the same period the average of immigration was 122 per annum.

Of the persons that left the country, 3,047 were returned as being then in the possession together of a capital of 577,840 thalers (about 86,500*l.*).

In the Dantzic sub-division only 222 immigrated during the eight years from 1859 to 1867, and 3,291 left the country during that time, viz., 2,104 persons from 1859 to 1864, and 1,187 since that time to the end of 1867, or an average of about 411 individuals a year.

In the other portion of the district only 150 persons emigrated in 1865, and 193 during 1866, according to the official Returns.

The principal direction which those persons took was, of course, North America, whilst a small portion—and this was mostly the case with Mennonites—went to settle in the south of Russia.

Mennonites.—Persons of that persuasion have occupied for generations a prominent position as farmers in this district. Their properties were remarkable for good cultivation, and their habitations were noted for cleanliness and comfort, whilst these people preserved habits of industry and frugality, which they had inherited from their Dutch forefathers, the founder of this sect having been a Dutch divine of the sixteenth century, of the name of Menno.

One of their distinctive characteristics is the religious objection they have in, common with the Society of Friends, to warfare, and to military profession; and it is the indiscriminate application to them of compulsory military service, since 1866, which makes them emigrate on conscientious grounds, and many of them have anticipated this measure and left this country within the last fifteen years. This class of people are generally well off, and have sold out most unwillingly.

It may, therefore, be asserted that the social condition of the people in this province does not stimulate emigration.

Industries.—The industries in this district may be considered important, sixty persons at most are described as miners and 670 as weavers, seven per cent. of the total population are employed in handicrafts and as artisans, whilst 504 are employed in agriculture. About 5,000 persons are engaged as apprentices or workmen in ironworks. But in addition to these a numerous class of people finds employment in fishing, in navigation, in dredging amber, whilst the railways, the timber, and the corn trade of Dantzic, and some other places, and the various occupations incidental to the harbour and fortress of Dantzic may be considered as accounting for the means of subsistence of a large class of people as tradesmen and labourers.

Agriculture, however, is the principal pursuit, and constitutes the most important element of wealth to the largest number of the inhabitants of this district. The particulars of the nature of the occupation of this class will be found in Table 1 (below).

The division of property in the district, and the occupying of land within it, will be best shown in table 2; the particulars of the holdings situate in townships have been referred to previously. With regard to the rural portion of the district it may be stated that there exist within it—

1. 1,394 estates and detached farms. In these are the Crown lands, consisting of 800,000 acres (11·12 forest), 62,300 acres, the property of the Royal Princes, 846 seigniorial or knight's estates (Rittergüter), and many other properties which, not being within villages, are not deemed therefore to be peasant properties, though in former ages they may have been held under some particular obligation of service, and not in fee-simple as they are at present.

Only 110,000 acres are entailed property within the district.

The total number of possessions is returned at 4,746, but as 879 are supposed to belong to owners who have two or three properties, so the actual number of landowners is only 3,867, or there are 5 to every 2 square miles. The average size of a possession being 774 acres in the Marienwerder subdivision, and 510 in that of Dantsig.

2. Those known by the name of peasant properties are situated in 2,377 villages, and in 643 hamlets; there are moreover in the district 915 isolated farms. As this kind of property has been the principal subject of inquiry in drawing up the present Report, further particulars concerning them will be given with greater clearness after producing the Tables which follow.

Tables 3 and 4 contain the different quantities of various kinds of land in Prussian morgen, and also the acreage, giving the per-centage of tilled land, grass and garden land, forests, waste, high and water ways, &c.

(Table 1.)—OCCUPATION of the Rural Population of West Prussia, stating the Numbers engaged in each; and also those among them owning Lands and Cottages.

Circuit.	Rural Population Census of 1867.	Engaged in Agriculture.										Peasant Properties.					
		Total Number of Persons.	Exclusively.			As an Auxiliary Employment.			Stewards, Agents, &c.	Female House-keepers	Farm Servants.		Labourers.		Residing on their Holdings.	Residing away from their Land.	Cottiers having no Land only Houses.
			Owners.	Tenants.	Families.	Owners.	Tenants.	Families.			Male.	Female.	Male.	Female.			
Berent ..	36,260	25,155	2,130	102	10,486	277	18	1,261	99	45	1,243	997	4,130	4,367	2,367	138	167
Dantzic ..	74,687	32,002	1,593	220	10,133	1,737	192	5,229	195	157	3,249	2,373	3,825	3,099	3,397	451	770
Elbing ..	34,357	19,522	1,567	23	6,648	576	71	2,398	49	45	1,638	1,757	3,065	1,685	2,293	652	835
Flatow ..	48,790	34,088	3,036	70	17,009	987	54	4,764	116	55	2,104	1,272	2,268	2,353	4,445	247	754
Grandentz ..	39,274	25,268	1,673	72	7,562	1,646	58	5,438	175	67	2,219	1,319	2,539	2,500	2,590	209	63
Carthans ..	55,892	36,358	2,927	562	17,027	1,085	111	4,315	106	47	1,575	1,312	3,585	3,706	3,994	200	90
Konitz ..	59,061	35,753	2,583	83	14,448	1,386	80	6,971	96	79	2,547	1,700	2,810	2,970	4,698	327	718
Deutsch-Krone ..	46,526	27,782	2,488	55	12,742	690	65	3,236	171	79	2,120	1,469	2,284	2,383	3,383	317	345
Culm ..	40,927	23,390	2,060	66	10,459	428	58	1,903	220	81	2,169	1,523	2,389	2,034	2,619	262	65
Loeban ..	40,992	25,839	2,217	53	12,068	573	76	2,706	117	53	1,927	1,239	2,396	2,414	2,935	268	534
Marienburg ..	49,101	25,076	2,050	49	7,555	663	55	2,142	78	103	3,327	3,076	3,528	2,450	2,903	714	830
Marienwerder ..	53,613	29,930	1,899	63	8,385	1,293	93	5,467	228	97	2,850	2,254	3,682	3,627	3,225	507	233
Neustadt ..	54,204	32,054	2,383	204	12,527	426	6	1,866	153	56	1,740	1,490	5,453	5,750	2,525	231	450
Rosenberg ..	36,511	19,908	1,225	54	6,422	674	50	2,954	183	60	1,526	965	3,151	2,641	1,917	130	91
Schlochan ..	47,806	31,246	2,372	85	13,447	973	39	4,728	74	42	2,235	1,323	2,886	3,042	3,110	338	301
Soewetz ..	62,363	37,979	2,490	61	12,588	2,496	100	10,906	186	65	2,131	1,830	25,68	2,558	5,232	702	238
Stargard ..	55,095	30,692	1,640	72	9,068	1,185	68	5,214	218	109	2,246	1,590	4,608	4,674	3,094	160	472
Strasburg ..	49,707	30,507	2,819	88	13,240	745	95	3,132	197	93	2,426	1,337	3,237	3,098	3,839	351	142
Stuhm ..	35,099	17,597	1,341	51	5,355	638	42	2,953	112	83	1,715	1,411	2,040	1,856	2,430	221	173
Thern ..	46,576	24,183	1,904	68	8,938	620	55	2,781	241	92	2,729	1,648	2,657	2,450	2,594	312	88
Total ..	966,901	564,329	42,389	2,101	216,107	19,098	[1,316	80,367	3,014	1,508	43,716	31,885	63,101	59,657	63,693	6,744	7,359

(Table 2.)—DISTRIBUTION of Lands in the District of West Prussia among Towns, Large Landowners, and Peasant Proprietors, giving the Numbers of each, and dividing the latter in two Classes, as they employ Cattle or Horses for Tillage, or are unable to employ either.

Name of Circuit.	Total Area.		Townships.			Estates and Manors.			Peasant Villages.			Peasant Properties.			
	English Acres.	Prussian Morgen.	Towns.	Area Morgen.	Holdings.	Area Morgen.	Estates.	Knight's Estates.	Area Prussian Morgen.	Village Communes.	Peasant Holdings.	Employing Cattle for Tillage.		Unable to Employ Cattle.	
												Holdings Morgen.	Properties.	Holdings Morgen.	Properties.
					Number.		Number.	Number.			Number.		Numbers.		Number.
Berent	304,774	482,580	2	16,254	391	166,818	118	36	300,109	129	2,505	181,280	1,424	6,342	628
Danzig	297,971	420,840	1	5,749	583	148,829	230	45	266,195	181	3,848	214,617	1,463	9,900	2,295
Elbing	190,484	242,752	2	13,844	567	40,468	114	2	188,445	91	3,045	120,669	1,126	12,733	1,733
Elatow	376,886	597,202	5	45,749	1,356	233,392	137	25	317,857	110	4,692	255,047	1,899	23,226	2,438
Grandentz ..	205,451	324,715	4	20,463	623	158,518	134	45	145,735	105	2,799	128,249	962	7,637	1,627
Carthans ..	344,232	546,466	..	..	..	187,298	123	51	359,133	174	4,194	192,573	1,941	19,353	1,475
Deutsch-Krone	529,273	838,730	5	92,847	1,796	342,288	92	37	403,302	104	3,700	359,107	1,876	11,277	1,554
Culm	219,057	347,499	2	18,146	360	193,106	212	64	141,152	107	2,888	107,383	1,076	9,382	1,432
Loebau	239,466	380,066	3	12,948	482	130,383	318	25	236,778	121	3,203	210,872	1,504	6,178	1,058
Marienburg ..	200,008	317,216	2	3,734	162	8,197	83	3	305,316	149	3,617	245,622	1,521	14,813	1,301
Marienwerder	235,384	372,663	3	12,759	352	166,033	374	31	193,671	117	3,732	159,281	1,296	8,892	2,452
Neustadt ..	353,756	560,976	1	7,413	247	331,118	551	88	222,502	100	2,756	168,541	1,317	7,526	1,340
Rosenberg ..	257,153	406,940	6	34,122	796	278,598	172	50	94,163	62	2,047	72,841	837	5,472	914
Schlochan ..	627,913	837,379	5	58,208	1,254	394,753	547	44	383,423	108	3,448	298,569	1,447	12,563	1,515
Schwetz	412,262	645,904	2	12,443	448	401,935	411	58	239,083	150	5,934	167,451	1,504	33,876	3,620
Stargard ..	341,510	542,191	2	13,136	308	319,989	234	49	209,056	108	3,254	184,628	1,367	7,376	1,446
Strasburg ..	331,986	526,518	4	17,340	643	264,088	207	47	245,156	118	4,190	175,415	1,809	10,025	1,574
Stuhm	157,830	250,766	2	8,806	320	94,774	97	45	147,200	81	2,651	109,865	883	5,092	1,480
Thorn	280,284	443,913	3	14,755	321	252,873	235	89	176,652	92	2,909	110,533	1,190	11,614	1,341
Konitz	560,567	887,498	2	10,584	470	411,707	297	62	456,790	156	5,025	330,930	1,910	20,495	2,361
Total	6,366,247	9,972,814	57	423,300	11,781	4,525,147	4,746	846	5,031,720	2,313	70,437	3,793,473	28,492	243,772	33,584

(Table 3.)—DISTRIBUTION of every kind of Cultivated and Uncultivated Land in the District of West Prussia, stating Quantities of each in Prussian Morgen.

Circuit.	Total Area.			Uncultivated.					Premises including adjoining Gardens.	Cultivated Land.					
	Geographical Square Miles.	English Square Miles.	Prussian Morgen.	Water.	High- and Waterways.	Waste.	Not capable of Cultivation.	Total.		Garden Land.	Land for Tillage.	Meadows.	Pasture Land.	Woods and Plantations.	Total.
Berent	22.4	476.2	482,580	20,137	8,815	1,137	312	29,901	2,309	433	296,792	22,170	120,367	80,608	450,370
Dantrig	21.9	465.6	420,840	4,074	20,821	153	13,296	38,344	5,169	3,745	279,827	25,797	17,850	50,108	377,327
Elbing	14.0	297.6	242,752	8,006	13,074	415	3	21,498	3,754	2,434	84,801	77,586	15,084	37,595	217,500
Flatow	27.7	588.9	597,202	10,971	12,033	195	103	23,302	4,658	1,256	346,840	46,376	52,559	122,211	569,242
Grandlentz ..	15.1	321.0	324,715	6,777	7,033	122	1,071	15,003	3,198	956	234,091	24,815	13,123	33,529	306,514
Carthans	25.8	537.9	546,466	27,438	8,963	859	79	37,339	3,139	421	274,804	22,963	100,743	107,057	505,988
Deutsche-Krone	38.9	827.0	838,730	20,967	17,566	530	117	39,180	4,640	2,147	384,078	27,741	119,486	261,458	794,910
Culm	16.1	342.3	347,499	6,218	11,721	..	2,922	20,861	2,760	1,675	230,735	33,537	23,283	34,648	323,878
Loeban	17.6	374.2	380,066	12,594	7,354	722	268	20,938	1,976	627	251,808	24,197	30,501	49,719	357,162
Marienburg ..	14.7	312.5	317,216	6,403	18,481	1,606	50	26,540	4,537	2,997	186,228	78,291	12,110	6,513	286,139
Marienwerda ..	17.3	367.8	372,663	5,916	14,531	86	8,447	23,080	3,543	2,806	224,311	36,581	25,394	56,048	345,140
Neustadt	26.0	552.7	560,976	5,003	10,290	74	14,160	29,527	3,023	995	237,309	37,392	87,900	164,830	528,426
Rosenberg	18.9	701.8	406,940	22,730	6,334	919	96	80,079	2,362	1,484	221,587	40,200	24,048	87,180	379,499
Schlochan	38.8	824.9	837,379	23,478	16,797	1,509	7,033	48,812	8,493	1,529	352,757	32,561	179,993	218,234	785,074
Sch. etz	30.8	644.1	645,904	12,196	20,032	45	1,615	32,888	4,141	2,942	299,254	47,870	38,452	219,357	607,875
Stargard	25.1	533.6	542,191	13,033	11,410	165	327	25,495	3,300	881	259,558	32,153	68,531	152,273	513,396
Strasburg	24.4	518.7	526,518	12,385	9,506	..	461	22,352	3,715	4,082	321,406	33,107	37,431	104,425	500,451
Stuhm	11.6	246.6	250,766	3,536	4,885	572	484	9,477	2,257	1,284	171,706	24,639	10,745	30,658	239,032
Thorn	20.6	437.9	443,913	4,305	19,089	43	1,863	25,300	8,737	1,613	269,588	29,750	19,544	94,381	414,876
Konitz	41.2	875.9	887,498	37,107	16,283	..	8,070	61,460	3,842	2,123	337,749	47,045	159,258	276,021	822,196
Total	46.79	9,947.2	9,972,814	263,329	254,518	9,152	56,277	583,276	69,553	36,430	5,195,229	744,771	1,156,702	2,186,853	9,319,985

(Table 4.)—PER-CENTAGE of Average of various kinds of Land in the District of West Prussia.

Name of Circuit.	Area in English		Land for Tillage.	Gardens.	Meadows.	Pasture.	Woods and Plantations.	Total cultivated.	Premises.	Total uncultivated.
	Square Miles.	Acres.								
Berent	476.2	304,774	47.0	0.1	4.6	24.9	16.7	93.3	0.6	6.2
Danzig	465.6	297,971	67.0	0.8	6.1	4.3	12.0	90.2	1.0	8.8
Elbing	297.6	190,484	34.9	1.0	31.9	6.2	15.5	89.5	1.6	8.9
Flatow	588.9	376,886	58.1	0.2	7.8	8.8	20.5	95.4	0.8	3.8
Grandentz	321.0	205,451	72.1	0.8	7.7	4.0	10.4	94.5	1.0	4.5
Carthans	537.9	344,232	50.3	0.1	4.2	18.4	19.6	92.6	0.6	6.8
Deutsch-Krone	827.0	529,273	45.8	0.3	3.3	14.2	31.2	94.8	0.5	5.5
Culm	342.3	219,057	66.3	0.5	9.7	6.7	10.0	93.2	0.8	6.0
Loeban	374.2	239,466	66.2	0.2	6.4	8.1	13.1	94.0	0.5	5.5
Marienwerder	367.8	235,384	60.2	0.8	9.8	6.8	15.0	92.6	1.0	6.4
Marienburg	312.5	200,808	58.7	1.0	24.7	3.8	2.1	90.3	1.4	8.3
Neustadt	552.7	353,756	42.3	0.2	6.7	15.7	29.4	94.3	0.5	5.2
Rosenberg	401.8	257,153	54.4	0.4	9.9	5.9	21.4	92.0	0.6	7.4
Schlochan	824.9	527,913	42.1	0.2	3.9	21.5	26.1	93.8	0.4	5.8
Schwetz	644.1	412,262	46.4	0.5	7.4	5.9	34.0	94.2	0.6	5.2
Stargard	533.6	341,510	47.9	0.2	5.9	12.7	28.1	94.8	0.6	4.6
Strasburg	518.7	331,986	61.0	0.8	6.3	7.1	19.8	95.0	0.7	4.3
Stuhm	246.6	157,830	68.5	0.5	9.8	4.3	12.2	95.3	0.9	3.8
Thorn	437.9	280,284	60.7	0.4	6.7	4.4	21.3	93.5	0.8	5.7
Konitz	875.9	560,567	38.1	0.2	5.3	18.0	31.1	92.7	0.4	6.9
Total, and average for District	994.72	6,366,247	51.6	0.4	8.0	12.1	21.3	93.3	0.7	6.0

Origin of Freeholds.—Whilst in other portions of the Prussian dominions all peasant properties are of more modern date, and have only become freeholds since their emancipation from feudal burthens, there exist in this district some properties which were exempted from all servile obligations, and were bestowed on German colonists in fee-simple at the time of the Teutonic knights, under an edict promulgated by the Grand Master at Colm, or Culm, in the year 1281, and known as “Colmische Recht,” or “Handfeste.” The number of such properties cannot be large in proportion to the numerous class now existing in the district, especially as they existed only in the few circuits of West Prussia, where the knights reigned supreme. The fact deserves to be noticed nevertheless.

German Settlers, 1772-1795.—On taking possession of this district, King Frederic II found many estates and forests the property of the Polish Crown; on these he created numerous hamlets in which small holdings were granted to German immigrants with a view of strengthening that national element.

On the 1st April, 1772, that King wrote to Domhardt: “I think that the inhabitants of Pomerania, who are principally Poles, will hardly appreciate the benefits conferred upon them; the best means of improving these Slavonian populations is to settle Germans among them, even though it be only two or three in each village.”

In this manner all the peasant properties in West Prussia, and not only these but all those in the rural portion of it which are not owned by country gentlemen, derive their title either from the Teutonic knights, or from King Frederic II, or, lastly, and this is the principal number, from the date of the abolition of feudal burthens.

Pomerania Sandy Plains.—The district alluded to by the King in his letter was called Pomerania, and was contiguous to the Province of Pomerania, and consists of a large tract of sandy plain, with pine forests, with a very inadequate proportion of meadows, and with a population which, notwithstanding the encouragement given to the German element, continues Polish and Slavonic. This district may be said to commence with portions of the circuits of Konitz, Krone, Flatow, Schlochan, Berent, Schoeneck, and Karthans.

With few exceptions the soil in this large district appears very light, in some places almost barren; the system of a fallow every third year is generally adhered to by the peasant owners, and some bits of land are so unproductive as to allow only of a crop of rye once in six years. The Polish peasants adhere to their national habits and style of living, and though some improvements, both in husbandry and in their habitations, have been introduced of late years, the general appearance of these circuits is such as to convey the impression that there exist in them great contrasts, and that the prosperity

of the peasant owners must not be measured by the dimensions of their property, whilst some of them in more favoured spots are able to sow even clover and grow different kinds of corn, others owning several hundred acres must be content with only rye and some potatoes. On these properties the number of live stock is limited by the deficiency of food during the long and severe winters, entire villages exist without horses, and the condition of the small holders is frequently wretched, fortunately that the proportion of small holdings is considerably less than in other districts in Prussia. Of all holdings under 300 morgens (190 acres) there is an average per centage of 53 between 30 and 300 morgens, in these six West Prussian circuits, 24 per cent. between 5 and 30 morgens, and only 23 per cent. below that size.

There are, moreover, within these ill-favoured circuits many peasant properties of larger dimensions; the total number of all rural properties of above 300 morgens (190 acres) are reported as 1,651 (of these 727 holding more than 600 morgens); but as 276 are estates belonging to landlords or country gentlemen, there would appear 1,375 peasant properties of these dimensions. Indeed, some are said to approach 1,000 acres, and the average is given at ninety acres.

The best proof, however, of the low rent, estimated from lands situated in this portion of West Prussia, may be gathered from the scale calculated for the purposes of taxation in the Prussian dominions a few years ago. According to this scale, the average rental of the Prussian morgens in the entire kingdom was taken at 44 silver groschen (about 4s. 6d.) on tilled land. In these circuits the average is,

In Bercut	..	..	..	..	..	16 sgr. per morgens of tilled land.
Carthans	..	..	..	..	..	12 " "
Flatow	..	..	..	..	..	19 " "
Konitz	..	..	..	..	..	18 " "
Krone	..	..	..	..	..	19 " "
Schlochan	..	..	..	..	..	12 " "

But the low estimation of these lands is still more apparent in the average rental of the whole area, which is, for Prussia, 31 silbergroschen; and for these six circuits as follows:—Bercut, 10; Carthans, 8; Flatow, 14; Konitz, 2; Deutsch Krone, 11; and for Schlochan, 7 silbergroschen only.

Another good criterion is the number and proportion of live stock; but lest it should be supposed that there had been no progress in the relative prosperity of these circuits within the last forty years, I must be allowed to state the number of animals recorded in them at two distant periods.

	Horses.	Horned cattle.	Sheep.	Goats.	Pigs.
In 1831	21,490	79,509	275,477	2,709	36,100
1864	41,535	124,159	741,756	5,660	53,097

Notwithstanding this fair progress is made in this respect, it must be observed that there were in 1867 only 7.5 horses and 16 milch cows to an English square mile in this portion of West Prussia, and less than five oxen to a mile, whilst the proportions of these for the entire district of West Prussia, were 5.2 oxen, 13.5 draught horses, and 23.2 cows to a mile.

The total area of these six circuits is 4,130 English square miles.

Valley of the Vistula.—A most striking contrast in every respect to this less favoured region constitutes another portion of West Prussia, known by the name of the Valley of the Vistula. Here we find, with respect to live stock, 21.2 draught horses to a mile, and nearly 30 milch cows; all other animals in proportion.

The breed of cattle, heretofore prevailing in this part of the district, was not at all remarkable for their forms, but were reputed good for the dairy. Of late, great attention is paid to the improvement of the breed, both of cattle and sheep. With regard to the latter, Southdowns are imported from England, with a view to their gradual substitution for fine woollen-merino sheep.

The portion known by the name of the Valley of the Vistula, consists of those circuits where a large portion of their lands or meadows lie adjacent to either of the two branches of that river, or to any of the canals and tributary streams whose waters flow into the Vistula.

These lands known in the country by the name of "Werder," or in other parts, "Wiederung," consist of a rich and fertile alluvial soil; and being protected from inundations by a complete system of embankments, they are cultivated with intelligence; and it may be said of the circuits in which they are situated, that with the addition of a

few adjoining circuits, this is the really productive portion of West Prussia, whence a large surplus of agricultural produce is brought for shipment to the port of Dantzic.

It is impossible for statistical purposes to disconnect altogether the Valley of the Vistula, and the other fertile localities of a similar nature from those more elevated lands situated within the same counties or circuits; it is necessary, therefore, to group together seven so-called circuits (*kreise*), partaking more or less of these advantages, viz., Dantzic, Elbing, Culm, Marienburg, Marienwerder, Graudentz, and Thorn, though many localities in them are quite out of the so-called Valley, whilst the circuit of Schwetz, which contains only a small portion or slip of land near the river, must be excluded in such a calculation.

These seven circuits together have an area of 2,544.7 square English miles, and about 22,000 owners of rural lands; giving, therefore, nearly ten proprietors to a square mile (exclusive of the surface occupied by towns), and 6.5 to every hundred of rural inhabitants.

Years of scarcity.—The produce, however, of a few acres of the greater part of these lands is fully equivalent to that of several times as large a space in the district previously described; and seasons of scarcity are almost unknown here; whilst those who work for daily wages, and those who own little portions of land in the other more barren localities, are not unfrequently exposed to great distress after a disastrous harvest. Thus, two two years ago, the mortality in some of the Slavonic villages of Pomerania, consequent on a deficient crop, had largely increased. Though these latter circuits are thinly populated, in that of Schlochan there are only 57.9, in that of Konitz 67.8 inhabitants to a mile. Many labourers go at harvest time to seek for work in the Valley of the Vistula.

Returning to this favoured spot, we find that the arable lands situated there have been estimated as follows, for the land tax, in silbergroschen per Prussian morgen:—

								Silbergroschen.
Circuit of Dantzic .	..	..	..	..	..	..	..	66
Elbing .	..	..	..	..	..	..	..	98
Marienburg	..	..	..	..	..	..	..	108
Culm ..	..	..	..	..	..	..	..	40
Marienwerder	..	..	..	..	..	..	..	64
Graudentz	..	..	..	..	..	..	..	40
Thorn ..	..	..	..	..	..	..	..	46

And in the two circuits of Schwetz and Stargard, which though not included in the calculations for the valley district, contain some alluvial lands, these have been valued at a rent of 55 and 85 silbergroschen for the same purpose.

The land under tillage in this district constitutes more than three-fourths of the entire area, whilst the proportion of permanent grass land, in the Delta, formed by the separation of the Nogat from the Vistula, is unusually large, being 31.9 per cent. in the Elbing, and 24.7 in that of Marienburg.

Peasant Proprietors.—In these localities a visitor may therefore find peasant proprietors placed in the most favourable conditions for success, enjoying the advantages of a long possession of a rich soil with abundance of meadows, and the proximity of a seaport (Dantzic), where they have the greatest facilities to dispose of their produce. Here the ancient Teutonic or “or Colmisch” freeholds are more numerous.

It is, therefore, not to be wondered that persons so circumstanced have attained long ago a position of affluence which they are fully able to maintain. I have been assured by parties well acquainted with this district, that the peasant owners who can dispose of a capital of several thousand thalers are numerous, and that these generally endeavour to secure superior education to their children, and whilst continuing their former frugal habits, they have, with increasing prosperity, acquired an appreciation of comforts and conveniences in life which were neither practised nor even known by their fathers.

Credit.—The peasant proprietors in this fertile district are very seldom borrowers, and when they are compelled to raise money, they do so, I am told, generally from their own neighbours or friends. It is in the unproductive circuits that the money-lender, the professional one, may find applicants; but I was unable to collect any particulars on the subject.

Mortgages.—There is only one institution existing in West Prussia which, since 1861, affords facilities for loans to all proprietors whose holdings are valued at 1500 thalers (225*l.*), the estimation being made much below the actual value in the market.

This Institution, which is the New West Prussian Landed Bank or *Landschaft*, has granted from 1861 to 1867, 2,450,710 thalers, or 352,525*l.*, on 380 properties. Of this

this sum, 2,197,780 thalers are mortgaged on 358 properties in the Marienwerder portion of West Prussia, and only the remainder on 22 properties in that of Dantzic.

But it must be observed that it does not appear that all these loans are raised by peasants, as all those owners of land who are not entitled to obtain any from the parent institution limited to seigniorial properties, get their loans here, and are included in these figures.

The remarks that have been made will suffice, I hope, to convey a general impression of the condition of the peasant owners in these thirteen circuits of West Prussia, the same observations applying equally to those in the remaining seven circuits, the situation being always very much affected by the quality of the soil in their possession.

It may be therefore necessary to state that it is excellent in four of the remaining circuits, middling in one, and only inferior in the two conterminous to the Kingdom of Poland, viz., Loeban and Strasburg.

The various implements of husbandry have undergone considerable improvement within the last twenty years.

Crops.—As regards the course of cultivation or rotation of crops, these differ very much in each locality, the farmers in the Valley of the Vistula are able to apply cattle manure to their land every five years, and by the introduction of clover in the rotation are in a position to dispense with fallow. Wheat, barley, rape-seed are grown by them, and a large surplus of all these is sold annually.

The lands situated in other fertile circuits, out of the valley, constitute a transition between the rich alluvial soil and the sandy plains of the north-westerly district: on these both wheat and rye are sown, and a fallow of a year's rest is given to the land every five or six years. In the less productive circuits, and on lands deemed to be unfit to grow wheat, rye is grown, and either followed by oats or by a fallow of several years' duration, whilst potatoes are limited to the quantity of land which has been freshly manured; and the produce is employed both for the food of the people and for distilling spirits.

Between the condition of affluence and prosperity visible among the peasant proprietors, even when owning only a few acres in some localities, and the comparatively unfavourable impression produced by the style of living, habitations, quality of stock, &c., of others similarly situated, living in other parts of West Prussia, a striking contrast is presented. It appears, on inquiry, that there exists a quality of soil so different that it might account sufficiently for this contrast; but it happens that the most fertile lands are in the possession of Teutonic proprietors, whilst the Slavonic peasantry are less favoured by the natural capabilities of the soil in their occupation; and the different characteristics of the two races are invoked constantly as the cause of success in one portion of the province and failure in another.

By the way of illustrating the results of the successful peasant proprietor and of one whose straitened circumstances are visible in his farmyard, a German friend of mine, publishing a work on the subject, intends giving two drawings of farmeries situated in West Prussia, in a fertile and in a barren locality. Though his work has not made its appearance yet, he has kindly favoured me with a copy of these two drawings, which I take the liberty to forward as accompanying this Report, as it has appeared to me that they are likely to convey an impression similar to those experienced by myself when visiting farms in different parts of this district.

The results of peasant proprietorship have been extolled by some writers and disparaged by others. My own inquiries, in addition to those previously made in Austria and Russia, have been recently confined to the Eastern Provinces of Prussia, it may not be, perhaps, considered as presumptuous on my part if I state it to be my impression that the result has been on the whole favourable in these districts, though I cannot help thinking that the results of such a system are always affected by the habits, the traditions, the views entertained by the people where it is in force, by the economic conditions of the country to which it is applied, and even by the quality of the soil thus distributed.

To obtain a correct notion of the results of the existing system it is necessary to compare the present state of things in West Prussia with a description of these maritime districts drawn up by a keen and most intelligent observer, the late William Jacob, Esq., as contained in his Report, laid before Parliament in 1826.

The freedom of the peasants from feudal servitude was then but of recent date, the landed gentry were very much incumbered with mortgages, the country had hardly recovered from the effects of long and disastrous wars, there was a scarcity of capital, and it was considered that the new proprietors were almost worse off than under the old tenures; on which Mr. Jacob judiciously observes that this temporary effect "was not to be considered to be

an impeachment of the wisdom which had planned and executed their emancipation." Mr. Jacob also noticed at the time a most pleasing difference on the banks of the Vistula near Dantzic in the Niedening or Nehening Valley, which he says reminded him of some parts of Flanders.

Production.—The average surplus of grain exported from West Prussia during the years from 1816 to 1824 amounted to 173,000 quarters of wheat and to 74,000 quarters of all other grain; this surplus has increased to an average of 300,000 quarters for wheat, whilst other grain has more than doubled, and 60,000 quarters of rapeseed are also shipped annually, besides the consumption of that article for pressing oil in the local oilmills.

This large increase in the surplus of agricultural production has been accompanied by a considerably greater demand for home consumption consequent to an increase of population, which was (inclusive of the military profession), 698,103 in the year 1822; 784,366 in 1831, and 1,282,242 at the last census.

Live Stock.—The increase in live stock has been no less considerable during the same period.

NUMBERS of Live Stock at different Periods in West Prussia.

Name.	1816.	1831.	1849.	1867.
Horses	102,006	112,538	149,026	180,000
Horned cattle	215,809	246,597	343,856	377,229
Sheep	393,418	709,180	1,259,570	1,918,967
Goats	2,465	3,161	9,163	33,941
Swine	138,806	152,281	196,796	264,094

Although the above return includes all the live stock in the district, and not the property of peasant owners alone, which cannot be ascertained separately, it is a pretty good indication of the rising prosperity in a district where peasant properties are so numerous.

Different Kinds of Properties.—In the Dantzic portion of West Prussia, the following quantity of land is distributed between estates, large and small proprietors:—
To each 1,000 acres the following number of acres is the property of each class:—

Circuit.	Owned by the Country Gentry.	Owned by Larger Peasant Proprietors.	Owned by Small Peasant Proprietors.
	Morgen.	Morgen.	Morgen.
Berent	216	504	18
Carthans	337	433	42
Dantzic	227	581	27
Elbing	102	548	57
Marienburg	4	939	56
Neustadt	429	345	15
Stargard	223	360	14

The number of all kinds of properties in land was estimated, in 1861, in West Prussia (exclusive, of course, of those whose freeholds consist of the land on which houses are built, 17,481), at 86,664, and it appears that this was the number of registered properties or titles in the Record Office or Hypothec at that time, viz. :—

	Total Number of all kinds of Registered Properties.	Number of Farms owned by some one holding other Properties.	Supposed actual Number of Proprietors.
On country estates and manors ..	4,746	879	3,867
Within Municipal boundaries ..	11,481	1,223	10,258
In peasant villages, hamlets, &c. ..	70,437	6,744	63,693
	86,664	8,846	77,818

The size of the larger peasant properties differs very much. The following are the averages, in English acres, of properties of this class in the Dantzic district alone:—Berent circuit, 99 acres each; Carthans, 77; Dantzic, 60; Elbing, 38; Marienburg, 50; Neustadt, 97; and Stargard, 86 acres each.

The smaller holdings in the Dantzic district vary, in different circuits, as follows :—

Circuit.			Largest of the Small Holdings.	Size of the Smallest.
			Prussian Morgen.	Prussian Morgen.
Berent	..	..	86	$\frac{1}{5}$
Carthans	..	..	29 $\frac{1}{2}$	$\frac{1}{5}$
Dantzic	..	..	29 $\frac{1}{2}$	$\frac{1}{5}$
Elbing	..	..	31	$\frac{1}{5}$
Marienburg	..	..	34	$\frac{1}{5}$
Neustadt	..	..	45	$\frac{1}{5}$
Stargard	..	..	60	$\frac{1}{5}$
In the Dantzic district			86	$\frac{1}{5}$

The size of the various holdings and farms of all kinds were returned last in 1859, and some alterations may have taken place since; but as this is the last official Return given, I beg to submit it in the two following Tables, V and VI, separating the rural properties from those situated within municipal boundaries.

(Table 5.)—AVERAGE of Peasant Properties in the Rural portion of the District of West Prussia, giving the Sizes of different Holdings in Prussian Morgen.

Name of Circuit.	Less than 5 Morgen.	Above 5 but less than 30 Morgen.	Above 30 but less than 300 Morgen.	Above 300 but less than 600 Morgen.	Above 600 Morgen.	Total Number of all sizes.
Berent	392	425	1,284	105	98	2,304
Dantzic	1,802	640	1,313	125	84	3,964
Elbing	1,032	718	1,109	70	30	2,959
Flatow	923	1,139	1,924	99	107	4,192
Graudentz	1,214	522	883	43	80	2,742
Carthans	538	1,181	1,651	69	93	3,532
Deutsch-Krone	684	365	1,601	252	134	3,036
Culm	676	834	822	30	100	2,462
Loeban	525	306	1,475	63	55	2,424
Marienburg	751	791	1,320	168	29	3,059
Marienwerder	2,053	663	1,042	91	63	3,912
Neustadt	546	588	1,437	54	107	2,732
Rosenberg	594	366	852	31	55	1,898
Schlochan	642	611	1,290	205	134	2,882
Schwetz	1,750	1,864	1,555	47	93	5,309
Stargard	1,266	409	1,166	95	100	3,036
Strasburg	761	942	1,494	65	88	3,050
Stuhm	1,152	368	754	78	66	2,418
Thorn	693	906	1,096	57	91	2,843
Konitz	1,220	780	1,770	184	161	4,115
Total	19,214	14,118	25,838	1,931	1,768	62,869

(Table 6.)—AVERAGE of Properties of different Sizes situated within Townships in the District of West Prussia, giving the Dimensions of different Holdings in Prussian Morgen.

Name of Circuit.	Number of less than 5 Morgen.	Above 5 but less than 30 Morgen.	Above 30 but less than 300 Morgen.	Above 300 but less than 600 Morgen.	Above 600 Morgen.	Total Number of all sizes.
Berent	86	89	76	7	..	258
Dantzic	185	16	7	..	..	208
Elbing	483	163	69	..	..	715
Flatow	474	352	265	13	3	1,107
Graudentz	371	83	92	3	3	552
Carthans .. ..	..	..	..	..	..	..
Deutsch-Krone	680	289	397	19	15	1,400
Culm	700	128	49	2	..	879
Loeban	111	171	94	8	..	384
Marienburg	421	10	26	1	..	458
Marienwerder	53	107	52	3	1	216
Neustadt	100	63	83	2	3	201
Rosenberg	204	201	170	11	2	588
Schlochan	272	348	268	15	10	913
Schwetz	151	186	30	2	1	370
Stargard	55	112	55	6	4	234
Strasburg	200	193	107	5	2	507
Stuhm	157	47	58	2	..	264
Thorn	205	31	37	3	1	277
Konitz	175	60	54	6	4	299
Total	5,082	2,649	1,939	110	49	9,830

The above Table V enables me to draw the following relative percentage in the distribution of the three different dimensions of peasant holdings, taking only those of less than 190 acres (300 morgen).

PROPORTION of Large, Middle-sized, and Small Holdings to a Total of these three Heads.

Circuits.	Small Holdings of less than 5 Morgen 3·9 Acres.	Middled Sized Holdings of more than 8 less than 30 Morgen 19 Acres.	Large Holdings of more than 30 less than 300 Morgen, or 190 Acres.
Marienwerder	54	18	27
Dantzig	48	17	35
Schwetz	34	36	30
Konitz	32	20	47
Stulm	50	16	33
Berent	18	20	61
Flatow	23	29	48
Carthaus	16	35	49
Deutsch-Krone	25	14	60
Elbing	36	25	39
Graudenz	49	22	28
In the District of West Prussia ..	32	24	43

Inheritance.—The value attached to ownership of land, and the traditional habits of the peasant class, as well as the frequent possession of some ready money, enable most of those whose holdings make them independent of wages to act in such a manner as to counteract the dispositions of the laws of their country on the subject of equal shares. In West Prussia, just in the same way as I have had occasion to observe in other districts visited, there are not as many cases of subdivision through inheritance as the state of the law on the subject would lead us to expect. Dispositions are generally taken by the owners during their lifetime to avoid such a contingency after their demise.

The fictitious sales of this land by parents to one of their favoured children, render the prices quoted as the purchase value of peasant properties in so far unreliable.

Subdivision.—A more frequent cause of subdivision of these properties are *bonâ fide* sales effected by speculators, with a view of finding purchasers at a higher price in lots.

The inquiry carried out in 1859 on the subject of the two classes of peasant holdings in existence, namely, such as employed horses or cattle for field work, and those small second-class owners who could not employ either, has given us the following results for West Prussia :—

	First Class Properties Only.		
	In 1816 No. of Holdings.	In 1859 No. of Holdings.	In 1867 From later Returns.
Marienwerder	18,143	18,133	Not ascertained.
Dantzig	8,933	10,359	11,265
West Prussia	27,076	28,492	..

A reference to the total number of acres held by this class is superfluous, as the figures returned cannot be relied upon; they not only differ from other official tables, but they only account for $\frac{7.6}{100}$ of the entire area of peasant villages; the extent of each property was probably supplied by the owners themselves—a class known for their mistrust—and are, therefore, so much below the mark.

The changes between 1816 and 1859 are accounted for in this class of properties as follows :—

			Prussian Morgen.	
			Marienwerder.	Dantzig.
Decrease :—				
Through subdivision	829	252	90,429	25,131
Through absorption by other peasant properties ..	1,093	313	110,852	35,185
Through absorption by estates not owned by peasants ..	896	113	90,817	11,533
Total decrease.. .. .	2,818	678	292,098	91,849
Increase :—				
New first class peasant buildings	2,808	2,104	207,369	145,446
Therefore decrease	10	..	..	..
Total increase .. .. .	..	1,426	..	..

During the period referred to, the first-class peasant properties still continuing had the following diminution of acreage :—

In Marienwerder, 72,607 morgen, and in Dantzig division, 20,412, all disposed of in favour of second-class small holdings.

Bought up and annexed by estates or other non-peasant properties, 57,592 morgen in Marienwerder, and 3,213 in Dantzig.

At the same time, 569 morgen passed in the circuit of Marienwerder, from second class to first class peasant owners, and 59,409 morgen were acquired in the following eight circuits by peasants from estates, viz. :—Flatow, 9,882; Konitz, 14,787; Berent, 8,415; Carthaus, 11,399; Neustadt, 10,610; Dantzig, 2,334; Marienburg, 1,135; and Elbing, 867 morgen.

This last fact is certainly a proof of the increasing prosperity of this class of peasant owners in West Prussia. During the year 1864, the following changes in both classes of holdings were reported in the Dantzig division :—

Four holdings were annexed to other properties; 3 of these were less than 10 morgen, 1 less than 50.

One hundred and nine lots of different sizes were purchased from peasant properties by others of the same class. Of these, 59 were below 10, and 7 above 100 morgen; of the latter, 6 were in the circuit of Berent.

During the years 1865, 1866, and 1867, changes occurred in 269 localities in the Dantzig division. By these, 1,400 acres changed hands among peasant owners, including 150 acres through inheritance; 84 properties were absorbed by others, among these 13 through inheritance.

Peasant proprietors were dispossessed of 100 acres for railway purposes.

Two hundred and forty-three new holdings were formed, viz., 2 of less than 10 acres, and 84 of 41 acres each; of these new properties, 36 owe their origin to subdivision among heirs.

Relief from Common Pasture, &c.—The important work of relief from common pasture, rights of forest, &c., is near completion in this district; the quality of land affected by this change amounted in the Dantzig portion, till 1863, to 1,207,442 morgen, and from that time till 1867, to 37,584 morgen more, the number of properties effected to 12,265.

Improvements.—In conclusion, I may refer to the efforts made by the Agricultural Association of West Prussia to improve the cultivation of peasant properties by paying a special travelling agent, who instructs the peasants, and introduces a scientific course of cropping, instead of the present "wilde wirthschaft" still existing on many of them.

The following is the return of farms, the property of peasants, where a proper mode of rotation has been introduced by this agent :—

	Morgen.
Circuit of Berent, 7 farms containing	3,113
Stargard, 28 ditto	6,106
Marienwerder, 3 ditto	608
Flatow, 7 ditto	2,827
Stuhm, 2 ditto	600
Dantzig, 2 ditto	538
Graudenz, 9 ditto	1,024
Konitz, 4 ditto	1,802
Schlochan, 2 ditto	1,415

In the years 1865 to 1868 inclusive.

British Consulate, Dantzig, January 10, 1870.

(Signed)

W. A. WHITE.

Lord A. Loftus to the Earl of Clarendon.—(Received January 17.)

My Lord,

Berlin, January 15, 1870.

I HAVE the honour to inclose to your Lordship herewith copy of a despatch from Her Majesty's Consul at Dantzic, transmitting to me a Report drawn up by him on the subject of peasant proprietors, and land occupation in the Province of Posen.

I have, &c.

(Signed) AUGUSTUS LOFTUS.

Inclosure 1 in No. 10.

Consul White to Lord A. Loftus.

My Lord,

Dantzic, January 13, 1870.

I HAVE the honour to inclose a Report drawn up by me on the subject of peasant properties and land occupation in the Province of Posen.

In submitting this Report to your Excellency, I beg leave to close the series of documents on that subject prepared in accordance to your Excellency's instructions, as contained in your despatch of the 14th October, 1869, and including the answers to the principal points to which your Excellency directed my attention, when desiring me to visit Silesia and Posen.

I have, &c.

(Signed) W. A. WHITE.

Inclosure 2 in No. 10.

Report by Consul White on Peasant Properties and Land Occupation in the Province of Posen.

THE Province or Grand Duchy of Posen, as it is sometimes called, consists of districts detached by the partitions from ancient Poland, re-incorporated by Napoleon I in the Duchy of Warsaw, at the peace of Tilsit, and finally restored to Prussia by the Treaty of Vienna.

Area.—The area of this province consists of 1,172 English square miles (525½ geographical square miles), or 7,150,000 acres (in round figures). For administrative purposes the Province is divided into two portions or departments. viz., Posen with seventeen, and Bromberg with nine circuits (Kreise).

Soil.—Posen is situated within that vast sandy plain which extends from the shores of Holland to the extremity of Asiatic Russia; a light soil is therefore predominant, three-fifths of the total area are under tillage, one-fifth under forests. The proportion of grass land is 8 per cent., and therefore less than in Silesia or West Prussia.

During the survey, made for purposes of taxation, the rental of this province was estimated as everywhere in Prussia, at so many silbergroschen per morgen. The highest estimate in this province is 43, the lowest 15 silbergroschen; whilst the average for all lands is 21, and the average for arable land only 26 in the Posen department, and 28 groschen in that of Bromberg.

Population.—The population of the entire Province was at the last census in December 1867, as follows.

Urban, in 144 towns . . . . .	..	..	..	..	..	..	399,625
Rural . . . . .	..	..	..	..	..	..	1,119,668
Total inhabitants . . . . .	..	..	..	..	..	..	1,519,191

The density of population is therefore an average of 123·6 per English square mile in the Bromberg department, of 144 to a mile in that of Posen, and of nearly 136 for the entire province.

The density of the rural population alone is 93·3 and 104·7 in the two departments, and 100·2 for the province.

The following Table gives the results of the progress of population from 1816 for both divisions, distinguishing between the urban and rural population.

Each 1,000 inhabitants in 1816 have increased as follows:—

	1816.	1822.	1831.	1840.	1849.	1858.	1864.	1867.
Urban population—								
Bromberg	1,000	1,105	1,200	1,392	1,587	1,767	1,979	2,026
Posen	1,000	1,091	1,215	1,340	1,405	1,498	1,573	1,583
Rural population—								
Bromberg	1,000	1,291	1,384	1,777	1,961	2,142	2,313	2,330
Posen	1,000	1,160	1,292	1,474	1,601	1,634	1,742	1,755
Entire population—								
Bromberg	1,000	1,239	1,332	1,670	1,857	2,037	2,223	2,248
Posen	1,000	1,139	1,221	1,433	1,559	1,595	1,692	1,705

Religions.—There were in the year 1864, in the Province of Posen—

Protestants of the Established Church	487,406
Roman Catholics	946,469
Belonging to other Christian creeds	2,186
Of the Jewish religion	69,883
	1,505,944

Emigration.—The total number of persons who emigrated from this province from October 1844 to the end of 1859 was 5,683, of these 3,350 returned to the capital in their possession at 126,500*l*.

During the same period 1,228 foreigners settled in Posen and were naturalized.

From 1862 to 1864 the average of persons emigrating was 676 annually, principally to America, showing an increase of nearly double from what it was from 1844 to 1859; but as far as I have been able to ascertain, this ratio has not shown a tendency to increase since 1864, and, compared to the population, cannot be considered high.

Towns.—There are many towns in this Province hardly deserving that name, but have retained it from old Polish times when they were inhabited by free cultivators, and the rural population was considered in a state of servitude.

The total population of these towns is nearly 400,000 inhabitants, among whom there are 22,000 owners of land, and moreover, 11,938 freehold properties, consisting of houses without land. The average dimensions of the properties in land is therefore 18 acres in towns.

Particulars of the different sizes, and the numbers of holdings of each, will be found further under Tables VI and VIII.

Of these 144 towns the following are the only ones of some importance:—Posen, with 46,514 civilian inhabitants; Bromberg, with 25,180; Lissa, with 9,323; Ranitch, with 1,038. There are twelve other towns with above 5,000 inhabitants; 48 with more than 2,000 but less than 5,000 inhabitants; 58 with more than 1,000, but less than 2,000; and 22 of less than 1,000 inhabitants.

Industries.—The Province of Posen is like West Prussia, eminently an agricultural district, and the existing industries are unimportant. It will be seen from the Table of Occupations of the rural population (Table I) that out of 1,119,566 there are 716,242 directly or indirectly employed in agriculture, of whom 80,662, or more than 11 per cent. are proprietors, and only 2,103 or 0.3 per cent. tenants.

In looking over the lists of artizans and handicrafts for the year 1861 and previous years, carefully drawn up for the district of Posen only, I find the remaining population fully accounted for. In that portion, three-fifths of the entire Province, there were returned—

Butchers	1,718
Bakers and confectioners	2,045
Shoe and glove makers	7,678
Tailors, &c.	4,646
Carpenters	2,111
Masons and bricklayers	1,920
Blacksmiths and locksmiths	5,432

There are no mineral or coal pits, or no manufactures in the Province, with the exception of three establishments for agricultural machinery, a few weavers of common stuffs, and three or four manufactures of beetroot-sugar. Breweries, distilleries, oil and flour mills, some glass works, these are the only manufactories which this province possesses in common with other agricultural localities.

Before proceeding to make some observations on the cultivators of the soil, I beg leave to inclose the several Statistical Tables, throwing some light on the subject:—

(Table 1.)—OCCUPATIONS of the Rural Population in the Province of Posen, giving the Number of Persons employed as Owners, Tenants, Servants, or Labourers in Agriculture, and the Numbers of Holdings with Resident and non-Resident Proprietors, and of Cottages without Land.

District.	Total Numbers of Rural Population, 1867.	Engaged in Agriculture.											Peasant Properties.				
		Total Number of Persons.	Exclusively.			As an Auxiliary Employment.			Stewards, Agents, &c.	Female House-keepers.	Farm Servants.		Labourers.		Owners Residing.	Owners Holding other Properties.	Houses without Land.
			Owners of Land.	Owners.	Families of Foregoing.	Owners of Land.	Tenants.	Families of Foregoing.			Male.	Female.	Male.	Female.			
1. Bromberg	233,695	137,364	13,118	307	67,867	3,022	144	13,203	772	254	9,455	7,010	10,802	11,410	17,606	3,166	782
2. Gnesen	179,697	104,533	7,895	233	41,023	1,506	88	6,771	1,075	387	14,277	9,132	11,395	10,750	9,726	1,090	166
3. Bomst	109,168	79,874	8,318	77	38,378	2,308	91	9,837	366	181	5,071	3,973	5,623	5,451	10,032	1,665	931
4. Fraustadt	181,620	123,750	12,548	233	58,345	3,559	159	14,029	1,175	263	12,973	9,533	6,981	6,949	16,454	1,529	1,436
5. Posen	168,367	104,047	8,418	182	41,349	1,885	127	8,591	962	251	10,056	8,222	12,286	11,718	11,395	1,026	911
6. Pleschen	135,780	92,317	10,196	205	50,725	1,047	84	4,014	729	154	7,760	5,674	6,224	5,505	11,988	867	540
7. Schroeda	112,239	74,357	6,220	143	35,323	422	28	2,068	601	164	7,688	6,105	8,187	7,458	7,216	592	378
Total	1,119,566	716,242	66,913	1,382	330,010	13,749	721	58,513	5,681	1,634	67,280	49,652	61,446	59,241	84,417	9,935	5,144

(Table 2.)—DISTRIBUTION of Lands in the Province of Posen, among Towns, Large Landowners, and Peasant Proprietors, giving the Numbers of each, and dividing the latter in Two Classes, as they employ Horses or Cattle for Tillage, or are unable to do so.

District.	Area.		Towns.			Estates.		Peasant Villages.		Owners of Peasant Holdings.			
	English Acres.	Prussian Morgen.	Number of Towns.	Total Surface Occupied.	Number of Proprietors.	Total Surface.	Number of Farms.	Total Area.	Number of Free Holdings.	1st Class Peasants employing Cattle.		2nd Class, not having Cattle for Ploughing.	
										Morgen Owned.	Number.	Morgen Owned.	Number.
1. Bromberg	1,575,575	2,495,740	26	Morgen. 139,803	5,864	Morgen. 1,273,314	556	Morgen. 1,085,883	20,772	784,351	7,352	89,386	10,007
2. Gnesen	1,251,752	1,984,430	26	78,632	2,502	1,182,659	649	723,138	10,816	535,959	6,014	39,126	3,908
3. Bomst	859,899	1,363,007	19	107,984	3,410	628,093	202	627,079	11,697	495,239	6,134	30,116	4,369
4. Fraustadt	1,025,892	1,626,153	29	107,603	4,826	907,827	334	611,085	17,983	483,624	9,760	87,376	5,657
5. Posen	1,046,301	1,656,740	17	47,751	1,961	997,395	275	615,002	12,421	475,054	6,912	31,256	4,500
6. Pleschen	715,676	1,135,892	13	56,373	2,206	679,341	225	400,045	12,855	290,886	6,751	86,618	4,069
7. Schroeda	674,858	1,069,769	14	38,244	1,301	649,303	289	382,204	7,808	309,123	5,085	15,918	1,574
Total	7,149,953	11,331,731	144	567,290	22,070	6,317,932	2,530	4,444,436	94,352	3,374,536	48,008	229,794	34,084

(Table 3.)—DISTRIBUTION of every kind of Cultivated and Uncultivated Lands in the Province of Posen, stating the quantities of each in Prussian Morgen.

District.	Total Area.			Uncultivated.					Premises including adjoining Premises.	Cultivated Lands.					
	Geographical Square Miles.	English Square Miles.	Prussian Morgen.	Water.	High- and Water-ways.	Waste.	Not capable of Cultivation.	Total.		Garden Land.	Tilled Land.	Meadows.	Pasture Land.	Woods and Plantations.	Total.
1. Bromberg	115.8	2,462.1	2,495,740	36,462	61,039	5,698	116	103,315	19,876	12,105	1,218,191	253,077	169,407	790,269	2,373,049
2. Gnesen	92.0	1,955.9	1,984,439	58,619	37,749	3,864	183	100,485	13,855	7,177	1,336,192	133,085	119,106	274,530	1,870,090
3. Bomst	63.2	1,343.6	1,363,007	41,926	33,615	748	9	76,298	11,157	7,770	641,921	111,367	64,730	449,764	1,275,582
4. Fraustadt	75.4	1,602.9	1,626,153	12,349	39,908	1,810	25	54,087	17,767	7,620	1,098,845	160,865	45,987	240,982	1,554,299
5. Posen	76.9	1,634.8	1,656,740	20,240	38,230	374	81	58,925	13,967	11,767	1,030,862	109,291	72,337	359,591	1,583,848
6. Pleschen	52.6	1,118.2	1,135,892	8,926	25,264	1,370	1,028	31,588	11,728	4,950	694,023	106,529	47,571	239,503	1,092,576
7. Schroeda	49.6	1,054.5	1,069,769	10,971	24,713	717	196	36,597	9,616	3,977	730,322	70,840	53,924	164,493	1,023,556
Total	825.5	11,172.0	11,831,731	194,563	260,513	14,581	1,638	461,295	97,466	55,366	6,750,356	945,054	573,069	2,449,132	10,772,970

(Table 4.)—PER-CENTAGE of Average of the various kinds of Land in the Province of Posen.

District.	Area in English.		Tilled Land.	Garden Land.	Meadows.	Pasture.	Woods and Plantations.	Total Cultivated Lands.	Premises, &c.	Total of Uncultivated Lands.
	Square Miles.	Acres.								
1. Bromberg	2,462.1	1,575,575	49.9	0.5	10.3	6.7	27.7	95.1	0.8	4.1
2. Gnesen	1,955.9	1,251,752	67.9	0.4	6.7	5.8	13.3	94.1	0.7	4.2
3. Bomst	1,343.6	859,899	47.5	0.6	8.4	4.7	32.5	93.7	0.8	5.5
4. Fraustadt	1,602.9	1,025,892	67.7	0.5	9.7	2.8	15.0	95.7	1.1	3.2
5. Posen	1,634.8	1,046,301	62.3	0.7	6.6	4.4	21.7	95.7	0.8	5.5
6. Pleschen	1,118.2	715,676	60.9	0.4	9.6	4.1	21.2	96.9	1.0	4.8
7. Schroeda	1,054.5	674,858	69.0	0.4	6.4	4.9	15.2	95.9	0.9	3.2
Entire Province—Average	11,172.0	7,149,953	60.7	0.5	8.2	4.9	20.9	95.2	0.9	3.9

(Table 5.)—AVERAGE of all kind of Rural Properties in the District of Bromberg, Province of Posen, giving the Sizes of the different Holdings in Prussian Morgen.

Name of Circuit.	Those of less than 5 Morgen.	Above 5 but less than 30 Morgen.	Above 30 but less than 300 Morgen.	Above 300 but less than 600 Morgen.	Above 600 Morgen.	Total Number of all Dimensions.
Bromberg	1,599	1,562	1,205	99	81	4,546
Chodzisen	288	1,098	1,184	39	60	2,669
Charnikan	1,032	1,487	1,966	72	68	4,655
Gnesen	294	547	1,801	46	137	2,825
Inowroclaw	699	1,351	1,713	61	200	4,024
Moghiu	206	511	1,266	58	82	2,123
Schubin	387	1,390	1,080	30	90	2,977
Wirszitz	438	749	1,392	53	98	2,730
Wongrowietz	220	305	1,750	51	133	2,459
Total	5,163	9,000	13,387	509	949	29,088

(Table 6.)—AVERAGE of Properties of different Sizes situated within Townships in the District of Bromberg, in the Province of Posen, giving the Dimensions of the Holdings in Prussian Morgen.

Name of Circuit.	Those of less than 5 Morgen.	Above 5 but less than 30 Morgen.	Above 30 but less than 300 Morgen.	Above 300 but less than 600 Morgen.	Above 600 Morgen.	Total of all Dimensions.
Bromberg	249	87	34	10	6	386
Chodzisen	723	456	201	14	5	1,399
Charnikan	714	196	57	6	2	975
Gnesen	639	142	133	4	3	921
Inowroclaw	442	225	136	8	2	813
Moghiu	382	123	119	11	1	636
Schubin	419	289	189	8	2	857
Wirszitz	810	252	120	11	2	1,195
Wongrowietz	443	150	70	5	..	668
Total	4,821	1,920	1,009	77	23	7,850

(Table 7.)—AVERAGE of all kinds of Properties in the Rural portion of the District of Posen, in the Province of Posen, giving the Sizes of different Holdings in Prussian Morgen.

Name of Circuit.	Those of less than 5 Morgen.	Above 5 but less than 30 Morgen.	Above 30 but less than 300 Morgen.	Above 300 but less than 600 Morgen.	Above 600 Morgen.	Total Number of all Sizes.
Adelnan	403	1,511	1,661	13	77	3,665
Birubbaum	389	357	1,472	43	87	3,348
Bomst	741	1,366	2,145	18	57	4,327
Buk	882	1,239	1,769	15	72	3,977
Fraustadt	959	1,576	1,651	20	89	4,295
Kosten	1,012	909	2,410	31	138	4,500
Kroben	843	1,773	1,580	32	128	4,356
Krotoschin	358	1,713	1,607	10	109	3,795
Mesentz	459	748	1,894	50	58	3,209
Oborink	241	253	1,446	59	96	2,095
Pleschen	238	1,503	1,399	14	126	3,280
Poscu	866	597	1,928	38	120	3,549
Samter	335	313	1,271	18	114	2,051
Schildberg	172	1,910	1,926	7	88	4,103
Schrimen	261	568	1,762	14	108	2,713
Schroeda	125	411	1,712	21	108	2,377
Wreschen	142	507	1,147	30	87	1,973
* Total	8,426	17,314	28,780	433	1,660	56,613

(Table 8.)—AVERAGE of Properties of different Sizes situated within Townships in the District of Posen, in the Province of Posen, giving the Dimensions of different Holdings in Prussian Morgen.

Circuit.	Number of less than 5 Morgen.	Above 5 but less than 30 Morgen.	Above 30 but less than 300 Morgen.	Above 300 but less than 600 Morgen.	Above 600 Morgen.	Total Number of all Sizes.
Adelnau	196	432 *	175	4	2	809
Birubaum	705	292	236	8	5	1,246
Bourst	487	488	158	2	1	1,136
Buk	333	223	97	3	..	656
Fraustadt	611	319	162	4	..	1,096
Kosten	287	180	85	4	..	556
Kroben	714	676	145	5	3	1,543
Krotoschin	568	620	192	7	3	1,390
Meseritz	466	275	197	5	4	947
Obornik	307	91	75	5	..	478
Pleschen	341	149	69	2	1	562
Posen	209	96	19	1	1	326
Sampter	192	133	82	1	..	408
Schildberg	386	425	130	2	2	945
Schriman	269	135	116	3	2	525
Schroda	120	50	92	6	..	268
Wreschen	191	34	26	1	..	252
Total	6,382	4,618	2,056	63	24	13,143

From the foregoing Tables it appears that, out of a total area of 11,331,731 morgen, or 7,150,000 acres, 6,317,932 morgen constitute the estates and manors the property of the gentry; 3,374,536 morgen constitute peasant villages. As regards the former, there are 101,678 morgen the property of municipal and communal corporations; 187,794 morgen ecclesiastical property, 740,000 Crown property, and 184,355 morgen entailed private property.

There are 2,530 different estates and farms; of these, 1,500 have the privileges of Seigniorial estates (Rittergüter), and the number of proprietors is stated at 2,029.

The properties vary, of course, in dimensions from 500 morgen to 10,000, and even more, the average for the province is 3,020.

The estates of the landed gentry have improved very much within the last twenty years. Many of the Polish owners who could not lay out capital on improvements, having inherited heavily mortgaged property, have sold out, and the relative lower prices of land, as compared with other German provinces, has induced purchasers from all parts to invest their money in land, and the cultivation of large farms has undergone a gradual improvement since, which is visible in every direction; and the remaining Polish proprietors are vying with their German competitors in applying their energy and their capital to render their estates more productive.

With respect to peasant properties, which average 50 morgens (31½ acres each), in this province there has likewise been a great change in the class of owners, whilst in some other Prussian provinces the tendency has been to make smaller holdings by sub-division, and in others the proprietors of estates have sought to annex to their properties adjacent holdings by purchasing them. Another symptom, of which I had observed some cases in Silesia, has manifested itself in Posen. From 1823, the date of the abolition of feudal burthens, to 1859, the number of first-class peasant properties had increased from 45,817 to 48,008, therefore, there were 2,191 new such holdings, consisting of 94,702 morgen, which owe their origin to the sub-division of the estates of the gentry.

The influx of farming peasants from other parts of Germany has produced a rise in the value of land, but not to the level of what it is in other conterminous provinces. The large number of estates which have been in the market and have changed hands in Posen have, in many cases, made it desirable for the new purchasers to detach portions from them, and sell them to the immigrants at a higher price than they had paid themselves for the whole. Of course no accurate data can be obtained of the way in which these changes were brought about between 1823 and 1859, but what is going on at the present day is a pretty good indication of a tendency, strongly marked by the presence of new peasant proprietors in the province who have come as purchasers from other districts.

It appears that the sub-division of estates has not continued in 1867 and 1868;

but in an official Report for the circuit of Schildberg for 1861, I find the following information :—

The estates of Kempen and Wierusrow, and the farms, Ainbolke and Trzeinica in this circuit, have been sub-divided and disposed of in lots.

Kemper consisted of 5,407 morgen, of these, four new farms have been formed with nearly 4,000 morgen, and the remainder has been disposed of in holdings of 120 morgen each. The other farms have been distributed also on a similar plan.

From a similar document for the circuit of Schroda, it appears quite as clearly that the increase in first-class holdings is due to acquisitions from estates.

In this circuit there were returned in 1859, 1,863 first-class peasant properties, showing an increase of 34 since 1823; but, on the 1st January, 1865, there were 3,156 holdings of this class, and 3,274 on the 1st January, 1868.

The estates with Seigncurial privileges, which were 91 in 1861, had diminished to 77.

During the years 1865, 1866, and 1867 the diminution of property had been as follows :—

	Morgen.								
In estates	5,436
First class holdings	1,724
Second class ditto	72
									7,232

Of these, 1,103 morgen were joined to existing possessions. Out of 6,129 morgen new holdings were constituted, viz., 6,022 morgen first-class peasant properties, with 107 morgen second-class peasant properties.

The number of second-class holdings was 302 in the year 1859, but 858 in 1865, and 940 on the 1st January, 1868.

As the changes which have taken place since 1859 do not appear in any statistical work, it is impossible to make any general use of scraps of information obtained in particular localities, except in so far as to show the tendency manifested in some particular direction.

The tendency in the province of Posen, till 1866, was evidently the increase of peasant properties, both first and second-class ones, at the expense of the large estates; and, though I was assured that there was an interruption in this process within the last two years, I have been quite unable to ascertain how far the actual figures differ from those recorded on the subject of peasant properties in statistical works recently published.

On the other hand, I was informed that a new proprietor of an estate had succeeded in extinguishing, by purchase, a number of adjacent peasant holdings, and incorporating them with his other property.

On the whole, I found that in some parts of Posen there were more frequent changes of property in land than I had seen elsewhere, and only in those localities where the Polish peasants had succeeded in maintaining their position and preserving intact the original properties held by their fathers at the time of the cessation of feudal burthens were such an exception. It would require a more protracted visit to different parts of the province, and more extensive inquiries to ascertain how far these changes have affected particular localities.

From a general impression produced on me by the visit I paid to a few farms, and by the accounts communicated by many persons with whom I came in contact, I am disposed to think that, though the farming and breeds of cattle and sheep on estates are quite equal to the state of things in other provinces, the condition and cultivation of peasant properties and the breed of their cattle is, though progressing, still inferior.

The Polish peasants are known for their prejudicial adherence to old habits, and they are slow in adopting implements or new modes of cultivation, to which their want of capital is an additional obstacle.

The speculation in land, which is going on in some parts of Posen, cannot be favourable to permanent improvement. Hebrew money-lenders are to be found in small towns ready to lend at a rate of interest beyond that which agricultural improvements can repay, and many a peasant who has been tempted to have recourse to this sort of expensive credit, ends by disposing of his freehold.

The increase in the live stock of the province will appear from the following Table :—

	1816.	1831.	1867.
Horses	74,739	115,719	195,283
Horned cattle ., .,	272,729	385,461	499,831
Sheep	796,114	1,666,220	2,922,424
Goats	521	2,665	39,011
Swine	127,092	180,900	345,668

The same desire to preserve their holding undivided to one of their offspring exists in Posen as elsewhere in these provinces; but it happens oftener here that the means of carrying out this wish are wanting.

Thus in the circuit of Schitelberg there took place—

Year.	Subdivisions.	Of these among Heirs.
	Total.	Heirs.
1865	295	25
1866	283	39
1867	278	10

In the circuit of Meseritz the number of changes of property of this kind ("dis-membration") reported, was 1,164 during eight years, from 1860 to 1867, or an annual average of 145. No further particulars are given in these cases.

I have heard no complaints made on the subject of the increase of first-class holdings. The public authorities view such an increase of this class of ownership with favour. It is only the augmentation of second-class holdings, especially when these consist of only two or three acres, as was reported lately of some new ones formed in the circuit of Krotoschen in this province, that the subject is mentioned with regret. On the whole, the distribution of land among a numerous class of peasants proprietors is quite popular in this country, and the non-existence of any tenancies on the English system leaves no room for comparison.

British Consulate, Dantzic, January 13, 1870.

No. 11.

Mr. Morier to the Earl of Clarendon.—(Received January 20.)

My Lord,

Darmstadt, January 15, 1870.

I HAVE the honour to transmit herewith the inclosed paper of answers to the queries respecting Land Tenure contained in the inclosure to your Lordship's Circular despatch of the 26th of August, 1869.

The Grand Duchy of Hesse presents agricultural features of considerable interest:—

1. It is a country of small proprietors, with just a sufficient number of large farms interspersed among these small holdings to facilitate a comparison between the results of the two systems of cultivation.

2. Small as is the area of the Grand Duchy, the conditions under which the peasant cultivates the soil he owns are of the most varied kind, and offer the greatest possible contrasts both as regards natural advantages and disadvantages, and as regards the historical antecedents which affected the tenures of the peasantry prior to their emancipation.

3. The agrarian legislation of the Grand Duchy during the present century is worthy of special notice, owing to the large and liberal principles upon which the commutation of feudal services and dues was effected. The law of 1836, by which these services and dues were commuted into rent-charges, and the State undertook to advance to the lords of the manor a capital sum equivalent to eighteen years purchase of this rent-charge, established the precedent which was afterwards copied by nearly all other States in Germany, and which, in 1850, was applied upon an unusually large scale in the rent banks founded in Prussia.

4. The system of land registration, and of the transfer and mortgaging of land connected therewith, enjoys a deservedly high reputation for its efficacy and cheapness.

5. Lastly, the system of agricultural instruction, and the methods employed for diffusing agricultural information and a knowledge of the best modes of cultivation amongst all classes of the peasant population, are excellent of their kind, and well worthy of attentive consideration.

Under these circumstances I have thought it consistent with the instructions contained in your Lordship's Circular despatch to do more than merely answer the queries furnished to me, and to treat at some length of the topics above enumerated.

I regret, however, that, bulky as are the proportions which my Report has in consequence attained, I have not yet succeeded in bringing my inquiry to a conclusion. Many of the most interesting details in connection with the "petite culture" of the Grand Duchy have not yet been furnished me, and will require some time for their preparation. My personal inspection of the large farms, with which I was desirous of comparing the peasant holdings, has been interrupted by an attack of indisposition. Lastly, the system of agricultural education in the Grand Duchy deserves a fuller treatment than I have as yet been able to bestow upon it.

Fearing too great a delay, I have forwarded my Report in its present shape, hoping, before long, to be able to supplement it with information on the points in which it is still deficient.

I have, &c.
(Signed) R. B. D. MORIER.

Inclosure in No. 11.

Report by Mr. Morier on Tenure of Land in the Grand Duchy of Hesse.

Name of Country.—Grand Duchy of Hesse.

Population.—823,138 (3rd December, 1867).

Religions.—Protestants, 558,595; Catholics, 228,084; other Christian Sects, 4,192; Jews, 26,055. This was in 1864. The population has since slightly decreased, in consequence of the cessions to Prussia in 1866.

Industrial Pursuits.—Offenbach, Mayence, and Worms are the principal manufacturing centres. Offenbach is celebrated for its leather small wares; Mayence for furniture and morocco; Worms for stamped leather fabrics.

Agrarian Legislation of Hesse during the present Century.

6, 7, 9, 10, *Miscellaneous.*

I have grouped the foregoing questions together because they can best be answered collectively by a general survey of the agrarian history of the Grand Duchy of Hesse during the present century.

The distinguishing characteristic of that history, in common with that of every other German State during the same period, is the transition from the forms of feudal tenure and mediæval agriculture to those of undivided land ownership ("allodial" * ownership), and individual in contra-distinction to joint cultivation.

The two features connected with these mediæval forms, which it is necessary to bear in mind for the purposes of the present inquiry, are the relations in which the manor ("Frohnhof," "Salhof," "Curtis Dominicalis," in modern phraseology "Guts Herrschaft") stood to the tenants of the manor, and those in which the latter stood towards each other and towards the soil occupied by them.

I. The manor, with its combination of public duties and private rights, constituted the political and economical unit of mediæval rural society. The origin of these duties and these rights cannot be inquired into here, but it is of importance to note some of the peculiarities which distinguished the German mediæval manor from the English mediæval manor. In both there was the radical difference between "demesne land" and "tenant's land." In both the "demesne land" was sometimes intermixed with

* The word "allodial" plays so important a part in German agrarian legislation, whilst, on the other hand, owing to the complete feudalization of the soil in England, as the result of the Norman Conquest, it has so entirely disappeared from our own vocabulary, that it seems necessary to determine its exact signification. "Alod" and "Feod," "allodial," and "feudal," stand opposed to each other etymologically and historically, the former as connoting full, entire, undivided ownership, the latter, divided and restricted ownership. They were originally the Teutonic equivalents for the Roman ideas of "Dominium" and "Possessio," and, amidst the innumerable political and social ideas that have since become associated with them, this original meaning of "full possession" and mere "usufruct possession" can be clearly traced.

the "tenant's land" and cultivated jointly with the latter, sometimes separate from it and administered directly from the manor by a bailiff, or let out in farms. In both the tenants rendered services and paid dues in kind, or money, sometimes in both, to the lords of the manor. In both the tenants were under the jurisdiction of the Manorial Court (Court Baron, Court Leet, Customary Court, "Patrimonial Gericht"): In both the pasture was used by the lord and the tenants.

In England, owing to a variety of circumstances, and principally to the violent but systematic and simultaneous introduction of the feudal system, a large proportion of the tenants rapidly fell into a state of villeinage, but emerged almost equally rapidly, though almost imperceptibly, from this state as far as it affected their persons. The broad distinction between freedom and unfreedom remained, however, imprinted on the soil, and became stereotyped in the tenures known as freehold and copyhold, forms sharply opposed to each other, and with no connecting links between them.

In the same imperceptible manner the jurisdiction of the manor gradually fell into desuetude, and merged in that of the Royal Courts. Lastly, in accordance with the feudal rule, "nulle terre sans Seigneur," the pasture, which it can hardly be doubted was originally in England, as in every other Teutonic community, the joint or common property of the lord and the tenants, was ruled to be the property of the lord, and considered as waste of the manor, the tenants retaining only rights of usufruct therein.

In Germany, owing to the comparatively gradual growth of feudal institutions and to the variety of political circumstances under which they were introduced into the different parts of the Empire, the change from free to servile occupation took place by slow degrees, and the earlier forms of occupation retained their vitality for a far longer period, thereby permanently affecting the agricultural history of the nation.

At a time when the larger proportion of the tillers of the English soil were "adscripted" to the glebe the majority of the German agricultural population were free proprietors, whose civil and political rights were, in theory at least, equal to those of the most powerful barons. Of the remainder, a large proportion were in a dependent state betwixt freedom and unfreedom, the so-called "Liti" or "Laten" (afterwards "Hörige"), and constituted a middle class which profoundly influenced the future incidents of land tenure. The class absolutely servile, or slaves properly speaking, formed probably but a small proportion of the entire population.

But if, on the one hand, the change from freedom to unfreedom was slow, it was on the other hand, all the more permanent and indelible. As late as the thirty years' war the number of free allodial peasants was considerable. At the close of the last and the commencement of the present century villeinage, though widely differing in its character in different parts of Germany, was the almost universal rule.

One result, out of many which flowed from this difference of development, was, that instead of the one broad distinction between freeholds and copyholds the mediæval tenures of Germany shaded off into every conceivable variety between the two extremes of free and servile.

The jurisdiction of the manor, instead of imperceptibly wasting away as in England, shaped itself into definite form, and the "Patrimonial Gericht" became a court of first instance for the rural population. It is, however, of importance to note that in the smaller territories, which during the later centuries of the Empire were gradually consolidating into sovereign States, a transition similar to that which marked the early period of English history took place, but by a converse process. In England the manorial court was absorbed by the Royal courts; in the smaller territories the manorial court grew into the territorial court.

Lastly, the pasture, which was in England ruled to be an appurtenance of the manor, retained in Germany, in a majority of cases at least, its original character of common-land owned "de indiviso" by the lord and the commoners.

II. The feature which next to the manor it is of most importance to note in connection with German agriculture past and present is the "Gemeinde," or "Commune," in which the agricultural population is associated. Correctly to appreciate this institution it would be necessary to go back to prefeudal times and to examine the constitution of the early Teutonic communities which colonized the soil of Germany previous to the conquest of the Roman provinces, a task incompatible with the limits of this paper. It must therefore suffice to state that from the earliest times until now the actual cultivators of the soil have been associated in corporations or "commonalties," the members of which hold land in common, and are united by common duties and common rights. The manor in its dealings with its tenants having, in consequence, invariably found itself face to face not with isolated individuals but with a corporate body.

The constituent parts of the "Gemarkung," i.e., of the territorial district corresponding to the "Gemeinde," were invariably the following:—

The common pasture, the arable land, and the holding in the village or township in which the commoners were domiciled.

The common pasture (except in the minority of cases in which the original community was settled on demense land) was held "de indiviso" by the commoners and the lord of the manor. The arable land was held partly individually, partly in common by the community. The tenement in the township, with its garden and appurtenances, was always held individually.

The distinguishing peculiarity of mediæval agriculture in connection with these village communities consists in this: that although the arable land was held, in part at least, individually, i.e., so that each commoner had so many acres in the so-called arable mark (which he originally owned as his "alodium" and afterwards held from the lord of the manor), yet the cultivation of the arable land was the joint work of the community, and strictly controlled by the common rights of the associates.

The mode of cultivation was almost universally that of the so-called three-field system ("drei felder-wirtschaft") or two crops and a fallow system. The entire arable land of the township was divided into three great fields ("Campi, Fluren"), in which a regular rotation of crops and fallow succeeded each other, each field, for instance, bearing one year wheat, the next year oats, the third year lying fallow, so that two-thirds of the arable land was always under crops and one-third in fallow. There is no doubt that in early times when agricultural implements were clumsy and expensive, and required a much larger amount of team power than later (five and six yoke of oxen for instance not being an uncommon team for a mediæval plough), the actual cultivation was carried on jointly, so that the number of ploughs owned by a community was less than the households composing the community. In time, however, this ceased, and each household cultivated its holding on its own account; but, owing to the rights of pasturage which the commoners had over the fallow and stubbles, the obligatory crop rotation continued. For it stands to reason that the right of the community to turn out its cattle during the whole year on the fallow of one field, and during a given portion of each year on the stubbles of the remaining fields, would have become illusory unless the same crop had been simultaneously sown and simultaneously reaped on the whole of each field.

One of the most mischievous results of this rude form of agriculture, and one with which German legislation has not yet successfully dealt, consists in the excessive parcelling of the peasant properties, i.e., of the property held by each peasant. The cause is obvious. When the arable land of a community was originally distributed amongst the associates, the lots assigned to each were equal; but, to prevent the individual associate finding himself once in three years with the whole of his land lying forcibly fallow, which would have been the case if it had lain in a single block in one of the three fields, he received his lot in three parcels, i.e., one parcel in each field. Now, if we suppose that in a given community seventy-five acres was the size of the original allotment, each household would in the first generation have had twenty-five acres in each field. Let us suppose one of these allottees to have 3 sons, amongst whom he divides his property equally. In the second generation each of these three sons will own 25 acres in 3 parcels $8\frac{1}{3}$ acres each, in all 9 parcels. If we suppose these 3 sons to marry the 3 co-heiresses of another allottee, the 3 households in the second generation will find themselves possessed of 18 parcels distributed in every conceivable direction over the 3 fields. It is easy to imagine what in the course of a few generations this subdivision would amount to. As long as the cultivation in common continued, and the same crops were raised in each field, the subdivision did not so much signify. For whilst the same kind of work, manuring, ploughing, sowing, harvesting, was going on simultaneously on every part of the field, the individual allottee found no difficulty in reaching his parcel, and required no road to take him to it. It is only since the common rights of pasturage, and with them the compulsory cropping, have ceased, that the inconvenience to all parties has been felt, and that the right of way amidst heterogeneous cultivations of the several parcels has become an intolerable nuisance.

This sketch will, it is hoped, suffice to render the outlines of the agrarian legislation of the Grand Duchy of Hesse during the present century intelligible.

The Grand Duchy, as at present territorially composed, consists of the ancient patrimony of the Landgraves of Hesse, and of the parts thereunto annexed by the Act of the Confederation of the Rhine, and other treaties connected with the territorial changes in Germany at the commencement of the century.

The ancient patrimony, i.e., the greater portion of the present provinces of

Starkenbourg and Upper Hesse, may be looked upon as originally an aggregate of manors collected under a chief manor (an "Honour," as it was anciently termed in England), whose lord, in addition to his manorial rights and manorial jurisdiction, had succeeded in possessing himself of the territorial jurisdiction and territorial dominion ("Landeshoheit," "Territorial Herrschaft"), which, in the anomalous constitution of the Empire formed the stepping-stone to the full rights of sovereignty, which were only acquired after the Empire itself had fallen to pieces. These manors were intersected by other manors, each with its own jurisdiction (patrimonial gericht), but standing under the territorial jurisdiction of the Landgrave of Hesse.

Hence when the present Grand Duchy was constituted, a large portion of the rural inhabitants of the old provinces stood to the Grand Duke in the double relation of tenants and subjects; but it should not be forgotten that for many previous generations the features of the feudal manor, as far as the Landgravine possessions were concerned, had gradually faded away, and been replaced by those of the modern state. The feudal baron had changed into the fiscus, the private demesne into State domain, the mediæval bailiff into the uninformed State employé.

It should also be noted that unlike many other parts of Germany, especially in the eastern provinces of Prussia, in which each peasant community, *gemeinde* or commune, had a separate manor, and therefore separate demesne land, which the members of the commune were forced to cultivate, corresponding to it, a vast number of the peasant communities of the Grand Duchy did not stand in this personal relation to a local manor. Partly from their having been originally free communities, who had surrendered their allodial rights and only paid fixed dues, partly from the original demesne lands having been let out in permanent tenures, these communes, though under manorial jurisdiction, exercised by the employés of the Government, only paid fixed money dues, and enjoyed considerable rights of self-administration.

The parts annexed were very variously composed. The Rhine Province, which was only acquired in 1815, having for several years been under the domination of France, had participated in the legislation, which made a *tabula rasa* of all mediæval and feudal land tenures. The acquisition of territory made in the two original provinces consisted, on the other hand, mainly of territories belonging to territorial lords whose status in the Empire had been the same as that of the Landgraves, and who, therefore, had not only exercised manorial rights over their so-called subjects but the more extended territorial jurisdiction above referred to. Many of the territorial rights and privileges of these mediatised princes and counts were stipulated for in the treaties by which they became subjects of the Grand Ducal Crown.*

Up to the year 1820 the State thus composed was ruled absolutely, and the laws were proclaimed in the shape of Grand Ducal Edicts. From that date the country has had a Constitution, and the laws enacted have passed through the ordeal of a Representative Chamber and an hereditary Upper House, which latter, it should be noted, contained the mediatised princes and counts, and the other territorial magnates of the Grand Duchy.

The agrarian legislation may be said to begin in 1811, and to close in 1849.

It had, as in every other State in which feudal land institutions have existed, four great objects to accomplish:—

1. Abolition of villeinage in so far as it affected the personal status of the villein.
2. Commutation of feudal services and dues into fixed rent charges.
3. Abolition of villein and other feudal tenures, and substitution in lieu thereof of undivided (allodial) ownership.
4. Regulation of common rights with a view to unrestricted individual cultivation.

I. Villeinage in Hesse, as well as generally in the centre and south of Germany, had always been of a mild character. It consisted, at the time of its abolition, by the Edict of 25th of May, 1811, solely in personal dues, *i.e.*, in dues paid by the villeins to their lords irrespectively of any land held by them. These dues were made redeemable by a capital payment spread over a certain number of years. In the "Domaine Lands" this operation was completed more rapidly than in the "Sovereignty Lands," by reason of the large remissions made by the Crown.

* In the official phraseology of the Grand Duchy these mediatised territories are styled "Sovereignty Lands," to express that the Grand Ducal Crown had obtained Rights of Sovereignty over them without the territorial rights of their owners, having, on that account, altogether merged, or the owners themselves become altogether assimilated to, the former subjects of the Landgrave of Hesse. The status of the mediatised was determined by the Treaties which created the Germanic Confederation. To distinguish the new "Sovereignty Lands" from the old possessions of the Landgravine House the latter were termed "Domaine Lands" (Domänial Länder).

II. The commutation of feudal services and dues into rent-charges, and the redemption of those charges was a labour on which the Legislature of the Grand Duchy was incessantly employed up to the year 1848.

The dues and services to be commuted were of every imaginable kind, and it required in many cases toilsome antiquarian research to distinguish and decide what was their true character. For the manor having had partly a public and partly a private origin, and in addition to this the Sovereign of the Grand Duchy standing in regard to a large portion of his dominions in the double capacity above referred to of a Lord of the Manor and of the Head of the State, it was in regard to the fiscal services and dues extremely difficult to separate the services that had been rendered and the dues that had been paid as public taxes from those which were of the nature of rights flowing from private property.

The general principle laid down was, that all such services and dues as could be proved to have had a public origin should be abolished without compensation, existing taxes being considered in the light of equivalents.

It was possible to carry this principle out in the domaine lands, but the mediatized having resisted its application as a breach of the treaties by which they were annexed, had to be compensated out of the public exchequer.

The services and dues to be redeemed fell into two great categories. 1. Those which burdened land owned by the persons who redeemed the services and paid the dues, such as tithes and other servitudes in every conceivable variety. 2. Those which represented the *bond fide* rent of land, held by the owner of the "dominium directum."

Owing to the great variety of tenures alluded to, it was often a nice point of law to determine in whom the ownership resided, and in what case the services and dues represented a mere charge on an estate, or a rent implying rights of ownership in another.

After many enabling statutes had been passed to facilitate the commutation of fixed and unfixed services and dues of every kind into rent-charges, a great law was passed on the 27th of June, 1836, by which all rent-charges already in existence, or to be created by the enabling statutes referred to, could be made compulsorily redeemable at the instance of the rentee or the rentor.

The services and dues belonging to the second category, *i.e.*, charges of the *bond fide* nature of rent were not included in this statute, unless the parties mutually agreed to commute them first into rent-charges.

The exceptionally favourable conditions under which these rent-charges were made redeemable by the law of 1836 had their origin in the fact that large sums of ready money had accumulated in the hands of the Commissioners for the Extinction of the Public Debt, which it answered their purpose to lend out at small interest.

Making due allowance for these exceptional circumstances, the general principles involved in the measure may, nevertheless, be considered as based upon the two following economical considerations. 1. That where its finances are properly administered, the State, as representing the sum total of the credit of all its members, can borrow money more cheaply than its individual members can. 2. That by means of its ordinary administrative machinery, the State can collect rents and enforce their payment more cheaply than the individual.

These two sources of saving furnish the sinking fund, from which, without paying more than the ordinary rate of interest, the rentee can, in a comparatively short period, refund the capital with which the rent-charge has been bought up. The principle of the Hessian law of the 27th June, 1836, supplied, I believe, the precedent afterwards copied in every German state where similar feudal charges had to be extinguished, and which by means of the so-called rent-banks was applied on a large scale in Prussia in 1850.

The following are its main features:—

The State pays to the rentor a capital sum equivalent to 18 years' purchase of the rent-charge, and becomes the rentee's creditor for that amount, charging 3 per cent. as the interest on the capital paid, and 1 per cent. towards the amortization of the capital, which, at compound interest, extinguishes the debt in 47 years.

The calculation is based on the following data:—A, the rentor, receives from B, the rentee, a yearly rent of 100 florins.

Out of this income it is calculated that he pays 22 florins a-year in public and communal taxes, and that the cost of collection, arrears, &c, represent a further deduction of 6 florins, leaving him a net revenue of 72 florins, or 4 per cent. on 1,800 florins, *i.e.*, on the 18 years' purchase of the rent-charge.

When the State has paid these 1,800 florins to A, B discharges his debt by the following yearly payments:—

	Florins.
3 per cent. on 1,800 florins	54
1 per cent. sinking fund	18
3 per cent. on rent charge as cost of collection and bad debts	3
	75
Add to this the taxes formerly paid by A, now paid by B	22
	97
Total	97

By this operation, B paying 3 per cent. less than he did before, extinguishes his rent-charge in 47 years, and A gets indemnified in the full value of his property.

III. It would be an impossible task to classify within the limits of this Report the various kinds of tenure by which the peasants of the Grand Duchy held the lands occupied by them; and it would require very extensive legal and historical knowledge accurately to explain the points on which German and English mediæval land tenures differed from each other. I can only refer to the statement made in the introduction, to the effect that between the two extremes of free and servile tenures there were in Germany almost endless shades of difference. The feature common to all is the double ownership, the “dominium directum” and the “dominium utile;” the diversity lies in the amount of proprietary rights with which the “dominium utile” invested the tenants.

In two important incidents, however, the peasant tenures, of whatever kind, resemble copyhold tenures, viz., first, in being agricultural tenures; and, secondly, in the grant being made by the Manorial Court, and subject to its jurisdiction, and not by the Lehnhof, or Feudal Court proper, which had jurisdiction over knight’s fees. I have, therefore, no hesitation in classing them, *mutatis mutandis*, with copyholds.

The two kinds of tenure which in the Grand Duchy differed the most from each other were the tenures which, by the introduction of the civil law into Germany, had assumed the character of the Roman “emphyteusis” (Erbzinsgüter, &c.), and those known under the names of “Erbleihe” and “Landsiedelgüter.”

In the former, the overlord’s rights were reduced to a minimum, and the tenant’s raised to a maximum, the tenant being able to devise and alienate as he pleased, and the overlord, having a right only to a fixed charge (kanon) on the estate, very much less valuable than the agricultural rent of the holding. In these tenures the ownership was considered, for practical purposes, as residing in the tenant.

The “Erbleihe” partook more closely than the English copyhold did of the character of a fief, and was, in fact, a kind of agricultural fief, the generic term for this kind of tenure being “Bauern Lehn,” or “peasant’s fief.” They were held by grants similar to those by which German knights’ fees were held, with the difference that agricultural services and dues took the place of military services. As far as I can ascertain, there was nothing in these grants to indicate the personal status of the grantee. Villeinage was a local* or personal incident apart from the grant, and which, as before stated, was abolished separately. Grants of the kind, under consideration, were made indiscriminately to villeins and freemen, and the services and dues contracted for were irrespective of those which flowed from the personal status of the grantees.

The distinguishing features of the “Erbleihe” and “Landsiedelgut” were 1st. That the grant had to be renewed in every case in which there was a change in the person of the lord or the tenant, and that a fine was paid upon such renewal. 2ndly. That the rent was fixed and could not be raised. 3rdly. That the grantee could not mortgage without the grantor’s consent. 4thly. That the holding was transmitted by inheritance in a direct, but not in collateral lives. The heir must be the legitimate child of the grantee, but not necessarily a male child or his eldest child, and he or she must inherit the entire holding, which cannot be sub-divided. Failing direct issue the holding reverted to the lord of the manor. 5thly. That before the renewal of the grant the heir must commute with his co-heirs in respect of their share of the paternal estate, and the latter must expressly renounce all claims on the holding. 6thly. That the holding cannot be alienated without consent of grantor, who receives a fine (laudemium) equal to 5 per cent. of the proceeds of the sale when such consent is given.

As in every other circumstance connected with this transition from the feudal to

* A man was a villein either by birth or by being domiciled in a commune in which, as the judicial phrase ran, “the air was villeinous” (Die Luft leibeigen war); a freeman settling in a villein village became a villein.

the modern forms of land occupation, the Grand Ducal Government, with the aid of the Lower Chamber of the Hessian States, took the initiative and met with the determined resistance of the Upper House.

Soon after 1820, regulations were framed under which fiscal tenures belonging to the class of *Erbleihe* could be commuted into fixed rent charges, afterwards redeemable by the law of 1836. The attempt made to pass a general law extending the operation of these regulations to non-fiscal tenures repeatedly failed. Bills introduced and passed unanimously by the Lower House were unanimously rejected by the Upper House, and it required the pressure of the events of 1848 to break down this opposition. Out of these voluminous and tedious negotiations, I will select two passages, which in an especial manner characterize the respective attitudes of the two parties opposed to each other, parties that might be described as the party of the "Modern State," and the party of "Vested Interests."

In introducing a Bill for the commutation of fiscal rent charges in 1820, the Government Commissary said, that for the present the Government meant to deal only with fiscal property, not but that they considered themselves, in conjunction with the Chambers, perfectly competent to make laws for the transformation of the forms of private property if the general welfare of the community required such laws.

In 1832 the Upper House, in rejecting the Bill for the commutation of the "*Erbleihe*" tenures, used the following argument:—

The Bill, though ostensibly based on the same principles as the law by which tithes had been commuted into rent charges, viz., the removal of burdens on real estate, and the restoring to the owner full proprietary rights, in reality proposes a course directly opposed to these principles. The real proprietor is the overlord *i.e.*, the owner of the "*dominium directum*", whose property is burdened by the tenant's rights; and instead of proposing to commute these latter rights, and thus returning to the proprietor his individual ownership, it proposed to buy out the proprietor, and hand over his estate to another, which is clearly an attack upon rights of property.

The law of the 6th of August, 1848, for the "*Allodification*" of "*Erbleihen*" and "*Landsiedelgüter*" at last brought the long controversy to a close.

By this law it was enacted that tenures of the kind I have described as partaking of the nature of the Roman "*emphyteusis*," viz., "*Erbpacht*" "*Erbzinsgüter*," &c., should be commutable under the general law of the 27th of June, 1836, for the commutation and redemption of Rent Charges, but that tenures of the nature of *Erbleihe* should be treated as follows:—

Every grantee shall have a right to demand commutation in every case where the reversion to the grantor is barred by at least two lives besides his own, *i.e.*, in every case in which he has two children alive, or one child and a grandchild, &c. (The law does not apply to grants in which reversion is stipulated for after a definite number of generations).

The transmutation into allodial ownership can be effected in three ways at the option of the tenant.

Either by—

1. The payment of a capital sum equivalent to the value of the fixed and variable dues (viz., the rent, whether in services or money, and the fines on renewal of grant at grantor's or grantee's death), and to that of the rights of ownership as such:

Or by—

2. Converting the fixed and variable dues into a fixed rent charge under the provisions of the law of 1836, and similarly commuting the rights of ownership as such, and making these into an additional rent charge.

Or by—

3. Buying up the rights of ownership as such, and leaving the dues only as a fixed charge on the estate.

The rights of ownership, as such, are defined to be the rights of reversion, the fees paid for clerical work in drawing up the grant, and the fines paid on the sale of the property.

The fines paid on renewal of grant are classed amongst the variable dues.

The dues are redeemable by a capital payment equivalent to eighteen years' purchase.

The rights of ownership, as such, are redeemable by one-tenth of the value of the fee-simple of the estate.

IV. The Law of September 7, 1814, and the subsequent legislation of 1849, dealt with the "common" rights, which stood in the way of individual cultivation. Nothing

could exceed the intricacy of these rights, and a separate treatise would be required to give an approximately correct picture of the work that had to be done and of the way in which the legislation did it.

It must suffice to say that the object of the laws referred to was to disentangle the cross servitudes and easements which the peasant communities possessed in the demesne lands of the lords, and those which the lords possessed in the common lands of the peasants, as well as to separate and regulate the common rights which the peasants enjoyed "de indiviso," and those they claimed on each other's land. The object of these laws was that every landed proprietor, whatever the size of his property, should be able not only to dispose of it freely, which was the object pursued by the other laws we have been discussing, but freely to use it whilst in his possession without let or hindrance from the concurrent rights of third parties. I may add that at one time the Government encouraged the division of common arable lands, and the appropriation of these lands by the individual households of the commune, but that it was dissatisfied with the results thus obtained, and has since, in virtue of its right of supervision over the communes, discountenanced these appropriations except under exceptional circumstances.

From the above it will appear that the creation of freeholds has been enforced by the legislature upon a very large scale, that the Government has taken steps to increase the number of owners, that the system adopted for this purpose is still in force, that compensation has been granted to proprietors for such limitation of proprietary rights, that assistance by law and by public credit has been given to tenants in their endeavours to become proprietors of their holdings, and that such endeavours have been general.

For the answer to the specific question with regard to tenures resembling copyhold I must also refer to what precedes.

I classed, for the reasons there given, all the mediæval peasant tenures which the Grand Ducal Government has made such efforts to extinguish, and to replace by full rights of allodial ownership, in the category of copyholds.

How far the irremovableness of the tenants who held by the tenures which I described as partaking of the nature of the Roman "emphyteusis" was the result of custom, of judicial decisions, or of the latent ownership which adhered to the holders of the tenant's land of a manor as distinguished from the demesne land of the manor, is a question which belongs to the most recondite branch of mediæval jurisprudence, and upon which I will hazard no opinion. It stands to reason, that in the face of legislation such as I have described no such kinds of tenure are in the process of formation. The one ruling idea of the agrarian legislation, not of Hesse only but of every part of Germany during the present century, has been to extirpate double ownership, and to substitute in lieu of it full unhampered rights of allodial possession.

LAND OCCUPATION.

The area of the Grand Duchy comprises 3,065,739 Hessian morgen.* These are distributed as follows:—

	Hessian Morgen.
Arable land	1,531,556 50
Meadows and pastures	402,933 13·1
Vineyards	39,744 1·3
Forest	959,873 31·3
Total of productive land	2,934,106 95·7
Hofraithe (i. e., buildings, agricultural establishments, &c.)	16,528 0·5
	2,950,634 96·2
Land untaxed, i. e., quite unproductive	115,105 3·8
Total	3,065,739 100

A very large proportion of the forest is owned by the Crown, and by the large proprietors, viz., the mediatised princes and counts, &c. The greater part of what remains is owned as corporate property by towns or rural communes. A very small proportion only is the individual property of peasant proprietors.†

* The Hessian morgen is exactly equal to a quarter hectare, and is rather less than two-thirds of an English acre; 162 morgen being equal to 100 English acres.

† The forests of the Grand Duchy are, as regards their cultivation, all of them directly or indirectly under the control of the State. They may be classed in four categories:—

Those belonging to the State as domain. 2. Those belonging to the communes. 3. Those belonging to

I have been unable to obtain exact statistical information as to the proportions in which the arable land and the meadows and vineyards are distributed amongst the different classes of proprietors, but as far as I am able to infer from only approximately correct data, and those not of a recent date, I am inclined to estimate the amount of arable land, cultivated in large consolidated farms of from 200 to 1,200 morgen, at about 100,000 morgen. If we add to this 100,000 morgen more for small properties included in the nexus of the peasant community, but not, properly speaking, belonging to the peasant class (and this is probably too large a margin) there would remain more than 1,300,000 morgen of arable land, with a corresponding amount of meadow land and vineyards in the hands of peasant cultivators, either as proprietors or farmers. What proportion of the land so cultivated is owned by peasant proprietors, and what proportion is merely farmed, I have been unable to ascertain exactly, but I believe that at least two-thirds (probably very much more) is owned by peasants either "de indiviso" as communal property, or individually in parcelled estates, or small consolidated farms (so called "Geschlossene Güter").

I think, therefore, that it can be safely assumed that two-thirds at least of the land under cultivation is owned by peasant proprietors, and that thirteen-fifteenths of the arable land is under peasant cultivation.*

The land occupied by tenants is held directly from proprietors, either in large farms by professional agriculturalists, so called "œconomen," or in parcels by peasants, who cultivate them jointly with their own parcels in the fields of village communities.

Subtenancy is regarded as an unmitigated evil; and in the written leases by which all tenancies are now created there is usually a clause distinctly prohibiting sub-letting.

(A.)—SMALL PROPRIETORS.

In reply to the following questions I shall use the terms peasant proprietors, and not small proprietors, because it is the quality of the property and not its size which affords the distinguishing agricultural characteristics which it is of importance to take cognizance of.

the large proprietors, viz., the mediatized and other of the former great manorial lords. 4. Those belonging to smaller proprietors.

The first and second category are administered directly by the State through the instrumentality of a highly-trained body of forest officials. The communes, though enjoying the entire income derived from their forests, have only a consultative voice in regard to their administration. The Grand Ducal employés who manage them are, however, paid out of the communal exchequer. The private proprietors are not bound to any details of cultivation, and administer their woods by means of their own employés, but they cannot "devastate," i.e., allow the forest to go out of cultivation, and they require the permission of the State before they can disforest.

Small isolated patches under 10 morgen in the case of the large proprietors, and 4 morgen in the case of the small proprietors, are not placed under this State control.

The net income derived from domain forests is:—In the Province of Starbenburg, 6 florins 7 kreusers; Upper Hesse, 2 florins 34 kreusers; Rhine Hesse, 6 florins 39 kreusers per morgen.

The net income derived from communal forests is:—In Starbenburg, 4 florins 37 kreusers; Upper Hesse, 3 florins 42 kreusers; Rhine Provinces, 5 florins 41 kreusers per morgen.

* The most accurate data which have been furnished to me have reference to the State domains, and it is partly from them that I have come to the conclusions in the text.

The public domain comprises 60,854 morgen. Of these 2,501 are still held by hereditary tenures, which, for various causes, have not yet been commuted, 2,516 are held by life tenants, 42,941 are let on leases, and 12,746 are administered directly by the State.

A great proportion of the land held by life tenants, and of that let on lease, consists of parcels distributed in the arable fields of the peasant communities, and is farmed by the peasants. They point to the time when the demesne land and the tenant land was cultivated jointly in the manner stated above. The 12,746 morgen administered directly by the State consists principally of meadows and grass fields, of which the crops are sold by auction before they are cut. The leases of land let in parcels usually run for 9 to 12 years. Those of land let in consolidated farms for 18 years.

The amount of domain land let in consolidated farms amounts to about 8,000 morgen, which, in addition to the 12,000 administered by the State, make up 20,000 (or one-third out of the total of the 60,000), cultivated on a large scale, and according to the rules of the "Grande Culture." The remaining 40,000 morgen are under peasant cultivation either in the form of permanent tenure, or let on lease to the members of the communities in which the parcels are situated.

If we take the proportion of one-third consolidated farms and two-thirds parcels' cultivation as ruling the land owned by the other great proprietors, it would give 300,000 morgen as the amount of cultivated land owned by large proprietors other than the State. Hence, total owned by large proprietors 360,000 morgen. Add to this the 100,000 morgen I have allowed for middle-sized properties, in the nexus of the peasant communities but not owned by persons of the peasant class, and we obtain 460,000 morgen. But the whole amount of cultivated land, i.e., arable land, meadows, and vineyards, is, in round numbers, 1,960,000; there would, therefore, remain the large margin of nearly 200,000 morgen as the property of churches, schools, and other corporate bodies not included in the margin of 100,000 already allowed for. Total of all these items 660,000 morgen, or one-third of the entire cultivated land, leaving two-thirds as the *bonâ fide* property of peasants.

The peasant proprietor is member of a rural commune, and the rural commune is at once a private corporation with the rights of a "juridical person," i.e., the right of holding real estate, of suing and being sued, &c., and a public body constituting the administrative unit of the circle. It is termed the "political" commune to distinguish it from the "ecclesiastical" commune, i.e., the parish, from which it is distinct, though usually conterminous with it. It is governed by a Common Council and a Burgomaster, of whom the former is elected by the members of the commune, and the latter is named by the Government from amongst the members of the Common Council. The Burgomaster exercises police authority in the commune; and he, with two or more assessors, also members of the commune and appointed by the Government, constitute the local court (Ortsgericht), whose competency in civil matters extends to such primary functions as fall within the province of notaries public, where that institution exists. If the Government do not consider the Burgomaster possessed of the necessary qualifications to preside, the Local Court they name some other person in his stead.

The peasant proprietor, therefore, has public duties as well as private rights, for he cannot withdraw himself from the obligation to fill such communal offices as may be assigned to him, and those offices imply public duties, such as the collection of taxes, &c.

The Government exercises certain rights of supervision over the private affairs of the community, which, for instance, cannot alienate land without the authorisation of the Government.

The property of the large proprietors, who formerly enjoyed manorial rights, lies either in separate districts outside the nexus of the commune, or is distributed within the limits of such communes. In the latter case it is subject to communal taxes, and the owners are, in matters of police, within the jurisdiction of the communal authorities; but they are not members of the commune, and therefore have no rights of property in the common lands. If the quantity of land owned by a large proprietor in a commune exceeds a certain amount, he has a right to name one member of the Common Council to represent his interests. In many cases, however, the communes have retained right of pasturage and other easements in the forests of the former manors.

(A.) 1. The amount of land held by the individual peasant greatly differs, and there are no statistics to enable one to calculate the average.

It is possible, however, to give the limits within which this diversity ranges.

Eliminating the class whose properties are not sufficient to maintain them without having recourse to other employment, either as day labourers or mechanics, and taking the minimum average required fully to maintain the proprietor and his family, the following scale applies to the different provinces.

In Rhine Hesse, which for more than half a century has been under the French law of compulsory division, estates are classed as small when they range from 5 morgen to 25, as middle-sized from 25 to 100, and as large when over 100. Probably but very few *bona fide* peasant proprietors over 100 morgen would be found, and the majority, I imagine, fall in the lowest category.

In the Provinces of Starkenburg and Upper Hesse the corresponding classes are, respectively, in Starkenburg, from 6 to 50, from 50 to 200, and above 200.

In Upper Hesse, from 10 to 75, from 75 to 250, and over 250.

In both these provinces, likewise, the highest class must be considered the exception, though probably isolated cases of rich peasants, who have accumulated from 3 to 400 morgen, may occur. In both of them there are the widest differences in the average size of the holdings, according to the locality in which the respective communes are situated. Where the tenures of the "Erbleihe" character prevailed, the holdings, as previously stated, could not be subdivided, and therefore whether they were in parcels or consolidated, their original size, whatever that was, was maintained. But in addition to these there exist in parts of both these provinces many communes whose origin, though I have been unable to trace it, must be of a later date than the old mediæval communes under the "three field" system of cultivation, and in which the holdings have always been consolidated in single blocks, and have, by local custom, been transmitted for generations to one child, not necessarily, though usually the eldest son, with very little regard to the legal rights of inheritance of the remaining children. Many of these holdings are from 70 to 100 morgen, and run side by side in thin parallel strips of exactly equal size, the farmhouses being situated in the centre of the block.

But these are the exceptions to the rule. In the great majority of cases the holdings are dispersed over the arable land of the community in single parcels, intersected by those of other holdings in the way described at page 190. In many

parts of the Grand Duchy the subdivision arising from these causes has reached an intolerable pitch, and various consolidating Acts have been passed for the purpose of remedying the evil. These Acts have, however, only been partially successful, and a new measure is being at the present moment prepared, which it is hoped will prove more efficacious.

In every community in which the holdings lie in parcels, the proprietors live together in a township, or village, for the most part closely crowded together, and with little room for the farm buildings, stables, &c. Such villages or townships, in the days of joint cultivation, were the agricultural centres of the arable "Mark," and could not be extended without encroaching upon property subject to common rights.

Where the holdings are in consolidated farms, the tenements and farm buildings of each proprietor are situated on his farm; but as those communities have usually been settled simultaneously and in a systematic manner, the farmhouses occupy the same place in the same part of each holding, and the character of a village is not lost—only that instead of being closely crowded together, the village presents the appearance of a street sometimes a mile or more in length, the houses of which, surrounded by gardens and orchards, stand some 50 or 60 yards apart from each other.

Peasant Cultivation.

(A.) 7, 8. The modes of cultivation in the different parts of Hesse vary so much, and are subject to such different conditions, that no general statistics respecting crops, stock, &c., would convey any definite idea of the actual wants of the system in force. Under these circumstances the method which suggested itself as that most likely to furnish a correct picture of peasant cultivation, such as it prevails in the Grand Duchy, was to select a certain number of representative communities, and by personal inquiry on the spot ascertain as many facts as I could respecting each.

Commencing with the provinces on the right bank of the Rhine, to which the legislation previously dwelt upon exclusively applies, I shall take the commune of Viernheim as representative of the class of communes in which the peasant cultivator is placed under advantageous circumstances, and in which the marks of general prosperity are everywhere discernible.

It is situated in the Province of Starkenburg, about 6 miles from a station on the Great Trunk Line which connects Central Germany with France and Switzerland, and at about the same distance from Mannheim. It belongs to the class of communities in which parcels' cultivation prevails, and the tenements and farm buildings of the proprietors are consequently collected in a township. This township contains a church, a town hall, a school-house, and 626 tenements.

The number of inhabitants is 4,000. The number of citizens (Bürger)* i.e., of male members of the community who have attained the age of 21, is 1,050. Of these, 300 are employed in factories in the neighbouring towns; 100 work as cigar-makers in the village; 300 work as day labourers; 300 are maintained wholly from the produce of their holdings; and 50 are shopkeepers, employés, schoolmasters, &c.

The area of the communal district comprizes 19,366 morgen, distributed as follows :

	Morgen.
Forest	11,614
Land taken up by the buildings of the village	89
Gardens	117
Arable	6,409
Meadows	596
Roads, &c.	539

The forest is the property of the Crown. There was a long law suit on the subject, the commune claiming it as communal property. The case was finally decided against the commune, which, however, retained very important forest rights. Each citizen being entitled yearly to all the firewood he requires, and to the timber needed for the building and repair of his house and farm buildings, or to an equivalent in money.

Besides the wood, the commune has rights of pasturage in the forest, which, however, except when there is a large crop of acorns, in which case the right is valuable for the fattening of pigs, is of no great advantage. The pasturage is bad, and the demand for manure in connexion with tobacco cultivation renders stall-feeding indispensable.

* Modern legislation, in its dislike to mediæval associations, has rooted up the old historical terms used in connection with the agricultural communes, such as Bauern, Schultheisse, Schöffen, &c., and has replaced them by braseology used in connection with town corporations, such as Citizens, Burgomasters, Common Councils, &c.

Of the arable land, 100 morgen belong to the Crown, and 212 to the Church and School. All this property is in parcels, and let on lease, parcel-wise, to the citizens.

The common lands (*almende**) consist of 2,772 morgen, and 70 klafter,† distributed in three classes. The first class consists of 186 lots of about 10½ morgen each.

The second class consists of 663 morgen 336 klafter, distributed in 180 lots, of an average size of 3½ morgen.

The third class consists of 192 lots, of an average size of 250 klafter (½ morgen). In all 508 lots.

These lots are assigned to the members of the community, according to the date of their entry in the Civil Register of the commune, so that the older the individual the larger his share in the common property. Whenever an allottee of the first class, or his widow (for the widows, unless they re-marry, have a right to the husbands' lots) dies, the highest on the list of the second class succeeds to his lot, the highest on the list of the third class succeeding to the lot vacated by the latter's promotion to the first class, the highest on the list of the fourth class (a separate class afterwards explained) succeeding to the vacancy in the third class, and the highest on the list of non-allotees succeeding to the vacancy in the fourth class.

It will be seen from this that more than half of the members of the community hold common lands quite irrespectively of their status as proprietors, agricultural labourers, or operatives. Where it does not suit them to cultivate their lots themselves, they find no difficulty in letting them to others.

Besides the "almende," or common lands proper, there are 373 morgen of meadow land, belonging to the Exchequer of the Commune, which are divided into 423 lots; 192 of these lots supplementing the lots of the third class, and raising them to 1 morgen 208 klafter, and the remaining 231 lots constituting a fourth class. These lots, however, pay a small rent, which flows into the Communal Exchequer.

Of the remaining 3,548 morgen of arable and meadow land, about 520 are apportioned in comparatively large properties, viz., one of 200 morgen, and four of from 70 to 100 morgen. The largest of these can hardly be classed as a peasant property, although the owner is a citizen of the community, because part of it consists of the remains of an ancient fief. The four smaller ones are *bonâ fide* peasant properties, but the proprietors of two of them do not, socially speaking, belong to the peasant class. They are men of education, and one of them is a highly scientific agriculturist, who obtained a prize at the Paris Exhibition for the general results obtained by his farming.

If we deduct these larger farms, there remain about 3,000 morgen distributed in properties ranging from 1 morgen to about 30.

From 10 to 20 morgen is the size of the holding considered as capable of maintaining a household according to the local scale of comfort.

From 6 to 10 will maintain a household, but only precariously, and not without great exertions and great prudence. With less than 6, the household requires other sources of income. With more than 20, a household is well off; indeed, if not in debt, very well off, as will at once be seen by the amount of rent for which land lets in the commune, which varies from 25 to 40 florins a morgen. If we take 30 florins as an average, a holding of 30 morgen would yield 900 florins, or about 80% a year as rent, which may be taken as equivalent to the nett profit which, after paying all its expenses, a household ought to be able to clear.

The question as to rotation of crops is one not easily answered, as the great difference in size of the several properties necessitates a corresponding difference in the kind of crop to be raised, and in the mode of raising it.

The crops are divided into so-called mercantile crops (*Handels Gewächse*) and home crops, i.e., crops raised with a view of being sold to dealers, and consumed away from the locality, and those raised for the purpose of home consumption.

To the former category belong tobacco, hops, wheat, rape, barley for malting, clover seeds, oats, Indian corn. Peas, beans, mangolds, sugar beet, turnips, potatoes, are raised for home consumption by the proprietors and their cattle.

Tobacco and hops are the two most valuable crops, the former being the one which most directly influences the agriculture of the locality. It is highly remunerative in good years, when prices range high; but it is liable to great risks from frost, and also to great fluctuations in value, and it requires considerable outlay in manure and labour.

* *Almende*, contracted from "Allgemeine," or "Allen Gemein," i.e., common to all, was originally the generic term for all common lands, i.e., for all land owned, *ab indiviso*, by the community. It is now in Hesse specifically applied to such of the common lands as are apportioned in the manner appointed by local usage or statute to the individual citizens. Common lands not apportioned in severalty, but administered for the benefit of the communal exchequer, are termed "Cussen Güter," or exchequer lands.

† The klafter is equal to 100 Hessian square feet. The morgen is equal to 400 square klafter.

The consequence is, that its cultivation, to a certain extent, impresses a speculative character on the agriculture of the township, which has a bad side as well as a good one. For though the hope of extraordinary returns, dependent partly on more careful cultivation, more copious and more judicious manuring, &c., partly on forecasting the future, and watching international markets, and the like, undoubtedly develops intelligence, and, *pro tanto*, counteracts the spirit of plodding and routine; yet the great ups and downs are apt to engender a spirit of gambling, which intensifies the evils flowing from the natural fluctuations in the value of the crop. It often happens, for instance, that after a favourable season, and when large prices have been realized, fabulous sums are paid for land, either in the way of purchase or rent, and that an amount of land is laid out in tobacco out of all proportion to the remaining crops. Many instances were mentioned to me in which a peasant with 10 morgen applied 5 of them to the production of tobacco, 5 morgen out of 30 being considered the right proportion. A bad year following on a combination of this kind is naturally productive of great disaster.

From 250 to 300 cwt. of stable manure of the value of about 50 florins (4*l.*) is the quantity which, with very high farming, is applied to the morgen of land on which tobacco is grown. The small proprietor would probably not be able to afford as much. If we assume that he applied about one-fourth less we get the following data to calculate his returns.

Average crop per morgen on a small peasant property, about 8 cwt. of good leaves and 1 cwt. of so-called sand leaves, viz., the bottom leaves, which are soiled. Average price in 1868, 13 florins a cwt. for the former, 9½ florins for the latter: total value of crop per morgen, 113½ florins (9*l.* 8*s.*).

Manure, 38 florins (3*l.* 3*s.*); excise duty, 10½ florins per morgen; total, 48½ florins, which would leave 65 florins (or about 5*l.* 8*s.*) per morgen profit; but against the manure must be put the milk and meat which the cattle have produced the meanwhile, and which ought to be at least equivalent to the value of the manure. If the proprietor, therefore, maintains the right proportion in his crops, and only plants as much tobacco as he can manure from the proceeds of his own farm, he clears over 100 florins (between 8*l.* and 9*l.*) per morgen. The danger of planting tobacco on speculation, involving a large previous outlay for manure, bought probably with borrowed money, will, from this, be apparent.

I have not calculated the cost of labour, because I am assuming the case of the small proprietor in which the household furnishes its own labour. Where this is not the case, about 4 florins a cwt. is reckoned the cost of production, exclusive of manure and excise tax. There are certain processes, however, connected with tobacco culture which require a great deal of work to be got through in a short time, such as hoeing, picking, sorting the leaves, &c. At such times, extra hands are required even on the smallest farms, and therefore a proportionate deduction must be made from the net profits.

It stands to reason that a difference of 3 or 4 florins a cwt. in the price of the leaf (this year sand leaves, for instance, are 13½ florins a cwt. as compared with 9½ last year), amounting to between 26 and 30 florins per morgen, affects the yearly budget of the farmer in a considerable degree. But the variations may be infinitely greater. A frost may totally destroy the crop, an exceptionally fine year may double its value and raise the profits proportionably.

As I stated before, there is no regular rotation in force in the community; but the following has been given me as the most rational rotation, where the size of the holding will allow of it, and as one often used:—

First year—Tobacco with very copious manure.

Second—Spelt without manure.

Third—Barley and clover mixed, without manure.

Fourth—Clover (sown the previous year with the barley).

Fifth—Spelt again, with slight manure, stable manure, or liquid manure.

Sixth—Potatoes or beet, without manure.

Seventh—Beet root, with compost manure in the holes into which they are transplanted.

Sometimes in the fourth year instead of clover, lucerne is sown and cropped for six or eight successive years.

There are, for the ensuing year, about 870 morgen under tobacco in the commune, i.e. ⅓th of the entire arable land, which would about correspond to this rotation.*

* I should add that the excise tax has only recently been imposed in consequence of a vote of the Customs Parliament, and has naturally excited considerable discontent amongst the tobacco farmers. One of the most

The following are the average quantities of grain sown and the average results obtained:—

Of spelt, 100 lbs. weight are sown to the morgen. The crop varies from 10 to 15 malters (at 110 lbs. per malter) per morgen, *i.e.*, from 11 to 16½ fold.

Rye, 80 lbs. per morgen; crop, from 5 to 8 malters (at from 180 to 190 lbs. the malter), *i.e.*, about 11 fold.

Barley, 80 lbs. per morgen; crop from 7 to 10 malters (at from 165 to 180 lbs. per malter), *i.e.*, from 14 to 20 fold.

Oats, 65 lbs. per morgen; crop from 10 to 12 malters (at from 120 to 130 lbs. a malter), *i.e.*, from 22 to 24 fold.

With the exception of one steam-threshing machine, which works for hire, but is not largely used by the small farmers, there is no steam agricultural machinery in the commune. There are no mowing and no drilling machines, the sowing being all done by hand. Cutters of various kinds for chaff, turnips, &c., of modern make, are extensively used. The agricultural implements are, all of them, very good of their kind. But one sort of plough is used. It is strong, light, and cheap, and was introduced soon after 1851, being copied from an English plough which obtained a prize at the first International Exhibition in London. Its cost is 13 florins (11. 1s. 8d.).

The commune possesses 1,030 head of horned cattle (*i.e.*, about 1 to every 7 morgen under cultivation)—of these 750 are milch cows, there being a great trade in milk with the neighbouring town of Mannheim; the rest are dry cows being fattened for slaughter, heifers, &c.—200 horses, from 1,000 to 1,300 pigs, and 500 goats. The cattle is entirely stall-fed. The ploughing is mostly done with horses. The very small farmers plough with cows. Oxen are not used for this purpose. A farmer of from 20 to 30 morgen will keep 4 head of cattle—of which 2 will be milch cows, 1 a dry cow being fattened for sale, 1 a heifer—and 2 horses. In the winter he earns wherewith to buy additional food for his cattle and horses by carting timber.

The standard of living is much the same in all classes of the peasant population, except, that at present, wages being very high, the agricultural labourer lives rather better than the smallest proprietor, who tries to economize on his food, the former only caring to spend his wages.

The tenements occupied by the peasants and their families are all on one pattern. The farm buildings, consisting of a stable and a large barn, in which grain crops and hay are housed (ricks and stacks being unknown), and the tobacco leaves are hung to dry, differ according to the size of the property. The house and buildings are mostly of bricks and slated. Both are remarkable for their great size, which is to be accounted for, partly by the quantity of room required for tobacco drying, partly by the fact that the easement which the commune enjoys in the forest, places abundant materials* at the disposal of the inhabitants.

Every house has a garden in which the young tobacco plants are reared, and the vegetables required for the use of the household are raised. Each house,—even the smallest,—has an oven for baking, and deems it a point of honour to have its own pump.

The rooms consist of one large sitting-room, in which the family lives and takes its meals. Leading out of this room is the bed-room occupied by the father and mother and the younger children. If the family is a large one, it not unfrequently happens that there is a bed in the sitting-room, which is, however, always screened off by a curtain. The grown-up children of both sexes occupy a separate sleeping-room.

The walls of the sitting-room and bed-rooms are painted or whitewashed, and but rarely papered. They are usually whitewashed or re-coloured once in two years. The furniture consists of the necessary tables and chairs; of a large cupboard and wardrobe; a large oblong wooden-box, gaudily coloured, in which the reserve linen is kept; and a glass cupboard in which the crockery, &c., is exposed to view. A large Black Forest clock, hung in a conspicuous place in the principal room, never fails.

The article of furniture on which the greatest amount of luxury is lavished is the conjugal bed, and the great object of ambition is to heap up this bed with a maximum

intelligent of the class, however, observed to me that he believed the tax would not act to the detriment of the tobacco grower, and that the State would clear the proceeds of the tax, or at least a large proportion, without loss to consumer or producer, merely by a more economic adjustment of productive forces. The tax being levied not *ad valorem*, but on the area under cultivation, would act as a premium on the selection of such lands only as were specially fitted for the growth of tobacco. The land less well fitted for this purpose would be employed in crops, for which it was better fitted, and the desire to reduce the percentage of the tax on the value of the crop to a minimum would lead to more efficient and more economical cultivation on these best lands.

* The timber for building is no longer furnished *in natura*, the Crown finding it cheaper to give a money equivalent, which enables the peasants to build their houses of brick.

of feather-beds and feather-bolsters. I noticed, at an agricultural meeting, the proud and self-confident bearing of one of the speakers, and was immediately told that he had the highest bed in the commune, and required a ladder to get up into it.

The Viernheim peasant eats five times a day. In the morning, on first getting up, he usually takes coffee with milk and sugar, and eats bread. The parents and younger children each get a small white loaf of wheaten flour, the rest brown bread—half rye, half barley. Where the household is less well off, a soup made of flour and milk and boiled potatoes take the place of coffee and bread. Coffee, however, is the rule.

This is his breakfast eaten at home. He takes to his work with him bread, and sometimes cheese, which constitutes his second breakfast, and is eaten between 8 and 10 o'clock, and on this occasion he drinks a small quantity of corn-brandy. At 12 he returns home to dinner, which consists, two or three times a week, of meat, viz., salt pork and potatoes, and twice a week sauerkraut; in the summer, vegetables and a great deal of salad, dressed with vinegar and rape-seed oil. On Sundays he eats fresh meat, usually cow-beef, first in the shape of soup, then the meat from which the soup has been made. The days on which meat is not eaten the potatoes and vegetables are supplemented by a pudding, of which flour and milk are the principal ingredients, with butter and eggs according to circumstances. In the afternoon he eats his so-called vespers, *i.e.*, bread and coffee, in the summer and autumn fruit in large quantities. At night he concludes with supper, consisting of a soup of milk and flour and boiled potatoes, or potatoes, butter, and cheese, or potatoes and salt meat. The salt pork is cured at home, each family having one or more fat pigs killed in winter, the event being one of much rejoicing, as furnishing the household with an opportunity of eating fresh sausages and other delicacies.* On *fête* days a large cake is baked which it takes several days to consume.

At home he drinks nothing but his daily quantum of corn brandy (about a gill, neither very strong nor very palatable), except on Sundays, when he drinks beer; but he often goes in the evening to the public-house and drinks 3 or 4 glasses of beer at 3 kreuzers (*1d.*) a glass. Though in the immediate vicinity of a wine-growing country, he never, except on *fête* days, touches wine.

His clothing is substantial and adapted to the season: in summer, principally composed of linen stuffs; in winter, of heavy woollen stuffs. He wears no national costume, and his dress is of the general nondescript European type.

I heard general complaints of the growing luxury indulged in by the women in the matter of dress, and of their disgraceful attempts to follow the fashions.

Much expenditure and long previous preparation are spent on a bride's dowry. She brings to her new home always one, sometimes two, beds and the furniture of one room, or of half a room, according to her means, also the feather-beds for which many generations of geese, who are yearly plucked for the purpose, have yielded the materials. In addition, she furnishes the house linen, and usually a certain amount of linen cloth in reserve. According as she is rich or poor, the feather-beds and the reserve linen are more or less copious.

The amusements of the peasant are not many or varied. Twice a year there is a village feast—on the name-day of the Church's patron saint and after harvest (the commune is a Catholic one). On these occasions there is music and dancing, and wine is largely consumed. The peasant attends these meetings with all his family. There is little demand for intellectual products. Few newspapers and fewer books supply all that is required in this respect. The agricultural society of the province counts but few members in the township, and but little interest has hitherto been shown for the agricultural lecturers who periodically visit the district. Of late singing clubs, in which part-singing is practised and which the younger men attend, have become popular.

The following are the rate of wages in the township:—

Agricultural wages for men, without board (but frequently with the glass of corn-brandy at the second breakfast, given by the employer), 40 kreuzers (*13½d.*) a-day in summer, 36 kreuzers (*12d.*) a-day in winter. For women, 32 kreuzers (*10½d.*) in summer, 28 kreuzers (*9½d.*) in winter. Piece work: reaping grain crops, from 1 florin 45 kreuzers (*2s. 11d.*) to 2 florins 12 kreuzers (*3s. 7d.*) per morgen. Mowing grass from 40 to 48 kreuzers the morgen. Hoeing from 1 florin 30 kreuzers to 2 florins a morgen. With board and lodging, from 80 florins to 140 florins a-year for a man, and for a female servant from 45 to 66 florins.

The workmen of the township employed in factories at Mannheim, to which they

* The staple of his food, however, consists of potatoes and bread, the daily allowance of the latter being from 2 to 3 pounds for a man and from 1½ to 2 pounds for a woman.

walk in the morning, returning home at night (the distance being about 12 miles there and back), earn from 48 kreuzers to 1 florin 12 kreuzers a-day.

The workmen employed in cigar-making in the township work by the piece, and can earn from 3 to 6 florins a-week.

From 6s. to 7s. a-week, which may be looked upon as the regular agricultural wages of the locality for male labour, does not appear much at first sight, and I was somewhat astonished at the universal complaints I heard of the ruinous height to which wages had reached. If we consider, however, the labourer's other sources of revenue, we shall see that the Viernheim labourer is very well off.

In the first place it must be remembered that female field-labour is quite as much in request as male, and, for some kinds of work connected with tobacco cultivation, even preferred to it. If the labourer is married, therefore, his wife's wages must be added to his own, which would raise the wages of the family to 10s. or 12s. a-week. Of course there is the time taken up with child-bearing and with household avocations; but, even with these drawbacks where labour is so valuable, most women manage to earn a fair amount of money wages during some portion or other of the year.* There are, besides, the earnings of the children, which, during the tobacco harvest, and afterwards in sorting the leaves during the process of drying, are not inconsiderable. In the next place, with some very few exceptions, the labourer owns the cottage he lives in, with a garden and land enough to raise the potatoes he requires for his family and his pig, and at a comparatively early date, usually between the ages of thirty and forty, he obtains a lot in the "almende." In every case he obtains from the forest all the fuel he requires for firing. If he cannot keep a cow, he at least keeps a goat or two, so that he is housed and warmed, and produces his meat, his potatoes, his milk, and his vegetables, independently of his weekly cash receipts. But this is not all. He need make no provision for the future, for, as he gets older, he rises from the lower to the higher class in the "almende," and is certain in his old age to be in the highest class, that is, to have the usufruct of 10 morgen of first-rate arable land, which, with the help of his children, he can either cultivate himself or let for between 200 and 300 florins.

The operative employed in manufacturing industry is placed in similar circumstances.

Hence the condition of the Viernheimer who works for wages must be considered as a highly favourable one. That of the proprietor of from 10 to 30 morgen is equally favourable. The class least well off is that of the proprietors who have just land enough to occupy their whole time and prevent their working for wages, but not sufficient to leave a margin wherewith to cover accidents. But even this class, as a rule, are well off, for the labour of a household is amply sufficient to produce the requirements of a household, and, like all the other citizens of Viernheim, a proprietor of this class has the prospect of his increasing lot in the "almende." But it not unfrequently happens that the very small proprietor in bad years, or from tobacco speculating, gets into debt, and the absence of margin makes it difficult for him to get out of debt if once in it.

The commune, in its co-operate capacity, is in flourishing circumstances. The value of its property, moveable and immovable, is estimated at 1,142,709 florins, or close upon 100,000*l*.

The yearly budget of income and expenditure is about 40,000 florins.

Of this only about 1,900 florins (158*l*.) is spent in connection with the relief of the poor. Nor does even this represent the real amount of poverty needing relief, as out of this sum 300 florins a-year are pensions paid out of a fund bequeathed to the local charities, which on the death of the pensioners will revert to those charities. The amount put down in the estimates for the current year, as that which will be required for actual disbursements in the way of relief, is only 25 florins for cases requiring permanent aid, and 1,412 for casual cases. The corresponding average for the ten previous years was 1,325 florins. Of the entire sum set apart for poor relief only 852 florins come out of the communal exchequer, the rest being derived from charitable donations.

I need hardly observe that an able-bodied pauper is a being altogether unknown. I even found some difficulty in describing the sort of person respecting whom I desired to obtain information. The sums expended in relief are either devoted directly to the

* Though the system of pensioning off parents does not exist to the same extent at Viernheim and in the Plain as it does in the Odenwald, it yet often happens that the old people come to some arrangement with the younger generation, in accordance with which they cede their rights of property to the latter in exchange for their maintenance. Owing to this there are in almost every household old people who can look after the younger children, thus enabling the more vigorous women, married and unmarried, to work in the fields.

purchase of medicaments, or to the support of the families of persons disabled from work by sickness or some other temporary cause.

The amount paid out of the communal exchequer for the maintenance of the communal breeding establishment of bulls and boars is 1,892 florins, or more than double the amount of poor-rates.

The yearly expenditure on schools is about 4,000 florins.

In the years 1852 and 1853, the commune contracted a debt of 39,980 florins, to enable 100 families, numbering 600 souls, to emigrate to America. This debt is most of it paid off, the commune having for a period of ten years appropriated the proceeds of the common lands ("almende"), which, had they remained in Europe, would have been apportioned to the 100 families, to the liquidation of the debt.

In reply to the specific question as to the number of labourers per acre, it will appear from the above that in Viernheim there are 600 males, 300 described as proprietors, and 300 as labourers, employed in cultivating about 7,000 morgen, i.e., about 4,000 English acres, or about 1 to every $6\frac{1}{2}$ acres. As quite as many women, however, are employed in field labour as men, if not more, there would be a proportion of about one pair of full-grown hands to every three acres, besides a corresponding number of children.*

Such is the picture of a very flourishing commune, under peasant cultivation, in the fertile plain on the right bank of the Rhine. The land is parcelled, but not in excess, a quarter of a morgen being the smallest parcel, and the usual size of the parcels being from one-half to an entire morgen. The amount of common land apportioned in "almende" is very much above the average, and the easements which the commune owns in the forest are exceptionally valuable. The situation of the township, moreover, from its vicinity to an important town with rising manufactures, is peculiarly advantageous, both as providing a ready market for every kind of produce and as furnishing an outlet for any surplus labour. The general circumstances of the community must, therefore, be taken as peculiarly favourable to peasant farming. My visit having been in winter, when the ground was covered with snow, I was unable to judge of the general appearance of the cultivation; but I have no reason to believe that it differs from that of the surrounding districts in which tobacco is grown, and with which I am acquainted. The very careful cultivation which that plant requires impresses a garden-like character on the country, especially where it is planted in small patches, intermixed with others, in which hops and other valuable products are raised. The appearance of such districts contrasts favourably with the monotonous parallelograms in which grain crops alternate with potatoes, turnips, and clover.

The appearance of the township itself is in the highest degree bright and cheerful. The unusual size and roominess of the buildings have already been dwelt upon and accounted for. They all seemed as if but lately whitewashed, and I could detect no habitation even distantly resembling a hovel: fine large two-storeyed dwellings, with the look of town houses, which struck me by their peculiar neatness and brightness, I found on inquiry to be the property of operatives working at Mannheim.

The farmyards and stables, on the other hand, were not as neatly kept or clean as, from the looks of the dwelling-houses, I should have been led to expect, and very inferior in this respect to the farm-yards of Swiss peasant properties of a corresponding size.

Great care was betowed upon the manure, and each yard had a covered tank, in which the liquid manure was collected, and a pump with which it was pumped on to the dungheap.

The inhabitants had more the look of townspeople than peasants; not but that they were sunburnt and hale, as men employed in out-door work, but that they had that certain indescribable wide-awake expression which can apparently be only given by constant intercourse with one's fellow-men, coupled with a certain variety and many-sidedness of occupation. The town-like character of the village, and the constant business intercourse with the neighbouring large towns, would sufficiently account for this character.

The school children all looked remarkably healthy, well fed and well clothed—the boys in stout cloth jackets, the girls in warm woollen frocks.

* The impossibility of obtaining any satisfactory statistics as to the exact number of labourers and proprietors employed per acre in the cultivation of the soil, is well illustrated in the case of Viernheim. In a sort of rough way, out of the 1,000 citizens, 300 are classed as proprietors, 300 as labourers; but, from the description above given, it will appear not only that these two classes are constantly encroaching on each other, but that the greater number, if not the whole, of the operatives belonging to the township, either themselves in their spare hours, or by means of their families, are partially occupied with the cultivation of land.

The most vivid impression which I carried away with me from Viernheim was the equable manner in which the wealth of the place appeared to be distributed amongst its inhabitants. The whole population seemed to be on the same level of material comfort and well-being. I could not bring back to my recollection any sight or sound denoting the presence of a squalid class, or any indications pointing to a higher or a ruling class.

Nevertheless one could not but feel that, with so solid a basis of material prosperity, there was, on the score of culture, great room for improvements. One felt disappointed that so few of the inhabitants should care about that which in Germany decides the status of the individual, viz., a liberal education; and that so many parents, rich enough to send their children to a higher class of school, should be content with the very elementary education given in the National School. Such a fact as the habitual occupation of the same sleeping apartment by the grown-up children of both sexes, even in the case of well-to-do farmers, struck one as denoting the absence of a higher standard of civilization. In a word, one felt that, immense as was the contrast between the villein of the commencement of the century and the free proprietor of the middle of the century, the traces of the former state were not altogether obliterated, and that the peasant had not yet reached the point at which another generation will undoubtedly land him.

I will next proceed to the description of the Commune of X in the Odenwald, as affording a marked contrast to that of Viernheim.

Instead of being on the plain, it is high up in the mountains; instead of being within easy reach of a railroad and an important town, it is near no town and separated by about twenty miles of mountainous road from the nearest railway; instead of being under parcel-cultivation, it consists principally of consolidated farms; instead of the equal division amongst the children at the death of the father, the eldest son, in accordance with an ancient custom which is stronger than the law, comes into the enjoyment of the property during his father's lifetime, the latter, when getting too old efficiently to look after the property, being pensioned off, and the younger sons working as servants to the elder.

The Commune of X contains 534 inhabitants, of whom 115 are citizens, which gives a proportion of rather more than 4 women and children to 1 grown up-man, as compared to the 3 to 1 of Viernheim. Of these 115 citizens, 20 are proprietors of large farms, or so-called "Bauern" or full peasants, 20 are smaller proprietors, or so-called "Küh-Bauern"—cow-peasants (*i.e.*, 10 of them owners of 2 cows each, 10 of 1 cow each); the remaining 75 are agricultural labourers or artizans. I cannot state exactly what is the number of the latter class, which consists of shoe-makers, tailors and such handicraftsmen as are required to supply the wants of a small community, but I doubt whether it exceeds 15 or 20, which would leave from 95 to 100 full-grown men, with a corresponding number of full-grown women, as the full-grown labour force of the community.

The area of the "Gemarkung" contains 2,682 morgen, distributed as follows: 1,113 arable land, 518 meadow, 299 communal forest, leaving 752 morgen for the space taken up by roads, farm-buildings, gardens, orchards, as also by forest owned individually by the proprietors of the larger farms. The farms I visited had each of them from 10 to 15 morgen of forest belonging to them, and probably the others had a like proportion.

The 20 larger properties are as nearly as possible equal in size, each containing about 75 morgen of arable and meadow land. One of the number only comprised as much as 90 morgen. There are, besides, two properties of this class which have been subdivided. The properties of the small peasant, or so-called cow-peasant, run from 5 to 15 morgen.

There is no "Almende," it having been all of it divided amongst the proprietors in 1826.

The only communal property is the communal forest.

The community possesses 284 head of horned cattle (of these 117 are milch cows, 153 are beasts, heifers, &c., 12 are draught-oxen, and 2 are bulls), 40 horses and 5 foals, 3 donkeys, 75 sheep, 25 goats and 184 pigs.

The cattle is stall-fed. The meadows lie mostly near the farm-houses and furnish abundant green food. The sheep are pastured in winter on the stubble of the community, in a common herd. In summer they are provided for by their several proprietors.

The following is the rotation of crops:—

(1.) Potatoes or turnips, with manure; (2) Rye or spelt; (3) Barley, sown with clover, mixed.

One copious manuring once in three years, from 10 to 12 load to the morgen; the third or fourth year a light intermediate manuring.

The food of the peasant consists in the morning of coffee and bread or potatoes; at mid-day usually of meat, principally pork, potatoes and vegetables—the days on which meat is not eaten there is the usual pudding of flour, eggs, and butter; at night potatoes and sour milk or coffee. On *fête* days the never-failing cake is baked, and in autumn a large provision of a kind of jam made of pears, mixed with other fruit, is made, which contains much saccharine matter, and is eaten with bread instead of butter. Most of the larger proprietors employ, in addition to the members of their family, two men and two maid servants, who receive, respectively, from 80 to 90 and from 40 to 50 florins a-year, besides their board and lodging, and usually some small present in the way of dress at Christmas. They board with the family, and consequently partake of the same food.

The wages of day labourers, without board, are for a man from 30 to 36 kreuzers a-day; for a woman from 24 to 30 kreuzers.

The peasant proprietor in the Commune of X, comparatively large as is his property, and well off as he undoubtedly is (more than one was pointed out to be worth from 30,000 to 40,000 florins—2,500*l.* to 3,500*l.*—laid out chiefly in mortgages in neighbouring communes), contrasts unfavourably with his neighbour in the plain. With but one or two exceptions, none of the tenements and farm-buildings which I saw had the fresh and cheerful air which so struck me at Viernheim. Some had even a dilapidated appearance; in every case the farm-yard was in the highest degree untidy and slovenly. The plough and other agricultural implements were lying helter-skelter about the place; the manure was thrown carelessly into the yard in uncomely heaps; there was no tank or reservoir for the liquid manure, which in most cases seemed running to waste. The interior of the dwellings, though not denoting poverty, but the reverse (there were large fires burning and a pleasant activity going on in the kitchen), was not of a kind to impress one with the idea that material prosperity had refined the manners of the inhabitants. The richest amongst the proprietors—men who, according to German standards of living, could have well afforded to give their sons a university education—did not appear in any way to differ from the ploughmen and shepherds in their employ. In a word, the citizens at X are, as compared with the Viernheimers, emphatically country-folk—peasants—“*Bauern*,” not in the invidious sense which we associate with the term “*boor*,” but with just a shade of that sense clinging to the name. There seemed to me, however, to be a marked difference between the older and the younger generation. In the older I could not but discern, or fancy that I discerned, traces of the peculiarities which impress themselves on a disfranchised class—distrust and cunning, and an abiding sense that over-reaching is the normal condition of men's intercourse with each other; something, in fact, of those hang-dog looks and ways which are universally associated with the unfree peasantry of the close of the last and the beginning of the present century. In the younger generation all this seemed to have passed away, and to have been replaced by a sense of self-confidence, a greater amount of general intelligence, and the bearing of men who were conscious of no longer belonging to a caste, but of enjoying the full rights of equal citizenship. This especially struck me in the case of a young farmer who had lately come into his inheritance, and had begun by pulling down the family tenement and farm-buildings, and replacing them by a solidly-built and handsome two-storeyed house, with corresponding farm-buildings, which were on the point of completion, and proclaimed, in language not to be mistaken, how much higher was the standard of living to which the present generation laid a claim than that with which their ancestors had been content.

The two communes I have hitherto described lying both of them in the Province of Starkenburg, I will, lastly, give the following data respecting the Commune of Soedel in the Wetterau, a rich plain district in Upper Hesse.

The Commune of Soedel is under parcel cultivation. Its area contains 2,409 morgen, of which 54 morgen are “*Almenden* ;” 1,400 morgen are the property of peasants; 291 morgen are the property of Prince Solms, one of the great mediatized landlords who formerly exercised manorial rights over the commune; and 608 morgen are forest, belonging to the communal exchequer.

Of this land 1,629 morgen are arable, 59 morgen meadow, 51 morgen gardens.

There are 640 inhabitants, of whom 175 are citizens; of these 53 are classed as proprietors, 47 as agricultural labourers.

There are three larger properties in the commune, each of about 150 morgen, cultivated by a more educated class of proprietors. The average size of the remaining

properties is about 30 morgen. The property of Prince Solms is let out to 18 peasants, in farms averaging about 20 morgen each.

A quarter of a morgen is the size of the smallest parcel: as a rule, the parcels run from 2 to 10 morgen.

The commune possesses 256 head of horned cattle (*i.e.*, about 1 to every 6 morgen), of which 157 are cows; 44 horses, 180 sheep, 213 pigs.

There is a three years' rotation of crops, with copious manuring every third year (*viz.*, 120 cwt. of stable manure to the morgen), and lighter manuring with liquid or artificial manure the intervening years.

The average crop per morgen is as follows:—

								Malters.
Wheat	..	..	..	..	..	..	..	6
Rye	..	..	..	..	..	..	..	6
Barley	..	..	..	..	..	..	..	8
Oats	..	..	..	..	..	..	..	8
Potatoes	..	..	..	..	..	..	..	85 to 40

The food of the Socdel peasant (and here likewise the food of the agricultural labourer is not different from that of the proprietor) is as follows:—

First breakfast.—Coffee and bread, with butter, or jam made of pears or plums.

Second breakfast.—Bread, with cheese or butter.

Dinner.—Soup, vegetables, and meat, or soup and farinaceous pudding.

At 4 o'clock.—Coffee, bread, and butter or jam.

Supper.—Potatoes, with milk, and butter or cheese, or potatoes and salad, sometimes with meat or sausage.

The forest brings in about 6,000 florins a-year to the commune. Each citizen receives 20 florins' worth of wood a-year.

A man's wages without board are 50-kreuzers a day, a woman's 40; with board, respectively 26 and 16 kreuzers.

As will be seen by the copious manuring, the large returns per morgen, the standard of living, and the rate of wages, this commune is very well off and highly prosperous.

This must conclude my sketch of peasant holdings in the provinces on the right bank of the Rhine. I had hoped to complement it by an equally detailed survey of communes in the Rhine Province, as, by common consent, the state of agriculture on the left bank of the Rhine is immensely superior to that on the right bank, and probably yields the highest results anywhere attainable under peasant cultivation. Unfortunately the necessity of bringing this Report to a conclusion within reasonable limits of time has not afforded me the opportunity of doing so, and my acquaintance with the Rhine Province is limited to two hurried excursions.

These were, however, sufficient to convince me of the very much higher level attained by the agriculture of the province, and I shall avail myself of the information gathered on those occasions in my concluding remarks.

Transfer, Hypothecation, and Descent of Land.

(A.) 3. In the provinces on the right bank of the Rhine, so-called "acts of voluntary jurisdiction,"* *i.e.*, judicial acts by which transactions of the nature of contracts, &c., obtain their legal validity, are performed by the public Courts. In Rhine-Messe the system of notaries public prevails.

In the former provinces the procedure in reference to the sale and transfer of land is as follows:—

For each sale or transfer the instrumentality of two Courts is required, *viz.*, that of the Communal Court (the "Orts Gericht," described in p. 197), in which the estate is situated, and that of the Court of the district ("Land Gericht") in which the commune is situated.

This double mechanism appears at first sight to be cumbrous and complicated, but this is not the case in practice. On the contrary, the distribution of functions between the two Courts, arising, as it does, from natural causes, and adapted, as it is, to local

* The term "Freiwillige Gerichtsbarkeit" (*jurisdictio voluntaria* in contradistinction to *jurisdictio contentiosa*) is used in German legal phraseology to denote such judicial acts as have no reference to contentious litigation, but are required to give to a transaction legal validity, *e.g.*, affidavits, legalization of wills, &c. In such parts of Germany as are under French law, as well as in some others, this jurisdiction is delegated to notaries public; in other parts of Germany it is exercised directly by the public Courts.

requirements, materially conduces to the extraordinary rapidity, facility, and cheapness with which transfers of land are effected in the Grand Duchy.*

The difficulties which had to be overcome, and which were sufficiently overcome, by the double mechanism of the two Courts may be thus stated:—

To effect a transfer by registration, the authority under which the transfer takes place must be a competent one, a condition not fulfilled by a Court like the "Orts Gericht," composed in rural districts of peasants ignorant of law, and only capable of performing the most rudimentary legal acts. It was therefore necessary to invest the higher Court with this authority.

On the other hand, it was equally necessary that the Land Register, in which the transfer takes place, should remain a strictly communal institution and in the hands of communal officers. For the Land Register constitutes, so to say, the agricultural ledger of the community, whose utility depends upon its accessibility, and upon the thorough knowledge of its contents possessed by the members of the community, and especially by the persons in whose custody it lies. This knowledge, possessed in an eminent degree by the Local Court, which is composed of men born and bred in the commune, is of a kind necessarily inaccessible to the members of the higher Court.

It was necessary, therefore, to find some means of effecting the transfers under the authority of the higher Court without delocalizing the Land Register, or dispensing with the local knowledge which the lower Court alone could furnish, and this was done by the law instituting the "Mutations Verzeichniss," or Protocol of Transfers.†

By this law the transfer is effected by a judicial act which takes place at the District Court, and, as this cannot be done directly in the Land Register, which does not leave the custody of the Local Court, it is effected in the Protocol of Transfers, which, by a legal fiction, is identified with the Land Register. Once every six months the entries in the Protocol of Transfers are copied, under the responsibility of a Government officer (the Commissioner of Taxes of the district), into the Land Register. In the eye of the law, however, the land passes by the transfer in the Land Register.

The evidence upon which the District Court acts is furnished, as the sequel will show, by the Local Court, which is responsible for the issues of fact, while the District Court is only responsible for the issues of law.

As the entire system, not only of the transfer but also of the hypothecation of land, depends on this Land Register, it is necessary to describe it in detail.

From a very early period there existed in the territories of the Landgraves of Hesse a rough cadastration for the purposes of public taxation, and, corresponding to this cadastration, there was deposited in each commune a so-called "Flur" (or field) "Book," containing a topographical register of the properties of the commune, which was not, however, at that time used as a record of titles.

This rough cadastration was supplanted by an accurate trigonometrical survey commenced in 1824, and by the law of the 21st February, 1852, it was enacted that the Field Books prepared, or to be prepared, on the basis of this new cadastration, should assume the character of registers for the transfer of land and for the proof of titles.

The original maps are deposited in the Office of Cadastration. Duplicate *fac-similes* of the map of each communal district ("Gemarkung") are deposited in the Local Court, and constitute the basis of the Land Register. Each district is divided into so many "fluren," or fields, each field into so many parcels or items. The unit is consequently the parcel, but these units are arbitrary. They are partly transfers from the old Field Books; partly new creations consequent upon sub-divisions which have taken place since the new Land Registers have been in force. They vary in every possible degree, from a few perches to a number of acres; sometimes an entire establishment—house, stables, farm-buildings, garden, orchard—being entered as one parcel, sometimes each of these being entered as a separate parcel.

Each field has its separate volume in which the parcels are entered in consecutive numbers, corresponding to the numbers of the parcels on the map.

Annexed is a transcript from the pages of a Land Register:—

* It must not be forgotten that the Local Court supersedes the action of the private conveyancer. It is, as it were, a conveyancer's office established at every proprietor's door, doing business according to a minimum scale of fees to express which in English coin we must have recourse to farthings.

† It is difficult to find an English equivalent for a technical term descriptive of a thing which has nothing corresponding to it in England. The characteristic of the "Mutations Verzeichniss" is that it is substituted provisionally for the real record of transfers, viz., the Land Register. It might be described as being to the Land Register what the day-book or journal of a mercantile house is to the ledger.

"Flur" (field), No. 1.						"Gewanne :—" Behind the brick-kiln.*											
1. Description of Parcel.	2. Number of Parcel in		3. Square Klafter.†	4. Class in Register of Land Tax.	5. Nett Income Taxed.	6. Description of Owner, and his Title.	7. Date of Entry in Protocol of Transfers.			8. New Owner.	9. Title.			10. Limitation of Ownership.‡	11. Rent Charges.§	12. Reference to Register of Mortgages.	
	Old Register.	New Register.					Month.	Day.	Year.		Kind of Title.	Date of Title.					
												Month.	Day.				Year.
Arable land	77	1	500	3	Florins. 30	Adolf Müller (husbandman). Inherited.	January	20	1867	Karl Schmidt (blacksmith).	Purchase.	January	20	1867	"Limited," by vendor's lien.	5 florins per annum, for the next ten years.	Vol. ii, p. 16.

* The division into "Gewanne" is antiquated, and the term is only retained to localize the "Flur" or field.

† "Klafter" is equal to 100 square Hessian feet.

‡ This limitation of proprietary rights is of three kinds: "Beschränkt" (limited); "Gehemmt" (hindered); "Streitig" (contested). The first ("Beschränkt") has reference almost exclusively to the case in which the buyer pays for the property in instalments, the vendor, until these instalments are paid off, retaining a dormant ownership (*dominium reservatum*) analogous to our "vendor's lien." The second ("Gehemmt") presupposes some inhibitory measure on the part of a Court of Justice, in view of possible litigation, similar to a "writ of distringas" on stock in England. The third ("Streitig") presupposes actual litigation, corresponding to our registration of "*lis pendens*."

§ These rent charges have reference to the commutation of customary services, &c., described in the early portion of this paper.

Fully to understand this Register, it must be borne in mind that it takes the shape of a large folio volume, the left page of which is filled by the columns from 1 to 6 inclusive, and the right-hand page by columns from 7 to 12.

The left page represents the parcel at the time of the creation of the Land Register. The right page records the change which the parcel undergoes.

It will be observed that the basis of the Register is the topographical division of the "Gemarkung;" not the person owning, but the object owned, being the unit.* Each "Flur" has its own volume, and each parcel has its entry in this volume. But this system is supplemented by an alphabetical register of the owners, with a reference against each name to the volume of the Land Register. Annexed to the Register are the duplicate maps of the "Gemarkung." The one copy corresponds to the left page of the Register, and represents the "Gemarkung" at the time the Register was created. It can, under no circumstances, be tampered with. The second copy is destined to have the alterations resulting from sub-divisions of the parcels recorded in it. These maps are on the scale of $\frac{1}{5000}$, and the minutest alterations can therefore be entered on them. They are masterpieces of cartographical art.

When the survey of a communal district is concluded care is taken that the new Land Register, which is to take the place of the old Field Book, shall contain an accurate record of titles. For this purpose, the entries are made by the district court. Where no title-deeds are forthcoming, so-called "Edictalia," or proclamations, are published in the Gazette, calling upon any persons who may have claims against the parties in possession to make good those claims by a certain day. If no such claims are put in, the actual possessor obtains a certificate to that effect from the district court, which affords the title-deed in virtue of which his name is entered on the Register, and a *presumptio juris* is created in his favour. If claims are put in, they form the subject of investigation, pending which the possessor's name is entered on the Register, with an entry in column 10 to the effect that his rights are disputed.

After all the property in the commune has, under the careful scrutiny of the district court, been entered on the Register, notice is given that the latter will be exposed to public inspection during a certain number of weeks for the rectification of errors. After this period has elapsed and all errors have been rectified, the Register is duly legalized by the district court, and a *presumptio juris* is established in favour of all the registered proprietors against whose names no limitations of proprietary rights are entered. Five years after the date of legalization, if these titles have not been impugned, the *presumptio juris* becomes a *presumptio juris et de jure*, and the titles are indefeasible.

I can now proceed to explain the method of proceeding observed in the sale of land, and, in order to facilitate the task of description, I will suppose a particular case, a vendor (A) and a buyer (B) in a commune (X).

A and B would present themselves before the local court of X and declare that A had agreed to sell, and B to buy, ten parcels of land, numbers from 1 to 10 in field 3.

A would at the same time produce documentary evidence of his title. The court would thereupon examine Vol. III of the Land Register, in which it would be found whether the description given by A corresponded to the registered facts; and such questions would be put as, together with the information furnished by the Land and Mortgage Registers, assisted by the local knowledge of the court, would enable the latter to answer a printed form of interrogatory, which it is the business of the local court to furnish to the district court.

The questions in this interrogatory are the following:—

1. Are the objects to be sold the property of A?
2. Are any of these objects held under "Erbleih" or "Landsiedel" tenures, or parts of entailed properties?
3. Has A produced a legally certified document in evidence of his title; and what is the date of the document?†
4. Is A and, if married, is his wife twenty-one years of age? Are either of them under wardship for extravagant habits or mental deficiency?
5. Are there any mortgages, and if so, what mortgages, on the objects to be sold, and who are the mortgagees?
6. Are there any arrears of payments in regard to a previous sale charged on the estate?

* The reverse of this is the case in Prussia, where the Land Register is engrafted on the Mortgage Register, whereas in Hesse the Mortgage Register is engrafted on the Land Register.

† This is sufficient information for the District Court, as, if A is able to produce any kind of document, the original, or a copy, must be in the possession of the District Court.

7. Are there any other private charges on the estate ?
 8. Are there any arrears of land tax, or other public or communal charges ?
 9. Is A married ? Is it his first or second marriage ? What children are there from his first marriage, and have they attained their majority ?
 10. Is A's wife co-proprietress in the estate sold ?
 11. Are the children of the first marriage heirs to the estate ? or—Was the estate acquired in a former marriage ?
 12. As far as is known, are the objects sold the subject of litigation ?
- After being duly filled up, this interrogatory would be certified as follows :—

November 10, 1869.

The President of the Grand
Ducal Local Court,
(Signed) MULLER.

The Assessors,
(Signed) SCHULZE.
SCHMIDT.
FENNER.
BIEHL.

When this interrogatory has been duly certified by the Court, the following so-called "Kaufnotul," or protocol of sale, is drawn up :—

PROTOCOL OF SALE

between A and B.

Done at X, this 10th day of November, 1869.

There appeared this day before the Grand Ducal Local Court and made declaration—

A, the vendor, that he had sold to B, the buyer, and B, the buyer, that he had bought from A, the vendor, for the sum of 1,200 florins, the parcels of land described on the opposite page, under the following conditions :—

1. The payment is to be made in three yearly instalments, 5 per cent. per annum being charged for the money still due.
2. The property is to be made over to the buyer on the 1st of January, 1870.
3. Until the instalments have all been paid up, A's right of ownership is reserved (*dominium reservatum*).
4. The cost of the protocol of sale and of the interrogatory is borne by A. The cost of the deed of sale is borne by B.
5. B becomes responsible for taxes from the 1st of January, 1870.

Page and No. of Old Field Book.	New Land Register.		Square Klafter.	Rent Charges.
	No. of Field.	No. of Parcel.		
P. 12, No. 6	3	No. 1 2 3 4 5 6 7 8 9 10	10 3 &c.	15 fl.

Read and approved :

(Signed) The Vendor,
A.

(Signed) The Buyer,
B.

Certified by :

(Signed) President of Local Court,
MULLER.

(Signed) The Assessors of the Local Court,
SCHULZE.
SCHMIDT.
FENNER.
BIEHL.

The Local Court then transmits this protocol, accompanied by the answers to the interrogatories, and a certified extract from the Land Register, to the District Court.

From the answers to the interrogatories, the District Court at once perceives whether or not there are any legal impediments in the way of the sale. It undertakes no responsibility, however, for the correctness of the answers given. It assumes them to be correct, and decides on their merits. For any mistakes in these answers the Local Court is alone responsible, and should losses accrue from any mistakes of theirs, the officers of the Court are personally liable for the loss.

If there is no impediment in the way of the sale, the District Court makes a minute of the transaction, from which a deed of sale (Kaufbrief*) is drawn up, signed by buyer and vendor, and certified by the District Court. The Court simultaneously enters

* The "Kaufnotul" drawn up by the Local Court is, as it were, the draft form of the "Kaufbrief" drawn up by the District Court.

the transaction on the Protocol of Transfers, and the transaction is concluded, except that at the close of the half year the entry in the Protocol of Transfers has to be transferred to the Land Register. This, however, in no way affects the validity of the transfer, which was finally and definitively accomplished when the entry was made in the Protocol of Transfers, which protocol during the half year is identical with the Land Register.*

I will now examine what the whole procedure has cost; and for this purpose I will suppose that the property consisted of 4 morgen in 10 parcels, and that the price paid was 1,200 florins or 100*l.*

The costs fall under two heads—those in connection with the Local, and those in connection with the District Court.

I. Costs in connection with Local Court.

	Fl. † kr.
1. Fee for the Protocol of Sale ("Kaufnotul")	0 20
2. Fees for the Interrogatory:—	
(a.) For first parcel:—	
Burgomaster	0 12
Each assessor 6 kreuzers, therefore 4 assessors	0 24
(b.) For the following parcels:—	
2 kreuzers per parcel for the Burgomaster, for 9 parcels therefore	0 18
1 kreuzer per parcel for each assessor	0 36
3. Stamp on certified extract from Land Register	0 6
	1 56

II. Costs in connection with District Court.

	Fl. kr.
1. Stamp on Deed of Sale ("Kaufbrief")	5 30
(The tariff of stamps begins with 2 florins 15 kreuzers, or 2½ per cent., for a sale amounting to 101 florins; it goes on diminishing with each 100 florins up to 600 florins (50 <i>l.</i>), when it amounts to 4 florins, or ⅔ per cent. After 600 florins it amounts to 15 kreuzers per 100 florins, or ¼ per cent. After 5,000 florins it amounts to 1 florin per 1,000, or 1⁄10 per cent.)	
2. Fee for entry into Protocol of Transfers, 2 kreuzers per parcel	0 20
3. Fee for transfer from Protocol of Transfers to Land Register, 3 kreuzers per parcel	0 30
	6 20
Costs in connection with Local Court	1 56
	8 16
Total	8 16

The vendor and buyer between them, therefore, have had to pay about 13*s.* 8*d.* as the entire cost to them (for there are no lawyer's charges in the back-ground) of the transfer of 100*l.* worth of landed property, *i.e.*, between ½ and ⅔ per cent. of the value of the property. But it must be remembered that of this sum, 5 florins 36 kreuzers, or 9*s.* 4*d.*, are stamp duty, so that the cost of the transaction itself is only about 5*s.* †

A precisely similar course is followed in regard to the exchange and division of properties as in regard to their sale; only where a division takes place the District Court requires an additional document in the shape of a so-called "Messbrief," *i.e.*, a certified survey of the parcel to be divided, with the proposed divisions entered upon it, on the same scale as that of the map appended to the Land Register.

It is from the survey thus furnished that the alterations at the end of six months are made in the Land Register and its annexed map.

These surveys are made by sworn surveyors and their cost is exceedingly moderate, the tax being 12 kreuzers a parcel, *i.e.*, for each new parcel caused by the division; but, if the parcels are fewer in number than would make up one day's pay of a surveyor, he is paid by the day at the following rates.

A surveyor of the 1st class, that is, licensed to survey lands of any extent, 3 florins a-day.

One of the 2nd class, *i.e.*, licensed to survey up to 100 morgen, 2 florins a-day.

* Whether the land passes by the "Kaufbrief," or by the Registration (though, I believe, the law intends it to pass by the Registration) is a question of purely speculative interest, as the two things are necessarily inseparable and simultaneous, being part of one transaction.

† The florin is equal to 20 pence. There are 60 kreuzers in a florin, therefore 1 kreuzer is equal to 1½ farthings. Twenty kreuzers, the fee for the Protocol of Sale, would be about 7*d.*

‡ Compare with these charges those current in England as enumerated in the "List of Purchasers' Expenses," printed on page 139 of the "Systems of Land Tenure," published by the Cobden Club ("Land Tenure in England," by Wren Hoskyns). According to this list, the purchaser's expenses, irrespective of the vendor's, and of stamp duty, would for the transfer of 100*l.* worth of land be 23*l.* 14*s.* 3*d.*

One of the 3rd class, *i.e.*, who is not licensed to survey more than 25 morgen, 1 florin a-day.

Hence the costs incurred in connection with the ordinary deparclement of peasant properties do not exceed a few shillings.

(A.) 6. The same mechanism is employed for the mortgaging of land as that used for its sale and transfer, *viz.*, the double action of the Local and the District Court.

The Local Court keeps the Register of Mortgages, estimates the value of the objects to be mortgaged, and furnishes all the particulars which enable the District Court to issue the mortgage debenture ("obligation"), and to authorize the Local Court to enter the mortgage on its Mortgage Register.

The following is the mode of procedure:—

A, wishing to raise 7,000 florins on his property in the Commune of X, presents himself at the Local Court with the documents which evidence his title.

Exactly the same process of investigation takes place as that described in the case of a sale or transfer, except that, in addition to the interrogatory (which is only slightly different), the Local Court undertakes, by means of its sworn valuers, to estimate the value of the property.

I will suppose that in the present case A's property is by the Local Court valued at 13,000 florins. A thereupon receives a certificate to this effect, signed by the Local Court.

The valuation so certified is inscribed at the head of the formula which contains the answers to the interrogatory. With this document in his possession A has no difficulty in finding a mortgagee, as the latter, in virtue of the document aforesaid, is placed on the authority of the Court in full possession of all the circumstances connected with the property proposed to be mortgaged. When the mortgagee has been found, his name is entered in a blank left for that purpose in the formula, and this one document, with a certified extract from the Land Register, is sufficient to enable the District Court to issue a mortgage debenture, signed by the mortgagor and certified by the Court. The District Court then issues an order to the Local Court to enter the mortgage on its Register of Mortgages. This order, and the certificate of the Local Court to the effect that it has entered the mortgage on the Mortgage Register, are engrossed on the mortgage debenture, which likewise contains, as integral portion of itself (*i.e.*, not merely as an enclosure, but sewn in with it), the original formula, with the certificate of valuation and the interrogatory, and the certified extract from the Land Register, the whole constituting a full record of the transaction and the mortgagee's security for his debt.

I should observe that the mortgage is only effected, and the mortgagee's claims against the mortgagor only arise, after the mortgage has been entered on the Register of Mortgages. Similarly the debt is only extinguished by being cancelled on the Register.

The cost of the proceedings are as follows:—

1. LOCAL COURT.

	Fl. kr.
1. Valuation fees:—	
(a.) Where the value does not exceed 500 florins:—	
For the President of the Court	0 15
For each assessor	0 10
For the servant of the Court	0 3
(b.) Where the value is more than 500 florins and less than 1,000 florins:—	
For the President	0 30
For each assessor	0 20
For the servant	0 6
(c.) Where the value is more than 1,000 florins:—	
For the President	1 0
For each assessor	0 40
For the servant	0 12
2. Fees for Interrogatory:—	
President	0 15
Each assessor	0 6
3. Fee for entry into Register of Mortgages:—	
President	0 15
Each assessor	0 6
4. Extract from Land Register:—	
Stamp	0 6
5. Stamp on Paper of Valuation	0 30

2. DISTRICT COURT.

As in the case of sales and transfers, the District Court makes its charges in the shape of stamps, which partly cover its outlay—partly represent public revenue.

The mortgage debenture bears one stamp, which varies in an ascending scale according to the amount of the mortgage.

I subjoin the following costs taken from a mortgage of 7,000 florins (about 580*l.*) on a property valued at 13,000 florins:—

	Fl. kr.
1. Costs of Local Court:—	
Under heads 1, 2, 3, 4, 5 (see previous page)	5 46
2. Costs of District Court:—	
1 stamp of the value of 11 florins	11 0
	16 46

or about $1\frac{7}{10}$ per mille of the amount of the mortgage.

(A.) 5. There are no means of obtaining exact information as to the amount of mortgages by which peasant proprietors are burdened. The grand total of mortgages on the Mortgage Registers of each circle are yearly added up, but, as the circle includes both town and country, and the Registers include large properties as well as small, these gross totals afford no data to go by.

In the communes which I visited I found a very great difference prevailing—in some the properties being largely mortgaged, usually as the result of debts incurred in buying additional land; in others only slightly, in others not at all. In some the proprietors had large sums lent out on mortgage in neighbouring communes.

The present rate of interest varies from 4 to 5 per cent. It has been steadily rising; and one cause of this rise is attributed to the increasing facilities for investment in foreign funds, and especially in American greenbacks, which, owing to the frequent intercourse between the agricultural population of the Grand Duchy and German settlers in the United States, have acquired great popularity.

(A.) 4. There are no special facilities of the kind. The mortgage registers, by enabling the small proprietors to obtain money on mortgage at the usual rate of interest, and with very little trouble, appear to afford all the facilities required for raising *bond fide* loans, either for the purpose of buying off family charges or for the improvement of the property; on the other hand, I have heard frequent complaints of the want of agricultural credit for the smaller and every-day operations connected with agriculture, and there are various schemes afloat for supplying this want, by means of rural banks specially adapted to the requirements of small proprietors. In some of the townships I visited, there were credit banks established on the Schulze Delitsch principle; but, though eagerly used by the artizan population in those townships, the purely agricultural population had not taken kindly to them.

(A.) 2. In the Rhine Province it is the Code Napoléon. In the other two provinces it is the Roman law, viz., *ab intestato* the children, or their heirs in a descending line, inherit in equal proportions; after these the ascending and collateral lines, according to the degree of their affinity.

Where the owner makes a will, he can leave his property to whom he pleases, with the exception of the so-called *pars legitima*, to which the children, unless disinherited by a judicial Act, have an absolute right. The *pars legitima* is equivalent to one-third of the property where there are four or fewer children, and to one-half where there are more than four children.

In the districts in which the consolidated farms previously described are situated, immemorial custom has ruled that the property in its entirety descends to one child, almost invariably the eldest son, and the younger children do not avail themselves of their undoubted right to claim their *pars legitima*, though it is, of course, usual that some sort of provision is made for them.

Where "Erbleih" tenures still exist the farm, whether consolidated or in parcels, is inherited by one child.

With these exceptions, the almost universal rule is that the children inherit in equal proportions. I found in every district which I visited, the Odenwald excepted, that this was a point on which a very strong public opinion existed, and that cases in which parents availed themselves of the power given by law to bequeath their property unequally were almost if not entirely unknown. In Rhine Hesse this feeling is especially strong, and I could not hear of a single instance in which a father had used the power given him by the French law of disposing of one-fourth of his estate for the special benefit of one or other of his children.

Population and Emigration.

(A.) 9, 12, and Miscellaneous, 3, 4. The statistics of the Grand Duchy do not enable me to answer these questions exactly as they stand.

As I have before had occasion to observe, the peasant proprietor, the peasant tenant, and the agricultural labourer fade away imperceptibly into each other, and it would be impossible for the most careful system of statistics to group them into separate categories.*

Of the class who derive their principal maintenance from daily wages the majority own at least a cottage and a garden, probably in addition to this a parcel or two of land, or they obtain such parcels in their turn out of the common lands, or they lease them from the commune, or the school, or the church, or from a large proprietor. On the other hand, many proprietors whose principal source of income is derived from their estate occasionally work for hire. Of the land farmed in parcels probably by far the largest part is leased by peasant proprietors, who cultivate the parcels they lease in addition to those they own.

I will therefore, in replying to the above questions, treat of the peasant population generally, and include in the term "proprietors," tenants and agricultural labourers.

The tenants who hold large consolidated farms are so few in number that it would be idle to talk of statistical information in regard to them. Any information of the kind required would assume in their case the shape of private details respecting a limited number of families.

The statistics of population in the Grand Duchy of Hesse since the year 1816 yield the following results:—

Number of inhabitants:—							
Urban—							
1816	..	..	..	..	..	..	182,206
1834	..	..	..	..	..	..	230,357
1861	..	..	..	..	..	..	283,953
Rural—							
1816	..	..	..	..	..	..	447,329
1834	..	..	..	..	..	..	530,408
1861	..	..	..	..	..	..	572,964
Increase expressed in per-centage:—							
Urban—							
							Per cent.
1816-1834	..	..	..	..	..	..	26·42
Yearly average	..	..	..	..	..	..	1·29
1834-1861	..	..	..	..	..	..	23·26
Yearly average	..	..	..	..	..	..	0·77
Rural—							
1816-1834	..	..	..	..	..	..	18·57
Yearly average	..	..	..	..	..	..	0·97
1834-1861	..	..	..	..	..	..	8·02
Yearly average	..	..	..	..	..	..	0·28

or, to express the same facts in a different form:—of every 1,000 inhabitants in 1816 289 were towns people and 711 were country people; in 1861, 331 were towns people and 669 were country people.

The above figures show:—

1. An extraordinary diminution in the rate of increase during the second period (1834—1861) as compared with the first period (1816—1834):—viz., in the urban population 1·29 per cent. per annum, in the first period, as compared with 0·77 per cent. per annum in the second period, and in the rural population 0·94 in the first period as compared with 0·28 in the second.

2. A very much larger proportionate increase during both periods in the urban population than in the rural population:—viz., during the first period 1·29 per cent. per annum in the urban as compared with 0·94 per cent. per annum in the rural population, and in the second period 0·77 as compared with 0·28.

This disproportion, moreover, is one which is rapidly increasing, as shown by the statistics for the years 1861—1864, during which period the urban population increased 4·3 per cent. and the rural population only 0·1 per cent., the former almost recovering

* According to the census of 1864, out of a total of 853,316 souls, 547,993 constituted the rural, and 275,145 constituted the urban population, i.e., respectively 66·6 and 33·4 per cent. According to the same census there were 145,263 proprietors of land, and 107,764 agricultural labourers. How many individuals were included in both classes there are no means of ascertaining.

its rate of increase during the first of the two periods above described, whilst the latter remained all but stationary.

In examining the causes of these phenomena it must be remembered that the eighteen years which followed upon 1816 were years of profound peace coming immediately after a generation of incessant war, and that there was consequently a gap in the population which it was natural should be filled up by a very much accelerated rate of increase. It is also certain that emigration has been carried on in a much more systematic manner and on a much larger scale since 1834 than it was before. Making due allowance for these two causes, it yet seems a fact worth noting that the diminished rate of increase should coincide with the period during which the agricultural population became invested with full proprietary rights over their holdings, and the land was emancipated from the burdens of every kind which had previously impeded its cultivation.

This fact is especially noticeable when we take the period from 1861—1864 into consideration, during which the rural population remains all but stationary. For by this time the work of emancipation had, with a few unimportant exceptions, been completed, and the new order of things had been definitely established. Now, under this new order of things, it is certain that the general standard of cultivation has been immensely raised, that the land yields infinitely more than it did previously, and that the peasant population is not only much better fed and much better clothed, but much better educated and a far greater proficient in the art of tillage than it was a generation ago.

It is difficult under these circumstances to resist the inference that, when it has once reached a certain level of well-being, a peasant proprietary is a good judge of what amount of population the land will bear, and that, as it increases in wealth and comfort, in general intelligence and in the special knowledge of the capabilities of the soil cultivated by it, it becomes alive to the danger of jeopardizing this prosperity by over-population.

Nor is this inference in any way weakened by the fact that the diminished rate of increase is, in large measure, to be attributed to emigration. For, during the period (1861—1864) of which I am treating, there was no pauper emigration. The emigrants were all of them persons having the means to emigrate and to enable them to settle under advantageous circumstances in the New World. They exchanged, of set purpose, a state of things in which they were not so much ill off as on the way to being ill off, for one in which they knew they would be very well off. The fact of spontaneous and systematic emigration under such circumstances is in itself a proof that the knowledge possessed by the community is sufficient to enable it to provide its own safety-valve, and to regulate it according to the greater or less degree of pressure bearing on the land. The use of this regulator is best understood in the Rhine Province, which, as I have already had occasion to remark, is one of the best cultivated and most prosperous districts in Central Europe.

I should observe that this province forms part of the Old Palatinate, and that the Palatine peasants have for generations been celebrated for their superior husbandry and consequent prosperity, as well as for their natural tendency to emigrate and colonize. Some of the most flourishing communities on the Lower Danube and in Southern Russia are colonies which left this part of Germany at the end of the last century. It is impossible not to bring the good husbandry and the colonizing tendency into connection with each other as cause and effect. The Palatinate peasant cultivates his land more with the passion of an artist than in the plodding spirit of a mere bread-winner. He knows exactly what his knowledge and his energies are worth, and will not waste them in merely producing the minimum required for his subsistence. The prospect, therefore, of a larger field for his exertions has an irresistible charm for him, and he goes forth to till the virgin soil of the New World, not with the feelings of an outcast from society, but with the confidence of a man who knows that across the seas the future belongs to him.

The statistics of emigration have only been collected since 1863, and only have reference to the official emigration, *i.e.*, to the emigrants who apply to the Government to be relieved of their Hessian nationality before leaving the country, which, as may be supposed, by no means includes the entire class of emigrants.

These official numbers are as follows :—

1863	..	..	..	1,423	1866	..	..	..	2,432
1864	..	..	..	1,923	1867	..	..	..	2,391
1865	..	..	..	2,281					
					Total	..	..	..	10,450

Of these 5,176 were males and 5,274 females.

This equality between the sexes is sufficient evidence that the emigration is one of households and not of isolated individuals.

The following numbers, arrived at by comparing what the population should be, according to the excess of births and immigrants into the Grand Duchy over deaths, with what it actually is, give the real deficit caused by emigration, either across the seas or into other parts of Europe.

1822-25	2,062	1843-46	12,049
1825-28	1,367	1846-49	23,008
1828-31	2,438	1849-52	24,560
1831-34	8,319	1852-55	34,138
1834-37	3,511	1855-58	11,830
1837-40	2,874	1858-61	14,741
1840-43	4,156		

i.e., an average of 3,719 per annum.

An interesting fact revealed by these numbers is the direct connection between emigration and political events. Immediately after the July revolution, there is a sudden jump from 2,428 to 8,319; also the years immediately preceding and immediately following 1848 are those in which the movement attains its largest proportions. After reaching its maximum in the period between 1853 and 1855, when the figure of 34,000 is attained, there is a sudden diminution to 11,000, a number which has not been greatly passed since.

This emigration is almost exclusively fed by the rural population.

There seems to be little doubt, that the excessive emigration which marked the period between 1853 and 1855 is partly to be attributed to a morbid belief—arising in a great measure from the moral depression and general sense of hopelessness caused by the political reaction of the period, in some cases rising almost to the proportions of a panic—that the land was no longer capable of maintaining the population settled on it, and that nothing short of wholesale depopulation could save the country from ruin. Communes contracted large debts to get rid of their poorer members, and in some cases entire townships, after selling their real and personal estate, transplanted themselves bodily to America.

The universal complaint now being the great rise in wages, and the want of agricultural hands, I have, in every part of the country which I have visited, heard this period bitterly complained of as one of universal madness.

It appears to me, however, that the simultaneous emigration which took place at that time—almost the whole of it, I should observe, to the United States of America—has exercised a beneficial effect of a lasting kind upon the agricultural population of the Grand Duchy. For, owing to this general character, there is probably hardly a locality in Hesse between which and a corresponding locality on the American Continent intimate relations have not grown up. By this means, exact information is obtained of the conditions under which labour can advantageously transport itself across the seas, the emigrant expects neither too much nor too little, the particular class wanted at a particular moment is known, and a steady regulator of the labour market is supplied.

A large proportion of the present normal and regular emigration is furnished by the peasant proprietor class. Better than any one else they know how many mouths a given amount of land can feed, and that a property which sufficed to maintain one household will not maintain three households.

It, therefore, frequently happens that, at the death of the head of the family, instead of dividing the land *in natura*, it is sold by auction, the young households departing with the proceeds of the sale to America.

That a man of this class—in the best years of his life, with a stout healthy wife, used to out-door and in-door work, to washing and cooking, to digging and reaping, and with 80*l.* or 100*l.* in his pocket, thoroughly acquainted with husbandry, and possessing the habits of forethought and calculation, and the knowledge of adapting means to ends, which can only be acquired in the exercise of proprietary rights—should be a valuable acquisition as a settler in a new country stands to reason.

The value of the article is well-known on both sides of the Atlantic, and the German communities settled in the United States will for many generations to come attract their brethren from the European Continent, and afford a natural outlet for the surplus population of the old country.

Agricultural Education.

Before leaving the subject of peasant occupation, I must allude to a very important feature connected with it, viz., the system in force for diffusing agricultural knowledge amongst the population, and bringing home to the door of the smallest farmer the best methods of improving his land.

The agency by which these objects are obtained is that of the Grand Ducal Agricultural Society, in the main a private association, but standing in a kind of co-partnership with the Government, from which it receives a subvention. More correctly speaking, there are three Societies, one for each province, the central organ for the three being named by the Government, and constituting a separate Department in the Home Office. Each Society is governed autonomously by a President, a Vice-President, a Committee of twelve members, who, in Upper Hesse and Rhine Hesse, are elected by the Society, and two Secretaries elected by the Committee. In the Province of Starkenburg, in which the capital of the Grand Duchy is situated, the President and First Secretary are named by the Grand Duke, and are respectively the Chief and the Secretary of the Central Department in the Home Office.

The object of the Societies is to improve the agriculture of the country, and to do this by collecting and diffusing information, and by advising and assisting the Government.

There are at present 3,500 members belonging to the three Societies, who pay a yearly subscription of 3 florins, but receive in return the Journal of the Society, which is published once a week, under the editorship of the Secretary of the Central Department, and contains not only reports of all the doings of the Society, but agricultural information of every kind.

The Government subvention amounts to 12,000 florins (1,000*l.*) a-year, of which 3,900 florins are absorbed by the cost of the Central Department.

The educational apparatus of the Society consists of—(1) an Agricultural School at Darmstadt, open from the 1st November to the 31st March, and intended for the sons of peasant proprietors, who, during the spring, summer, and autumn are working with their hands; (2) of an Agricultural Course delivered during the summer holy days at Darmstadt for the benefit of the National Schoolmasters; (3) of premiums to so-called “*Fortbildungs Schulen*,” viz., schools taught by the National Schoolmasters, and attended by boys after the age of 14, up to which time the attendance at the National School is obligatory. In these schools, the schoolmasters who have attended the agricultural course yearly given at Darmstadt, impart elementary knowledge in physics, chemistry and botany to their pupils. Inspectors named by the Society examine the scholars, and award premiums according to proficiency. I should add that the Society, correctly judging that a sound general education is the necessary basis of agricultural as of every other kind of knowledge, do not restrict their awards to mere proficiency in the special branch of knowledge above referred to, but lay an especial stress on proficiency in the knowledge of language and arithmetic. (4.) Of so-called “*Wander Lehrer*,” or Wandering Teachers, whose business it is to impart instruction and information to the cultivators on the spot. Each province has its own wandering teacher, a professor of high scientific attainments, who devotes, on an average, a month to each circle, remaining several days at the same halting station, so that each locality is visited by him once a-year. By means of periodical visitation, he becomes accurately acquainted with local requirements and local deficiencies, and is thereby enabled to adapt his teaching to the special wants of his audience. Moreover, by repeating his visits each year, he is able to note whether the locality is progressing or the reverse, and to sum up general results in a way which enables the smallest proprietor to compare the facts recorded by his homestead with the general results of science and agricultural progress. I am not aware that this system of ambulant teachers has been attempted elsewhere. It appears singularly well fitted to meet the requirements of a peasant population, and I am assured that the results have hitherto been highly satisfactory. The system, I should add, has only been a few years in force.

Once or twice each year there is a general meeting of the members of the Agricultural Society resident in each circle. It is usually attended by the Secretary of the Central Department, and by one or more of the teaching staff from the capital. At these meetings the general agricultural state of the circle forms the subject of discussion. The *Kreisrath* (answering *mutatis mutandis* to the *Prefêt* of a French Department) presides. I attended one of these meetings, the details of which it would require more space than I can afford to relate. I can only say that it seemed to me in the highest

degree to realize the object of the Society, viz., to impart scientific information in a form accessible to the comprehension of practical men, and available for immediate use. The persons present, about 150 in number, were for the most part either peasants of the small proprietor class or schoolmasters.

(B).—TENANTS AND SUB-TENANTS UNDER LANDLORDS.

Tenure.

The answers to the following questions will have exclusive reference to the case of tenants of large consolidated farms. As I have before had occasion to state, tenants of parcels land fall into the category of peasant cultivators, who hold a parcel here and there, intermixed with the peasant properties, in the arable "mark" of the various communes, and for the purposes of this inquiry I have classed these tenants with peasant proprietors.

(B.) 1. From 200 to 1,200 morgen.

(B.) 2. The usual duration is eighteen years. With scarcely any exception, sub-tenancies are strictly guarded against by express stipulation in the contract.

(B.) 3. Invariably by written agreement.

(B.) 4. Contracts creating tenancies are certified by the Local Courts.

(B.) 5, 6. Under a system of written agreements, in which the conditions of the tenure are invariably laid down in minute detail, customs such as those here adverted to cannot possibly arise. In the mediæval tenures adverted to in the early portion of this paper custom was everything, and, as the natural result, confusion was everywhere. One of the main objects of the drastic legislation, which once for all did away with mediæval tenures, was to uproot custom, to reduce all forms of ownership to the simple and absolute form of "allodial" ownership, and to submit not only landed property, but the use of landed property, to the same strict laws of contract to which all other kinds of property are subject.

Rent.

1. In money.

2. By competition. The farm is put up to auction, the landlord retaining the right to choose amongst the three highest bidders the tenant he considers most likely to suit him.

3, 4, and *Evictions*, 1. The state of the law in the Grand Duchy of Hesse, in connection with the above questions, was explained in my despatch of the 1st of May, 1869, and its inclosures.

Improvements.

1, 2, 3. Permanent improvements, and especially buildings, invariably form the subject of distinct agreement between the contracting parties. As a rule, they are executed jointly by the landlord and tenant, the landlord furnishing the plans, the higher kind of labour, and the materials, and the tenant the carting and the rougher kind of labour. Where no agreement has been come to, and the tenant nevertheless indulges in improvements, the landlord has an absolute right to such improvements on resuming possession.

5. Tenants do not enjoy exceptional advantages of this kind. Tenants of the class to which alone these observations apply are invariably capitalists, who pursue the occupation of farming as an investment for their money.

Miscellaneous.

2. The answer to this question will be sent in a supplementary Report.

APPENDIX.

The question of food in connexion with labour is one of such elementary importance that my endeavours have been particularly directed towards obtaining reliable data of an exact kind in respect to it. I have felt that it was the more necessary to do so, because, in the able and exhaustive account of continental agriculture given by Mr. James Howard at the meeting of the Farmer's Club last November, that gentleman commits himself to the statement that the condition of the English agricultural labourer is superior to that of any of the same class upon the Continent. He adduces, in support of this assertion, the statement of one of his own employés, who was brought up as an agricultural labourer, who has travelled over a great part of Europe, and who expresses his pity "for people who live on black bread, broth, cabbage, red-herring, and such like." Now, Mr. Howard's theory may or may not be correct, I cannot pretend to have even an opinion on the subject; but I have no hesitation in asserting that, as yet, the data upon which a really sound induction could be arrived at, have not been furnished. An observation like that quoted by Mr. Howard is valueless from a scientific point of view. The unreasonableness of the English labourer's prejudice in favour of white bread is well known. The whiteness is a proof of a deficiency of nutritive quality, and the dark colour, if resulting from the admixture of bran, is a proof of the presence of those qualities. Again, as regards broth, everything will depend upon what the broth is composed of. Hence, until accurate dietaries both as regards volume and chemical contents have been compiled abroad and in England, no safe results can be expected.

I have endeavoured, as far as Hesse is concerned, to supply an accurate working man's dietary of this kind, but the great difficulties I have experienced in doing so have convinced me how far we are as yet from possessing those elementary statistics from which alone safe inductions on these elementary subjects can be made.

The process I employed to obtain the following dietary was the following:— Mr. Ehatt, of Viernheim, who farms about 200 morgen, and employs 9 workpeople (7 men and 2 women), lodged and boarded on the farm, very kindly undertook to keep for many consecutive days an exact register of everything consumed by those labourers; the ingredients of each soup were separately weighed before the soup was made, so also with the potatoes and other vegetables in their cooked state; the milk and brandy were measured, &c. From these materials I put together the quantity of bread, potatoes, &c., consumed by the 9 persons during the six working days of the week (the Sunday dinner is somewhat different and would have complicated the calculation), and submitted the results thus obtained to an analytical chemist, who furnished me with the equivalents of these materials as elements of nutrition.

Food consumed per head during 6 days:—

A.—Solid Food.

13 lbs. bread (half rye half barley-meal).	3 lbs. cheese.
12 lbs. potatoes.	1½ lbs. salt pork.
4 lbs. sauerkraut.	

B.—Ingredients of Soup.

16 loth pearl barley.	2 loth beans.
22 loth spelt grits.	1 lb. roasted meal.*

C.—Liquids.

9 schoppen (= 9 lbs.) milk.	3 schoppen (= 3 lbs.) corn brandy,
1 lb. 10 loth cream (for soup).	40 per cent. alcohol.†

This food analyzed into plastic food and respiratory food, or muscle-making and fat-making food, gives the following results per man per day:—‡

* 1 lb. English = 0.9072 Hessian lb. 1 oz. English = 1.8144 Hessian loth.

† 1 gallon English = 2.214 Hessian maas = 8.856 schoppen.

‡ The German terms used are "Kraftbildner" and "Fettbildner." I have no English book on physiology to refer to, and do not know the exact English equivalents. The former are nitrogenous, the latter non-nitrogenous. I should observe that in this division the salts are left out of consideration.

Description of Food.	Weight of Food, in Grammes.	Nitrogenous or Plastic Food, in Grammes.	Non-nitrogenous or Respiratory Food, in Grammes.
	Grammes.	Grammes.	Grammes.
Bread	1,083·330	75·83	564·16
Potatoes	1,000	20	230
Sauerkraut	333·330	23·33	360
Cheese	150	46·50	37·083
Meat	125	8·75	61·25
Milk	750	37·50	60
Cream	109·370	..	27·34
Grains	97·330	14·85	68·31
Beans	5·208	1·72	3·125
Meal	83·330	5·833	49·166
	3,736·898	234·313	1,460·384

In addition to the above each man consumes 250 grammes of corn brandy a-day, containing 100 grammes of alcohol.

Notwithstanding that I have taken the greatest pains to be correct, I can only give the above data as approximately correct. The great variety in which the food is dressed, more of one kind being used one day, less another, and so on, forced me in regard to some of the materials, such as cheese and vegetables, to draw an average, and no allowance has been made for the larger quantities consumed by men as compared with women. I believe, however, that the approximation to the truth is a very close one, and that the above Table may be taken as fairly representing the quantity and quality of food consumed by the agricultural wages' class in the flourishing portions of the Grand Duchy of Hesse.

No. 12.

Sir H. Howard to the Earl of Clarendon.—(Received January 31.)

My Lord,

Munich, January 22, 1870.

I HAVE the honour to inclose a copy of a letter of the 20th instant which I have received from Mr. Fenton, Secretary to Her Majesty's Legation, concerning the Report on the subject of Land Tenure in Bavaria (likewise herewith transmitted), which he has drawn up in accordance with the instructions contained in your Lordship's Circular despatch of the 26th August last.

This Report is the result of the earnest and continuous application which Mr. Fenton has devoted to the study of the intricate subject of which it treats, as well as of the more minute researches which he has instituted since he received, two months ago, the first materials forming the groundwork.

I consider that the Report contains as exhaustive an elucidation of the system of land occupation, of the laws and customs affecting the tenure of land, and of the condition of the agricultural population generally in this country, as the available information on those questions and the limits of a review of this nature admitted, and that it reflects great credit, not only upon the industry, but likewise upon the ability of its author.

I have, &c.
(Signed) HENRY F. HOWARD.

Inclosure 1 in No. 12.

Mr. Fenton to Sir H. Howard.

Sir,

Munich, January 20, 1870.

I HAVE the honour to inclose herewith a Report on the subject of Land Tenure in Bavaria, which I have drawn up in accordance with the instructions contained in the despatch addressed to you by the Earl of Clarendon on the 26th August last, and which

you communicated to me immediately on my return to my post at this Mission from leave of absence, in the month of October following.

I think it as well to explain that, in preparing this Report, I have followed the same order, with respect to the several different details of the general question treated of, as that observed in the list of questions which was inclosed in Lord Clarendon's above-mentioned despatch, and that the number which will be found to precede each separate section of my Report corresponds with that of the question to which it is intended to reply.

I have, in fact, as far as possible endeavoured to make my Report consist of a series of answers to Lord Clarendon's list of questions, as this seemed to me the most practical, and, for the purposes of reference, the most convenient form that I could give to it.

I have, &c.
(Signed) H. P. FENTON.

Inclosure 2 in No. 12.

Report by Mr. Fenton on the System of Land Occupation, on the Laws and Customs affecting the Tenure of Land, and on the Condition of the Agricultural Population generally, in Bavaria.

Population.—The population of the Kingdom of Bavaria consisted, at the date of the last census, namely, on the 3rd December, 1867, of 4,821,421 persons, of whom 2,374,962 were males, and 2,449,459 females.

Of the aggregate population, 1,220,595 persons were inhabitants of cities and townships containing 500 families (equal, on an average, to 1,934 persons) and upwards, and the remaining 3,603,326 persons resided in hamlets or villages having a population of less than 500 families, and in country seats, farm-houses, cottages, or other isolated dwellings.

The residents in towns, therefore, constitute somewhat less than 25 per cent., and the rural inhabitants rather more than 75 per cent., of the entire population of the kingdom.

The average number of inhabitants to the square German mile (4·611 English miles) is 3,503 for the whole kingdom, but it varies considerably in the different provinces. Thus, in the partly industrial and partly agricultural province of the Palatinate, (on the left bank of the Rhine) which is the most thickly-populated of the eight provinces of the kingdom, there are, on an average, 5,806 inhabitants to the square German mile; whilst, in the most thinly inhabited province, namely, that of Bavaria, an almost exclusively agricultural, but also, in some parts, a very mountainous district, the average number is only 2,673, although in this calculation is included the population, numbering 170,688 souls, of the capital of Bavaria—Munich, which is situated in the province in question.

When the first census under the triennial system (introduced in connection with the establishment of the German Zollverein) was taken in Bavaria, namely, in the year 1834, the population amounted to 4,246,779 souls. The census of 1867, therefore, shows an aggregate increase in the 33 years of only 577,642 souls, or at the rate of somewhat less than $\frac{1}{2}$ (0·412) per cent per annum.

This, however, represents somewhat less than the rate at which the population actually increased during the period in question, as, shortly before the date at which the census of 1867 was taken, Bavaria was deprived, by an exceptional circumstance, of part of her natural population, having been obliged to cede to Prussia, in accordance with the stipulations of the Treaty of Peace of 1866, a portion of territory containing 39,925 inhabitants.

Religions.—As regards the religious persuasion of the Bavarian population, it may be stated in general terms that, according to the returns for 1867, rather more than two-thirds of the inhabitants (viz., 3,439,538) are Roman Catholics, and somewhat less than one-third (1,330,213) Protestants (chiefly Lutherans); while 4,839 are “German Catholics,” members of the “Free Religious Community,” Anabaptists, or Greeks, and 49,840 are Jews.

The proportion between Catholics and Protestants varies to a very great extent in different sections of the country.

In five out of the eight provinces of the kingdom, viz., in Upper and Lower

Bavaria, Upper Pfalz, Swabia, and Lower Franconia, the Catholic religion greatly predominates; the number of persons who profess that faith forming 96 per cent., 99 per cent., 92 per cent., 86 per cent., and 82 per cent. of the entire population of each of those provinces respectively.

On the other hand, the Protestants are in the majority in the three remaining provinces, namely, Central and Upper Franconia, and the Bavarian Palatinate, in which their numbers represent respectively 76 per cent., 57 per cent., and 54 per cent. of the inhabitants.

Of the Jewish portion of the population, above three-fourths are to be found in the three provinces of the Rhenish Palatinate and Central and Lower Franconia, in numbers varying from ten to fourteen in each province.

Industrial Pursuits.—The most recent statistical returns on this subject are those collected at the end of the year 1861, at which period the population of the kingdom consisted of 4,689,837 souls, being 134,584 less than at the date of the last census taken.

According to those statistical returns the total number of persons employed as managers, overseers, workmen, or workwomen in the manufactories of all descriptions then in operation in Bavaria was about 183,000, distributed as follows amongst the several branches of manufacture.

Cotton, wool, flax, and hemp spinning	10,423
" " " weaving	57,403
Manufacture of glass, china, bricks, lime, &c.	25,521
Brewing, 14,894; distilling, 9,380; corn-grinding, 19,934; and manufacture of tobacco, 2,703	49,232
Tanning, wood-sawing, seed-crushing, &c.	9,969
Manufacture of metal goods of all kinds	8,548
" paper, pencils, playing-cards, &c.	6,705
" rough metal	3,347
In mining operations.	11,041
Miscellaneous manufactures	843
Total	183,032

There were further employed 329,557 persons as masters, assistants, or apprentices, male and female, in the different retail trades and industrial professions, carried on chiefly for supplying the requirements of the population itself, in contradistinction to the wholesale manufacture of articles mainly destined for the supply of the home retail trade or for exportation.

The portion of the inhabitants actually occupied, in the year 1861, as manufacturers, tradesmen, or artisans of every description, but exclusive of wives and children not employed, may, therefore, be estimated at rather more than 500,000, or rather less than a ninth part of the entire population as it existed at that date.

It is, however, to be observed that since the period at which the statistical returns, from which the foregoing details are extracted were drawn up, a thorough change has been made in the laws of Bavaria with reference to the exercise of trades and professions, a law passed by the Chambers at the commencement of the year 1868 having altogether abolished the old and highly restrictive system of close corporations and guilds, and established in its stead one of complete freedom in all such matters. It may, therefore, be fairly presumed that the proportion of the population engaged in trades and other industrial pursuits will have increased considerably as compared with what it was in the year 1861; but no statistical returns bearing on this subject have been made up since the law in question came into force.

LAND OCCUPATION.

In connection with this question it may be well to give an outline of the extent and general features of the territory constituting the Kingdom of Bavaria.

The superficial area of the whole Kingdom comprises 21,843,900 Bavarian acres* (18,392,447 English acres), whereof 20,120,141 Bavarian acres are included in what may be termed Bavaria Proper, and 1,723,759 Bavarian acres in the province known as the Bavarian Palatinate, or "Rhenish Bavaria," situated on the left bank of the Rhine, and completely separated from the rest of the Kingdom.

According to the agricultural statistics for the year 1863 (the latest published), the entire superficial area was distributed as follows:—

* The Bavarian acre, or "tagwerk," is equal to 0.842, or a fraction more than five-sixths of an English acre.

	Bavarian Acres.
Rocks and barren lands	525,631
Lakes, ponds, rivers, &c.	801,368
Roads and other highways	356,139
Land forming the sites of houses and house courts	110,991
Arable and grass land and gardens	13,532,515
Forests and woods	7,017,256

The arable and grass lands, and the forests, were owned as follows :—

	Cultivated and Grass Land.	Forest Land.
	Bavarian Acres.	Bavarian Acres.
By private proprietors	12,892,380	3,598,160
By communes, corporations, and endowed establishments	570,414	1,173,803
By the State, or by the Provincial Governments	69,721	2,245,293
Total	13,532,515	7,017,256

The number of separate plots or "parcels," into which the 12,892,380 Bavarian acres of cultivated and grass land owned by private individuals was divided, was 14,354,781, the average size of each plot being consequently less than one Bavarian acre.

According to an estimate made some fifteen or twenty years ago, the value of the aggregate extent of productive land in Bavaria, was calculated approximatively as follows :—

	Florins.
Arable land	1,140,099,383
Meadow land	447,441,640
Forests	386,692,560
Total	1,974,235,583

Or about £164,519,630 sterling.

The system under which land is held in Bavaria, is almost universally that of occupation by the proprietor himself, the great mass of the occupiers being small or "peasant" proprietors. Occupation by tenants or sub-tenants is a rare exception to the general rule. There are, however, no statistical returns of any description on record with reference to the question of tenant farmers. It is, therefore, not possible to state what the proportion is between the quantity of land held by that class of occupiers, and that held by proprietors. But that the former constitutes a mere fractional portion of the ground under cultivation in the Kingdom, and that, practically, land occupation, is, in this country, almost synonymous with ownership of land, are facts on which no one whom I have consulted appears to entertain no doubt.

(A.)—SMALL PROPRIETORS.

The statistics of Bavaria afford no data on which an estimate can be formed as to the quantity of land usually held by any particular class of proprietor.

The only record in the possession of the Statistical Department, on the general subject of the ownership of land in this country, consists of a Return compiled in the year 1863, from the registers of the several communes, or administrative districts of the Kingdom, showing the total number of persons inscribed in those registers as owners of land.

But it must naturally occur, in very many cases, that one and the same person possesses land in several different communes; whilst, under the system of registration by communes, such person would appear as a separate proprietor in the register of each of the communes in which his several portions of land might be situated.

It follows, that the number of persons so registered must be greatly in excess of the actual number of separate proprietors of land; and the Return above-mentioned can therefore scarcely be considered as affording a basis for calculating even approximatively the average quantity of land owned by each of the aggregate number of persons possessing land in Bavaria.

Such, however, as this Return is, it has been assumed as the foundation for the only estimate which has been drawn up by the Statistical Department with reference to the subject in question.

The details of this estimate are as follows :—

According to the Return of 1863, the total quantity of arable, grass, or garden land owned by private individuals (as distinguished from that belonging to corporations, &c.), was 12,892,380 Bavarian acres, divided into 14,354,781 separate plots.

At the same period the total number of persons registered as owners of land (from the proprietor of an estate extending over a whole commune, down to the day-labourer possessed of a small plot of garden, ground), was 1,040,873, or little short of one-fourth of the whole population as it existed at the period in question.

Taking these figures as a basis, they give, as an average for the whole Kingdom, the quantity of cultivated land owned by each registered proprietor (and leaving forest land out of the question), at about $12\frac{1}{2}$ Bavarian acres, divided into $13\frac{1}{2}$ separate plots; but in the several provinces the average varies considerably, as is shown by the subjoined Table, extracted from the Statistical Return above referred to.

	Average Holding of each Proprietor.	
	Bavarian Acres.	Separate Plots.
Upper Bavaria	25	divided into 14
Lower Bavaria	23	.. 16
Upper Pfalz	18	.. 18
Upper Franconia	11	.. 9
Central Franconia	12	.. 11
Lower Franconia	7	.. 21
Swabia	16	.. 13.5
Rhenish Palatinate	4	.. 9

According to the same Statistical Return the whole area of woodland belonging to private individuals, viz., 3,598,160 Bavarian acres, was owned by 311,644 proprietors, being at the rate of a fraction more than 11 Bavarian acres to each proprietor.

In the absence of any returns of a more practical character than the foregoing, I have endeavoured to ascertain, by means of enquiries amongst persons conversant with agricultural affairs in this country, what may be considered as a fair estimate of the total number of persons possessing land in the kingdom, and what quantity of land is usually owned by small proprietors, or "peasants" (bauern), as the small proprietors and cultivators, not belonging to the class of nobility or gentry, are styled in Germany generally.

The result of my enquiries, especially of those addressed to Mr. Adam Müller, the Secretary-General of the Agricultural Society of Bavaria, and who has most obligingly given me the benefit of his great experience and information with reference to all those questions on which I have consulted him in connection with the subject of this Report, may be summed up as follows :—

That, as a rough estimate, the total number of landowners of all classes in Bavaria, may be assumed to be somewhere about 500,000, of which total only about 100 are proprietors of estates, or of an aggregate of land (within the Bavarian territory), exceeding 1,000 Bavarian acres in extent.

That the holdings of the peasant proprietors vary greatly in point of size in different districts; but that, as a general rule, it may be assumed that these holdings are largest in the provinces of Upper and Lower Bavaria, Swabia, and the Upper Pfalz.

That they are less considerable in the three Fraconian Provinces, and smallest of all in the Rhenish Palatinate.

That from 40 to 50 Bavarian acres may be considered as a minimum (except in the Palatinate, where the average would be much lower), and about 200 Bavarian acres as the maximum extent of a peasant property.

That there are some few proprietors of this class who own as much as from 300 to 400 Bavarian acres, but that they are quite exceptions to the general rule.

This estimate of the usual size of the holdings is, I should however state, only intended to apply to that class of peasant proprietors who may be considered as agriculturists and nothing else, that is to say, who occupy themselves with, and make their living exclusively out of the profits derived from the cultivation of the land they possess; and not to that numerous class who, whilst owning a small plot of ground which they themselves cultivate, derive their chief support from some trade or profession carried on in their village, or from their calling as day labourers.

It would further appear that, generally speaking, the lands constituting the peasant properties do not lie altogether, but are divided into several plots intersected by other properties of the same description. Indeed, in some districts much inconvenience has

frequently been found to arise from the extent to which the small properties are split up into portions of land lying separate one from the other; and, with the object of remedying this evil, a law was passed in 1861, under which, in given cases, involving the interests of a certain number of owners, a proprietor of land thus parcelled out may, if he refuse to come to an amicable arrangement with his neighbours, be compelled to exchange some portions of his land against some others, so as to render his own holding and that of his neighbours more compact.

It would appear, however, that the measure of coercion permitted by the law is so limited, and the difficulties which attend its application so great, that it has hitherto been of little service in removing the evil against which it was directed.

2. As regards the law regulating the descent and division of landed property in Bavaria on the death of the owner, it may be well to observe, with reference to the general question of legislation, that there is no universal code of laws applicable to every part of this kingdom, there being still a variety of old local laws in force in certain districts which formerly constituted independent States, and which were only added to Bavaria during the early part of the present century, such, for instance, as the Margraves of Auspach and Bayreuth, the Bishoprics of Bamberg and Wurzburg, the territories of the free imperial cities of Nuremberg, Augsburg, Ratisbon, &c.; and in the Bavarian Palatinate (on the left bank of the Rhine), the "Code Napoléon," which was introduced whilst that province formed part of the first French Empire, still remains to a great extent in force.

I learn, however, that on the particular question of the inheritance of property the laws differ less amongst themselves in the several districts than on many others; and that as a general rule the common law of Bavaria on this subject prevails, with but few modifications, throughout the greater portion of the kingdom, except in the Palatinate where, as already stated, the "Code Napoléon" exists, carrying with it the system of equal division of property amongst all the direct heirs.

It will, therefore, probably be sufficient for the purposes of this Report if, with reference to the question of succession to property, I draw an outline of the provisions of the Common Law of Bavaria ("Bayerisches Land-Recht"), which, I may state, is so called because it is the original law of the Electorate of Bavaria, such as it existed previous to the dissolution of the German Empire, when it consisted of little more than the territory now comprised within the limits of the three Provinces of Upper and Lower Bavaria and the Upper Pfalz, which are, on that account, commonly designated at the present day as the "Old Provinces" of the kingdom.

I should, in the first place, state that, as concerns the rights of inheritance, the Common Law of Bavaria draws no distinction between one description of property and another; that is to say, between real and personal property, both being subject to the same rule, except in the case of the *fidei commissa* or entailed properties belonging to certain noble families, the succession to which is placed under special laws and regulations, a more detailed reference to which would be superfluous in the present Report.

The general provisions of the common law of Bavaria, regulating the descent and division of property on the death of the owner, are as follows:—

A proprietor is bound to bequeath, at his death, a certain defined portion of his property to be divided in equal shares amongst all his legitimate children. That portion must be not less than one-half, if the number of children be five, or more than five; and not less than one-third if there be four, or less than four, children.

If the portion of the property required by law to be left to the children consist of house or land, the eldest son (or the second, if the eldest be an ecclesiastic) may retain the whole of such portion himself on indemnifying the other heirs for their share of it, provided an amicable arrangement to that effect can be come to with them.

If no agreement of this kind, or for the division of the portion in question of the property, can be come to, it must be sold, and the sum realized be divided equally amongst all the children.

In practice, the former alternative, *i.e.*, that of leaving the real property, and especially the land, in the hands of the eldest son, is generally adopted,—amongst the small or peasant proprietors, almost universally, particularly in the "Old Provinces" (but not in the Palatinate).

Amongst that class the almost invariable custom is for the testator to leave the whole of the real property—farmhouse, farm buildings, and land—in the possession of one member of the family, commonly the widow or the eldest son, and that person then becomes responsible to the children for the payment to them of a sum of money corresponding to the value (as ascertained by official appraisement) of their share of the property, the children's share being generally fixed at one-half of the whole, real

as well as personal. The mode and period for making this payment is, in most cases, settled by amicable arrangement amongst the parties concerned, but, pending the payment, the amount remains as a formal legal charge upon the property, and must be registered as such in the "Book of Hypothecations of the District."

Such funds in ready money or convertible securities as the testator may have left are available towards paying off the childrens' shares, and the remainder is usually raised by the new proprietor by means of a mortgage on his farmhouse and lands.

It is further a universally-understood condition of an arrangement of the nature above-described, that the person who remains in possession of the property and becomes its owner, is bound during a certain number of years (after the payment of their shares to all the children) to provide any one or all of them with board and lodging at the homestead, in the event of their falling into distress from sickness, want of employment, &c.

It should be added that in the event of a peasant proprietor dying without having made any testamentary dispositions (which is an extremely rare case, as these are generally embodied in the contract for the settlement of the property, which is invariably drawn up when a peasant marries), one of the sons generally assumes possession of the property, and comes to an understanding with the remaining heirs as to the mode of indemnifying them for their shares of it.

The foregoing is naturally only a general outline of the system usually followed by the Bavarian peasants, and more especially by the peasants of the great agricultural districts of the "Old Provinces" with respect to the transmission of their property; and the details of this system naturally vary somewhat according to particular local customs, and in special cases; and I may observe that in some districts the system above-described is so far modified that peasant proprietors frequently transfer the whole of their property during their lifetime to one of their sons or other heirs, on certain specified conditions with reference to their own maintenance during the remainder of their life, and to the payment, in due time, to the other members of their families, of the shares of the property to which they are by law entitled.

It will be seen from the foregoing that the main principle governing the system of descent of landed property amongst the small proprietors, is that of keeping the land together as far as practicable in the form of a family estate in the hands of one member of the family; and that a feeling in favour of this principle, and averse to that of subdivision, is entertained amongst the peasant population in general of Bavaria Proper, would appear to be an undoubted fact. Indeed, this is sufficiently proved by the mere existence, on so extensive a scale, of the system above described, for it is to be remembered that the adoption of this system is purely spontaneous, there being no law in force in any part of Bavaria at the present day which imposes the slightest restriction on the subdivision of landed property. And the peasants of the old provinces could, if they were so disposed, at once introduce the same system of dividing their lands in equal shares amongst all their children, as is generally followed in the Palatinate. But I am assured that except in that province, and in some districts in Franconia, a case of this description really occurs.

The legacy-duty payable on all real property inherited, consists, firstly, of the so-called "Re-registration Tax," amounting to half a kreutzer per florin* (5s. 6d. per cent.) on the value of the property, according to official estimate.

This is the only duty paid by relations in the first degree. Other more distant relations pay an additional tax, varying from 1 kreutzer to 3 kreutzers per florin, according to the degree of relationship.

3. The legal method used for the sale, transfer, exchange, or division of land, or other real property, is that prescribed by the Notarial Law of November 10th, 1861. According to that law, all transactions of this description, in order to be valid, must be set forth in a formal Notarial Act. And the notary by whom the Act is drawn up must exhibit the same to the competent Civil Tribunal of the district, in order that it may be entered in the records of that tribunal. After it has been so entered, the fact is endorsed on the document itself. This is then returned to the notary, in whose custody it remains, he being the authority legally responsible for its safe keeping. Certified copies of the Notarial Act are then given by the notary to the parties concerned, and the transaction is completed.

If there be any mortgage charged upon the property, to which the Notarial Act refers, the notary must likewise present this document to the Keeper of the Register of Mortgages, in order that the change of ownership of the property may be duly entered under the proper head in that register.

* The Bavarian florin contains 60 kreutzers, and is worth 1s. 8d. sterling.

The costs attendant upon transactions of the above-mentioned character come under three different heads, namely,—

Notarial Fees,
Government Tax,
Government Stamp.

The Notarial Fees, as regulated by the Law of 1863, are as follows :

30 kreutzers* (10*d.* sterling), if the value of the property to which the transaction refers does not exceed 50 florins.

For operations referring to larger sums, the Notarial fees are regulated according to the following scale, viz. :—

On amounts varying from	50 to	200 florins	1 per cent.
"	200	600 "	$\frac{1}{2}$ "
"	600	2,000 "	$\frac{1}{4}$ "
"	2,000	10,000 "	$\frac{1}{8}$ "
If above	.. ..	10,000 "	$\frac{1}{15}$ "

But the maximum Notarial Fee, whatever the sum involved in the transaction may be, is fixed at 150 florins.

With reference to the Sale or Lease of Real Property, when several transactions of this nature are completed by the notary for one and the same person at one sitting, the Notarial Fee is to be calculated according to the rate chargeable on the sum-total represented by the entire property concerned in the several transactions, and not according to that which would be chargeable upon each transaction separately.

The Government Tax, as fixed by the Law of 1852, payable on all contracts, or other public acts, concerning the Sale of Property, presented to a Civil Court of Justice for registration, by which such act becomes a valid legal document, is half a kreutzer per florin, 5*s.* 6*d.* per cent. on the value of the property to which the Act has reference.

In calculating the amount of tax to be paid, no deduction is to be made from the value of the property to which the transaction refers, in consideration of any mortgages charged upon it.

The Government stamps required for all Public Acts of the above-mentioned description, are apportioned, according to the value of the property, as follows :—

On a sum under	49 florins	.. ..	3 kreutzers
From .. 50 to	99 "	.. ..	6 "
" .. 100	299 "	.. ..	15 "
" .. 300	499 "	.. ..	30 "
" .. 500	999 "	.. ..	1 florin.
" .. 1,000	1,999 "	.. ..	2 "
" .. 2,000	2,499 "	.. ..	3 "
" .. 2,500	2,999 "	.. ..	4 "

and for every additional 500 florins an additional florin.

Taking, therefore, as an instance, the sale of a property worth 10,000 florins (about 833*l.* sterling), the total amount of costs to be incurred in the transaction would be as follows :—

Notarial fee	.. ..	Fl. kr.	16 40	=	£ s. d.	1 7 9
Government tax	.. ..	.. ..	83 20			6 18 11
Stamps	.. ..	.. ..	19 0			1 11 8
Total	.. ..	.. ..	119 0			9 18 4

being at the rate of a fraction less than $1\frac{1}{2}$ per cent.

4. The only institution in Bavaria established with a special view to affording facilities for the raising of loans upon landed property, is the "Mortgage and Exchange Bank of Munich."

This bank, which may be considered, for all practical purposes, as the Bank of Bavaria, was founded in virtue of a special law passed in the year 1834. It is not, strictly speaking, a Government bank, but is a joint-stock establishment placed under the control of the Government.

It has a capital of 20,000,000 florins (1,666,667*l.* sterling), three-fifths of which it is bound by its statutes to lend out on mortgage on landed property at a yearly rate of interest of 4 per cent. In return for this, it has the exclusive privilege of issuing bank notes in Bavaria, the aggregate amount of these notes being limited to 12,000,000 florins (1,000,000*l.* sterling). The notes of this bank though not, as I am informed,

* The Bavarian florin consists of 60 kreutzers. Three kreutzers are equal to one penny, and 1 florin to 1*s.* 8*d.* sterling.

absolutely a legal tender in place of specie, are universally accepted as current money, not only throughout Bavaria, but in southern Germany generally.

The amount for which in each case this bank advances money on the security of landed property, must not exceed one-half of the value—as appraised by the bank itself—of the property to be mortgaged.

This bank was further authorized by a Royal Decree, dated February, 1864, to issue mortgage-debentures (“Pfandbriefe”), bearing 4 per cent. per annum interest on the security of real property of every description specially hypothecated to it.

The debentures issued which, as in the case of the mortgages, must not exceed in amount half of the estimated value of the property on which they are secured, are made over in place of an advance of money to the owners of the property, and being readily saleable in the open market, the result, so far as their market value goes, is the same to the proprietor as a loan of money; but there is this important difference, that whilst the debentures are issued to the proprietor at their full nominal value, *i.e.*, at par, they can only be disposed of (bearing as they do, no more than 4 per cent. interest) at the price of about 90 per cent. On the other hand, the bank receives them back at par whenever the proprietor is able to redeem the mortgage on his property.

The advantage derived by the bank from these operations consists in receiving from the owner of the property interest at the rate of $4\frac{1}{2}$ per cent. on the loans represented by the debentures, whilst only paying, as already stated, interest on the debentures themselves at the rate of 4 per cent. By means of an annual payment (beyond the regular interest), varying in amount, according to the arrangement made with the bank, from $\frac{1}{3}$ to 6 per cent., the redemption of the debentures may be accomplished, and the debt cancelled, within a period ranging from 52 to $13\frac{1}{2}$ years.

The aggregate amount of mortgage-debentures of this description at the present time in existence, is about 60,000,000 florins, or 5,000,000 sterling.

There is, in addition to the Mortgage Bank of Munich, the Royal Bank of Nuremberg (a Government establishment) by which advances of money are made on the security of real property; but I am informed that this bank, as a general rule, confines its operations of this nature to loans on the security of house property.

The principal money sources, however, open to the small proprietors, and those to which the peasants are more especially in the habit of applying for loans of money on the security of their farms, are, firstly, the trust-funds belonging to the parish churches, which consist chiefly of the accumulations of legacies left by private individuals for the purpose of keeping the churches in repair, for providing the requisites for performing the services, &c.

Secondly, the “General Military Fund,” arising for the most part from the money which every officer who marries is obliged, according to the regulations of the military service of Bavaria, to deposit, in order to provide a maintenance for his widow in the event of his dying whilst in the service, and on which, so long as the money remains in deposit, he receives a certain fixed rate of interest; and thirdly, the funds in the hands of the General Administration of Endowments at Munich.

From these several funds, which consist, in the aggregate, of a very considerable sum, the peasant proprietors readily obtain money on mortgage on their lands, at rates varying from 4 to 5 per cent. per annum, but such advances are, as a rule, limited to sums representing not more than one-third, or the half of the value of the farms mortgaged.

5. Under the system already described as that according to which the peasant properties are commonly bequeathed by the owners to their heirs, it will be readily understood that at least a large number of these properties are more or less heavily mortgaged, but, so far as I have been able to ascertain, this state of things does not exist to such an extent as to press unduly on the proprietors generally, or to interfere seriously with their property as a class.

6. Every mortgage on real property in Bavaria must have the character of a special mortgage, that is to say, must be charged specifically upon a certain defined property or portion of property; and the act must be a public one,—*i.e.*, must be performed through the medium of a public notary. In order to be valid at law, all such mortgages must be registered in the “Public Register of Mortgages,” kept under the special supervision of the competent civil authority of each administrative district.

The legal expenses attendant upon the raising of mortgages on real property are, as in the case of sales, &c., of three different descriptions, *viz* :—

- Notarial fees,
- Government tax,
- Government stamp.

The Notarial Law of 1862 provides that—for drawing up documents or making the requisite applications or declarations to the Civil Court in matters connected with the raising, foreclosing or limitation of mortgages,—the remuneration of the notary shall be calculated according to the time employed by him, and at the rate of 1 florin per hour, except in the case of mortgages not exceeding 100 florins in amount, in respect of which the notarial fee is limited to half a florin.

As regards the Government Tax, for the mere act of registering a mortgage in the Public Register no fee is chargeable, but if preliminary proceedings before the Civil Court, such as Examination of Title Deeds, Deciding on Protests, &c., should be necessary before the mortgage can be registered, a Protocol Fee of 36 kreutzers is payable to the Court, provided the proceedings be simple and short. If the proceedings occupy the Court half a day or a whole day, the fee to be charged is 2 florins or 4 florins respectively, except in the case of mortgages not exceeding the sum of 100 florins, in respect of which the fee payable to the Court can never amount to more than 2 florins.

In those cases in which a special document has to be drawn up by the Court with reference to the mortgage, a tax at the rate of a $\frac{1}{4}$ of a kreutzer per florin (a small fraction more than $\frac{2}{3}$ per cent.) on the sum to be advanced is charged in full of all costs of the proceedings before the Court.

For the simple foreclosing or cancelling of a mortgage before the Court, no costs are charged.

The charge for the official valuation of real property, with a view to the creation of a mortgage, varies from $\frac{1}{2}$ a florin to three florins, according to the time occupied in the operation.

All minor or incidental papers or documents having reference to proceedings connected with a mortgage must bear a Government stamp of 3 kreutzers; more formal documents, such as receipts, certificates, &c., a stamp of 15 kreutzers, and the formal Notarial Act, by which the mortgage itself is created, must bear a stamp calculated at the rate of 1 florin for every 500 florins on the amount of the sum raised, or at the rate of $\frac{1}{2}$ per cent.

7. As regards the crops raised, and the general mode of cultivation adopted in Bavaria, I need scarcely say that the former necessarily vary to a very great extent in different provinces and localities, according to the conditions of soil and climate.

The general character of the more important agricultural features of the several provinces of the Kingdom may be briefly described as follows:

On the continuous range of high ground which extends from the shores of the Lake of Constance on the west, to the confines of Upper Austria on the east, completely across the southern division of the two Provinces of Swabia and Upper Bavaria, pasture-land predominates, and in that district the breeding of cattle, and the production of cheese and butter, constitute important interests. In the plains of the central and northern portions of those two provinces, and in the Provinces of Lower Bavaria and the Upper Pfalz, are to be found the great corn-growing districts, though in every one of the eight provinces of this Kingdom large quantities of grain of all descriptions are grown, the total production of grain, in proportion to population, being larger in Bavaria than in any other of the more important States of Germany, and second only to that of France and Belgium.

In the Franconian Provinces and in the Rhenish Palatinate, a very considerable extent of land is appropriated to the cultivation of hops, of the vine, and of tobacco, Central Franconia being more especially the chief hop-growing district, and the Palatinate that which produces the largest quantity of wine and tobacco, whilst there are, likewise, some extensive wine-growing districts in Lower Franconia, more particularly in the immediate neighbourhood of Wurzburg, where the well-known "Stein-wein" and other superior descriptions of white wine are made.

Potatoes are produced in considerable quantities in every province, but to the greatest extent in the Palatinate, which is also the greatest fruit-growing district of the Bavarian Dominions. Indeed that province may be described as, generally speaking, the most fertile and as producing the greatest variety of crops of any in the Kingdom.

The largest extent of forest is to be found in the three Provinces of Upper and Lower Bavaria, and the Upper Pfalz, in each of which there are from 1,000,000 to 1,500,000 Bavarian acres of wood. In the remaining five provinces the extent of forest ranges from 600,000 to 800,000 Bavarian acres in each. The forests of the Southern and Eastern portion of the Kingdom, viz., in Upper and Lower Bavaria, Swabia, and the Upper Pfalz, consist for the most part of pine and fir trees. In the forests of the Franconian Provinces and of the Palatinate, beech and oak predominate.

With reference to the crops raised in Bavaria, the following Return, extracted from the agricultural statistics for the year 1863, shows the aggregate quantity of land appropriated to the cultivation of each description of crop during that year, and also the total yield of each crop:—

	Land under Cultivation.		Yield of Crop.	
	Bavarian Acres.*		Bavarian scheffel.†	
Wheat	854,792		1,917,090	
Rye	1,739,034		3,898,413	
Spelt	387,509		2,091,183	
Barley	998,547		2,763,159	
Oats	1,334,171		4,104,399	
Peas, beans, &c.	146,694		308,477	
Maize	2,254		7,717	
Buckwheat	5,306		8,780	
Millet	9,402		21,424	
Potatoes	773,494		10,851,923	
Vines	65,066		Eimers of wine.‡	
			954,023	
			Bavarian cwt.§	
Hops	51,823		122,196	
Flax and hemp	132,939		474,417	
Tobacco	15,993		148,839	
			Bavarian scheffel.	
Rape and poppy	34,626		79,657	
Miscellaneous	10,359		..	
			Bavarian cwt.	
Clover, lucerne, and other fodder for cattle	858,094		15,566,468	
Ditto, as after-growth	6,536		63,730	
Beet-root and turnips	193,413		13,286,531	
Ditto, as after-growth	164,250		5,052,742	
Hay meadows	3,549,826		51,577,967	
Garden ground	207,463		..	

There were besides 1,395,398 Bavarian acres of land lying fallow, and 766,310 Bavarian acres of pasture land (chiefly mountain).

The foregoing distribution of the land, according to crops, may therefore be summarized as follows:—

	Bavarian Acres.
1. Corn, and other grain for human food	5,479,709
2. Potatoes	773,494
3. Vines, hops, flax, hemp, tobacco, oil seeds, &c.	310,806
4. Hay, clover, beet-root, and other fodder for animals	4,601,333
5. Gardens	207,464
6. Pasture land	766,310
7. Fallow	1,395,398

The total produce of wood, as returned for the year 1863, from the 7,017,256 Bavarian acres of forest comprised in the whole kingdom was as follows:—

	Bavarian Klafters.||
Timber	2,799,906
Branches, roots, &c., used chiefly as firewood; and 52,634,700 faggots	276,415

The system of cultivation most generally, in fact, it may be said almost universally, followed in Bavaria, especially by the small or peasant proprietors, is that known as "three-field farming" (Drei-felder-Wirtschaft), which consists of a triennial system of rotation, more or less according to the following order:—

First year: A crop of winter grain, i.e., wheat or rye, according to soil and climate.

Second year: Summer grain (barley or oats), or hemp, flax, hops, oil seeds, &c.

Third year; Fallow or half-fallow, i.e., potatoes or clover.

The proportion between tillage and meadow land, was as follows in the year 1863 in each of the eight Provinces of Bavaria, the figures showing the proportion of each description of land to every 100 Bavarian acres of the total area of both:—

* 100 Bavarian acres is equal to 84½ English acres. † 1 Bavarian scheffel is equal to 6½ imperial bushels.
 ‡ 1 Bavarian eimer is equal to 14½ imperial gallons. § 1 Bavarian cwt. is equal to 123½ lbs. avoirdupois.
 || The Bavarian klafter contains 126 cubic feet.

Province.					Tillage.	Meadow Land.	
					Bavarian Acres.	Bavarian Acres.	
Upper Bavaria	..	..	..	..	613	387
Lower Bavaria	..	..	..	..	714	286
Palatinate	..	..	..	..	841	159
Upper Pfalz	..	..	..	..	755	245
Upper Franconia	..	..	..	..	750	250
Central Franconia	..	..	..	..	802	198
Lower Franconia	..	..	..	..	840	160
Swabia	..	..	..	..	620	380
General average for the whole Kingdom					..	722	278

If to the meadow land be added the area of pasture land, the general average proportion for the whole Kingdom, between grass lands generally and tillage, would be as about 319 to 681 in every 1,000 acres.

The system of pasturing horned cattle in the fields is but little practised by the small or peasant proprietors of Bavaria generally. Their cattle is, as a rule, kept in stables or sheds, and there fed with hay or other fodder grown specially for that purpose.

The districts in which exceptions to this rule are most frequently to be met with are the high lands of the provinces of Upper and Lower Bavaria and Swabia, which are, as already stated, more especially the cattle-breeding provinces of the Kingdom.

Cattle fattened for the market is, generally speaking, kept by the owners of the larger class of estates, and is fed in-doors chiefly on the grains from the brewery, which is usually to be found on every estate of a certain size, and which plays an important part in the economical arrangements of the property. It enables the proprietor to supply the peasant population of the neighbourhood with beer, and from this he derives a certain amount of profit. With the grains from the beer he fattens his cattle for the butcher, and the cattle supply the manure necessary for the cultivation of his land.

The stock of cattle in Bavaria is a large one, larger, in proportion, it would appear, than in most other countries of Continental Europe.

The statistical Return of horned cattle for the year 1863 gives the following figures:—

Draught oxen	..	..	..	..	..	432,044
Fattened „	..	..	..	..	..	19,231
Bulls	..	..	..	..	..	89,384
Cows	..	..	..	..	..	1,530,526
Young Cattle	..	..	..	..	..	806,937
Calves	..	..	..	..	..	357,760
Total	..	..	..	..	..	3,185,882

Of the foregoing aggregate number, above one-half, namely, 1,638,664 head belonged to the three provinces of Upper and Lower Bavaria and Swabia. The stock in each of the five remaining provinces varied from about 220,000 to about 350,000 head, the Palatinate having the smallest number of any.

Draught oxen are extensively employed in farming operations in Bavaria, as may be inferred from the very large number of these animals comprised in the foregoing general Return of cattle, namely, 432,044, being more by above one-third than the entire number of draught horses (296,683) owned at the same period in the whole kingdom.

The total number of sheep and lambs in Bavaria in 1863 was 2,058,638; that of the swine, 926,522; and of the goats, 150,855.

8. The employment of machinery, as a substitute for manual labour, on the peasant properties, may be broadly described as being confined to the use of threshing-machines worked by means of steam.

Within the last six or eight years machines of this description have come into very general use all over Bavaria; and it has been stated to me, on good authority, that probably not less than one-half of the aggregate quantity of corn raised in this country, is, at the present day, threshed out by steam. These machines, which are commonly owned by local associations, or by the more wealthy landed proprietors, are moved about from one district to another, and are let out at a fixed price.

Only one steam-plough has, I am informed, been as yet brought into Bavaria; and it would appear that, owing to the nature of the soil on which it was tried, the experiments made with it were not very successful.

On the larger properties of the nobles, drill-machines and other implements of husbandry of modern invention are very generally in use, but are, as yet, not much

known amongst the peasant proprietors. Their use is, however, on the increase amongst this class, and within the last few years several manufactories of implements of this nature—copied from specimens originally imported from abroad, and chiefly from England and the United States—have been established in Bavaria, as well as in the neighbouring States of Wurtemberg and Baden; and opportunities for becoming acquainted with the products of these manufactories are afforded to the peasant proprietors by the agricultural shows and exhibitions which are held at stated periods and in different localities under the auspices of the Provincial Agricultural Societies.

With reference to the number of hired labourers and other person employed in field operations, the latest general Returns are those collected in the year 1852.

According to those Returns the agricultural labouring population was as follows:—

	Families.	Individuals.
1. Day-labourers, possessing house or land ..	108,021	426,511
2. Day-labourers, without house or land ..	82,958	245,387
3. Farm servants living with their employers ..	..	459,382
Total individuals .. ..	..	1,129,280

This total being equal to 27 per cent. of the entire population of Bavaria as it existed at the period in question.

But these figures naturally afford no guide for ascertaining the number of persons actually employed in field labour, as on the one hand, the young children incapable of working—but whose number it would be difficult to determine—must be deducted from the total number of “Individuals” included in the foregoing Return, whilst, on the other hand, the great majority of the peasant proprietors themselves must be added to it, as they universally take part in the labour of the field in common with their farm servants and hired labourers; and, as already stated, the number of peasant proprietors is not to be gathered, even approximately, from any existing statistical Returns.

There are, consequently, no authentic data for arriving at a conclusion of the average numbers of persons actually employed per acre in the cultivation of the soil. But I am informed that, in practice this number may, as a general rule, be assumed at about one person to every ten Bavarian acres in those districts where tillage predominates over grass land, and proportionately less where the order of cultivation is the reverse; whilst on those lands which are appropriated to special growths, requiring more than ordinary care and attention, such as tobacco or grape-vines, the number of persons employed is much larger.

As an instance of what may be considered as the average working establishment on a peasant's property of 100 Bavarian acres, distributed, as regards the proportion between tillage and grass, in the manner usual on properties of this description in Southern Bavaria generally, the following estimate has been given me by an experienced agriculturist:—

The proprietor himself and, to some extent, his wife also; Six to seven male farm servants or day labourers, (the proprietor's grown-up sons, if he has any, being counted amongst this number); two female farm servants.

But it should be observed that this estimate represents the average, for the whole year, of the number of hands employed, and that it is consequently somewhat above the average for the winter months, and somewhat below that for the more busy seasons.

With regard to the cost of field labour, the subjoined Table, extracted from the Statistical Returns for the year 1863, shows the rate of remuneration to day labourers and farm servants, male and female, in each of the eight Provinces of Bavaria; but it should be stated that the rates here given do not represent merely the amount paid in money, but the money wages, with the addition of the value of the food and other articles supplied, according to custom, to the farm servant or day labourer, as the case may be:—

Province.	Daily Wages of Labourers.		Yearly Wages of Farm Servants, including Cost of Food.	
	Male.	Female.	Male.	Female.
	Kreutzers.	Kreutzers.	Florins.	Florins.
Upper Bavaria	56	41	208	153
Lower Bavaria	42	38	167	142
Palatinate	35	26	173	126
Upper Pfalz	36	31	153	123
Upper Franconia	37	29	159	128
Central Franconia	48	37	175	144
Lower Franconia	41	32	160	131
Swabia	51	40	188	140
General average for the whole Kingdom ..	43	34	173	136
In sterling money	1s. 2 $\frac{1}{3}$ d.	11 $\frac{1}{3}$ d.	£14 8s. 4d.	£11 6s. 8d.

These rates of remuneration are from 25 to 30 per cent. higher than those paid ten years previously (in 1853), the chief cause to which this state of things is attributed, being the great demand for labour, at comparatively high wages, which has been created in latter times by the extensive railway works which have been in progress in Bavaria, and by the development which has at the same time been given to manufactures in some districts (especially in Franconia, Swabia, and the Palatinate), and also to mining operations, the demand thus created having been supplied mainly by the agricultural labouring population. A growing tendency, on the part of the latter, to leave their rural occupations and migrate into the towns, has no doubt also gone far towards raising the standard of wages in the country, whilst the increase in the price of food of all descriptions, which has taken place within the last 15 or 20 years, has tended to raise the cost of maintenance of farm servants, an item which, as already stated, is included in the rates of wages as given in the foregoing Table.

9. No special record is kept as to the class to which persons emigrating from Bavaria belong. It may, however, be assumed that the agricultural population contributes its fair share towards the total number of emigrants who leave the country every year; as it has been observed that the stream of emigration flows principally from those districts in which the class of agricultural labourers is the most numerous, and especially from the Rhenish Palatinate, which, as already stated under the head of population, is in proportion to its size, by far the most numerous province of the Kingdom.

Emigration from Bavaria has not, however, been carried on to any great extent in recent times, the official records showing that the number of persons who emigrated to America and other non-German States during the eight years from 1860 to 1867, inclusive, ranged from a minimum of 1,482 in 1861, to a maximum of 5,791 in 1866—the year of the war in Germany. For the year 1868 the number was 4,726, of whom 2,063, or nearly 44 per cent., went from the one Province of the Palatinate. From 1,000 to 1,300 persons also emigrated during each of the years in question to other German States; but about an equal number came into Bavaria annually from those States.

Of the total number of persons who emigrate, about one-third, on an average, leave the country surreptitiously, that is to say, without obtaining the proper authorization from the Government.

It does not appear that emigration from Bavaria can be attributed to any specific cause beyond a genuine desire, on the part of those who emigrate, to improve their condition. It has, however, been remarked that, generally speaking, the greatest number of persons emigrate from this country during those years in which the price of grain is the highest. As regards the male emigrants who leave the country without authorization, their main object is, in most cases, that of avoiding military conscription.

10. It may be laid down as a very general rule that small proprietors of land in Bavaria do not live on their properties, but that they reside in villages or small groups of dwellings.

On this point, however, as on so many others connected with agriculture, a material difference exists in different localities: and though there are no Returns from which detailed information on this head can be gleaned, it would appear that, generally speaking, single farmhouses and very small villages are more frequent in the southern

division of the kingdom, namely, in Upper and Lower Bavaria and Swabia, than in the Northern Provinces, and in the Palatinate.

11. In a country constituted as Bavaria is, containing within its boundary every gradation of upland and lowland, and inhabited by three originally distinct races, which still differ, in many respects, materially one from the other—namely, the Bavarian, the Swabian, and the Franconian—there exists, as a matter of course, very considerable difference as regards the housing, feeding, and clothing of the rural population in the different sections of the kingdom inhabited by those races respectively.

But, from all the information I have been able to collect on the subject, I believe that it may be safely affirmed, in general terms, that the agricultural population—that is to say, the peasant proprietors, the farm servants, and the day labourers—are well fed, well clothed, and well housed; and that, in these respects, as well as in general prosperity and well-being, they may compare favourably with the rural population of any State in Europe.

As a rule, the peasant proprietors of the Southern Provinces are those who own the largest quantity of land, whilst the wealthiest men of this class, as regards money, are to be found in Central Franconia. The smallest holdings are those of the Palatinate, and, individually, the proprietors are probably the poorest in that locality, although the province, as a whole, is the most productive and one of the richest in the kingdom.

The social condition of the peasant proprietor in the Southern Provinces differs in no perceptible degree from that of the men he employs on his farm. His education, his habits, and his dress are much the same; he, in fact, remains thoroughly a peasant, the main distinction between himself and his men being that the one is richer than the other.

In the Franconian Provinces and in the Palatinate the case is very different, the peasant proprietors in those provinces being, as a general rule, superior, as a class, to the ordinary run of agricultural labourers, both as regards education and knowledge of husbandry, and in social standing. They likewise generally adopt a different description of dress.

There is further a marked difference in the general character of the peasants of the Northern and the Southern Provinces, inasmuch as the Franconian is frugal and economical, whilst the Bavarian of the South is fond of copious fare, and is of a somewhat reckless and extravagant turn. With reference more particularly to the question of food amongst the peasantry of the different provinces of this kingdom, a work published in the year 1862, under the auspices of the Agricultural Society of Bavaria, gives some details, of which the following is a summary:—

In the Southern Provinces the favourite and almost universal food of the rural population consists of meal prepared in various ways and forms, with butter, fat, or milk.

Vegetables are not much in favour, and almost the only description eaten are cabbages (chiefly in the form of sauer-kraut), turnips, and potatoes.

Fruit is only known in a few localities. Meat is seldom eaten, except on holy days or other special occasions, and then, as a general rule, veal or young pork. Beef is scarcely ever eaten, although the provinces in question constitute more especially the cattle-breeding district of the kingdom.

In the provinces to the north of the Danube, especially in the country surrounding Nuremberg, Bamberg, and Schweinfurth, and in the Rhenish Palatinate, where field-gardening is extensively carried on, vegetable diet is very general, and potatoes form a never-failing element in the daily fare. Beef, mutton, and pork,—the latter both fresh and cured,—are also much in use. Dishes composed of meal are only eaten on festive occasions, the custom in this respect being the reverse of that observed in the Southern Provinces.

The districts in which the agricultural population eats the most meat are the fertile valleys of the Franconian rivers, especially of the Altmühl, the Itz, and the Maine, and in the country round Ochsenfurth, in all of which districts meat forms part of the peasant's fare on two or three days of the week, and invariably on Sundays.

Coffee, usually in combination with dried chicory, or some other similar substitute, is in general use in the Northern Provinces. In the Southern Provinces it is but little known.

The Franconian peasant keeps pigs for his own consumption, and fattens them in the sty. The peasant of Southern Bavaria allows his pigs to roam in the fields, and kills them whilst still small and thin, and generally when weighing less than 50 lbs.

Potatoes are very little known in the hilly regions of Southern Bavaria. They are more frequently eaten in the plains lying between that district and the Danube, still more so in Swabia, Central and Lower Franconia and the Palatinate, and in the Upper Pfalz and Upper Franconia they constitute a staple article of food.

Beer, the truly national beverage of Bavaria, is not consumed in such large quantities by the agricultural population as by the inhabitants of the towns, and, as a general rule, only an inferior description of small beer (known by different names in different localities) is given to the farm servants and day labourers.

As regards the fare of the farm servants, I find in the work above referred to a Table of the regulation allowance of food made to this class on the Crown estates in the Southern Provinces, and it would appear that the same scale of allowance is adopted on many of the larger properties in those districts; but it is no doubt considerably more copious than the customary standard for the farm servants of the peasant proprietors, especially as regards the rations of meat.

The following is the regulation allowance in question, as calculated for each farm servant for the whole year:—

						Average Value.	
						Fl.	kr.
Wheat	..	..	..	1 scheffel weighing	300 Bavarian lbs.*	15	0
Rye	..	..	..	2 "	560 "	24	0
Meat (3 times per week ½ lb. and on 8 great holy days in each year 1 lb.)	..	..	..	total	125 "	18	45
Dairy produce:—							
Butter	..	..	..	..	12 "	4	48
Milk (2 lbs. daily)	..	..	..	..	730 "	12	10
Vegetables:—							
Potatoes	..	..	..	1 scheffel weighing	300 "	3	0
Peas, cabbage, &c.	..	..	..	..	..	10	0
Beer (on 9 holy days 1 mass†)	9	mass	..	..	..	0	54
Salt	..	..	..	30 lbs.	..	2	0
Vinegar	..	..	..	12 mass	..	0	36
Miscellaneous allowances	..	..	..	..	..	1	0
Total value						92	13
Equal to						£7 18s. 6d.	

But, with respect to the average value of the above-mentioned commodities, it should be observed that, since the date of publication of the work from which the foregoing statement is taken, the price of provisions, in general, has increased in most parts of Bavaria by 15 or 20 per cent.

12. I have already stated that there are no statistical Returns from which the number of any particular class of landed proprietors, nor even the aggregate number of proprietors of all classes, can be gathered with accuracy, the only statistics on record, with reference to the agricultural classes, being the Returns for the years 1840 and 1867 of the portion of the population inhabiting villages and exclusively rural districts, and a Return (for 1852) of the number of agricultural day labourers and farm servants.

It is, therefore, not possible to form even an approximative estimate as to "the average population per acre, or the increase in the population amongst the small proprietors as compared with the urban population," the only estimate in connection with this subject for which existing statistical data offer any basis, being that of the number of inhabitants, taking the agricultural population generally, for every Bavarian acre of arable and grass land, and of the increase of that population as compared with the increase amongst the population of the cities and towns.

As regards the first point, the census of December 1867 gives (as already stated) the population inhabiting villages and rural districts at 3,603,826 persons, and the total area of arable and grass land at 13,632,515 Bavarian acres. Assuming that the entire number of persons returned as rural population belong exclusively to the agricultural class, the average density of the population in the country districts would be at the rate of one inhabitant to every 3.755 Bavarian acres.

If the forest land (consisting, in the aggregate, of an area of 7,017,256 Bavarian acres) be included in the calculation, the average would be one inhabitant to every 5.702 Bavarian acres of land.

With respect to the question of the increase in the rural population generally, compared with that amongst the population of the towns, the following figures show the number of individuals comprised in these two sections of the population at

* 1 Bavarian lb. is equal to 1 lb. 3¼ oz. avoirdupois.

† 4¼ Bavarian mass is equal to 1 imperial gallon.

two different periods, separated by an interval of twenty-seven years—viz., in 1840 and in 1867 :—

	1840.	1867.	Aggregate Increase in 27 years.
Rural Population	3,445,517	3,603,826	158,309
Town Population	915,370	1,220,595	305,225
Aggregate Population ..	4,360,887	4,824,421	463,534

The aggregate increase during the twenty-seven years in question being consequently at the following rate :—

Rural Population.. ..	4.59 per cent.	(equal to 0.170 per cent. per annum)
Town Population.. ..	33.34	" (" 1.235 " ")
Aggregate Population ..	10.63	" (" 0.394 " ")

But it is manifest from the great disproportion between the rural and urban rates of increase that the foregoing return cannot be taken as representing the real and natural augmentation of each of the two different classes of the population, but rather as demonstrating the great extent to which (as is well known) the rural population has in latter times migrated from the country into the towns, a fact easily accounted for by the wider field for employment, and the higher rate of wages to be found in the towns than in the country districts.

13. Judging from all the information I have been able to obtain, both from official and private sources, I should say that the general feeling in this country is decidedly favourable to the system so widely spread over the whole kingdom,—that of land cultivation by the peasant proprietors, this system being in accordance with the traditions and habits of the population, and its result, upon the whole, satisfactory; for, as I have already stated, the general condition of this class of proprietors is acknowledged to be in the main prosperous, and one with which they have reason to be well satisfied.

One important measure which was introduced some twenty years ago has no doubt contributed greatly towards bringing about the existing satisfied condition of the peasant proprietors, namely, the commutation of the seignoral charges (tithes) and abolition of servitudes, which, up to that period, had weighed upon a great portion of their lands,—a measure to which I shall have occasion to refer more particularly in a later section of this Report.

(B.)—TENANTS AND SUB-TENANTS UNDER LANDLORDS.

1. As already stated under the head of "Land Occupation," the system of occupation of land by tenants under landlords exists but to a very limited extent in Bavaria, so limited, I should say, from all that I have been able to learn on the subject, that it can scarcely be said to exist at all as a regularly organized or acknowledged system; and, as regards tenant farmers, within the meaning of the term as understood in Great Britain, it appears to be beyond doubt that, as a class, they are unknown in this country.

Such land as may be, in exceptional cases, let out to tenants, comes under two essentially different heads, namely :—

- (1.) Complete estates or large farms.
- (2.) Small plots of ground, the property of the commune, or belonging to the parish glebe.

The former, when let, are commonly taken on lease as a speculation by persons of some means, who have made a study of the theory and practice of husbandry, or by those who have acted as managers or land stewards on estates belonging to the large proprietors. But I am assured that instances of this description of occupation are not numerous; and that, as a rule, the result is not found to be very satisfactory.

The latter description of land is usually let out by single fields, and for various purposes, to peasants or other persons inhabiting the commune or parish in which the land may be situated.

2. Under the circumstances above described, it is scarcely necessary to say that, in practice, most of the laws and regulations in force in this country which have any bearing on the question of occupation by tenants, must be considered as applying rather to the hiring of real property in general than of land for farming purposes in particular.

The following is a sketch of the general character of the law on this subject :—

The nature or duration of the lease depends, in all cases, upon the conditions agreed upon between the proprietor and the tenant, and the question of the rights of the one, and of the obligations of the other, is governed mainly by those conditions.

According to Bavarian common law (applicable wherever no special local legislation exists) the tenant has the right of sub-letting his holding, provided there be no stipulations to the contrary, or that the sub-tenant be not a person against whom legal objection could be taken.

Practically, however, it may be said that the system of sub-tenancies has no existence in Bavaria, the usual practice being, whenever land is let, to insert in the lease a clause by which the tenant is expressly bound not to sub-let the land.

3. The law lays down no special rule with reference to the mode in which contracts referring to the letting of lands shall be entered into; but it may be safely assumed that no proprietor would let his land otherwise than by means of a written contract or lease.

Without a document of this kind no conditions can legally be presumed to have been agreed upon, and in such case the law lays down nothing as to the duration of the contract.

Should a lease or contract have been drawn up without the period of its duration being specified (a case which can scarcely be contemplated), either party would, according to the common law of Bavaria, have a right at any time to declare the contract at an end; but he would in that case be bound to give such timely notice of his intention to withdraw from it as the custom of the locality might require, should any custom of the kind be in existence.

In the case of a peasant's estate let on lease for several years, the law specially provides that, unless the lease be formally drawn up by a notary (in accordance with the general regulations respecting notarial acts), it shall only be held to be in force for a period of one year.

(The object of this provision is to prevent disputes or litigation arising out of contracts informally drawn up.)

4. The law does not require that a lease or agreement respecting the letting of land, or other property, should be officially registered; but the parties to the transaction can, if they think proper, cause the agreements or lease to be drawn up in regular notarial form, and registered as a notarial act.

5. There is no law or custom in Bavaria under which a tenant would be considered as having a right to remain in occupation of his holding beyond the period stipulated by his lease or agreement.

According to Bavarian common law the tenant loses his right to retain possession of the property hired:—

- (1.) In case of gross mis-use of the house or land, as the case may be.
- (2.) If he should remain in arrear in the payment of his rent for a period of two years.

(Practically, the latter provision may be considered a dead letter, as the tenant would, in all cases, be bound to pay his rent within the period fixed by his lease or agreement, and in no case would the lease allow a delay of two years.)

6. There are no legal provisions or recognized customs in Bavaria whereunder a tenant is considered as having a right to sell his interest in his farm, with or without the consent of his landlord.

Rent.

1. A lease or agreement for the hiring of land by a tenant is only valid at law in so far as the amount of rent to be paid is specified in money. But the landlord and tenant are at liberty to come to any private understanding that may suit them with respect to the substitution of a share of the produce in place of any portion, or the whole, of the rent stipulated to be paid in money.

2. The amount of rent, and the periods at which it is to be paid, are regulated solely by the stipulations mutually agreed upon between landlord and tenant.

3. During the period for which an agreement has been entered into, the landlord has no power to raise the rent. On the expiration of the agreement either party is free to propose and accept, or refuse, fresh stipulations.

4. Both landlords and tenants must adopt the ordinary course of civil procedure before the competent tribunal for the enforcement of their respective rights. And the law confers no exceptional privileges on landlords over other creditors in respect of the recovery of the rent, except that the landlord has a first claim on all crops, cattle, or other stock actually on the land.

Evictions.

There is but little to be said under this head as regards Bavaria, an eviction, in the sense in which the word is used in Great Britain, and especially in Ireland, being an almost unknown occurrence in this country. Matters in dispute between landlord and tenant, if any such should arise, must be brought in the ordinary form of proceeding adopted for other civil causes before the competent Court, in order to be decided as the law directs; and the tenant would have no other mode of resisting an eviction, or any other proceeding on the part of his landlord, if such a case were to occur, than an application to the Court of Justice of his district, and the employment of such means as the law affords for delaying the ultimate decision of civil causes in general.

Improvements.

1, 2, 3, 4. As regards farm-buildings, let with land to a tenant, the law requires that they shall be kept in proper and substantial repair by the landlord, and that the latter shall pay all ordinary or extraordinary taxes and rates which may be chargeable on the buildings themselves; he is also bound to indemnify his tenant for the full amount of any expenses the latter may incur for useful or necessary repairs.

5. There are no banks or credit establishments of any description in Bavaria which make it a special branch of their business to grant loans to tenant-farmers for the improvement of their holdings or for any other purposes, the necessity for such establishments never having been felt, as will be readily inferred from what I have stated as to the very limited extent to which the tenant system exists in this country.

Miscellaneous.

1. For the reason just stated there can be no question of any legislative interference being required, in order to afford additional protection to the tenants. Neither is there any reason to believe that the relations between landlord and tenant, in so far as these relations have any existence, are otherwise than friendly.

2. The mode of cultivation of estates or farms held by tenants differs in no wise from that adopted by the proprietors who cultivate their own land.

As regards "the standard of living, solvency, independence, general circumstances, &c., of tenants as compared with those of small proprietors," the explanations already entered into will sufficiently demonstrate that there are no elements for establishing a comparison of this kind.

3, 4, 5. The same observation will also apply in respect to the question of the comparative increase of the population amongst tenants, as well as to that of the extent to which tenants or their children emigrate.

6. There are no legislative enactments in existence having reference to an enforced granting of leases by proprietors, nor any special legislation regulating the relations between landlord and tenant, beyond those laws and regulations already described with reference to the general question of the letting and hiring of real property. But, with respect to the question of the "creation of freeholds," a highly important measure (already referred to incidentally in the course of this Report) bearing directly upon this question, and which may be said to have inaugurated an entirely new era as regards the tenure of land in this country, was passed by the Bavarian Legislature during the Session of 1848, and has since been the law of the land. This measure, known as the Land Charges Redemption Law ("Grund Renten Ablösungs Gesetz"), may be broadly described as having put an end to all land tenures limited by seigniorial or other rights, and established, in their stead, a universal system of freehold tenure.

It would be superfluous to enter into an account of all the details of this complicated enactment, especially as regards the infinite variety of manorial charges and dues—dating back in many cases to a remote feudal period—with which the law had to deal, for the proper definition of which in English I can indeed not pretend to possess a sufficient knowledge of technical and legal phraseology.

But the following outline will, I trust, suffice to convey an idea of the general character of this very important measure, and of the mode in which it was carried out.

I should premise by stating that, up to the period at which the Act in question was passed, the state of things with reference to the tenure of land in Bavaria generally, and especially in the "old provinces," had remained (with some not very important modifications) much what it had been two or three centuries previously.

Under this state of things a large proportion of the peasant proprietors, or more properly peasant occupiers, had only a limited right of ownership in their lands, that

is to say, they held them in some cases under the Crown, but more frequently under the so-called ground landlords ("Grund Herren"), or lords of the manor, subject to charges of various descriptions, but consisting chiefly of payments in money at fixed periods, tithes of the most varied character, fines on a change of occupancy by death, and personal servitudes in the form of a certain number of days' work, with or without the peasant's cattle, the providing of beaters for the chase, &c.

In addition to these manorial and seigniorial rights, there existed in many cases, in favour of the ground landlord, that of civil jurisdiction and police over the whole extent of the manor, the exclusive right to the game on the peasant's lands, and a variety of personal privileges and exemptions.

The law of 1848 effected a radical change in this state of things, its chief provisions being to the following effect:—

(1.) That after the 1st October, 1848, all right of civil jurisdiction and police, previously vested in the ground landlords should cease entirely, and thenceforth be exercised exclusively by the competent Government authorities.

(2.) That after the 1st January, 1849, personal servitudes of every description rendered in respect of the occupancy of lands, houses, &c., should be absolutely abolished, without any indemnity being made to the ground landlord.

(3.) That every peasant should be competent to buy off or commute, by means of a money payment once for all, or a yearly sum to be paid during a certain number of years, all charges, tithes, or burdens, of whatsoever description, subject to which he held his land from the ground landlord; and that, having done so, he should become the freehold proprietor of the land.

The mode and conditions of this commutation were fixed as follows:—

The nett annual money value of the burdens to be commuted was to be ascertained and fixed by a commission specially appointed for this purpose for each administrative district, the basis assigned for the valuation of all tithes in kind being the average of the ascertained value during the period of eighteen years, from 1828 to 1845.

The value having been thus fixed in the form of an annual money payment, the peasant was in each case left at liberty to redeem this payment in one or other of the three following modes:—

(1.) By paying down once for all to his landlord a sum of money equivalent to eighteen times the amount at which his yearly money payment had been assessed by the Commissioners; or,

(2.) By undertaking to pay to the ground landlord annually, during a period of thirty-four years, the whole, or, during forty-three years, nine-tenths, of the annual sum so assessed, security in the form of a hypothecation on his land being given by the peasant for the due payment of that sum; or,

(3.) By creating, in favour of the State, a mortgage bearing 4 per cent. interest on his land, for a sum representing (as in the first-mentioned mode of commutation) eighteen times the amount of the annual assessed payment.

In either of the two first-named alternatives, the process of commutation was complete as between the peasant and the ground landlord, and the State did not intervene further in the transaction.

In the last-named alternative, the transactions was between the peasant and the State, and the latter having obtained the mortgage on the peasant's land, undertook to indemnify the ground landlord for the dues or tithes which he relinquished.

For the latter purpose the law authorized the Government to create "Land Charge Redemption Debentures," bearing 4 per cent. interest, and to make over to each ground landlord a sum, in these debentures, reckoned at their full par value, equal to twenty times the annual value, as fixed by the Commissioners, of the land charges or tithes to be commuted.

It will thus be seen that, whilst the peasants were permitted to compound for their land burdens, by means of mortgages created in favour of the Government, on the basis of eighteen years' purchase of those burdens, the Government undertook to indemnify the ground landlords on the basis of twenty years' purchase, the State having been consequently a loser under this arrangement to the extent of the difference between the two rates assumed.

The law of 1848 further provided that a sinking fund for the voluntary amortization of the peasant's Land Charge Redemption Mortgages should be established, and that the payments made annually by the peasants as contributions towards that fund should be devoted to the redemption, every year, of a corresponding amount of the debentures issued by the Government as indemnity to the ground landlords.

I have been unable to obtain any estimate of the proportion in which the peasants

availed themselves of the option given them of compounding for their land burdens by the payment down, once for all, of the sum representing the capitalized value of those burdens, or of commuting them, by undertaking the annual payment, as assessed by the Commissioners, during a fixed period, no public record having been kept of these transactions; but there is reason to believe that no great number of peasants adopted either of the above-mentioned courses, and that, practically, the great operation of commutation may be considered as having been carried into effect on the system of mortgages created by the peasants in favour of the State, and indemnity made to the ground landlords by the State in the form of Government debentures.

The magnitude of the whole operation, so far as it came under the supervision of the Government, may be gathered from the following details, showing the sum of money it involved, which have been obligingly furnished to me by the Bavarian Department of Finance.

The aggregate sum represented by the mortgages created by the peasants in favour of the State, was 108,581,329 florins, or 9,048,444*l.* sterling, and the total amount for which Government debentures were issued as indemnity to the landlords—and which constitute at the present time the so-called “Land Charge Redemption Debt” of Bavaria—was 113,634,000 florins, or 9,469,500*l.* sterling.

To these sums, representing the extent of the operation as carried out in this form between peasants and private individuals, must be added the capitalized value, as fixed by the Commissioners, of the charges on the land held by peasants under the Crown, which may be assumed as somewhat above 100,000,000 florins, the annual revenue derived by the Crown from this source being about 4,500,000 florins.

The aggregate capitalized value (on the basis of eighteen years' purchase) of the land burdens commuted under the law of 1848 may therefore be set down (exclusively of the burdens commuted by direct transactions between peasant and ground landlord) in round numbers at 220,000,000 florins, or about 18,330,000*l.* sterling.

It may be well to add that, up to the end of the year 1868, the amount of the peasant mortgages assigned to the State, and that of the “Land Charge Redemption Government Debentures,” originally issued, had been reduced by foreclosure or amortization to 7,362,955*l.*, and 8,009,608*l.* sterling respectively.

In conclusion, I may state that the law of 1848, above described, having (as already explained) abolished, or established the right of abolishing, every description of limited tenure of land, and introduced a general system of freeholds, there are no longer any terms in Bavaria resembling the copyholds of England.

(Signed) H. P. FENTON.

Munich, January 20, 1870.

No. 13.

Sir A. Buchanan to the Earl of Clarendon.—(Received January 11.)

My Lord,

St. Petersburg, January 6, 1870.

WITH reference to your Lordship's despatch of the 22nd September last, I have the honour to forward the copy of a despatch which I received last night from Her Majesty's Consul at Riga, inclosing the Report which he has been instructed to draw up on the tenure and cultivation of land in the Baltic Provinces.

In transmitting this Report without delay to your Lordship, as it will probably be read with interest by Her Majesty's Government, I may observe, with a view to explain more clearly the relations of the landlord and tenant in the provinces to which it refers, that when serfdom was abolished, though the lord retained entire proprietary rights over the land occupied by the serfs, known as “Bauer” or “peasant lands,” the enfranchised serfs believed themselves to have a prescriptive right to the occupancy of these lands. When, therefore, some proprietors annexed portions of the peasant lands to the domain or home farm cultivated on their own account, the peasantry, considering themselves aggrieved, sought redress at St. Petersburg, and, the Imperial Government having intervened in their favour, it was established by a law somewhat similar to that which has existed in Denmark since the abolition of serfdom in that country, that the lord of peasant lands could not cultivate these lands on his own account, but that he might select tenants for such lands from the peasant class, and peasant lands the area of which had been reduced since the abolition of serfdom were defined by this law to be all lands in the occupancy of peasants at the date of the promulgation of the law.

The legislative measures, therefore, described in Mr. Grignon's report as having been subsequently adopted for regulating the tenure of land, appear to refer (with the exception of those of 1865-66, conferring the power of acquiring "manorial" or "Ritterschaftlichen" lands, in freehold, on persons in all ranks of society) chiefly to such peasant lands as were in the occupancy of peasants at the time of the promulgation of the law of 1849. At all events, I am assured by a competent authority, that, whatever land may have been held by the lord, independently of that occupied by peasants, at the date of the promulgation of the above-mentioned law, has remained at his disposal without any restriction on his proprietary rights, and that, should he think fit to let any portion of it, he can resume its occupancy at the expiration of the lease.

I have reason to believe that the nobles of Livonia and Courland, in legislating on the subject, have endeavoured to apply, so far as circumstances and the peculiar rights of the peasantry would admit, the principles in force in Great Britain, and more particularly in Scotland, with respect to the tenancy of land.

The frequent allusions in Mr. Grignon's Report to the apprehension of the landlord, and the hope of the peasantry, that the property of the former may be transferred to the latter by an Imperial Decree, refer to the desire of the Ultra-Russian or National Party to introduce into the Baltic Provinces a land law similar to that which forms the subject of the inclosure in my despatch of the 22nd ultimo.

I have, &c.

(Signed) ANDREW BUCHANAN.

Inclosure 1 in No. 13.

Consul Grignon to Sir A. Buchanan.

Sir,

Riga, January 3, 1870.

I HAVE the honour to forward to your Excellency a Report upon the Tenure of Land in the Provinces of Livonia and Courland, together with answers to the questions inclosed in your Excellency's despatch of the 10th September last. I beg to observe that, in consequence of the scarcity of statistical works bearing on the subject, I have been compelled to address myself to private individuals in order to obtain the information a résumé of which is given in the accompanying answers. I beg also to remark that my time is taken up daily, and without intermission, during the shipping season, in listening to the complaints and adjusting the quarrels of shipmasters and seamen, and that I have never once, during the period I have been resident here, had an opportunity of visiting the estate of a landed proprietor, nor indeed have I ever been twenty miles out of Riga in any one direction. Under these circumstances, it is obvious that I can have had no opportunity of exercising any personal observation in the matters on which I have been instructed to report. For the information I have received I am indebted to Mr. Goldmann and Baron Menzencamp, of this city,—the former one of the first advocates here,—and to Baron Haaren, of Courland, and also to certain landed proprietors of both provinces with whom I have had opportunities of conversing. As I do not possess a single acquaintance of any kind in the Province of Esthonia to whom I can address myself, and as no one can point out to me any statistical work bearing on that province, I have been obliged to omit all reference to it in the inclosed papers. I have reason, however, to believe, from what I have heard, that the system of Land Tenure there in no way differs from that which exists in Livonia and Courland.

I regret that I should have been obliged to keep your Excellency so long waiting for a reply, but I have only recently received answers to the questions addressed by me to the gentlemen before named, and, as I never have ten consecutive minutes at my disposal at any period during the day, and no one to give me the slightest assistance, it is only at uncertain moments that I have been able to give attention to the subject.

I have, &c.

(Signed) JAMES GRIGNON.

Inclosure 2 in No. 13.

Report by Consul Grignon on the Tenure of Land in the Provinces of Livonia and Courland.

LANDED property in the Baltic Provinces is held under special conditions, of which some explanation is necessary, in order to render intelligible the answers given to the questions proposed.

Slavery formerly existed in these provinces as elsewhere in Russia, but, between the years 1816 and 1819, it was abolished by the landed proprietors, who still, however, reserved to themselves the exclusive possession of the soil.

The serf, who had previously held a portion of land given to him by his owner for his own support and for that of his family, was, on the abolition of slavery, confirmed in the possession of the land he cultivated, on the double condition of the payment of rent, and of giving a certain number of days' labour to his former master. He held the land he cultivated on verbal agreement, and was, at any time, liable to be dispossessed by the owner of the soil. A law passed in 1849 put an end to this state of things, and the immediate result was a great amelioration in the condition of the peasant, and a notable advance in all matters connected with agriculture. In 1865 and 1866 the provincial *noblesse* renounced their exclusive right to the possession of the soil, and citizens and peasants became equally entitled to be holders of land, if not to all the privileges of owners of landed estates. In 1868 the system of mixed payment of rent in money and labour was put an end to by the Russian Government, and all rents are now supposed to be paid in money. In the observations which follow, the word "estate" must be taken as signifying the land in the possession of a noble or large landed proprietor, while the expression "peasant" is used in speaking both of the small landed proprietor and of the tenant of a farm. The labourer forms again a lower class.

The proprietors of estates in the Provinces of Livonia and Courland, as well as the majority of the inhabitants of the towns, are nearly all of German extraction.

The peasants are Esthonians and Letts, the former inhabiting the northern part of the Province of Livonia, the latter the southern part of that province and the whole of the Province of Courland, and up to this day each nationality has preserved its separate language. The land in the Baltic Provinces may be described as divided in the following manner:—

1. Into large estates belonging to the provincial noblesse, and ranging in extent from 8,000 or 10,000 to 50,000 acres.

2. Into a quantity of small farms, containing generally from 40 to 150 acres, either become the property of peasants or rented by them. Each small farm comprises, as a rule, every kind of land necessary for carrying on the business of agriculture in the country—that is to say, arable land, meadow, wild pasture land, and wood land. They are generally let at the rate of from 6s. to 12s. per acre of arable land, according to situation and quality of soil; but, as the arable land must be accompanied by other land of the kinds just mentioned in sufficient quantities to compose the farm, the total amount of rent, as compared with the average, is very small. Each estate proprietor and each peasant holder of a farm, be he tenant or owner, keeps the labourers required for farming purposes. The owner of the estate, as a rule, allots to the labourer who works for him such a portion of land as, in addition to his money wage, will suffice to enable him to live. These labourers, when industrious, come in time into possession of complete farms. There is, however, this difference between the farms so constituted and the farm held by the peasant as tenant, and that is, that the former may be at any time broken up or sold at the will of the proprietor. The labourer employed by the small proprietor or tenant generally lives with his master, and in the same manner.

Among other stipulations in the law which regulates the holding of land in the Baltic Provinces are the following:—

1. The proprietor of an estate cannot resume the use of any land which he has once let to a peasant,

2. All contracts for rent and purchase must be made in writing and duly registered.

3. To prevent too great a division of the land, it has been decreed that no farm shall consist of less than one-eighth of a haken of land, and that no peasant shall hold more than one haken * in the same parish.

* It is impossible to reduce the "haken" into any foreign measure. It dates from the time of the Swedish occupation, and is rather a measure of taxability than anything else. A farm consists of portions of land each of four different classes, viz., arable, meadow, wild pasture, and wood. Of each of these classes there are again four different categories, according to quality. No one farm, however favourable its situation, can by any chance have the four qualities of land of which it is composed all in the first category; nor, again, can all the qualities fall into the last category. The meaning of the word, and the measure which it implies, is well known, traditionally to both landlord and peasant, but cannot be conveyed to a third party.

In addition to this, every peasant actually holding land as a tenant possesses a preferential right as purchaser. Should he be unwilling to take advantage of this preference, he receives compensation for all improvements made with the consent of his landlord.

Population.

Livonia	925,275
Courland	593,856

Religions.

	Livonia.	Courland.
Protestants	746,654	472,560
Greek Catholics	158,061	9,854
Roman Catholics	5,926	51,946
Jews	1,221	33,707
Rascolnics	13,357	5,789
Mahometans	54	4

Industrial Pursuits.

Employed in—	Livonia.	Courland.
Agriculture	800,000	480,000
Manufactories of woollen, linen and cotton goods, paper, wood, leather, silk, glass, and metals ..	8,409	269

LAND OCCUPATION.

Livonia.—A mixed system of large estates farmed by their owners, of small properties held by peasant proprietors, and of farms held by tenants. As a rule, sub-tenancies, though not forbidden by law, do not exist. In Livonia there are 941 estates, of which 95 belong to the State, and 846 to private individuals. There are besides 35,699 small farms held by peasants. Of these last, more than 4,000 were the absolute property of peasant proprietors at the end of 1868. The remainder were let at a money-rent. Of the cultivated land in the province of Livonia 70 per cent. is divided into small farms. These farms consist on an average of 130 acres each, and may be taken to be thus divided:—

	Acres.
Arable land	27
Grass	37
Bush	33
Woods, &c.	33

Courland.—The same system exists in Courland. Courland contains 1,487 estates, of which 172 belong to the State, and 1,315 to private individuals. Courland also contains 19,318 peasant farms. The sales in Courland of farms to peasants up to the 5th May last numbered 1,321, with a total of 167,636 acres.

(A.)—SMALL PROPRIETORS.

1. *Livonia.*—The holding of small proprietors vary from 40 to 150 acres, comprising land of all descriptions. They are held together or divided, according to the situation of the particular estate from which they have been taken, and no rule can be laid down in that respect.

Courland.—The ordinary size of these holdings in Courland is from 50 to 120 acres. In very exceptional cases they may reach 400 acres.

2. *Livonia.*—If a proprietor dies intestate in Livonia the inheritance is divided in equal parts among his children, unless other amicable arrangements are made. The widow is entitled to a child's share. The children draw lots for choice of shares. Should all the children be minors, the widow has a right to remain in possession and management of the farm until the eldest son is of age. If she has only daughters, until one of the daughters is married.

Courland.—The general system is the same in Courland, but small farms are rarely divided. The eldest son generally takes possession, paying off the other heirs.

There are two strong reasons for avoiding too minute a division of the land :—

(1.) A peasant holding 18 acres of land is not liable to the conscription.

(2.) The Bank of Courland will not make advances to peasant proprietors holding farms of less extent than 20 acres.

3. *Livonia*.—All land is sold, transferred, and exchanged by written contract duly registered. When a peasant purchases a farm, three copies of the contract must be presented to the District Court, bearing the signatures of the contracting parties attested by the Parish Court. The District Court must also be furnished with—

(1.) A plan and description of the buildings on the farm.

(2.) A certificate from the Parish Court that the farm is provided with all necessaries for carrying it on.

(3.) A certificate from the Chief Court of the province showing the title of the seller, and also whether the farm proposed to be sold is, or is not, mortgaged. If mortgaged, that the consent of the mortgagee has been given to the sale.

Should there be mortgagees having claims on the estate from which the farm is separated, who decline to consent to such separation, the purchase money is deposited with the District Court, which becomes responsible for the payment of the mortgage, and applies the money received to the settlement of the debt of the estate. The District Court also publishes the intended sale, and mortgagees are warned to present any objections they may have to make within the period of three months.

Peasants are exempted from all payments for stamped paper and costs of registry.

Courland.—If there is any local difference in practice, it is so slight as not to affect the general principle applied to these transactions.

4. *Livonia*.—The Livonian *noblesse* have instituted a bank, called the "Peasant Bank," expressly for the purpose of making advances to peasants desirous of becoming purchasers of their farms.

The conditions are somewhat different from those adopted in Courland and mentioned below, but the terms are nearly the same, viz., 5 per cent. interest and 1 per cent for a sinking fund.

Family charges have not had time to accumulate on the lands of peasant proprietors, and these loans are generally made for the purpose of paying the purchase money of the farm.

Courland.—The Credit Bank of Courland will make advances to proprietors holding not less than 20 acres of land, on the following conditions. The property is valued by the bank, which will advance (in its own paper) to half the amount of the value of the farm so estimated. This paper is issued to the borrower at the current market price (at present it stands at par).

For this loan, 6 per cent. is payable, viz., 5 per cent. for interest, and 1 per cent. towards a sinking fund.

5. *Livonia*.—Small properties are, as a rule, heavily mortgaged. In the majority of cases, the greater part of the money paid for their purchase has been raised on mortgage. The average rate of interest may be said to be about 5 per cent., with 1 per cent for sinking fund.

Courland.—The same observations apply to Courland.

6. *Livonia*.—Every mortgage of a peasant farm is registered in the District Court. The original mortgage deed must be produced and deposited with the Court. The registration of mortgages of peasant land is made without charge to the peasant. The expense of drawing up agreements is trifling.

Courland.—The proceedings are the same as in Livonia.

7. *Livonia*.—The general system of cultivation is that known here as the "three-field," viz., winter crop, rye and wheat; summer crop, barley, oats, and fallow. This system is, however, gradually giving place to more improved methods.

Cattle are only raised in numbers sufficient for the use of the farm. They are pastured on the meadow and wild land belonging to the farm during the summer, and are kept in the stable during the winter. To every acre of arable land may be taken 1½ acres of meadow and pasture land.

Courland.—The general system is that in use in Livonia.

Courland being an elder province, and possessing a better soil, cultivation is, as a rule, better conducted.

In Courland, the proportion is 1 acre of arable land to 1 acre of meadow and pasture.

8. *Livonia*.—Machines used for agricultural purposes in this country are to be found on the estates of large proprietors only. Peasants have none whatever. Hired

labour is employed to the extent of about one labourer to every 20 acres. The females watch and attend to the cattle, and assist in the field at harvest time, and in hay-making.

The usual daily rate of wages is, for a man, 1s. 4d. per diem, without food; for a woman, 8d. They generally lodge on their employer's farm. When hired by the year, a single man receives in money about 12l. 10s.; a married man, 16l., his wife giving forty days' labour. In both cases a certain quantity of grain is given, and lodging.

Courland.—The same remarks apply to Courland. The rate of wages is somewhat higher in Courland than in Livonia. Men receive, according to qualifications, from 1s. to 2s., and in the same relative proportion when paid by the year.

9. *Livonia.*—No emigration worth noting takes place from the Province of Livonia.

Courland.—It is calculated that about 2,000 agricultural labourers leave Courland annually, to go into the interior of Russia.

The service of the Courland peasant has a value in Russia beyond that of the natives of the other Baltic Provinces. He is a good servant, better educated, and greater trust can be placed in him.

10. *Livonia.*—Peasant proprietors almost invariably reside on their properties.

Courland.—The same observation applies to Courland.

11. *Livonia.*—It is difficult to find a standard with which to compare their mode of living. Their houses are warm, but dirty.

Almost all small farmers possess ponies, several cows, with some sheep, swine, and poultry, all of inferior class and quality. They supply the town with the usual description of market produce, also of very inferior quality. Peasants and labourers are alike clad in the homespun of the country.

Courland.—The houses of small proprietors in Courland, and the general appearance of their holdings, are superior to those of the same class in Livonia. In other respects there is little difference.

12. *Livonia.*—There are no statistical Returns in existence bearing on the information required by this question.

Courland.—The same remark applies to Courland.

13. *Livonia.*—No public discussion is permitted on these subjects. All that can be said is, that proprietors of estates are very much dissatisfied with the present state of things, and still more with the prospect of the changes still before them, while the peasants have some indefinite idea that the land will at some future time be given to them by the Russian Government. Many of them hold back from purchasing in consequence.

Courland.—The same observations apply to Courland.

(B.)—TENANTS AND SUB-TENANTS UNDER LANDLORDS.

Tenure.

1. *Livonia.*—The average size of farms may be taken at from 130 acres.

Courland.—In Courland the size of farms range from 40 to 150 acres.

2. *Livonia.*—The tenure is by lease of not less than six, and not more than fifty years. The usual term is twelve years. All rent must be paid in money. Stipulations are inserted in the lease relative to proper cultivation, and generally with respect to the erection of buildings. The sale of an estate does not cancel the leases of the farms depending on it. No tenant can assign or sublet the farm he holds, without the express permission of the landlord.

Courland.—In Courland no farm can be let for less than twelve years. In other respects the conditions of tenure are the same as in Livonia.

3. *Livonia.*—All tenancies are created by written agreement. If a tenant cannot produce an agreement, duly registered, the law will presume nothing whatever in his favour.

Courland.—The same law exists in Courland.

4. *Livonia.*—Every agreement must be registered in the books of the Parish Court, which sees that all the legal requirements are fulfilled.

Courland.—The same system prevails in Courland.

5. *Livonia.*—No tenant can be dispossessed so long as he punctually pays the stipulated rent. If, at the expiration of a lease, it should so happen that a notice to vacate or to quit has not been given by either party, and should no prolongation have taken place by private agreement, the contract is considered as holding good for three

years on the previous conditions. The law gives the tenant a prior claim should the farm be relet on lease, or to become the purchaser should it be for sale. Should he not be desirous of availing himself of his privilege, he receives, in addition to the value of the improvements made by him, if any, the following compensations:—

(1.) Should the farm be relet at a rent higher than that paid by him, and supposing that he held a lease of less than twenty-four years' duration, he receives three times the difference between the old and the new rent. Should his lease have exceeded twenty-four years he is entitled to twice the difference.

(2.) Should the farm be sold at the expiration of a lease, and the tenant be unable or unwilling to purchase, the amount of his last year's rent is returned to him. Should the farm be sold before his lease has expired he is entitled to the same amount, with the addition of 5 per cent. for every year his lease has still to run.

Courland.—In Courland the tenant can be dispossessed, should no agreement have been entered into, when the lease expires.

The law of Courland also gives the tenant a prior claim to renewal of his lease, or to become a purchaser.

In Courland the tenant receives two years' rent under such circumstances.

6. *Livonia.*—The tenant does not possess an absolute and unconditional right to sell his interest in his farm. Should he be evicted, in consequence of bad management or for non-payment of rent, the custom is to allow him to assign his lease to another person, supposing the landlord to have no well-founded legal exception to take to that person.

Courland.—The same custom prevails in Courland.

Rent.

1. *Livonia.*—All rent has been payable in money since the year 1868.

Courland.—The same law prevails in Courland.

2. *Livonia.*—The amount of rent is always regulated by private agreement between landlord and tenant. Rent is, in all cases, payable half-yearly in advance.

Courland.—The practice in Courland is precisely the same.

3. *Livonia.*—The landlord's power of raising the rent at the expiration of a lease is unlimited in theory, but to a certain extent limited by law. As he cannot resume a farm, once constituted, or retain it unlet for more than three years, it is evident that the intervention of the District Court might become possible. In such a case the farm would be let to the highest responsible bidder.

Courland.—The same system prevails in Courland.

4. *Livonia.*—Either party can address himself to the Courts of Law which can dispossess the tenant, or compel the landlord to make any payment legally due to the tenant.

The landlord's claim for rent unpaid and for deteriorations takes precedence of all other claims. This, however, as far as rent is concerned, only refers to the last year's rent unpaid.

Courland.—The same course of procedure exists in Courland.

Evictions.

1. *Livonia.*—The tenant can only be evicted for non-payment of rent for two consecutive terms, or for bad management of his farm.

The landlord addresses himself to the District Court, which can fix a term within which the payment must be made, generally from three to six months, and, in default, dispossess the tenant.

In cases of bad management the Court also takes cognizance of the matter. Every protection is given to the tenant, the proof on either side is carefully examined, and all explanations are listened to.

Courland.—The course of procedure is the same in Courland, but the law allows only fourteen days for the payment of arrears. Practically from three to six months are accorded, often a longer period.

2. *Livonia.*—Evictions very rarely take place. Almost all cases are settled amicably. Farms are generally let at such low rents that only a succession of bad crops will disable a tenant from paying. When evictions do occur it is generally in consequence of continued bad management of the land.

Courland.—The same observations apply to Courland.

Improvements.

1. *Livonia*.—The actual execution of improvements is generally left to the tenant. When a very considerable outlay is required, it is the custom for the landlord to remit so many years' rent and to furnish material (wood and bricks) for the buildings that may be erected.

Courland.—The same custom exists in Courland.

2. *Livonia*.—As the tenant has a legal claim, at the expiration of his lease, or if his farm is sold, to compensation for all improvements he may have made, he is supposed to be fully protected.

Courland.—The same remark applies to Courland.

3. *Livonia*.—The tenant, at the expiration of his lease, has a legal claim to indemnification for improvements made by him. In this, not only is account taken of the material used in erecting buildings (supposing it not to be taken from the farm or given by the landlord), but also the labour for the same purpose given by the tenant. Under the head of improvements giving the tenant a claim to compensation are comprised irrigation, drainage, ditching, and works of a similar kind.

Courland.—The law in Courland is precisely the same.

4. *Livonia*.—In cases of disagreement between landlord and tenant relative to amount of compensation, the decision lies with the District Court, which causes an examination to be made by competent parties.

Courland.—The same system prevails in Courland.

5. *Livonia*.—Tenants, as tenants, have no special means of raising loans for improvement of their holdings.

Courland.—Tenants are in the same position in Courland.

Miscellaneous.

1. *Livonia*.—The relations between landlord and tenant have become less friendly of late in the province of Livonia, nor can it be otherwise, where the one lives under the constant dread of being deprived of his possessions, while the other hopes to step into them without payment. Even under these circumstances, the tenant has rarely to address himself for protection either to the law or authorities.

Courland.—As a rule, the relations between landlord and tenant are more friendly in Courland than in Livonia, though the same elements of discord exist. The former province is in a more advanced state of civilization than the latter, and the relative rights and obligations of the parties concerned are better understood.

2. *Livonia*.—There is, as yet, no marked difference in the mode of cultivation, employment of labour, mode and standard of living, &c., between small proprietors and tenants. They live and dress in the same way, and all stand on the same footing, and come under the denomination of peasants in the presence of their superior, the estate-owner.

Courland.—This observation applies equally to Courland.

3. *Livonia*.—There exist no statistics having reference to this subject.

Courland.—Such statistics are equally wanting in Courland.

4. *Livonia*.—These tenants never emigrate.

Courland.—The same in Courland.

5. *Livonia*.—As before observed, no public discussion is allowed on these matters, and there is nothing that can properly be called public opinion. All parties have accepted what has been given to them.

Courland.—Matters are in the same state in Courland.

6. *Livonia*.—Tenancies may be said to have been created by the Decree which confirmed peasant-farmers in the possession of the land they occupied at the time of its promulgation, conditionally on the due payment of rent. In another point of view, the pressure put on proprietors by the Russian Government, and the fear which they have entertained for some time past of seeing their land forcibly taken from them and handed over to the peasant, has induced many to sell that land on almost any terms, and in this way freeholds have been created.

Courland.—No creation of freeholds on tenancies has been enforced by legislation, but the same course has been followed in Courland as in Livonia, and the same effects have been produced.

7. *Livonia*.—No actual limitation of proprietary rights, admitted as giving a claim to compensation, has as yet taken place.

Courland.—The same remark applies to Courland.

8. *Livonia*.—The Government will not allow any diminution in the number of farms

on an estate to take place. Other than this no steps have been taken; but, as the large landowners are all anxious to sell, for reasons stated in answer to question 6, a very considerable increase in the number of small owners does take place.

Courland.—This equally applies to Courland.

9. *Livonia.*—Tenants do not receive any assistance by law, or public credit; but those wishing to purchase can obtain assistance from the banks. There is, undoubtedly, a great inclination on the part of tenants to become proprietors of their holdings. All this, however, is checked by the uncertainty which exists as to what the proceedings of the Russian Government may be, and by the latent hope entertained by the tenant farmer that he may one day have the land he cultivates made a present to him.

Courland.—The same remarks apply to Courland.

10. *Livonia.*—There can be no doubt that the laws in force tend greatly to favour the dispersion of land. The impossibility of cultivating to advantage the very extensive properties held by large proprietors, as well as the uncertain but constant pressure put upon them by the Russian Government, and adverted to above, all tend in the same direction.

There is no trace to be found in the Baltic Provinces of any tenure resembling the copyholds of England, and, as yet, sub-tenancies are unknown in this country, though not forbidden by law. It will be seen, that those who wish to become holders of small quantities of land find the legal requirements respecting sale and transfer in no way onerous, and that all payments which might tend to discourage the peasant desirous of purchasing have been taken off his shoulders. The answer to question 3, page 246, under the head of "Improvements," shows the legal rights appertaining to landlord and tenant respectively, when the former resumes possession of his land, either through the expiration of a lease, or on the eviction of the tenant. Landlords complain loudly that the amount of compensation awarded to tenants on these latter yielding up their holdings, forms an unreasonable addition to the sum they are often compelled to pay for improvements.

With reference to the management and appropriation of timber, it has already been mentioned, that every farm must have a certain proportion of woodland attached to it. This woodland supplies fuel, fencing, and sometimes wood fit for the erection and repair of farm buildings; but this last kind can only be used by express permission of the landlord. It does not appear that there is any regular or general system of management of the woods attached to farms let on lease.

The very few woods of value belonging to large landed proprietors which still exist are, in general, under the care of German foresters, and the system of management prevailing in Germany is followed, so far as the difference of climate and soil will permit. All the most valuable timber has, as a rule, long disappeared. No statistical Returns are published having reference to this subject. Several of the printed questions have reference to the state of public opinion relative to matters connected with the conditions on which land is held by small proprietors and tenants in these provinces. To these it will be sufficient to reply, that the present system is entirely new; that it has been forced on the large land owners by an irresistible power which admits of no question; that no public discussion on these subjects is allowed; and that the provincial newspapers are not even permitted to reply to the attacks made upon the provinces by the Russian Party, though no obstruction is thrown in the way of the journals which represent that party. So far as the opinions of the large landed proprietors find expression, they are profoundly dissatisfied with the measures which have already been taken with reference to their properties, and still more so with the agitation which is constantly kept up, and with the idea that is industriously disseminated among the peasants, that they will one day enter into absolute possession of the soil they cultivate, without the necessity of paying for it.

(Signed) JAMES GRIGNON.

British Consulate, Riga.

No. 14.

Sir A. Buchanan to the Earl of Clarendon.—(Received January 12.)

My Lord,

St. Petersburg, January 7, 1870.

I HAVE the honour to transmit herewith the copy of a despatch from Her Majesty's Consul at Helsingfors, inclosing a Report on the Tenure of Land in Finland, which, in accordance with your Lordship's instructions, I had directed him to draw up.

Mr. Campbell also incloses a translation of the Statutes published in 1865, concerning local administration. This document, on account of its bulk, I will not forward by post to your Lordship, but send by the messenger next week.

I have, &c.

(Signed) ANDREW BUCHANAN.

Inclosure 1 in No. 14.

Consul Campbell to Sir A. Buchanan.

Sir,

Helsingfors, January 3, 1870.

I HAVE the honour to inclose to your Excellency my Report and Remarks upon the Tenure of Land, &c., in the Grand Duchy of Finland, accompanied by several statistical Tables, which I have had great difficulty in obtaining, but on which full reliance may be placed.

I also beg to inclose to your Excellency a translation of the Statutes concerning local administration in the country, issued by the Emperor in the year 1865, which I consider may be of service to Her Majesty's Government.

I have, &c.

(Signed) W. CAMPBELL.

Inclosure 2 in No. 14.

Report by Consul Campbell on the Tenure of Land in the Grand Duchy of Finland.

Name of Country.—Grand Duchy of Finland.

Population.—According to the Returns of the Statistical Department of State, the population of the country in the year 1865 amounted to 1,843,253 persons. A complete Return will be found on referring to Table No. 7, annexed to this Report.

Religion.—Lutheran and Russo-Greek Church; the latter, according to the Ecclesiastical Report of 1860, numbered 40,161 souls.

Industrial Pursuits.—Agriculture, cutting and exportation of timber, exportation of agricultural and other implements, cattle and horse breeding, fisheries, iron manufactories, cotton and linen mills, paper and cloth manufactories.

LAND OCCUPATION.

The land is held by large and small proprietors, and by tenants and sub-tenants.

The following Table, No. 1, shows how the land is divided amongst the various classes of the community, and proves that nearly 58 per cent. of the total area of the country is in the hands of the peasantry, about 4 per cent. in the hands of the nobility, and about 2·1 per cent. in the hands of the gentry:—

(Table 1.)—SHOWING the Division of Property in Finland.

Tunland Measurement.

Governments.	Belonging to the Crown.	Belonging to the Towns.	Belonging to the Church.	Belonging to Monasteries.	Belonging to the Nobility.	Belonging to the Gentry.	Belonging to the Peasantry.	Total.
Nyland	2,413	11,112	958	..	277,130	192,644	1,860,872	2,345,129
Björneborg	375,802	19,287	..	..	183,639	149,267	4,483,697	5,211,692
Tavastehus	97,114	1,343	..	..	179,115	148,210	3,228,004	3,653,786
Wiborg	129,126	4,910	..	15,625	2,322,600	249,309	4,359,723	7,072,292
St. Michel	903	7,876	..	..	168,200	267,052	4,238,082	4,682,113
Kuopio	1,047,169	3,319	..	..	99,110	272,215	7,235,145	8,656,958
Wasa	692,656	24,058	..	..	49,000	146,937	7,268,482	8,181,133
Uleaborg	22,791,793	50,514	..	..	..	92,000	8,274,585	31,208,892
Total	25,136,976	122,419	958	15,625	3,278,794	1,508,633	40,948,590	71,011,995

It will be seen from the following Table, No. 2, that the total number of estates at present existing in Finland is 103,500, with an average area of 16·33 tunland of tillage in each:—

(Table 2.)—SHOWING the Number of Estates in Finland, and the Average Amount of Cultivated Land on each.

Governments.	Number of Estates.	Average of the Total Area.	Tillage.
Nyland	7,324	320·20	27·07
Björneborg	12,536	415·73	22·27
Tavastehus	7,509	486·59	33·81
Wiborg	24,779	285·37	10·63
St. Michel	8,559	547·4	18·44
Kuopio	12,741	679·45	10·55
Wasa	17,774	460·29	13·51
Uleaborg	12,278	2,541·85	13·33
Total	103,500	686·10	16·33

The following Table, No. 3, will give a still more concise view of the ratio between inhabitants, estates, tillage, &c., in the Duchy of Finland:—

(TABLE 3.)

Governments.	Population.	Number of Families.	Number of Estates.	Average Number of Persons in each Family.	Average Number of Persons on each Estate.	Average Amount of Tillage on each Estate.	Average Amount of Tillage for each Person.
Finland	129,338	19,430	7,324	6·68	17·69	13·6	0·74
Abo and Björneborg	271,854	51,165	12,536	5·31	31·68	14·56	0·67
Tavastehus	154,391	29,863	7,509	5·17	20·56	15·12	0·74
Wiborg	251,301	35,865	24,779	7·06	10·14	7·12	0·70
St. Michel	149,441	17,693	8,559	8·45	17·46	8·67	0·49
Kuopio	205,315	21,872	12,741	9·39	16·11	6·03	0·37
Wasa	278,851	44,673	17,774	6·24	15·69	5·39	0·34
Uleaborg	163,809	31,714	12,278	5·17	13·34	7·69	0·57

As far as the taxation of the country is concerned, it may be remarked that the general distribution is made according to a so-called "mantal" (*i.e.*, number of men). At the original division of the common territory, such a number of acres of land were apportioned to a man and his family as were considered necessary for their support.

As regards any privilege or immunity from taxation, it may be stated that landed property is divided into three classes:—

1. "Skattehemman" (estates which pay the common land-tax). These are the most numerous.

2. "Kronohemman" (estates which belong to the Crown, but rented).

3. "Frälsehemman" (estates which originally belonged to noblemen, now in other hands, but still exempt from several taxes).

The following Table, No. 4, will show the number and distribution of the aforesaid "mantals" in the various governments of the country:—

(TABLE 4.)

Governments.	Skatte.	Krono.	Frälse.	Total.
Nyland	1,642·5	213·5	412·3	2,268·3
Abo and Björneborg	4,069·8	569·8	637·7	5,276·8
Tavastehus	1,598·6	398·4	206	2,203
Wiborg	647·3	698·4	1,012·4	2,358·1
St. Michel	834·9	376·8	16·6	1,228·3
Kuopio	938·8	553·6	7·2	1,499·6
Wasa	2,325·9	348·1	7·6	2,681·5
Uleaborg	1,406·5	569·6	2	1,978·1

The following Table, No. 5, will show the amount of direct taxation levied by government in the year 1864, and the average amount which fell to each "mantal":—

(TABLE 5.)

Governments.				Amount of Land Tax in Marks or Francs.	Average Amount of Land Tax on each "Mantal."
				Francs.	Francs. c.
Nyland	..	..	..	650,459	286 76
Björneborg	..	..	..	1,513,709	286 66
Tavastchus	..	..	..	694,672	310 79
Wiborg	..	..	..	323,419	137 15
St. Michel	..	..	..	367,337	299 0
Kuopio..	..	..	..	377,605	351 79
Wasa ..	..	..	..	800,881	302 38
Uleaborg	..	..	..	492,981	249 21

(A.)—SMALL PROPRIETORS.

1. The average quantity of land held by proprietors in Finland will be found in the preceding Tables.

The land is intersected to patchwork.

2. The law regulating the descent of landed property at the death of the owner is as follows:—

The sons receive as inheritance twice as much as the daughters.

Inherited property cannot be bequeathed by will, but may be sold. Acquired property, however, can be divided at pleasure by will or testament.

3. The sale of landed property is conducted in the following manner:—

The legal tender or document of sale must be produced by the buyer for registration at the First Assizes, along with his predecessor's title deeds, or documental proof of possession;

At a Second Assizes the copy of the first, relating to aforesaid transfer, must be produced; and,

At a Third Assizes the records of the first and second must both be produced.

This conveyancing of landed property is only required by law to be used when transfer, gift, mortgage, division, or testament changes the ownership, but not if inheritance changes the ownership. The production of the deed of sale at the three above-mentioned Assizes is in order that any fault or flaw in the seller's ownership may be tested, and further for the purpose of giving any relative of the seller (not, however, further removed than a cousin) an opportunity of availing himself of his legal prerogative to retain the property for himself, at the same price as that already agreed upon between the buyer and seller.

At the Third Assizes the title deed is handed over by the Judge to the new proprietor, the stamps on which deed amount, as nearly as possible, to $\frac{1}{2}$ per cent.

4. Loans are granted on mortgage by the Imperial Bank of Finland, by a society of landowners, by the Union Bank of Finland, and also by private parties; although, under the present depressed condition of the country, it is, for the moment, exceedingly difficult to effect such loans.

The Landowners' Society has nearly all its funds invested, and the banks excuse themselves by saying that they find it more lucrative to employ their capital in discounting bills, and lending their money on merchandize at short dates, than giving it to the landowner on mortgage for a term of years; but the real fact is, that the many successive failures of the crops throughout the country have depressed the position of the landholder, and on that account capitalists, at least for the present, raise all possible objections to advance money on landed property. The Society of Landowners lent their money for a number of years, the interest amortizing the capital.

The Imperial Bank of Finland lends for terms of thirty, five, and three years. The Union Bank and private parties for any given time, but repayable at three or six months' call.

Ten years is the legal period for mortgage-bond or security-bond of any description, and, if such bond is not renewed before the expiration of the said ten years, the debt is cancelled.

5. At least 50 per cent. of all land—small or large properties—is mortgaged up to half its value. The valuation is made according to rules existing in the statutes of the Imperial Bank of Finland and in the Landowners' Society. The rate of interest charged is 5 and 6 per cent., the latter being the highest legal rate.

6. These mortgages must be registered at the Assizes in the General Protocol or Record. Every bond for a debt not exceeding 200 francs must carry a stamp to the value of $\frac{1}{4}$ th of a franc; if over 200 francs, and not exceeding 1,000 francs, $\frac{1}{2}$ th of a franc for every 200; if over 1,000 francs, for every 100 francs $\frac{1}{2}$ th of a franc. For writing the first sheet of the protocol, or mortgage-deed, the sum of 2 $\frac{2}{5}$ francs is the legal charge; for the second sheet, 1 $\frac{1}{2}$ francs; and for the remainder, $\frac{1}{4}$ ths of a franc per sheet. Each sheet of the paper on which the protocol is written must have a Government stamp to the value of $\frac{2}{3}$ ths of a franc.

7. The crops raised in Finland are rye, oats, potatoes, and sometimes wheat in the south; rye, barley, and oats in the north up to Lapland; and rye, oats, and potatoes in the east. Rye yields on an average 4 quarters per imperial acre, and oats the fourth or fifth corn. The following Table, No. 6, will show the results of the harvests in the years 1835, 1864, and 1865:—

(TABLE 6.)

Year.			Wheat.	Rye.	Barley.	Oats.
1835	..	..	22,392	1,610,708	741,271	708,530
1865	..	..	12,706	1,505,525	1,022,633	836,053
1864	..	..	15,325	2,158,060	962,399	855,691

If the above result, after deducting the quantity required for the following year's seed, is divided amongst the number of the inhabitants, it will be found that for each inhabitant there remains an average of from 1 $\frac{1}{2}$ to 2 tonnen.

This quantity is insufficient for the requirements of the country, and, consequently, Finland must import annually about 38,227 tons of flour and about 80,000 quarters of grain.

The annual exports, on the other hand, are about 667 tons of flour and about 32,000 quarters of grain; consequently, the import exceeds the export by 37,560 tons of flour and 48,000 quarters of grain, the value of which may be estimated at 15,000,000 francs.

The rotation is two years, and the general mode of cultivation primitive.

The native cattle of Finland are somewhat similar to those of our Shetland Islands—small, but good, and well adapted for the poor country in which they pasture; but, through the attempts of several breeders to cross them with the Dutch and Ayrshire races, they have got into a class of cattle for which the country cannot supply sufficient nourishment, and the result is, that, in place of seeing the well-fed small cattle of the country, one finds droves of half-starved wretched-looking animals of neither one breed or the other. The cattle are pastured in the rough forests for five months of the year, and during the remaining seven they are fed scantily on hay or straw in stables and sheds.

In the year 1864 the proportion of grass land to tillage in the Grand Duchy of Finland was as follows:—

Tillage	..	..	..	..	..	..	..	1,690,882
Grass lands	..	..	..	..	..	..	..	5,817,270
Per cent. of area in tillage	..	..	..	..	..	..	..	2.7
Per cent. of area in grass	..	..	..	..	..	..	..	9.3
The annual increase per cent. is—								
Tillage	..	..	..	..	..	..	..	1.717
Grass	..	..	..	..	..	..	..	1.647

8. Machinery is seldom, if ever, used in Finland as a substitute for labour.

No hired labourers, male or female, are employed by the small proprietors. Large proprietors employ both to the same extent, paying for the former 1s., and for the latter about 6d. per day.

9. There is no emigration from Finland.

10. The proprietors invariably reside upon their properties.

11. They reside in log-houses with two or three rooms. Their food is salt fish, sour rye bread as hard as flint, potatoes, milk, and very light beer. They are clad in cloth and linen of their own making, also in sheep-skin. Their general circumstances are very poor.

12. On referring to Table No. 7, hereto annexed, it will be seen that the average population per acre varies very considerably. For instance, in the district of Püki, in the Government of Abo, it is shown that there are 33 inhabitants in a superficial kilometre; in Helsinge, 22; in Korsholm, 17; in Stranda, 15; in Salmis, 3; in Kajana, scarcely 2; and in Kemi 3 kilometres do not contain 2 inhabitants.

In comparison to the population of the country, that of the towns is more insignificant than in any other European country. Of 1,843,253 inhabitants, which the Grand Duchy contained in the year 1865, the urban population only amounted to 122,777, that is to say, to 6·6 per cent. In the same year (1865) the urban population of Sweden amounted to 12 per cent., and in 1855 that of Norway to 13½ per cent.

Table No. 8, hereto annexed, will show the increase of the population of the Grand Duchy of Finland between the years 1840 and 1865, and it will be seen from the figures in the Table that the proportional increase has been largest in those districts which are most thinly peopled.

As several allusions will be made in this Report to the great famine and consequent "famine typhus" which prostrated the Grand Duchy in the year 1868, it may be interesting to peruse the following figures, which show that nearly 8 per cent. of the population of the country fell victims to that dreadful malady.

Year.	Births.				Deaths.			
	Males.	Females.	Total.	Per cent. of Population.	Males.	Females.	Total.	Per cent. of Population.
1866 ..	30,108	28,745	58,853	3·26	30,918	30,976	61,894	3·43
1867 ..	30,151	29,013	59,164	3·29	34,743	35,031	69,774	3·87
1868 ..	22,424	21,334	43,758	2·44	72,214	65,506	137,720	7·69

The district of Satakunta, in the Government of Abo, suffered most from the ravages of the disease. The statistical Reports show that in that district every ninth person was cut off, and for every birth there were eight deaths. It is worthy of remark that the urban population suffered much less than the peasantry, the Returns showing that in the towns for every 100 births there were 323 deaths.

13. Hitherto, public opinion has not in any way been expressed either for or against the above system, the people leading an indolent and slothful life, mechanically turning their penny, and not thinking or troubling themselves about anything beyond the work they may have in hand, and their daily bread. They are averse to all kinds of improvement, and like their old ways the best. Lately, however, through the awaking of the Landtag (Parliament), called into action by the present Emperor after 50 years of political sleep, the people are commencing to look into matters, and a decided public tendency to favour the small proprietor is visible.

(B.)—TENANTS AND SUB-TENANTS UNDER LANDLORDS.

Tenure.

1. The area of land to each tenure differs widely, say, from 50 acres to 4,000 acres.

2. The usual duration of the tenure of Crown lands is thirty years, for others according to special agreement, but in no case for a longer period than fifty years for acquired property.

Sub-tenancies are assignable by the tenant of both Crown and private property without the landlords consent, unless such is specially stipulated in contract to be necessary.

3. The tenancies are nearly all created by written agreement; but, in cases where no agreement exists, the law decrees that warning shall be given on or before the 21st December, and the tenant must quit on the 14th March of the year next but one following, that is to say, he receives 1½ year's warning less 7 days.

4. There is no system of registering the agreement for tenure of farms, but contracts made for the rental of parcels of land, to be used for the purpose of erecting thereon saw-mills, flour-mills, metallic works and such like, may be registered at the Assizes by the presiding Judge, which process, however, must, like all registering at law, be renewed before the tenth year has elapsed.

5. There is no law or custom whereunder a tenant has a right to remain in occupation of his holding so long as he punctually pays the stipulated rent.

6. There is no law or custom whereunder a tenant has the right to sell his interest in his farm without the consent of the landlord, although such can be done by mutual consent.

Rent.

1. In case of tenancies, the payment is seldom made to the proprietor in money, and never in a per-centage of the produce, but generally in rye, barley, horse and manual labour, fish, dairy produce, &c., to a given amount.

2. Rent is regulated by mutual agreement, although it is seldom altered at the change of either tenant or proprietor.

Rents are payable once a-year, that is to say, in autumn, when the harvest is housed; a small part is, however, paid at other seasons, for instance, the so-called egg rent is paid in spring, and labour is given so many days a-week.

3. The landlord has unlimited power to raise the rent.

In case of non-payment of rent or breach of contract, the Governor of the province, acting upon the decision of the assizes, issues his order to a civil servant of the Crown to evict, but this cannot be put into execution until the period of legal warning stated under No. 3 of tenure has expired.

4. An action at law may be brought for recovery of rent. Proprietors who are noblemen have the right of getting their rent paid to them before any other debts are paid out of the tenants' property.

Evictions.

1. The legal means of procedure by which a landlord can evict a tenant will be found under paragraph No. 3 of Tenure.

The notice required to be served on tenants will be found under paragraph 3 of Rent.

The tenant may evade eviction by not appearing at the first and second assizes; at the third he must appear, or he will be fetched by force, but by evading the first and second, and there only being two assizes in one year, he gets the benefit of one year over and above the warning-time. It is a very common practice amongst peasants who are proprietors, in order to evade the great delay and trouble of eviction, to take by force the windows and doors out of the tenant's house; this procedure, when carried out in winter, has frequently the desired result.

2. Evictions are by no means frequent.

Improvements.

1. All improvements in buildings ought to be executed by the tenant, although it frequently occurs that through the poverty of the tenant the landlord is obliged to carry them out.

2. If any improvements are executed by the tenant over and above those which he bound himself by contract to carry out, they will be valued by the so-called "Nammedman" ("men of the parish"), a kind of jury employed at the assizes (an old institution dating from the time of the Vikings), and the landlord must pay to the tenant the amount of their valuation.

3. The landlord, upon resuming possession, must pay for such improvements in lands and houses as are over and above those which the tenant undertook on entry to carry out.

4. The right is ascertained by the Report of the "parish men," referred to in paragraph 2, issued by them at the time when the tenant entered on the lease.

5. Tenants have no means of raising loans either from Government, companies, or banks.

Miscellaneous.

1. The relations between landlord and tenant are decidedly friendly; and no legislative interference is necessary for the protection of the latter, except in the Donation Estates in the eastern provinces of the country so-called "Old Finland," where the relations are not so friendly.

2. The mode of cultivation adopted by these peasants is two years' rotation, that is to say, rye or oats, and fallow, alternately, with a small patch of the field with potatoes or buckwheat. They are in all respects on an equality with the small proprietor, except that they are more or less dependent on their contracts with him, and cannot raise money on the land which they occupy.

4. Neither do these tenants or their children emigrate. The great famine experienced in Finland through the total failure of the crops in 1866 and 1867, compelled many of the small proprietors and tenants in the northern districts of the

country to leave their homes, and, along with their families, beg their way to St. Petersburg. This, however, did not occur in the southern districts, although great distress also existed there.

5. The great mass of the people, both educated and uneducated, have not as yet taken any interest in the land question, although it is very evident that public opinion is decidedly in favour of increasing the number of small proprietors.

A small party, at the head of which are many of our large landowners, are desirous of seeing the number of large tenancies increased; these tenants to have no sub-tenants, but to work the land by hired labour. Such tenancies do not at present exist in Finland.

6. The creation of freeholds or tenancies by proprietors, or the granting of leases, have not been enforced by the legislature, except in the case of the great Donation Estates in the East. These estates were taken from the small proprietors, and given by the Russian Government to persons of distinction, at the time that part of the country was subjugated by, and annexed to Russia; and, consequently, these small proprietors became the tenants of the large proprietor.

As far back as the year 1825, a Committee was appointed by Government to inquire into the state of matters in that district, but more especially since the meeting of the last two Diets has the Government been endeavouring to legislate for these tenants, but as yet without success. It is the present difficult land question, the riddle of the times.

The answer of the Diet to the propositions made to them by the Emperor at their last Assembly was, that a Committee should be appointed to investigate the matter on the spot, and ascertain the prices asked by the proprietors for the land occupied by these tenants; the result of this inquiry to be used or acted upon in accordance with the buying-out system proposed by the Diet, that is to say:—

1. That Government should purchase the land for those tenants who desire to hold it, they repaying the purchase-sum by annual instalments, according to a fixed per-centage.

2. That the tenant should then become proprietor of the land, and thereafter only have to do direct with Government.

3. That in the mean time none of these tenants can be evicted, nor their rents raised. Nothing has, however, as yet, passed into law.

9. No steps have been taken by Government to create or increase the number of owners or freeholders, excepting those mentioned in paragraph No. 6.

10. Tenants receive no assistance from law, public credit, or otherwise, in their endeavours to become proprietors of their holdings or of other farms. The public feeling is mentioned in paragraph 5.

11. The laws in force do not tend to favour the accumulation or dispersion of land, further than the foregoing statements show. During the years between 1820 and 1858 Finland enjoyed great prosperity, and the accumulation of land during that period kept pace with the progress of wealth in the country; but since the year 1858 eight successive bad harvests, coupled with a general stagnation of trade, have completely prostrated the Grand Duchy, and have caused, and are still causing, the dispersion of land to an unprecedented extent.

The following figures will show that, during the nine years between 1855 and 1864, there was a decided tendency in the southern districts of the Grand Duchy to diminish the number of small proprietors by amalgamating them with the large estates; whereas it will also be seen that in the northern districts the reverse was the case, and that the number of small proprietors are rapidly increasing.

Thus, between the years 1855 and 1861 the number of estates in the Government of Tavastehus was reduced by 98; those in the Government of Nyland by 62; and those in the Government of Abo and Bjorneberg by 58.

Whereas the number of estates in the Government of St. Michel was increased during the same period by 402; those in the Government of Wasa by 1,303; those in the Government of Kuopio by 795; and those in Uleaberg by 2,134.

Income Tax.

Income-tax is payable by all persons who have an income of more than 500 francs a-year, and is levied as follows:—

	Per cent.
Incomes from 600 to 5,000 francs	4
From 5,000 to 10,000 francs	1
Above 10,000 francs	1½

All schools, societies for literary and economical advancement, churches, and pension and stipend funds, are exempt from this tax, as also the inhabitants in Lapland.

Each individual is at liberty to deduct from his income all other direct taxes paid to Government or to the community.

A special income-tax is levied upon ale and porter brewers, and card manufacturers.

The following figures show the several classes of the population who pay income-tax:—

Places.	Officials.	Tradesmen and Mechanics.	Landowners.	All Others.	Foreigners.	Total.
In the Towns	3,043	7,289	4	1,162	614	12,112
In the Country	2,781	3,583	62,046	609	425	69,444
Total	5,824	10,872	62,050	1,771	1,039	81,556

The amount paid is as follows:—

				Francs.
In the Towns .. ..	..	..	..	394,530
In the Country .. ..	..	..	..	274,298
Total .. ..	..	..	..	668,828

This shows that the towns have paid more than 59 per cent., and the country about 40 per cent. In the towns each tenth person paid income-tax to the amount of $2\frac{2}{3}$ francs, and in the country each twenty-fifth person to the amount of $\frac{1}{100}$ part of a franc. The average amount falling on each person in the Grand Duchy is $\frac{2}{100}$ part of a franc.

The distribution of the income-tax in Finland in the year 1865 was as follows:—

		Francs.	Francs.
5 Persons paid for an Income of	100,000 and above	50,000 to 100,000	
28	" " "	10,000 to 50,000	
662	" " "	5,000 to 10,000	
1,869	" " "	1,000 to 5,000	
17,512	" " "	500 to 1,000	
60,941	" " "		

British Consulate, Helsingfors, December 31, 1869.

(Signed)

WM. CAMPBELL,
Her Britannic Majesty's Consul.

(Table 7.)—DENSITY of the Population of Finland in 1865.

Name of District.	Superficial Area.		Population in 1865.	Number of Inhabitants.	
	Square Versts.	Square Kilomètre.		Per Square Verst.	Per Square Kilomètre.
Government of Nyland—					
1. Perno	3,217	3,675	44,087	13·7	11·9
2. Helsinge	3,901	3,314	73,638	25·3	22·2
3. Raseborg (East)	2,272	2,596	29,867	13·1	11·5
4. Raseborg (West)	1,743	1,991	24,680	14·1	12·3
Government of Abo—					
5. Halliko	2,200	2,512	33,539	15·2	13·4
6. Pükie	873	997	33,927	38·8	33·0
7. Masku	1,907	2,179	27,238	14·2	12·5
8. Wirmo	1,078	1,232	16,498	15·3	13·4
9. Webmo	1,577	1,802	25,486	16·1	14·1
10. Aland	1,211	1,383	16,808	13·8	12·1
11. Satakunta	3,549	4,054	59,433	16·7	14·6
12. Satakunta	5,023	5,739	34,927	6·9	6·0
13. Satakunta	2,546	2,909	39,647	15·5	13·6
14. Satakunta	2,555	2,949	39,541	15·5	13·6
Government of Tavastchus—					
15. Satakunta	2,797	3,195	28,836	10·3	9·0
16. Hollola	3,404	3,889	34,300	10·0	8·8
17. Hollola	3,417	3,904	42,606	12·4	10·9
18. Sääkämäki	3,239	3,700	29,739	9·1	8·0
19. Sääkämäki	2,931	3,348	36,656	12·5	10·9
Government of Wiborg—					
20. Lappweii	4,160	4,752	33,786	8·1	7·1
21. Kymmene	3,093	3,533	39,188	12·6	11·1
22. Stranda	2,551	2,915	43,486	17·0	14·9
23. Eurapaa	2,493	2,848	32,694	13·1	11·5
24. Kexholm	2,509	2,866	28,871	11·5	10·4
25. Jaaskis	3,647	4,167	29,598	8·1	7·1
26. Kronoberg	2,007	2,293	24,149	12·0	10·5
27. Sirdavala	2,225	2,542	22,030	9·9	8·7
28. Salmis	7,875	8,996	25,691	3·2	2·8
Government of St. Michel—					
29. Rantasalmi	6,495	7,420	42,598	6·5	5·7
30. Jokkas	5,146	5,879	41,516	8·0	7·0
31. St. Michel	3,609	4,122	33,643	9·3	8·1
32. Heinola	4,981	5,691	45,555	9·1	8·0
Government of Kuopio—					
33. Rantalampi	4,241	4,845	33,130	7·8	6·8
34. Libelitz	6,082	6,949	49,979	8·2	7·2
35. Ilomans	7,294	8,333	30,882	4·2	3·7
36. Prilsjarvi	8,230	9,402	26,229	3·2	2·7
37. Idensalmi	6,333	7,235	38,077	6·0	5·2
38. Kuopio	5,226	5,971	47,660	9·1	7·9
Government of Wasa—					
39. Laukkas	9,460	10,807	47,769	5·0	4·4
40. Kuortane	8,338	9,526	46,583	5·6	4·9
41. Ilmola	5,782	6,606	66,906	11·6	10·1
42. Korsholm	2,872	3,281	55,070	19·1	16·9
43. Lappo	2,931	3,349	46,834	15·9	14·0
44. Pedersove	5,967	6,817	51,261	8·6	7·5
Government of Uleaborg—					
45. Sulo	5,478	6,258	41,994	7·6	6·7
46. Haapayarvi	6,102	6, 71	27,853	4·5	4·0
47. Kajana	20,161	23,033	34,286	1·7	1·5
48. Ulea	27,600	31,530	51,318	1·9	1·6
49. Kemi	33,179	37,904	26,851	0·8	0·7
50. Lappmark	42,333	48,362	6,415	0·1	0·1
Total	306,840	350,541	1,843,253	6·0	5·2

(Table 8.)—INCREASE of the Population of Finland from 1840 to 1865.

Governments.	Population in—		Increase.	Per Cent. of the Population of the Year 1840.	Annual Increase of the Population. Moyenne.
	1840.	1865.			
..					
Nyland—					
Perno	41,458	44,087	2,629	6·3	0·24
Helsinge	60,333	73,538	13,205	21·9	0·79
Raseberg	26,075	29,867	3,792	14·5	0·54
Raseberg	22,492	24,680	2,188	9·7	0·87
Abo—					
Halikko	29,672	33,539	3,867	13·0	0·49
Pükie	28,426	33,927	5,501	19·3	0·71
Masku	25,171	27,238	2,067	8·2	0·31
Wirno	15,632	16,498	866	5·5	0·22
Wehmo	20,212	25,486	5,274	26·1	0·92
Aland	14,643	16,808	2,165	14·7	0·55
Satakunta (Basse)	43,889	59,433	15,544	35·4	1·20
Satakunta (Du Nord)	23,619	34,927	11,308	47·9	1·54
Satakunta (Centrale)	27,203	39,647	12,444	45·7	1·49
Satakunta (Du Midi)	31,257	39,541	8,284	26·5	0·94
Tavastehus—					
Satakunta	19,546	28,836	9,290	47·5	1·53
Hollola	31,051	34,300	3,249	10·5	0·31
Hollola	34,307	42,606	8,299	24·2	0·84
Sääksmäki	24,337	29,739	5,402	22·2	0·80
Sääksmäki	29,460	36,656	7,196	24·4	0·87
Wiborg—					
Lappvesi	30,127	33,786	3,659	12·1	0·46
Kymmene	34,096	39,181	5,092	14·9	0·56
Stranda	36,408	43,486	7,078	19·4	0·71
Eurapaa	29,399	32,694	3,295	11·2	0·42
Kexholm	28,513	28,871	358	1·3	0·05
Jaaskis	27,592	29,598	2,006	7·3	0·28
Kronoberg	22,678	24,149	1,471	6·5	0·25
Sirdavala	19,757	22,000	2,273	11·5	0·43
Salmis	20,645	25,691	5,046	24·3	0·87
St. Michel—					
Rantasalmi	35,954	42,596	6,642	18·5	0·70
Jokkas	33,757	41,516	7,759	22·9	0·82
St. Michel	29,790	33,643	3,853	12·9	0·48
Heinola	36,360	45,555	9,195	25·3	0·90
Kuopio—					
Rantalampi	26,160	33,130	6,970	26·6	0·94
Libelitz	37,250	49,979	12,729	34·2	1·17
Ilomans	24,128	30,882	6,754	28·0	0·98
Prilsjarvi	18,545	26,229	7,684	41·4	1·37
Idensalmi	26,190	38,077	11,887	45·4	1·48
Kuopio	34,955	47,660	12,705	36·3	1·23
Wasa—					
Laukkas	29,546	47,769	18,223	61·6	1·88
Kuortane	28,723	46,583	17,860	62·2	1·90
Ilmola	43,621	66,906	23,285	53·4	1·68
Korsholm	38,871	55,070	16,199	41·7	1·38
Lappo	31,799	46,834	15,035	47·2	1·53
Pedersove	40,216	51,261	11,046	27·4	0·97
Uleaborg—					
Salo	31,583	41,994	10,411	32·9	1·13
Haapayarvi	18,037	27,853	9,816	54·4	1·07
Kajana	22,529	34,286	11,757	52·2	1·66
Ulea	36,622	51,318	14,696	40·1	1·34
Kemi	18,608	26,851	8,243	44·3	1·45
Lappmark	4,385	6,415	2,030	46·1	1·50
Total	1,445,626	1,843,253	397,627	27·5	0·97

(Table 9.)—NUMBER of Births in Finland between 1861 and 1865.

Name of District.	Number of Births.			Per Cent.
	Males.	Females.	Total.	
Government of Nyland—				
Perno	3,836	3,635	7,471	3·4
Helsingē	6,784	6,436	13,220	3·7
Raseberg (East)	2,723	2,654	5,377	3·7
Raseberg (West)	2,261	2,176	4,437	3·6
Government of Abo—				
Halliko	2,977	2,790	5,767	3·6
Pükie	2,975	2,949	5,924	3·6
Masku	2,576	2,432	5,008	3·4
Wirno	1,444	1,444	2,888	3·6
Wehmo	2,323	2,205	4,528	3·7
Aland	1,513	1,412	2,925	3·6
Satakunta (Basse)	5,785	5,478	11,263	3·8
Satakunta (North)	3,440	3,328	6,768	4·0
Satakunta (Central)	3,864	3,605	7,469	3·9
Satakunta	3,916	3,710	7,626	4·0
Government of Tavastehus—				
Satakunta	2,659	2,402	5,061	3·0
Hollola (North)	3,233	3,103	6,336	3·7
Hollola (South)	3,472	3,324	6,796	3·3
Sääsmaki	3,074	2,966	6,040	4·0
Sääsmaki	3,467	3,299	6,766	3·8
Government of Wiborg—				
Lappwesi	2,917	2,847	5,764	3·4
Kymmene	3,667	3,530	7,197	3·7
Stranda	4,633	4,342	8,975	4·3
Eurapaa	3,050	2,967	6,017	3·7
Kexholm	2,567	2,418	4,985	3·4
Jääskis	2,303	2,109	4,412	3·0
Kronoberg	2,112	2,021	4,133	3·0
Sirdavala	1,993	1,795	3,788	3·4
Salmis	2,592	2,438	5,030	3·9
Government of St. Michel—				
Rantasalmi	3,368	3,211	6,579	3·1
Jokkas	3,355	3,388	6,743	3·3
St. Michel	2,501	2,410	4,911	3·0
Heinola	4,218	4,048	8,266	3·7
Government of Kuopio—				
Rantalampi	2,890	2,866	5,756	3·5
Libelitz	4,340	4,003	8,343	3·4
Ilomans	3,085	2,969	6,054	4·0
Prilsjarvi	2,290	2,287	4,577	3·6
Idensalmi	3,752	3,580	7,332	4·0
Kuopio	4,316	4,207	8,523	3·8
Government of Wasa—				
Laukkas	4,513	4,350	8,863	3·9
Kuortane	4,638	4,529	9,167	4·1
Ilmola	7,103	6,698	13,801	4·2
Korsholm	5,754	5,539	11,293	4·2
Lappo	4,719	4,699	9,418	4·1
Pedersove	4,995	4,536	9,531	3·8
Government of Uleaborg				
	17,369	16,719	34,088	..
Total	171,362	163,849	335,211	3·7

Inclosure 3 in No. 14.

Statutes of the Grand Duchy of Finland, 1865.

His Imperial Majesty's gracious Statute concerning local administration in the country. Given in Helsingfors, February 6th, 1865.

We, Alexander the Second, by the grace of God Emperor and Autocrat of all the Russians, Czar of Poland, &c., make known: On the submissive motion of the States of Finland, We do graciously appoint the following Decree concerning the local administration of the country:—

Chapter I.—General Statutes.

§ 1. Every parish in the country constitutes a separate community of itself, to the members of which it belongs the superintending of their common affairs of order and economy, within the limits defined by law, as far as they do not appertain to the treatment of public authority or court of justice, according to prevailing regulations.

§ 2. If several parishes are united under a common local management, they may remain so, as long as they therein agree. If they desire to be separated, or in case several parishes belonging to the same province wish to unite under a common local administration, such may be carried out according to their wish, the Governor finding sufficient reason to consent thereto, after having obtained an explanation of the case and a hearing of the persons concerned.

Country and city parishes may, in general, not be united under a common local administration. Nevertheless, where such a unity is considered necessary, it devolves upon the persons concerned to recommend the matter, together with the necessary explanations and propositions for its arrangement, to the Governor, who is to transfer the question to the decision of the Economy Department of the Senate.

§ 3. Every one is a member of a community in the country who owns or works land, or is in possession of other real estate; who works mines, or is a manufacturer, merchant, tradesman, or mechanic, or is following any lawful trade or profession; or who, otherwise, in accordance with prevailing institutions, has, or ought to have, his lawful abode and habitation.

§ 4. Community in the country exercises its power of decision on local meetings, or by elected deputies. The executive and administrative power is entrusted to a local administration, or to other authorities or persons appointed for separate executive agencies, all in a manner that is defined in this Statute.

§ 5. The common property of the community, be it real estate, moveable capital, or any licence bringing profit, likewise funds which may be granted to the community, is to be accounted as a resource from which the common expenses of the community may be covered in cases where no other provision is made.

Chapter II.—Of Local Meeting.

§ 6. In local meetings the following matters may be taken up for consideration and decision:—

1. The establishing of popular schools.
2. Concerning measures that may be considered necessary for the furtherance of of general order.
3. Sanitary matters: for a more general use of vaccination; for appointing midwives; the care of lunatics, their admittance into asylums; and the care due to blind and deaf persons not belonging to the public charities, and unable to take care of themselves, and having no relatives to attend to their wants.
4. The regulation of the public charities, as far as such depends upon the action of of the community.
5. The building and keeping in order of the meeting-house of the parish, and other houses belonging to the community.
6. The establishment and superintendence of loan and assistance magazines.
7. Concerning measures for the extinction of noxious animals, and the observance of appointed statutes for the protection of fisheries and fries, also of the chase and capture of animals.
8. Of what may be conducive to the prevention and cessation of conflagrations and fires in heaths and forests.
9. The investment of the common funds and the borrowing for the common wants

of the community—such as for the building of roads, maintaining of roads, planting of trees, and such like things—also the management of the treasury and other common property of the community, and the examining of the general accounts.

10. The election of local deputies, where such are nominated by the Chairman and Vice-Chairman of the local meeting, and of the Local Committee of Administration.

11. The election of Commissioners for executing the common concerns of the community.

12. The election of Inspectors within the community for the control of vagrancy, in accordance with an ordination in a separate statute.

13. Concerning other matters which may depend upon the combined action of the community.

§ 7. It further belongs to local meetings to consider such questions as, according to prevailing regulations, may be referred by the Governor and other authorities to their decision, also concerning the maintaining of roads, division of roads, building of bridges, duty of keeping post-horses, and the carrying of prisoners, ploughing snow from the roads, the carrying of the county mail, and other similar matters which depend upon the further action of the jury of the district, of the Governor, or of the other authorities.

§ 8. In case certain regulations have been agreed upon in local meetings for the furtherance of general order, power is granted to the meeting to appoint certain fines (subject to the Governor's approval) for transgression of the same, still not to exceed forty marks. Should the meeting find such fine insufficient to check any prevailing mischief, augmentation thereof may be sued for at the proper court of justice.

§ 9. Every respectable member of the community has the privilege of taking a part in the consultations of the local meeting, without reference to his confession of faith, if he is in possession of the rights of a Finnish citizen, and is at liberty to dispose of himself and his goods; if he is liable to local taxation, if he is not in arrears for more than the preceding year's taxes, if he is not a menial nor a vagrant.

The same privileges are enjoyed by companies.

§ 10. A tenant or leaseholder may vote for the property of which he is in possession, if he is paying local taxes for the same, and the owner does not reside in the community; but if the owner resides in the community he has the vote.

Tenants of Crown lands are entitled without extra permission to the right of voting for the same in local meetings.

Widows, divorced women, and unmarried, who have attained their majority, enjoy the right of voting.

Guardians may vote for wards; or where there are several guardians, the one selected by the others may vote.

In case of a partnership its managers may vote, and for undivided inheritance or other common property the shareholders may appoint a delegate.

For property, profession, or business, under the superintendence of creditors, the trustees may vote.

Every one who has been called to answer for infamous crime, or who has been officially declared to be deprived of public confidence, is divested of the right of voting at local meeting, but may still not be deprived of the privilege of pleading his own cause.

§ 11. Should the matters which occur for consideration be common to the whole community, all who have the right of voting may participate in the resolution of the meeting; but if such matters relate only to taxable land, others than those in possession of such land may not enter into the council, or participate in the resolution concerning it.

If there be several parishes joined under a common administration, and the matter in question concerns only one of the parishes, this parish alone is to attend to the consideration of the matter at a local meeting of its own.

§ 12. Voters may transfer their rights of action and of voting to other persons of good repute, and must for that purpose make out warrants for certain persons mentioned by name; and these warrants are either to be in force for a definite or indefinite period, or to contain a statement of the particular occasion when they are to be used.

§ 13. The local meeting is to select from its male voters residing within the community a Chairman and a Vice-Chairman, to act as such during a term of three years; the first time under the presidency of the Rector of the parish, or the person acting in his stead.

A bailiff of a district or other subordinate of officer may not be elected as Chairman or Vice-Chairman, nor a person who is in default with his accounts to the community,

nor a person guilty of crime or under trial, nor he who has been declared by a Court of Justice unworthy of advocating the cause of another at Court.

§ 14. An elected Chairman or Vice-Chairman may not refuse to accept the trust, unless he has held such trust for the preceding three years, or attained to the age of 60 years.

If there be a refusal on account of any such reason, a new election is to take place. If the cause assigned be serious indisposition, or civil, military, or ecclesiastical service, or office, it belongs to the local meeting to test such hinderance, and, in case it is deemed sufficient, to enter upon a new election. In case the assigned reason for refusal is not deemed sufficient by the meeting, and consequently not accepted, the meeting is to give its reasons for not accepting it, and refer the matter to the decision of the Governor.

§ 15. In case either office be vacant, by reason of decease or removal to another place of the Chairman or Vice-Chairman before the time of his charge is at an end, another person is, in accordance with § 13, to be elected in his stead for the remaining part of the term. Such election is to take place at the first ordinary local meeting that is held after a new election became necessary.

In case both the Chairman and the Vice-Chairman depart or remove before the time for such a meeting is at hand, an extra local meeting may immediately be convoked by the local Committee of administration, at which meeting the election of Chairman and Vice-Chairman for the remaining part of the term is to take place under the presidency of a person elected by the meeting for the occasion.

§ 16. Local meetings are to be held at the meeting-house of the parish, or at any other suitable places which may for that purpose be appointed by the meeting.

§ 17. Notification of local meetings are to be issued by the Chairman, or, in case of challenge, exception, or hindrance on his part, by the Vice-Chairman; and is to contain an exact statement of time and place, also of the matters that are to be laid before the meeting.

The notification is to be read in the church or churches of the community at least fourteen days before, and the last time on the Sunday next before the meeting, and is to be posted up at the meeting-house of the community, or other suitable place immediately after its publication.

Should local meetings be appointed for a day on which Divine Service is to be held, the notification ought to be read anew on that day. Should any business demand great dispatch, and cannot, without inconvenience, be postponed, the same may be brought before the meeting for decision, even at a shorter notice of convocation, but in no case less than eight days.

§ 18. Ordinary local meetings are to be held on week days, three times a year, and by preference at the following seasons:—One in the month of March, for passing resolutions concerning the yearly Report, and the account of the management of the preceding year; one in the month of September for fixing the amount of common expenditure and income during the year; for entering upon elections for those offices within the community that will be vacant at the end of the year; and for determining whether discharge for the preceding year's management may be granted to the local committee of administration; and one in the month of December, for examining both the lists of the assessment of taxes, and of voters, as well as the list of collection of taxes and for the election of revisors. In case other matters are pending for treatment at the local meeting, they also are to be considered.

§ 19. In case matters which cannot be postponed occur between the ordinary meetings, extra local meetings may in such cases be convoked, and held even on Sunday, notification thereof to be published in the appointed manner (§ 17).

Questions of expense for the community in pressing exigencies may at such an extra local meeting be taken under consideration; still, such question may not be decided upon unless the notification to the meeting has preceded it fourteen days.

Should an officer or private person who is entitled to speak at a meeting wish to convoke an extra local meeting, he must signify this wish to the Chairman, whose duty it becomes to inquire into the matter. In case the petition is not granted, the Chairman may, if required, deliver his decision in writing, with the reasons of it, together with such reference for entering complaints, as is stated in § 72.

§ 20. Matters touching separate communities, or parts of them, may at a general meeting be taken up for inquiry and decision; in which case the meeting is to be held within that community which the Chairmen of the different communities have agreed upon, and under the direction of the Chairman of that same community. If they

herein do not agree, the matter is to be referred to the Governor, to whom it belongs to decide in the case.

If the Governor has proposed to convene such a meeting, it belongs to him to appoint the community within which the meeting is to be held.

§ 21. In case a matter pending cannot be brought to conclusion on the day appointed, the Chairman is to appoint another day for a further deliberation of the matter before the meeting is dismissed. Other notification about it need not be issued, except in cases denoted in the latter end of § 19, part I.

§ 22. It belongs to the Chairman to lay the business before the meeting, to lead their discussions, and to see that no other questions are brought forward than those stated in the notification. Should a new question be started, it cannot be discussed before another meeting after the necessary notification.

It is also the duty of the Chairman to superintend the order of the meeting, and to cause persons to be expelled who, after being warned, behave disorderly. In case a disorder arises which he cannot prevent, the meeting may be dismissed.

§ 23. After the discussion has taken place in the meeting, and the chairman has pronounced it ended, the question must be proposed by him worded in such manner that it can be answered by yea or nay; after which he is to make known the decision which has been reached, and to confirm the same by a mallet-stroke, in case no demand is made for a new vote. Should, however, such a demand be made, the voting is to be conducted openly by calling over the names.

Still, no one person can give either for himself or by proxy more than one-sixth part of the total amount of votes present at the meeting.

How the votes are to be counted in a local meeting, is stated in §§ 57 and 58.

§ 24. That opinion which has received the largest amount of votes is to be accounted as the decision of the local meeting. If the votes are equally divided between different opinions, that opinion shall remain in force which belongs to the largest number of heads. If, however, the votes are equal after this manner of computation, that opinion shall be received as the decision of the meeting which is concurred in by the Chairman; but at elections in local meetings, the lot decides where the votes are equally divided. In the questions that are mentioned in §§ 30 and 38, the majority is decided in the manner there appointed.

After the result of the voting is known, the Chairman is to announce the decision, and at the same time to communicate whatever the dissatisfied person may have to observe, as stated in § 72, which information must be entered in the minutes.

§ 25. The Chairman, or a person appointed by him, must enter the minutes in the register. The minutes are to be reviewed immediately, if possible, or at the latest fourteen days after the meeting.

The minutes are to be signed by the Chairman, and at least three members present at the meeting, or by the appointed Commissioners, as also by public deputies, in case such have been appointed.

Should another person than the Chairman have entered the minutes, they must also be signed by him.

Should any one wish to enter a reservation against the decision, he may do it either immediately at the meeting, or in writing at the revision of the minutes, which writing is to accompany the same.

§ 26. Should there be no recital of the minutes in order to have them revised at the local meeting, but another day appointed for that purpose, and Commissioners chosen, and these do not appear, such is to be entered on the register by the Chairman, which, nevertheless, is valid on his responsibility. If the Commissioners appear, but refuse to sign the minutes, alleging it to be at variance with the proceedings at the meeting, the Chairman is to enter such their allegation upon the minute, and to refer the adjustment of it to a new meeting, of which notification is to be issued in appointed order. In case one or more of the Commissioners decline signing their names, for some other reason, or without making any remark against the accuracy of the minute, the Chairman is also to enter such state of affairs on the cover of the register, and it is even in this case valid.

No member or Commissioner may alter his mind after decision in a meeting is pronounced, nor may such afterwards altered opinion in any way affect the validity of the minute, or hinder it from being accounted as revised.

§ 27. Should any decision of a local meeting concern absent persons individually, they are to be informed of it by means of written extract from the protocol of the meeting, so as to enable them to complain of such decision.

Decision in matters the treatment of which has not been notified fourteen days

before, as stated in § 17, is, for the information of those absent from the meeting, to be published on the following Sunday, in the church or churches of the community. Such publication is to be issued even in those cases when the accuracy of the minutes of the local meeting is, in accordance with § 26, Part I, attested to by the Chairman alone.

§ 28. Should a speedy execution of the decision of local meetings in any case be necessary, the particulars thereof are explicitly to be stated, and the execution is not to be hindered by reason of the decision not having obtained legal sanction, unless the applying for mutation thereby become useless, or the Governor for some reason finds good to defer the execution.

§ 29. It is the duty of the Chairman to take care that the decision of local meetings be speedily drawn up in writing, and communicated to the local Committee of Administration, or those authorities to whom the execution thereof belongs.

Chapter III.—*Of the Deputies of the Community (Local Deputies).*

§ 30. Should a community agree to commit the power belonging to a local meeting, of considering and deciding matters within the jurisdiction of the same, such may be allowed on the conditions that here below are stated; in case, at least, one-half of the whole amount of the votes of the community be at the meeting represented, and two-thirds of the voters present agree in the resolution concerning this matter.

The Governor shall, without delay, be informed of such resolution.

§ 31. The following matters may not be taken up by the local Deputies, but only by the local meeting for discussion; to wit, (a) touching the sale, mortgage, or barter of any such real estate or prerogative belonging to the community, which by grant, testament, or any lawful acquisition, has come into its possession, and given for some purpose to promote the common good; also in cases of agreement or compromise tending to a mutation or restriction of the rights of the community to such real estate or privilege; (b) touching the purchase of real estate; (c) of taxes to be levied for the purpose of any new enterprise; (d) of borrowing means to be used for the common wants of the community; and (e) the elections of Chairmen and Vice-Chairmen to the local meetings and local administrations, to local Deputies, to members and substitutes of the administration.

§ 32. Chairmen and Vice-Chairmen of local meetings fill the same position among the local Deputies, and the remaining Deputies are to consist of the members of the local Committee of Administration, and also of so many members separately elected by the local meeting of the community, in order that the whole number of Deputies may be three times as large as the number of the elected members of the administration.

§ 33. With regard to eligibility to local Deputy, and hinderance or exemption from the duty of accepting the charge, and the right of declining the commission, the same regulations are in force as stated in §§ 13 and 14, with regard to Chairman and Vice-Chairman.

§ 34. Those local Deputies who are separately elected by the local meetings are appointed for three years. The half of the number, or in case of an odd number, the number that is next below the half, go out by lot at the end of the second year. In case of the decease, or removal of a Deputy by any other lawful reason during his time of office, another election is to take place; and the person in this manner elected, is to officiate during the remainder of his predecessor's term.

§ 35. A matter may not be taken under consideration by the local Deputies, unless the Chairman or Vice-Chairman, and at least half the number of members be present. For non-appearance, without sufficient reason, the Chairman and Vice-Chairman must pay in fine 5 marks, and deputy 2 marks to the Treasury of the community. In case the meeting has to adjourn on account of deficiency of numbers, the fine is to be doubled.

§ 36. In case of a difference of opinion amongst the local Deputies, a new voting is to take place openly, wherein each member shall have one whole vote. In case the votes are equally divided between different opinions, that opinion shall be accounted as the decision of the local Deputies which is joined in by the Chairman.

§ 37. The decision of local Deputies in matters which concern the community, shall, for the benefit of those whom it may concern, be published in the church or churches of the community; and in those communities where both the Swedish and Finnish language are spoken must be issued in both of these languages. When the decision concerns any absent person individually, it is to be communicated to him by extract from the minute of the local Deputies; and in every case a reference to the entry of complaints must accompany the said extract, in the manner stated in § 27.

§ 38. Not until the expiration of five years after the office of local Deputy is introduced, can any proposal for its abolishment be entered before the meeting. Before such proposal can be considered as approved by the meeting, the same majority is required as in § 30; and the decision in this case must be communicated to the Governor.

Chapter IV.—*Of the Local Committee of Administration.*

§ 39. Every community formed in the country, is to have a local Committee of Administration. Its duties are :—(a.) To prepare such questions for discussion at local meetings as are referred to them by the Administration, and to deliver opinions touching the common affairs of the community when demanded. (b.) To manage the public charities within the community, and, by its members, every one within his district, take care of the poor, unless the local meeting does decide to entrust these charities to a separate Administration. (c.) To give such attendance to the state of health in the community as is directed in § 40. (d.) In case of the appearance of murrain, or other unusual sickness among the cattle of the community, to inform the bailiff and the veterinarian immediately thereof, if such person resides in the district. (e.) In case the local meeting has entrusted them to try and decide whether a person intending to settle in the community, may there be received or not. (f.) Its members to be present at the census when taken in the community, and to see that statements at variance with the actual state of things, be righted. (g.) To watch over the order in the community, and where disorders occur, which by the authority of the Committee of Administration cannot be stopped, thereof to inform the bailiff, with reference to the measures to be taken by him. (h.) To superintend the management of the common property, such as storehouses, granaries, treasuries, and resources of the community. (i.) To make out the list of the assessment of taxes, and the list of votes, in accordance with the decision of the local meeting. (k.) To make out lists for the payment and collection of the means appointed at the local meeting for the wants of the community, and give an account of the same. (l.) To attend to the payment, collection, and account of the funds demanded at church meeting. (m.) To make out a specific list of fines to be paid by local deputies, and members of the administration liable thereto, and to collect the same. (n.) To assist at the collection of statistical facts in accordance with those directions and formulas that may have been communicated by the proper persons. (o.) In case any person of full age should be found incapable of taking care of his property, by reason of insanity or any other causes, to communicate such fact to the Judge in the district, for such intervention as the circumstances may require. (p.) To discharge those duties of guardianship which by a separate statute may have been enjoined upon the local Administration; and (q.) Finally, to execute the decisions come to by the local meeting, or the local deputies, and handed over to the action of the Committee of Administration.

§ 40. On the occurrence of an epidemic or venereal contagion it belongs to the local Committee of Administration to communicate such without delay in writing to the Bailiff, or the Provincial Physician, whichever may be nearest; and the said Committee of Administration must, until the before-mentioned officials have adopted their measures, make arrangements for the tending of the sick, and for the prevention of the spreading of the infection. After the physician has communicated his remedies, and instructed them as to the treatment of the sick, the Committee of Administration is to receive these remedies, and, through its members, distribute the same for the use of the sick persons, also to procure for them suitable rooms, and, if necessary, nurses.

§ 41. The local Committee of Administration consists of a Chairman, Vice-Chairman, and at least five members, that are appointed by the local meeting from the voting members residing within the community. At the same time that the members are appointed, half as many substitutes are selected; or, in case the number of member, is not even, then the number that is nearest above the half.

For assistance in taking care of the sick, as also for other exigencies, the Administration may, where it is found necessary, employ separate overseers for various districts at the expense of the community, who act on the responsibility of the Administrations and according to its directions.

§ 42. Governor, Judge, and Bailiff of a district, Ordinary Bailiff, teachers of public schools, or other officials who are either appointed or paid by the community, or under obligation to render an account of their charges before the Administration, are not eligible to any of those in § 41 mentioned places. Other officials residing within the community, cannot be compelled to take employment in the local Administration, if not agreeable to them.

§ 43. As to the eligibility of Chairman, Vice-Chairman, member, or substitute, or also to the hindrance, or exemption from the duty of accepting such an office, as well as regards the term of office and vacancy by death, removal, or other lawful reason, §§ 13, 14, and 15 are applicable.

§ 44. When a Chairman or Vice-Chairman is elected in the local Administration, the name and residence of the elected is, without delay, to be communicated to the Governor, who must make a notification thereof in the province.

§ 45. In questions which concern public schools, public charities, or the tending of the sick, the Rector of the parish, or the one officiating in his stead, has the right to a seat in the local Committee of Administration, whether he is a member of the same or not. Still, if the last be the case, he is not liable to local taxation, nor is he required to collect and disburse "poor money."

§ 46. The local Committee of Administration is to convene at such times and at such places as they may appoint and as often as the Chairman finds it necessary, or the majority of the members make a proposition before the Chairman to that effect. The Chairman has the power to call a convention of the Committee of Administration, either by notification in the church or churches of the community, or by means of message, where greater despatch is required.

§ 47. In case any lawful hinderance shall prevent the Chairman or Vice-Chairman from attending an appointed meeting, it is the duty of the Administration, if so many members are present that they may come to a resolution, to appoint some one present to preside on the occasion. Substitutes may, in such cases, be called in for that purpose.

§ 48. In cases regarding the decision of a local Committee of Administration, also the non-appearance of a Chairman, Vice-Chairman, member, or called-in substitute without lawful reasons, as well as concerning the proposal of any scheme, and the adoption and communication of resolutions §§ 22 and 23 of local meetings, and §§ 35, 36, 37 of local deputies are applicable.

§ 49. At the meeting of the Local Committee of Administration the Chairman is to enter the minute, or is responsible that such minute is entered. He is to take care of the correspondence, to receive all writings and propositions addressed to the Administration, to be responsible for the proper keeping of the accounts, to take care of the documents of the Administration, to keep a catalogue of the same, without any other remuneration than the reimbursement the local meeting may assign to him for writing materials, postage, clerks' wages, and watchmen. The assistants required for the doing of this work, the Chairman may take into service and discharge.

§ 50. Minutes and resolutions are to be revised immediately, or at latest at the next meeting of the Committee of Administration. Still, it may be lawful for the Committee to entrust the revision of the minutes, on a day fixed for that purpose, to two or three of its members, together with the Chairman.

§ 51. The Chairman of a local Committee of Administration may, in certain cases, make out certificates of the solvency or indigency of the members of the community, in accordance with information which he may have had an opportunity of gathering concerning their situation and condition.

§ 52. Members of the local Committee of Administration are, in common with the Chairman and other members, responsible for the funds which the Committee has had under its care; as also for securities and other bonds regarding which he raised no objection in the minute.

§ 53. Everyone who resides or sojourns within the community is liable to be called before the Local Committee of Administration, and must appear, provided he is summoned four days before the sitting by one of the members of the Committee, or by some party appointed by him, accompanied by a witness. For non-appearance without assigning a lawful reason, he must pay to the Treasurer of the community a fine of 2 marks, and ordered to appear on another day; if he again declines to appear, the fine is 4 marks; and if he thereafter still proves refractory, the Committee of Administration may make use of the services of the bailiff.

Chapter V.—*Of Local Taxes, their Collection, and the Account to be rendered of the same.*

§ 54. Every one must contribute to the common expenses of the community (whether residing there or not) without reference to his religion or profession, who owns or works taxable land, who holds land by tenure or independent estate, who possesses manufactories worked by water or steam, who works mines, who trades or carries on any lawful profession, who has or ought to have his lawful abode within the community, or who receives wages, pension, or income, so that his competence is known to be sufficient

to enable him to bear a part of the common expenses of the community. Those are exempted from the participation in the common expenses who stand under the domestic authority of another, unless they at the same time occupy such a position within the community, that they, in accordance with the above statements, by reason thereof are liable to contribute means, or in accordance with § 55, by reason of certain wants, are subject to such contribution.

Companies are liable to the same duties.

§ 55. Where in accordance with law or statute in force local taxation is to be paid separately for any of those objects mentioned in § 54, or in case any other cause for contribution to such expense is determined upon, or where members otherwise exempt from taxation to the community contribute to certain of its wants, the regulation provided for each case is to be applied.

If question of a new contribution arises within the community, the rules of taxation are likewise to be decided upon.

§ 56. Those members of the community who are liable to taxation are, every one according to their stated different social positions and conditions (§ 54), after the general assessment is performed, to be charged with certain "Skattören" (the scale by which possession not consisting in land is taxable) by a separate Committee appointed in local meeting, or, where such Committee is not appointed, by the local administration. In case the administration is charged with such business, a number of the members of the meeting, equal to the elected members of the administration, is to be appointed to aid the same in the taxation as a reinforcement.

§ 57. A list of taxation is to be made out, which, in separate columns for each contributor, is to show the amount he is charged with, and, in case he is a landowner, the amount he possesses.

The list that serves to show the amount charged to, and collected from respective persons, constitutes, with observance of what in §§ 9 and 10 is stated, the list of votes of the community, and is made up in two copies, one of which is posted up in the meeting-house of the community, or at some other suitable place, and the other is kept by the local committee of administration.

§ 58. At voting in matters of community, every "skattöre" is to be equivalent to one vote. If the question concerns only taxable land (the measure or standard by which land is taxed is called a "mantal"), one-tenth of a "mantal," or what falls under it, shall be accounted as one vote; what exceeds it, even unto two-tenths of a "mantal," to be accounted as two votes, and so forth, unless the local meeting chooses to have all the taxation done by "skattören."

§ 59. It is the duty of local meetings to make out every year an estimate of income and expenditure. In the former are mentioned: (a.) The calculated income of the running year; (b.) Those amounts already granted for the wants of the community during the coming year which fall due for collection; (c.) The income which may from other sources be expected to come to the community during the ensuing year; (d.) the amount further required, together with a proposal for raising the same; and in the latter; (a.) Those expenses of the community of which either the whole or part thereof become due during the next year; (b.) All expenses which, according to already adopted resolutions, are to be defrayed during the same year; (c.) Those expenses which may be required for the common wants of the community during the coming year; and (d.) An estimated amount of money to be used by the committee of administration in cases of the occurrence of wants unprovided for.

It behoves the different boards or persons which may have been constituted by the local meeting for certain commission to deliver as early as possible to the administration an average estimate of revenues and charges for the ensuing year.

§ 60. The estimates for income and expenditure ought to be made in time to be presented for examination at the ordinary local meeting held during the Autumn every year. After such an examination has taken place, and those questions of new expenses which may appear in the estimates have been discussed and resolved upon, the estimates and the decisions of the local meeting are to be delivered to the committee of administration, whose duty it is to enter in the estimates those alterations and additions determined by the meeting, and without delay to make up the list of taxation and collection.

That amount which the local meeting has agreed upon to be collected during the ensuing year, is to be accounted as the local assessment of the running year, and to be charged to all those that have constituted the tax-paying members of the community during the year, so that the whole amount of taxes is equally divided between all in the community taxed "skattören" (see § 58).

§ 61. The list of the assessment and collection of taxes is to contain a reference to those resolutions according to which the assessment of the year are made out, together with a statement of the amount which is to be levied either by "skattören," or some other computation, and to mention every person liable to paying taxes, his residence and name, the amount of "skattören" charged to him, the number of persons for which he is to pay taxes, and the various assessed local taxes payable by him. For necessary control over the collection, separate columns for entering payments and arrears ought to be drawn up in the list.

§ 62. Not only the list of assessment and collection, but also the list of taxation mentioned in § 57 must be made over to the Chairman of the local meeting, whose duty it is to notify the same in the church or churches of the community, where the same may be gone through and examined within fourteen days from the day the notification has been made, by those members of the community who wish to do so. At the expiration of this time the lists are to be presented for public examination at the ordinary local meeting which is yearly held in the winter, when every person liable to taxation may have an opportunity of making such remarks against it as he may consider it his duty to do.

§ 63. In case objections are made to the lists, the local meeting may immediately decide about them, and have any alterations entered in the lists, which must be provided with evidence as to their having been examined by the Chairman and three of the members of the meeting; they must then be returned to the local Committee of Administration, whose duty it is to issue proper contribution-notes, and have them prepared before the end of the ensuing month of January, and at the disposal of the taxpayers at certain places appointed, with regard to the extent of the community and the number of the inhabitants, and advertised in the church or churches of the community.

In the course of the month of February a collection-meeting is to be held at a suitable place, which meeting is to be notified fourteen days before, and to be convened by the local Committee of Administration or certain of its members, unless the local meeting finds it more advantageous for the management of the collection to appoint otherwise.

§ 64. In case any member of the community who is liable to pay taxes should remove his domicile in the course of the year, he is still liable to pay taxes for the current year, but is exempt from taxes for the same year to the community to which he has removed, unless the tax be such that it is payable whether he had settled within the community or not.

§ 65. Those taxpaying members of the community who neglect making remark against the lists of taxation, assessment, and collection, when they are presented for examination, lose all right to complain. If any one made a protest against said lists, and such be not accepted, he may enter a complaint against the decision of the local meeting, in the manner here below prescribed. He is, nevertheless, in duty bound to contribute the amount of taxes imposed upon him at the collection-meeting; but he is to enjoy the right of having his contribution restored along with any expenses which he may have incurred, in case his complaint is found justified, unless the Governor finds reason to liberate the community from making such compensation.

§ 66. It is the duty of the Committee of Administration to make up a special list of arrears of those taxes which have neither been paid nor entered by the local meeting, and make over the same to the bailiff of the district within two months after the dismissal of the meeting of collection, on whom it is incumbent to levy those unpaid taxes, and lay an account before the Committee of Administration.

§ 67. The accounts of the community, which are kept either by the local administration or by any other on the local meeting depending administrative authority, or by special persons, are to be made up for the current year.

Those administrations, or persons appointed by the meeting for especial purposes, are, before the expiration of the month of January every year, to make over to the local Committee of Administration an account of those means which they have had charge of during the last preceding year. Such account must be entered in the general account of the means of the community, which the Committee of Administration is to make out, and which for every year, before the 1st of March in the ensuing year, is to be handed over to the Chairman of the local meeting.

§ 68. After the revisors, that are appointed by the local meeting which is held in the winter, have examined the accounts and proceedings of the local Committee of Administration, and other by the local meeting appointed persons, a report thereof is to be delivered to the Chairman of the meeting within the prescribed time by the revisors.

In case any objection should be made with reference to the accounts, the Chairman is to demand from the persons concerned their opinion regarding it, and the local meeting held in autumn will have to decide whether the matter is to be dropped, or to be tried and decided by special arbitration. In the former case, or in case no objection has been made, the meeting gives the persons concerned discharge from their administration.

§ 69. In case such arbitration is to be held, the local meeting appoints one or two arbiters, and the Committee of Administration the like number, either from among the members belonging to the community, or from other persons who enjoy respect and confidence. In case the Committee declines such duty it belongs to the jury of the district, after having been informed thereof by the Chairman of the meeting, to appoint the members necessary for the completion of the arbitration at the ensuing ordinary Assizes. These arbiters are thereafter to convene, and conjointly, or in case they do not agree by voting, or if the number of votes on each side is equal, by lot elect a member more, after which they from among themselves appoint a Chairman. This court of arbitration is to decide how far any objection may be substantiated or not, and what the persons concerned may have to observe, and to render a verdict on the question, against which no complaint can be entered.

No person that is elected as member in a Court of Arbitration in the community within which he is residing may, without important reasons and hinderances, decline such confidence.

Chapter VI.—*Of Reference and Complaint.*

§ 70. The decision of local meetings, in order to have full power, has to be referred to the examination and settlement of the Economy Department of the Senate, when the decision concerns:—

(a.) The sale, mortgage or barter of any such real estate or privilege belonging to the community, as by donation or will has fallen to the community, and been appropriated to certain purposes for its common benefit; even so in questions of agreement or reconciliation, tending to a mutation or restriction in the right of the community to such real estate or prerogative, and

(b.) Proposal for new or increased frontage.

Decisions or proposals which are to be referred to the examination of the Economy Department of the Senate must be transmitted to the Governor, who is to deliver the documents, together with his own opinion thereon, to the said Department.

§ 71. To the trial of the Governor is to be referred decisions of local meetings, containing proposals for new or increased ferriage, and questions concerning any change in the extent of local jurisdiction, in the manner stated in § 2. The approval of the Governor is also required for giving lawful force to decisions towards the promotion of general order and sanitary purposes within the community, also the taking up of loans for a longer term than ten years, and the assessment of taxes for particular wants levied for any period beyond ten years. Decisions referred for trial to the Governor are to be confirmed by him in an unaltered state, or rejected. In case the Governor declines to confirm the decision, he must assign his reasons for doing so, and then the local meeting may, if it sees fit, enter a complaint before the Economy Department of the Senate against such refusal of the Governor to confirm.

§ 72. Any person not satisfied with the decision rendered in local meeting, or by local deputies or local committee of administration, or otherwise, in the case stated in § 19, by the Chairman of the meeting, has the privilege of entering a written complaint against it, which, together with the decision complained of, is to be handed in to the Governor within thirty days by the complaining person himself, or by his lawful deputy. These thirty days are to be reckoned—

(a.) In case the decision of the meeting is either revised in the order laid down in §§ 25 and 26, or is published in the church or churches of the community in the manner laid down in § 27, part 2, § 37, part 1, and § 48, from the day such revision or notification has taken place—

(b.) In case the decision of the local deputies or the Committee of Administration is pronounced, and the complainant was at the time present, then from the day when such notification of the decision took place, and—

(c.) In case such decision is pronounced, but the complainant absent at the time, even so in the cases § 19, § 27, part 1, § 37, part 2, and § 48 mention, from the time the complainant was informed of the decision; the day, however, on which such notification was made to him not to be taken into account. Should the complainant neglect what is here prescribed, his action against the decision is lost.

§ 73. Should complaints be brought to the hearing of the proper persons, the Governor is to send the documents without delay to the Chairman of the local meeting, of the local administration, or local deputies, whichever of these authorities communicated the complained-of decision, which Chairman's duty it is to send over to the Governor, without delay, the explanation or statement of those concerned. After the Governor has settled the matter, he is to communicate the verdict, as soon as can be done, to the before-mentioned Chairman, who must make it over to the complainant against his receipt, which receipt is to be entered on the verdict.

Should the complaints be grounded on the fact that the private rights of anyone have been infringed upon, and should such complaints be approved of, the Governor may alter the decision so far as these rights are concerned, but the remainder of the decision to remain in force unless it is found to be at variance with common law or statute, in which case the Governor may make void the whole decision.

§ 74. Should a complaint be made to the effect that the decision has not originated in accordance with lawful order, or that it is at variance with common law or statute, or otherwise passes beyond the competency of those who have decreed the decision, the Governor may, if he finds a reason for doing so, prohibit the execution of the same.

§ 75. Mutation in the verdict of the Governor may, where no other ordinance is enacted, be sued for at the Economy Department of the Senate, before twelve o'clock, on the nineteenth day after getting apprised of it.

Chapter VII.—*Special Statutes.*

§ 76. Market town that has an administration of its own, may constitute a community of itself, or together with the country parish within the territory of which the town is situated. It is incumbent upon the Governor, in any such question of unity, to hear the members of the town, and those of the country community within which it is located, and refer the question to the trial of the Economy Department of the Senate. Until the matter is finally decided, the former state of things is to continue.

§ 77. Should any special aid for entering the minutes, or for other (in § 49) mentioned requirements be necessary for the local meeting, local deputies, or local committee of administration, or otherwise, for the local management of affairs, it depends upon the meeting to decide whether such aid is to be taken into service at the expence of the community; and, likewise, to fix the terms on which it can be done with respect to the safety and good of the community.

§ 78. Chairmen of the local meetings, of the local deputies, and local administrations, are to take good care of the minutes and other documents, and, at their retiring from office, deliver them to their successors.

In case any member of the community desires a verified copy of such documents, or extract from the minutes entered at the conventions of the named authorities, he may not be refused, and the amount of the fee for such business is to be fixed by the local meeting. Such fee is not to be paid for documents which are issued for the common requirements of the community, or to the officials concerned, or to general deputies, neither when decision of local meeting, local deputies, or local committee of administration is by extract from the minute, to be communicated to a private person, whom it concerns.

§ 79. All writings, applications, and so forth, that are handed in to local meetings, local deputies, or committees of administration, and all from those issuing protocols, may be written on unstamped paper. Aforesaid authorities may also enjoy exemption from paying postage, when corresponding with the Governor and other Magistrates in the country.

§ 80. All fines which, by reason of this statute, have been imposed by local deputies or local administration, are added to the common treasury of the community; and, in cases of inability to pay such fines, the parties must do work within the community, at the rate of daily wages current in the place.

§ 81. If any one causes injury to Chairman, Vice-Chairman, member, or substitute in the aforesaid administrations, or to specially appointed persons for entering the minute, or to any other local official, because of the charge they are filling, he is to stand the responsibility enjoined in the 9th §, 18th chap. of the Criminal Code, compared with the statute of January 20th, 1779.

§ 82. The management of local affairs in the country, with the exception of Lapland, is to be arranged within three years from this day, in accordance with this statute; and in order to carry this out, the present existing parish meetings are to be

convened for the purpose of considering the making up of the lists, which are to be a basis for the levying of the local taxes, and to constitute the list of voters for the first year.

§ 83. Any community which considers itself unable to arrange its management in accordance with this statute within the appointed time of three years, may petition for a prolongation of this time from the Governor of the province, whose duty it is to try the same petition, and, if he thinks advisable, to grant such prolongation, still not for a longer time than ten years, counted from this day.

Longer respite may be granted by the Economy Department of the Senate, on request being presented by the community.

§ 84. Any community that wishes to make alterations in the regulation of this statute must submit a proposition to that effect to the trial of the Governor in the province, who may, if he does not find the proposed alterations to be at variance with the principles laid down in this statute, confirm the same.

To all whom it may concern.

Helsingfors, February 6, 1865.

According to His Imperial Majesty's own Decree, and in his high name,
(His appointed Senate for Finland.)

No. 15.

Mr. Barron to the Earl of Clarendon.—(Received February 4.)

My Lord,

Constantinople, January 25, 1870.

ON receipt of your Lordship's Circular of the 26th August last, requiring information as to the laws and customs affecting the Tenure of Land in this Empire, Sir Henry Elliot placed the matter in my hands, and wrote to some of Her Majesty's Consuls, with the view of eliciting information on this important subject.

Since Sir Henry Elliot's departure, my other official duties have so entirely engrossed my time as to prevent me from personally undertaking this inquiry. I have, therefore, in accordance with the concluding passage of your Lordship's Circular, devolved this duty on the senior Second Secretary, Mr. Moore. His absence with the Ambassador in Egypt has necessarily shortened the period available for his researches. He has, however, produced a Report bearing especially on the immediate province of Constantinople, which, considering the shortness of time allowed, and the difficulties which here beset any such inquiries, I consider very commendable.

I have also the honour to transmit an able Report by Mr. Consul Palgrave on the Land Tenure in Anatolia, showing great labour and erudition, and deserving serious attention.

As authorized by the Circular, I beg to forward an account of expenses incurred by him in a short journey to the interior, solely in view of accurate information, and to request authority to reimburse the amount, 3*l.* 16*s.* 6*d.*, to Mr. Palgrave.

I beg further to transmit an able Report on the same subject by Her Majesty's Consul at Roustchouk, addressed to your Lordship under flying seal through this Embassy.

A Report by Sir R. Dalzell on the new rural law of Roumania is also enclosed, which, as bearing on a cognate subject carefully studied by him during his previous residence in Roumania, may probably be acceptable.

I have further the honour to transmit Reports from three other Consuls and Vice-Consuls in European Turkey, those of Monastir, Salonica, and Adrianople, and one from an Asiatic Vice-Consulate, that of the Dardanelles. In order to give more time for preparing his Report, I have authorized Mr. Consul Stuart, of Janina, to forward his paper directly to the Foreign Office. By that means these Reports will all reach your Lordship within a few days of the end of this month, the time specified.

I have likewise obtained from a friend, long resident in the Island of Cyprus as French Consul, a highly interesting and original Memoir on the social and industrial condition of that island, from which I extract the enclosed section bearing on agriculture, as showing the modes of cultivation and the relations subsisting between landlords and cultivators.

It is not to be expected that in the laws and customs of this Empire there would be found much applicable to a state of society so different as that of Ireland. Here, in the first place, fixed money-rents are the exception, being even discouraged by the Koran. It can, however, be easily demonstrated that such an arrangement is far

preferable to the conflicts and frauds inevitable in measuring the produce of a farm for the purpose of dividing it between two contending parties, as in the case of the *métayer* system here prevalent in different forms.

The Reports which I now transmit will be all found to be able and meritorious, and, considering the extreme difficulties of obtaining here any, even the simplest, information, and the shortness of time allotted for these difficult researches, I trust that your Lordship will consider them deserving of special approbation. I am not aware of any important lesson to be derived from their bearing on Ireland, save, perhaps, one: to teach the tenant-farmers of that country to compare their lot with that of the corresponding class in Turkey, and to appreciate the blessings of justice and security which they enjoy. The relations and customs prevailing here between landlord and tenant are generally defective in principle, but much more so in practice. The great blot of Turkey, the vicious administration of justice, here tells with full force against the weak and the poor. This it is, as much as the tax-gatherer, which is gradually depopulating the most fertile tracts, especially in Anatolia.

Sir R. Dalrymple has shown in his preceding Reports the happy results in his vilayet of a firm and just administration. Brigandage and corruption were being rapidly extirpated, confidence was created, and great prosperity set in for a time. But all this has ceased with a change of governors, and the Province of the Danube is relapsing into the normal state of chaos which must ensue from the absence of justice between man and man. This is the province which it is most useful to study for the purpose of your Lordship's Circular, as being that most advanced in most respects, and having been provided by Midhat Pasha with many agricultural and statistical institutions unknown in the rest of the Empire. It must be admitted that, in spite of all abuses and economical aberrations chargeable to the administration, absolute pauperism and starvation seem to be almost unknown.

This is no doubt mainly owing to the scantiness of the population, which also precludes anything like the struggle for land observable in Ireland. Human wants are certainly reduced to a low standard, but are easily satisfied all through European Turkey. The laxity of justice, however, almost entirely prohibits the improvement of the soil by the investment of capital.

I have, &c.
(Signed) H. BARRON.

Inclosure 1 in No. 15.

Report by Mr. Moore respecting Tenure of Land in Turkey.

Name of Country.—Province of Constantinople.
Population.—1,200,000 (approximate).
Religion.—Mahomedans, Orthodox Greeks, Gregorian Armenians, Catholic Armenians, Protestant Armenians, and Jews.
Industrial Pursuits.—Commerce, agriculture, and navigation.

LAND OCCUPATION.

There is no regular system of land occupation, but the land is held by small proprietors, the large proprietors within this province being limited in number, whose properties are either cultivated by themselves, through proper agents, or let out to tenants and sub-tenants.

Landed property is classed under five heads, viz., *Mémlouké*, *Mirié*, *Mévkoufé*, *Mélrouké*, and *Mevat*.

The "*Arazi-Mémlouké*," or freehold property, is transferable by sale, or by gift, and is mortgageable at the absolute will of the proprietor. On his death it is divided amongst his children; the males taking two shares to the female's one. These freeholds become the property of the State, and assume the nature of "*Arazi-Mirié*," when the proprietor leaves no heirs.

"*Arazi-Mirié*" is Crown property. The tenants of such property hold it in virtue of a "*Séné*" (Title Deed) called "*Tafou*," which is furnished by a special Crown officer, on the payment of a certain sum, agreed on according to its value.

"*Arazi-Mévkoufé*" are lands dedicated to pious institutions, and are leased in perpetuity to tenants, on payment of an annual nominal rent over and above a sum

representing the purchase-money. The object of this nominal rent is to show that the property of the land remains vested in the bakouf. These lands descend in succession to the heirs-at-law on the same conditions, but in the event of the lessee dying without heirs, they revert to the "bakouf," except under circumstances stated in answer to A. 2.

"Arazi-Métrouké" are uninclosed commons and pasture lands, belonging to the State, but granted for the free use of the inhabitants of the neighbouring towns and villages.

"Arazi Mevat" are waste lands belonging to no one, and situated beyond the boundaries of any town or village. All waste lands on being reclaimed are held on the same principle as the "Arazi-Mirié."

(A.)—SMALL PROPRIETORS.

1. As much land as can be worked by one or two pair of oxen. A great deal depends upon the nature of the soil; between 20 and 30 acres is the average extent of land cultivated annually by each small proprietor. It is usually very much intersected.

2. The succession to the class of real property, called "bakouf," devolves upon the children of the deceased in equal portions, without distinction of sex or of primogeniture, and to the exclusion of all other relations. Children who are not the issue of the deceased are equally excluded from all inheritance. If the deceased has left no issue, the property reverts to the "bakouf," but in such a case, by a recent law, the proprietor, on paying a higher rent (Idjarè) to the bakouf, acquires the right of regulating the succession. This new law is compulsory as regards rural "bakouf" property, which is thereby assimilated to "mulk;" but as regards town "bakouf" property, it is left optional to the proprietor to avail himself of it or not.

"Bakouf" property is divided among the heirs of the deceased, in presence and with the sanction of the trustee. Division is not permitted, if it be ascertained that any diminution in value would result to the "bakouf," even in case the property be divisible.

The law of succession to the class of real property called "mulk" (freehold property) is the same as that of personal property.

The division of "mulk" takes place by common agreement among the heirs, and in case of dispute, by judgment of the "Shéri" (sacred law).

If the property is indivisible, the enjoyment of the whole is granted to each of the heirs for a certain period; the order of enjoyment being determined by lot.

3. The sale or transfer of "bakouff" property is effected in presence and by authorization of the trustee. The deed of sale, drawn up and registered by the administration of the "bakouff," is delivered to the proprietor. A deed of sale under private hand and seal is null and void.

The exchange of property is effected by separate deeds of sale. The duty levied by the administration of the "bakouffs" for the transfer of "bakouff" property is 3 per cent., for "mulk" property 2 per cent., and for division $1\frac{1}{2}$ per cent.

4. None in this province, though borrowing-banks have been established in the vilact of Adrianople. Much benefit has accrued to the agricultural population from them; and the Turkish Government contemplates the establishment of similar banks in several of the provinces.

5. Many of these properties are mortgaged; and although the legal rate of interest is 12 per cent., most proprietors raise money on their lands at 18, 20, and even 24 per cent.

6. The mortgage of "bakouff" property is effected under the form of "réméré," (redemption), that is to say, with faculty of re-purchase. The deed is drawn up in the same form as a simple deed of sale. The duty levied is $1\frac{1}{2}$ per cent.

The mortgage of "mulk" property is effected by an authenticated deed in presence of the Judge of the "Shére," in the same form as a deed of sale of such property. The duty payable is 1 per cent.

The mortgage of "mulk" property can be effected also by deed under private hand and seal.

7. A four-year shift is the usual rotation for raising crops, viz., wheat, barley, and Indian corn; the land lies fallow the fourth year.

Stock is not raised on small properties. Cattle graze on the pasture lands appertaining to the adjacent village.

The mode of cultivation is of a very primitive kind; the ground is merely scratched over with a wooden plough, and the seed sown broad cast.

8. Machinery is not used. Montenegrins, Bulgarians, Croats, and native villagers,

are generally employed as hired labourers on large properties, when the proprietor and his family are not labourers themselves.

The average number of labourers to the area cannot be ascertained.

Female labour is only employed for the lighter operations of husbandry.

The agricultural labourer, who lives with his employer, is engaged for one year, six months, or three months, at a salary varying from 7*l.* to 14*l.* per annum, according to the nature of the work, and the efficiency of the male labourer.

Labourers who are not lodged and boarded, receive 1*s.* 6*d.* per diem.

9. Bulgarians, Croats, Montenegrins, immigrate from their respective countries in large numbers, and settle as labourers in this province for a number of years. They obtain higher wages than in their own countries.

10. The small proprietors live in the villages adjacent to their properties, and the large proprietors live in Constantinople, entrusting the management of their properties to competent agents, who live on them.

11. They are lodged in barns and outlying buildings set aside for them; their food consists of bread, French beans, cheese, olives, oil, vegetables; and at Christmas and Easter they receive a ration of meat. They are clothed at their own expense, with a coarse woollen stuff called "saiak," manufactured in the country.

The employer supplies each labourer with a pair of sandals made of cowhide, as often as he requires new ones.

As a class they are sober and industrious, but poor; they are subjected to no great hardship or ill-treatment.

12. In the absence of all statistics, no satisfactory answer can be given.

13. No public opinion is expressed in this country as to the advantages or disadvantages of any system of agriculture.

(B.)—TENANTS AND SUB-TENANTS UNDER LANDLORDS.

Tenure.

1. The quantity of land held by each depends on the circumstances and credit of the tenant and under-tenant. It is rare, however, for them to work more than two or three pair of oxen; and the great majority work one pair only.

2. After agreeing on the rent and term of lease, and an inventory being made of the live stock, implements, and seed on the farm, a convention is drawn up and signed by both parties, which settles the mode of payment and other matters agreed upon.

The proprietor himself, or his agent, then draws up a statement of the conditions agreed upon, which, on being exhibited to the proper authorities, a deed of lease is accordingly delivered.

The term of lease is for one, three, or seven years.

Sub-tenancies are assignable by the tenant without the consent of the landlord.

3. The tenancy is created by a written agreement.

4. The written agreement is registered by the local authorities, that is to say, is entered on the books kept for that purpose.

5. A tenant is considered as having a legal right to remain in occupation of his holding during the term of his lease, so long as he pays the stipulated rent.

No law or custom exists which gives a tenant the right to retain his holding after the expiration of the term of his lease.

6. A tenant has no right by law or custom to sell his interest in his farm without the consent of the landlord.

Rent.

1. In case of tenancies the payment to the proprietor is made by a fixed amount in money.

2. The rent is not regulated by custom, valuation, or competition; it varies according to the nature of the soil, the extent of land, the quantity and quality of stock, and the term of lease; a bargain is made between the two parties.

3. The rent is payable yearly, half-yearly, and quarterly.

4. The landlord has no power of raising the rent, but possesses the right of eviction in case of non-payment of rent, or breach of covenant during the term of the lease; at the expiration of the lease he has the right of raising the rent.

5. Both proprietor and tenant can have recourse to the proper tribunals.

The landlord's claim for rent has the priority over all other creditors, the Government tax-gatherer excepted.

Evictions.

1. The law confers the right of eviction upon a proprietor in cases where the tenant does not pay his rent, does not take proper care of the stock, or when his mode of cultivation is destructive to the land. The tenant may avoid being evicted on payment of his rent, and by giving guarantee to fulfil the conditions of his contract.

2. Such evictions are not frequent, but when they do occur they are owing to the above-mentioned causes.

Improvements.

1. Buildings and improvements are usually made by the landlord.

2. If by the tenant he has no security whatever.

3. The landlord upon resuming possession, has a legal right to the improvements made upon the farm by the tenant, and the law does not recognize any right whatever of the tenant to compensation.

4. As already stated, the tenant cannot enforce any right in respect to these improvements.

5. Tenants have no means of raising loans for improving their holdings, either from Government, or special public banks, or companies aided by Government.

Miscellaneous.

1. The relations between landlord and tenant are usually friendly. The tendency of the law rather favours the tenant at the expense of the landlord.

2. The mode of cultivation by tenants is very similar to that by small proprietors.

As regards cultivation of their farms, employment of labour, mode and standard of living, solvency, independence, and general circumstances, and character, they may also be assimilated to the small proprietors, although generally somewhat inferior to them.

3. There are no means of ascertaining the annual rate of increase in the population among tenants as compared with that of small proprietors.

4. Tenants do not emigrate.

5. There is no prevalent public opinion as to the advantages or disadvantages of any part of the above system.

6. The creation of freeholds or tenancies by proprietors, or the granting of leases has never been enforced by legislature.

7. Proprietary rights never having been limited, there has been no necessity for compensation.

8. It has already been stated that public opinion does not exist in Turkey.

9. No steps have been taken by Government to create or increase the number of owners or freeholders, and there is no system now in force with this object.

10. Tenants receive no assistance by law, public credit, or otherwise in their endeavours to become proprietors of their holdings or of other farms, and such endeavours are not frequent.

11. The laws in force tend to favour the dispersion of land.

Copyhold.

There are no tenures in Turkey resembling the copyholds of England.

(Signed) LIONEL MOORE.

Constantinople, January 25, 1870.

Inclosure 2 in No. 15.

Report by Consul Palgrave respecting Land Tenure in Eastern Turkey.

Preface.

The system of land tenure in Asiatic Turkey being based on principles essentially different from those ordinarily admitted in Western Europe, it follows that, in what regards those principles themselves, and their direct or first-hand application, no precise parallelism between the laws and customs affecting the relations of landlord and tenant in Turkey, and those existing in Ireland, can reasonably be expected.

Still, this very Empire, in its close and long continued connection with Europe, has

undergone so much practical modification, taking no less than giving, that diversity of starting-point has not always occasioned so absolute a divergence in results as might otherwise have been the case; and hence, when the facts of tenure are under consideration, some kind of comparison between what has passed, or passes, in the two countries becomes not rarely possible, and may prove instructive.

Again, the subject-matter itself, or land with its adjuncts—crops, pastures, forests, and men, whether landlords, farmers, or tenants—being substantially the same in all organized countries, the indirect application and working of Turkish land tenure principles, do, from the very nature of things, often present available points of resemblance to, or discrepancy from, what is reported to exist in Ireland; and here not suggestion merely, but positive inference can find place.

Lastly, the ultimate title of proprietorship being the same in Turkey as in Ireland, namely, conquest; and being also in each voluntarily ignored by the legislature of our times, a further motive of similarity is afforded for the effects at least of institutions thus far analogous in their origin and modifications.

Comparison and inference shall, however, be left as much as possible to competent readers; nor will I, in my ignorance of Irish details, venture on drawing myself parallels and conclusions likely to be of little value. The present Report will only contain a statement of the laws and customs affecting land tenure in Asiatic Turkey and their results, leaving out what particulars, legal or usual, are clearly stranger to the main object in view—namely, some possible inference bearing on the intended settlement of land tenure in Ireland.

Basis of Tenure.

Land tenure, absolute or conditional, in Asiatic Turkey—that is, in Anatolia, Koordistan, Irak, and Syria—is based remotely on the fact of conquest, and proximately on two principles of axiomatic value.

1. That all conquered land belongs, in ultimate and absolute right, to the Sultan, that is, to the supreme Ottoman Government for the time being. This axiom is modified by the co-existent theory, that the land itself was conferred on, and is held by, the said Government in gift of God; and that hence Government itself is bound to administer the land so given in accordance with natural justice, and under recognition of all rights established by law or sanctioned by custom.

This principle, it is evident, affects more particularly absolute tenure or lordship.

2. That “*ijàret*,” or hire, a term used in Mahometan law to denote the exchange of a definite value against one indefinite at the time of agreement, is admissible in contracts regarding land and produce; whereas that, on the contrary, “*Mezaràat*,” or “*Shirket*,” i.e., “partnership of crops,” or “association,” are lawful. “*Ijàret*” is, however, allowed in time-labour, or when the result proposed can be in a manner pre-defined—as in building, house-rent, and so forth.

This principle was laid down by the greatest among Mahometan legists, Aboo Haneefah, of Bagdad, born A.H. 80, died A.H. 150, whose decisions, with some unimportant modifications, have been officially adopted by the Ottoman Government from its earliest organization down to the present day. It affects conditional tenure or tenancy and occupancy.

Attentive consideration of these two axioms, especially the latter, will convince that the primary conditions of Land Tenure and tenancy in Turkey must be intrinsically divergent from those which obtain in Ireland; though, as we shall soon see, this by no means implies an equal divergency in matter of fact.

But in order fully to understand the practical working of the Turkish system, and its ultimate result at the present day, a brief historical retrospect is required.

Historical Division and Allotment of Land in Eastern Turkey.

Omitting the well-known classification of land under “*Ushreeyah*” and “*Khar-jeeyah*,” according as it belonged at the time of conquest to Mahometan or to Christian proprietors,—a distinction of some importance in Western Turkey, but of no consequence soever in the Asiatic portion of the Empire, where concessions and exemptions of all kinds have long since effaced such demarcations,—we find the land under Ottoman rule portioned out shortly after conquest, for all purposes with which this Report is concerned, under five distinct headings.

I. “*Meeré*,” or, state property. All land, whether forest, tillage, or pasture, retained under direct Imperial signiory, to the profit of the Government Treasury.

II. "Wakf," or, endowment. Land set apart for the maintenance of mosques, schools, hospitals, and the like. These endowments, if made by individuals, were, and still are, inalienable by law, both in themselves and in all details defined by the will of the endower; but if made by the State, they are liable to be modified, or even wholly revoked at pleasure of the State itself.

III. "Mulk," or, personal property. This title, of its nature a secondary one, remounts to one of three sources—Imperial grant, purchase from Government, or purchase from individuals; the last being, as is evident, ultimately derived from one or other of the former two. But the first, namely, Imperial grant, requires special elucidation.

After conquest, whatever land was not put apart as "Meerè," or "Wakf," was either divided by the new administration in fief among the conquerors themselves, according to the claims of rank and military service, or was confirmed to the original possessors, subject to taxation and the other obligations of the times, or passed into the categories "Metrookah" and "Mubah," terms to be explained a little further on.

The fiefs conferred were classified under three headings, namely, "Sanjak," or "Beglik," "Za'amet," and "Zimar." Of these the smallest, the "Zimar," was under and up to 500 acres; the "Za'amet" was between 500 and 3,000 acres; while the "Beglik," or "Sanjak," besides conferring on its holder certain rights, of which more anon, was generally of larger predial dimensions than the "Za'amet," and occasionally comprised, sometimes even exceeded, the extent of 20,000 acres. "Sipaheelik," or, "soldier's portion," was a name common to all.

The character of these fiefs varied according to the specifications of the deeds of grant. Some fiefs were assigned for life only, others were made hereditary; some were unburdened by any definite obligation; others were charged with military service; others again with a stated payment to the Treasury; others with agricultural tithes; others with a property-tax. Much in the same way the lands confirmed to the original or native proprietors were sometimes made liable to tithes, sometimes to a fixed contribution or service, and sometimes were exempt altogether.

But in all cases Government fiefs were distinguished from other estates by two notable privileges, to which I would call particular attention; because it is precisely their later abolition that has more than anything else brought about the present dispersion, and consequent depreciation of landed property; more even than the causes, however real also, assigned by Finlay, in his able writings on this subject.

First privilege, indivisibility. A Timar, a Za'amet, or a Beglik might, in event of succession, or through other circumstances, become charged with the maintenance of several persons; but the estate itself could not be divided by any incident of succession or of occupancy. Hence the property, if hereditary, passed whole and unimpaired to the eldest male of the family; if a life-grant only, it reverted to the State, by which it was re-granted entire to some new assignee. Female proprietorship in fief-land was barred, except under some rare and exceptional circumstances, provided for by law.

Second privilege—invulnerability.—This was secured by the imperial character of the grant itself. The Sultan alone in person could confer a fief, great or small; no subordinate, however high in office, not the Grand Vizier himself, could assign the proprietorship of a single acre of land. Now, the Sultan's grants were formerly esteemed irrevocable, except in case of some great crime, high treason, for instance; or, if hereditary, on failure of heirs. This privilege, combining with the former, tended soon to convert all fiefs whatsoever into perpetual entails, and it was chiefly the power that individual will has always exerted in the East over abstract law that awhile retarded the process.

Now, as the total number of "Za'amets," or larger fiefs in Sultan Sulcyman's time (1520-1566), attained 3,192, and that of the "Zimars," or smaller fiefs, 50,160, without counting the "Begliks," or "Sanjaks," not under 500 certainly; it is clear that landed proprietorship as it then existed in Turkey contained within itself a vigorous germ of a national, or, rather, of an imperial gentry and nobility in their truest, because in their most permanent and influential form.

On the other hand, lands not assigned in fiefs, or "Sipaheelik," were liable to division, sale, transfer, and the like, at the will of their owners, or in accordance with the ordinary Law of Heritage, by which, on the demise of a landed proprietor, his children, or other heirs, divided his estate equally between them, without preference even of sex. This division was, and still is, obligatory; and acted so far as a counterpoise to the Government entails above described.

IV. "Metrookah," or "conceded land," that is, all land, whether pasture or forest, conceded by Government, in accordance with immemorial custom, to the free and

commercial use of one or more villages in the neighbourhood. Such land could neither be bought nor sold, be enclosed or cultivated, become matter of contract, public or private, without the unanimous consent of the village or villages to which it belonged. No personal occupation of however long continuance could prescribe against the communal right.

Such lands have always been, and still are, both numerous and expensive in Eastern Turkey. They were originally held tax-free; of late years Government has made an attempt to bring them under taxation, but as yet without effect.

V. "Mubah," or open land, whether forest, pasture, mountain, swamp, or other, to which no claim of proprietorship has yet been made either by Government, community, or individual, and which is consequently open to the first occupant, free of all conditions. This, too, covers a large geographical superficies, half, perhaps, of Eastern Turkey.

Thus much for Turkish absolute Land Tenure, historically considered. We next come to the conditional tenure, or tenancy, of the same period.

Conditional Tenure, or Tenancy, Historically considered.

The principle laid down by Aboo-Haneefah regarding the illegality of "Ijaret," or a fixed payment, in return for the use of land, coming to a certain degree into collision with the common sense of the matter, as well as with existing facts, gave origin to three distinct systems for the sub-occupation and cultivation of land. Of these systems one, the most widely adopted, was in close accordance with the teaching of the Bagdad Legist; the other two were compromises, as indicated above.

The first, and the most general, was that denominated "Muraba'lik," or produce-partnership. This system I shall now explain at some length, because it is the genuine Asiatic substitute for tenancy, and because on the right understanding of it depends the intelligibility of at least half the present Report. I should add that the term "muraba," adopted like so many other Arabic words into legal or official Turkish, signifies originally a guardian-partner.

"Muraba'lik," or Produce-Partnership.

The proprietor of land which he is unable or unwilling to cultivate in person, engages one or more "muraba's," analogically tenants, really produce-partners, to do his work. The term of the engagement is invariably one calendar year, the base, equi-division of the product.

Seed, and, where requisite, beasts, implements, and so forth, are ordinarily furnished by the landlord or proprietor; who, however, at the end of the year, substracts the equivalent of what he has thus advanced from the "muraba's" half share of the produce. Should, on the other hand, any of these things have been advanced by the "muraba," he in his turn deducts the equivalent from the landlord's half-share on reckoning-day.

In regard of buildings and improvements, the rule is the same. The landlord, in most cases, supplies materials, tools, and, when work exceeding ordinary agricultural skill is required, workmen; the "muraba" bestows his labour and superintendance. Under this arrangement no extra charge is noted against the ultimate half-shares on either side. But should, on the contrary, the landlord or the "muraba" have contributed from his own, over and above what has just been specified, the excess is re-imbursed out of the produce-shares at the year's end.

Tithes, Government Dues, and Losses, are met in the same manner, each bearing a half.

When the year has come round, and, after division made, with compensation, if necessary, the engagement expires of itself; to be renewed or not, at the mutual option of the parties.

In no case can the contract be validly made for a period exceeding one year; and no lapse of time can confer on the "muraba" any right, personal or hereditary, in the land, buildings, or other belongings, beyond his half-share in the usufruct for the current year.

Should the landlord desire to evict a "muraba" before the expiration of that term, he is at liberty to do so; but he must first make over to the "muraba" the equivalent of his anticipated share, estimated on the produce of the preceding year; besides compensation for any extra expense on account of buildings, improvements, and the like, proved to have been incurred by the "muraba," but with the landlord's previous and express consent. Should such consent not have been given, no compensation can be claimed.

In fine, "Muraba'lik" is a partnership between landlord and tenant in a year's produce of the land, upon equal terms, profit or loss; leaving the proprietor's right in the land itself absolutely untouched, and maintaining to him an equally absolute right in all buildings or improvements made on the land, after repayment of the quota value in excess contributed by the tenant as aforesaid.

Such was, under the old regime, the most generally adopted, though by no means universal system of tenancy.

Other Forms.

These, however, various at first sight, were all reducible to two, "Tesarref," or use, and "Resm," or duty. Both were, in fact, near approaches to the theoretically illegal "Ijaret," or hire, more particularly the former, though disguised by the decent fiction of legal phrasology.

"Tesarref," or use, existed under two forms. In the one, leases were granted for life, at a fixed rate of rent, which could not be raised without Government sanction. The leases were hereditary, but liable to subdivision. Buildings, improvements, and the like, were all at the tenant's own cost, risk, or profit. He could not even be formally and legally evicted; but could be distrained on, or even sold out, in case he neglected to pay the yearly rent.

This form of "Tesarref" was most frequent on "Meerè," or government lands; though it was also to be met with occasionally on "Wakf," or endowment property. It still exists; to what extent we shall see further on.

In the other form of "Tesarref," the leases were limited in duration, being generally for five years; sometimes less. They were renewable at the landlord's will, but not revocable until after the expiration of the prefixed period, whether long or short; at which epoch the rent could also be raised, but not before buildings and analogous expenses were at the tenant's own cost; if he left he had right to compensation, after deduction made for the intervening use. But improvements of a nature to bring profit at first hand, gave title to no compensation, the tenant having already been benefited by them. The leases were hereditary.

This variety of "Tesarref" was mostly confined to "Wakf," or endowment property, on which it is still sometimes to be found. Later circumstances, of which more hereafter, have occasionally extended it to "Mulk," or private property.

Follows "Resm," or duty. This was universal in the "Begliks," and was frequently practised on the larger fiefs, or "Za'amets."

"Resm" signified the dues which the villagers on the above-named premises paid their feudal lords, in return for the use of the land, and, in great measure, of the crops. The "Resm" was various, being sometimes military service; sometimes tithes in kind; sometimes a still larger share of the produce, up even to half, never above; sometimes fees on certain recurrent occasions, but never, I believe, a fixed rent. The land in general belonged in right to the assignee proprietor; but the peasant's own house and garden within that land were considered as his private property, and passed to his heirs-at-law, subject always to the same conditions under which he had himself held them. It was a modified serfage, but personal, not of the glebe; for the peasant cultivator was always free to change from one demesne to another, if he could. Nor could the proprietor of the "Beglik," or "Za'amet," legally expel his vassal tenant, though acts of injustice and oppression, practically tantamount to expulsion, did at times take place, yet not often.

On the "Begliks" and larger "Za'amets" the proprietors would also frequently entrust a part of the cultivation of the land to their own numerous personal retainers, whom they repaid by food, lodging, clothes, arms, and the like, rather than by any stated stipend. These retainers were chosen the most part from among the peasants of the manor itself.

Summary.

Thus the land was divided between two distinct categories, namely, "Meeré," "Mulk," and "Mubah," or State Property, Private Property, and Unreclaimed, on the one side; and "Sipaheelik," "Wakf," and "Metrookah," or Fiefs, Endowments, and Common, on the other. The former category represented the principle of sub-division, and of small estates; the latter that of entail, and of large estate; but the balance was not even between the two classes, it inclined in favour of the latter.

Again: sub-proprietorship was of four kinds, namely, produce-partnership, tenancy for life, tenancy on short lease, and serfage. Of these the first represented the Arab or Mahometan principle; the three others the Imperial or Turkish. Thus they too formed two influences, and pretty evenly balanced each other.

Lastly: it is worth noting that most of this territorial nomenclature is military in origin and in significance. For four centuries the Ottoman Government, wisely or not, made no attempt to shirk or disguise the fact of conquest; though by the remarkable mildness,—till within the last forty years,—of their administration, and by their large and almost contemptuous toleration, on their own territory, of religions and usages different from their own, they rendered in general the fact and title not distasteful to the conquered races themselves, in Asia at least. Later discontent, while pretexting historical, or mythical, reminiscences, has been really due to extra-territorial influence and excitement.

Further Modifications of Land Tenure under the Old Regime.

It would be long to track all the social and political causes which during the lapse of four centuries modified this system, and profoundly changed it from its original institution. Suffice for our present purpose to give the result; and to say that at the end of the last century, and up to the first quarter of this, the proportional division and tenure of land in Ottoman Asia was as follows:—

“Mubah,” or unreclaimed; about two-fifths of the geographical surface.

“Metrookah,” or common; a little under half of the remainder or reclaimed lands.

Land under Tillage.

“Meeré,” or state property; about one-twentieth of the cultivated surface; farmed out by the Government in large estates to wealthy Greeks or Armenians the most, and by them sub-let partly to tenants on the “Tesarref” system already explained, partly, but less often, to “Muraba’s,” or produce-partners.

“Wakf,” or endowment-property; about one-fourth of the cultivated surface; administered by Mahometan trustees, often hereditary, sometimes designated by special appointment or purchase; occupied the most part by tenants under the one or the other form of “Tesarref;” occasionally portioned out to “Muraba’s,” as above.

“Sipaheelik,” or fief-lands, whether “Beglik,” “Za’amet,” or “Timar;” some fiefs having been originally life-grants, some hereditary; but, at the time we are now speaking of, having all become hereditary in practice. The whole about one-half of the cultivated surface.

The “Sipaheeliks” had now crystallized into two classes.

1. “Begliks,” or titled properties, involving a quasi-feudal signiory; manors, in fact. The lords of these manors were, in the Turkish-speaking provinces of the Empire, namely, Anatolia and Koordistan, called “Déré-Begs,” or lords of the valley; in the Arab districts, *i.e.*, Syria and Irak, they were entitled “Ameers,” or governors. Their demesne, like their dignity, was strictly hereditary. The former was theoretically entailed, but in practice was occasionally subdivided to some extent among the heirs in direct line; the latter was common to all members of the family. “Resm,” or vassal duty, prevailed on their lands.

2. “Za’amets,” and “Timars,” the original distinction between which had now become blurred; these had also transformed themselves into hereditary fiefs, but without regular signiory. The peasantry on them followed, in some districts, the “Muraba’lik,” or produce-partner system: more rarely those of “Resm” or “Tesarref.”

Lastly, “Mulk,” or private property, strictly speaking, held on the ordinary personal tenure, and subject to all legal conditions of purchase, inheritance, and subdivision. It constituted the remaining fifth of the cultivated surface; and, where not tilled by the proprietors themselves, was administered by “Muraba’s,” as above.

Thus, partly by “Resm,” or vassalage; partly by “Tesarref,” or rent, at that period generally on life-leases; partly by “Muraba’lik,” or produce-partnership, which had also taken colour from the semi-feudal institutions around, and tended to become a life-tenancy, the tenure of culture-land in Eastern Turkey had gradually moulded itself into one huge partnership between permanent landholders, mostly with large estates, on the one hand, and peasant cultivators, mostly with a life-interest in the land, on the other. In this partnership the yearly profits and liabilities were not unequally shared. Greater liabilities, consequent on general events, such as wars, plagues, earthquakes, and the like, rested mainly on the landowners, who in return retained the totality of their proprietorship intact; while some special lesser liabilities, such as extra labour, personal military service, and feudal dues, rested on the associated peasantry; who again found their compensation in the opportunities afforded them naturally enough by such a system of augmenting their share by countless little underhand practices considerably beyond its proportions in the original bargain.

General Result.

It would seem, on the evidence alike of history and of still-surviving fact, that both landowners and peasants found their profit and advantage in this state of things; the relations between them were, with rare and individual exceptions, substantially friendly; nor were forcible evictions of tenants or assassinations of landlords more ordinary events than are such-like proceedings among the partners in a bank or in a shipping office. Population was decidedly on the increase; agriculture, on the whole, flourished; great land-improvements, of which the traces yet remain, were made; and there was, above all, a growing tendency to convert pasture-land into tillage, not tillage into pasture-ground. No agrarian risings, no rick-burnings, no anti-landlord associations appear on the county annals of Eastern Turkey; where deeds of insubordination and violence are indeed only too frequently recorded, but none of which the origin can even remotely be traced to peasant discontent and systematic hatred of the landed classes. Yet, had such feelings existed, they would have found speedy and deadly vent in a land where for four centuries all the villagers were armed, and far the greater number of them were or had been soldiers at some period of their lives.

Parallels and contrasts with the *Annals of Irish Land Tenure* can hardly have failed to suggest themselves in the course of this review.

Present Conditions of Land Tenure in Eastern Turkey.

But, during the last forty years, the circumstances and conditions of land tenure, whether proprietorship or tenancy, have been greatly altered by causes, which may best be elucidated by the consideration of their results, immediate and remote. The immediate results affecting more directly proprietors or landlords are, the Sub-division and the Depreciation of land.

Sub-Division.

The large estates, which form so prominent a feature in historical retrospect, have at the present day totally disappeared, or are fast melting away, while every year renders the division of landed property still more fractional.

The first and main cause of this has been the resumption, or, rather, the suppression of all military fiefs throughout the Empire; that is, the fiefs above described as "eipaheeliks," whether "begliks," "za'amets," or "timars." This suppression was commenced by the Sultan Mahmood II (A.D. 1808-1839), and was completed by the Sultan 'Abd-el-Mejeed, his successor, in the first year of his reign.

Accordingly, by these two Sultans, all the property-grants made by their predecessors were cancelled, and all hereditary entails absolutely done away, with all semi-feudal rights and privileges, signiories, serfages, and the like. Where opposition was neither offered nor apprehended, the lands were, indeed, left in the hands of their then existing proprietors, but for life only, and under the ordinary conditions, to be explained further on, of private estates; but wherever resistance was made, or seemed likely to be made, that is, in about three-fourths of the "begliks," and a full half of the lesser and non-signiorial fiefs, the lands were confiscated, and the landowners put to death or banished. In such cases the estates were forthwith resold piecemeal by Government to the first bidders.

With the wisdom of these measures, for which Mahmood II and 'Abd-el-Mejeed have received much praise from a certain school of European writers, French in particular, we have nothing here to do. The fact belongs to history; the praise has found no echo in Turkey. A single blow felled large estates, entails, nobility, and gentry throughout the Eastern Empire, never to rise again.

For a second cause now came into operation, effectually to prevent the splintered trunks from re-uniting, and to perpetuate and even multiply their cleavage. This was the law of land inheritance, under the unchecked action of which the entire mass of what had once been indivisible "sipaaheelick" demesne, "beglik," "za'amet," and "timar" was now brought.

This law directs imperatively, and without exception, that all landed estates soever should, on the demise of their owner, be divided in equal allotments among the heirs of the first degree in descending or ascending line, male and female alike; failing these, among the heirs in collateral line, male and female; failing these, among the remoter kindred; all failing, the land reverts to the State, to be again divided among such of the conterminal proprietors or neighbours as consent to pay to Government a 10 per cent. duty on the purchase. Thus, for example, should a landholder dying leave three sons and three daughters, his estate would be divided into six equal portions, and so on.

This law, being now no longer balanced by any exceptional provisions, such as were formerly attached to the inviolable, so deemed, and indivisible Sipaheliks, is alone sufficient not merely to forestall accumulation but to ensure dispersion.

Depreciation of Land.

How far this has gone may be gathered from the fact, that at the present time no creditor in Eastern Turkey will accept in settlement a mortgage on his debtor's estate, though due provision in law exists for such acts; and though meanwhile houses, shops, and other objects are mortgaged, or, more correctly speaking, pawned every day, land only has absolutely no value in the credit market.

The causes of this depreciation are many.

First, the very facts just mentioned under the heading "Subdivision;" the shock given to public confidence by the arbitrary annulment of grants and privileges long believed to be inviolable; the no less arbitrary manner in which that annulment was carried out; and the testamentary laws which rendered land the least desirable of all possible investments where a family is in view.

Secondly, the conditions of purchase, sale, and transfer of land, under the existing Legislation. These are as follows:—

On the purchase of land from Government no title-deed is granted, but in its place the purchaser's name is entered as such on the official register, and a premium of 10 per cent. *ad valorem*, over and above the cost price of the land, is paid by him on the spot. Of this payment he receives a paper of quittance; which, apart from the registry-book itself, over which he has no control, is his only title.

Should he desire to re-sell, he must provide the new purchaser with the original paper of quittance; and, on its production at the Registry Office, the intended transfer is entered on the lists; and a fresh premium of 5 per cent. is claimed by Government. But should the quittance paper have by any accident been lost, or be otherwise not forthcoming, the premium rises to 10 per cent., as at the original sale, and so on through all future sales and transfers, *ad infinitum*.

In private as in public sale no legal deed is recognized; the receipt for the last 5 per cent. or 10 per cent. and the registry-book, of which no copy or extract is given to either buyer or seller, are the only valid documents.

A third cause is in the overweight of excessive taxation on land and its produce. This cause, both in its details and in its results, has been sufficiently explained by myself in an official Report on a Consular district visit, dated November 16, 1869. To it I now beg leave to refer; as the subject, to be properly treated in these pages, would require too wide a space. Suffice here to say, that rural taxation in Eastern Turkey amounts to about 26 per cent. of the land-proceeds, considered in themselves; and to about 160 per cent. considered in relation to the concurrent outlay.

A fourth cause of the depreciation of land is official spoliation, direct and indirect. Direct when, as daily occurs, land is summarily taken from the proprietors for the construction of a road, a barrack, or some other public work, without any return or compensation soever. Indirect, by the ever-recurring requirement of forced labour from the peasantry on all imaginable occasions; and the consequent subduction of so much work from land-culture.

Fifth cause: the forfeit of 10 per cent. *ad valorem* exacted by the State from any proprietor who may have allowed his land, whether plough, garden, or other, to remain fallow above three years. This enactment forms part of the Landed-Estate Code, issued by the "Tanzeemat-Mejlis," or "Reform Council," on the 21st of April, 1858. And here I may summarily remark that the entire Legislation of the said Code, actually in force, tends to lower the value of land, both by the imposition of heavy Government dues on every transaction connected with it, and by invariably giving a legal preference to the contingencies of doubt and transfer over those of possession and permanence. In a word, the Code hampers occupation and invalidates proprietorship throughout.

Other causes might be noticed; but the above suffice to account for the change by which that which was formerly the first article in the Eastern Turkish market, is now the last in national esteem.

Such, within the space of only forty years, have been the direct effects of the annulment of title-deeds, and the sub-division of estates on land proprietorship in Asiatic Turkey. Whether analogous causes might issue in like results elsewhere, is a serious consideration, but one which lies beyond the sphere of our present Report. Much may doubtless depend on special conditions, and the diversity of local circumstances, of national idiosyncrasies perhaps.

Modification of Tenancy.

But while direct proprietorship, or landlord rights and profits, have been thus affected, sub-proprietorship or tenancy has not escaped.

We have already stated, that the greater number of the fiefs, while yet entire, were cultivated on a semi-feudal system; the peasants holding the position of personal, though not of territorial, serfs: giving labour in return for maintenance and protection; retaining a not very accurately defined share of the produce, in requital of services and dues not more accurately defined; and enjoying a permissive occupancy right, seldom interfered with. All this ceased, of course, on the suppression of the fiefs themselves.

Where the estates left in life tenure to their original proprietors were small, and where confiscation followed by piecemeal sale came into action, that is, in about four-fifths of the fief lands, the "muraba," or produce-partnership system, immediately replaced every other. Where, however, submission or weakness allowed estates of considerable bulk, no longer privileged indeed against future division, yet entire for the moment, to remain in the hands of the original proprietors, or where some wealthy purchaser took up the estate on confiscation, whole and undiminished, it became necessary to fill up the void left by serfage in other ways.

In some cases, but not numerous ones, hired labour at fixed wages per diem was introduced. The peasants retained, as a rule, the prescriptive occupation of their houses, and even of the little gardens often attached to them; but lost all right, legal or usual, in the ploughed lands, and in the partnership of the crops, which they henceforth cultivated on hire for the landowners. This arrangement still subsists here and there; but as the estates are, from inheritance and other causes, being themselves constantly frittered down to smaller and smaller dimensions, the class of hired labourers diminishes every year, and "murabas," or produce-partners, take their place.

In a somewhat larger number of instances the peasants have retained their quasi-right in the land they till, and have become tenants on the "tesarref" system, either at life leases, or, more ordinarily, on renewable leases, as explained already.

The "wakf," or endowment lands, having, though with some difficulty, escaped the sweeping confiscations of Sultan Mahmood, and his successor, continue so far to be cultivated in the manner before described. But the actual tendency of the Executive, which in this country partly includes and wholly controls the legislative, being to diminish, and even, when possible, wholly to break up these endowments, the "wakf" estates have also undergone a considerable, though gradual, alienation and sub-division; in consequence of which the "muraba" system, one readily adopted by indolent trustees or proprietors with small plots of ground, has come in here latterly also.

Lastly, a similar process has been at work on the "meeré," or State lands, originally cultivated on "tesarref" by tenantry, now daily sold off in small lots, to meet the exigencies of an ill-administered and always exhausted Treasury; and thus more and more passing away into little fractional estates, cultivated by "murabas."

"Metrookah," or pasture and forest common lands, remain much as they were; "mubah," or unreclaimed, is on the increase.

Further Effects of the Sub-Division and Equalization of Land.

By far the greater number of landlords being, from the combined influence of the causes above-enumerated, too poor to employ hired labour on a profitable scale, have now adopted the "muraba" system; so that, at the present day, three-fourths of the cultivated surface is split up into an almost infinite number of small farms, worked either by the pauperized proprietors themselves, or by associated peasants, who stand to the landlords in a numerical proportion of about three to one.

Thus landed property is still, as before, one vast limited-liability association—with this difference, however, that, in a general way, the partners are now all small, and almost all bankrupt.

The backbone of the old system—I mean the large entail estate proprietors, men able to meet a demand, to support a failure, to lift their lesser co-landlords over a difficulty—being gone, the entire mass is fast collapsing into a chaos of feeble land-owning or produce-sharing beggars, too slender, the most, to bear the yearly burden of expenditure and taxation, and utterly crushed by a single bad harvest. No one has strength to carry out, or even to undertake any real improvements on his wretched little plot of ground; no one feels that ground firm enough under his feet to attempt any superstructure of capital on it; no one cares to better what, if bettered, is only so for the increase of Government dues, and the ultimate ruin of legal and hereditary partition.

Such is the condition into which the greater part of the landowners in Eastern Turkey are already sunk, and into which the small and decaying remnant of the better sort are rapidly sinking. Meanwhile agriculture wanes on every hand; its quality and its quantity alike deteriorate and diminish; pasture-land encroaches on plough-land, waste-land on both; cottage-roofs drop in, and the country population emigrates or dies away. A sad landscape, but a true one. I have seen the original in "Irak" from Bagdad to Mosool, in Syria from Damascus to Aleppo, and in Anatolia from Erzeroom to Angorah, and can neither forget nor overdraw it.

If any one wishes to know the effects of estate-titles annulled, property subdivided, and landlords and tenants placed on a level, let him travel a few years in Eastern Turkey; the lesson is unmistakable.

It may be asked, Is there any hope in the end? I answer, None, under the existing land legislation—of land taxation we for the moment say nothing—none all the more that the "muraba'lik," or produce-partnership, now next to universal, defers the ruin which it helps to consummate, and holds the peasantry back from the despair which might prove their best hope. This system helps on the ruin by the lazy, uninterested spirit it induces; lazy in the landlord, uninterested in the peasant, who, under it, neither can nor does look beyond the end of the year. It holds back from despair by supplying present want with a present pittance, wretched and dwindling indeed, but a pittance still. Were the peasantry utterly desperate, their despair might force a remedy; as it is, they are only, though deeply, discontented, not with their landlords, equally discontented as themselves, but with the Government, and the order of things induced by Government. And while to create large landed proprietors, who might be a prop and a stay to the peasants, is as difficult as to destroy them was easy, it is hard to see what remedy Government, even if so disposed, could apply. But if a moral is to be drawn from the measures of Sultan Mahmood and Sultan 'Abd-el-Mejced, it is merely a moral of evidence, not of imitation. The excess of large estates is an evil; the excess of small ones is perhaps a worse.

Statistics of Land, Landlordship, and Tenancy, in Eastern Turkey.

Before concluding this general sketch, I will attempt to supply, so far as possible, a statement showing the proportion between waste, pasture, and tillage land, and the other divisions of proprietorship and tenancy, of occupation and labour, treated of in the preceding pages.

Land statistics were formerly not ill-kept in the Ottoman Empire, and from what has been preserved of them in history and treatise, we are able to form a tolerably clear idea of the conditions of land tenure, cultivation, proprietorship, serfage, and the like, from the reign of Mahomet II to that of the Sultan Murad IV (A.D. 1451—1640), at least. But in the disastrous times that followed, and more especially, it would seem, in the anarchical condition of Constantinople during the troubled reigns of Selcen III and Mustapha IV (A.D. 1789—1808), the State records of the Empire were ill-kept, perished, or were dispensed beyond recovery, and the reforms of Mahmood II and 'Abd-el-Mejced did little to fill up the gap. Even at present, though personal statistics receive some degree of attention, land statistics are neglected; what little is accurately kept remains unpublished, and any formal attempt to obtain information on these points is apt to be regarded with jealousy, and even thwarted, when possible, by the Administration. Hence I am compelled on this occasion to fall back on my own personal observation, seeing or hearing; an indifferent guide, but anyhow of a range nearly co-equal to the Asiatic provinces now under consideration.

I should, therefore, subject to correction, estimate the actual division of land in Eastern Turkey as follows:—

"Mubah," or wholly waste, including much that no possible cultivation could ever reach, as high mountain chains, or waterless deserts, one-half.

"Metrookah," or common land, forest and pasture, especially the latter, two-thirds of the remainder.

Cultivated land, one-sixth of this again.

"Wakf," or endowment, one-fourth.

"Meere," or State property, one-twentieth.

"Mulk," or private property, seven-tenths of this again.

Larger estates, cultivated by tenants on the "tesarref" system, or by hired labour, one-seventh.

Small estates, cultivated by "muraba's," or by the peasant owners themselves, six-sevenths.

Assuming as correct the calculation given by Heuschling, who estimates the geographical superficies of Eastern Turkey, exclusive of Arabia proper, with which this Report has no concern, at 1,219,762 square kilometres, or 121,976,200 hectares, and taking the hectare at its fairly approximate value of 2·5 English acres, we have:—

	Acres.
Total superficies in question	304,440,500
From this as base, and proceeding according to the proportions before assigned, we have:—	
“Mubak,” or unreclaimed land	152,220,250
“Metrookah,” or common, forest, and pasture	101,480,167
Cultivated land	50,740,083
And of this again:—	Acres.
“Wakf,” or endowment lands	12,685,021
“Meeré,” or Government property	2,537,004
“Mulk,” or private property	35,518,058
And of this again:—	
Larger estates, cultivated by tenantry or by hired labour	5,074,008
Small estates, cultivated some by their peasant owners, some by “Muraba’s”	30,444,050
These smaller estates average from 5 to 50 acres each.	

“Wakf” and “Meeré” are at the present time almost equally divided between estates large enough to support a tenantry, and estates too small for that and accordingly cultivated by “muraba’s.”

Taking this into consideration, we obtain:—

	Acres.
Total of land divided into estates exceeding 50 acres, whether State property, endowment, or private property; and cultivated partly by tenantry, partly by hired labour	12,685,020
Total of land divided into estates from 50 acres and under, cultivated by the owners themselves, or by “Muraba’s,” i. e., produce partners	38,055,062

If we next desire to determine, approximately of course, the relative numbers of landlords and tenants, taking the latter word at its largest acceptation in Eastern Turkey, we can do so, bearing in mind six circumstances essential to right calculation in this matter.

Firstly, that among the estates exceeding 50 acres, few are of really large dimensions, the greater number ranging between 50 and 300 acres only, and all, with hardly any exception, being in the hands of proprietors whose liabilities considerably exceed their capital.

Secondly, that the lands entitled “meeré” and “wakf,” even for that portion of them which is divided into large estates, must be subtracted from among the lands of proprietorship strictly speaking, because held by trustees only, who are themselves, under the present Administration, subject to various restrictions placed on them by the “Awkaf-Jdâret, or Board of Endowment, and even liable in some cases to removal or substitution at will.

Thirdly, that of the smaller estates, those namely under 50 acres, about one-third are cultivated by the owners themselves, the rest by “muraba’s.”

Fourthly, that the tenants on life-rents who at the present time occupy about one-fourth of the “meeré” and “wakf” lands, respectively, may fairly be reckoned among the proprietors, their position being practically equivalent to ownership of the land.

Fifthly, that a Turkish peasant, whether proprietor, tenant, produce partner, or day labourer, can, with the assistance of his family and after the fashion of the country, cultivate on an average about 20 acres of land year by year.

Sixthly, that where proprietors and “muraba’s” co-exist together, as is generally the case on the middling-class estates, the proportion of the latter to the former is roughly given as four to one.

Returning now to the land-dimensions already assigned, and making our calculation accordingly step by step, we obtain the following result:—

Comparatively large landholders in Eastern Turkey	16,914
Small landholders	634,253
Tenants for life	190,275
Total of landholders in Eastern Turkey	841,442
For the non-proprietors we find—	
“Muraba’s,” or produce partners, whether on State lands, endowment lands, or private property	1,395,351
Tenants-at-will, and day-labourers	443,900
Total of non-proprietor cultivators in Eastern Turkey	1,839,251

From which it appears that among the classes immediately concerned with land in Asiatic Turkey, the non-landholders are to the landholders in a proportion little exceeding two to one; or, in other words, out of every three peasants one, on an average, is a landed proprietor.

Now, in Sultan Suleyman's time the number of "Sipahieliks" was, as we have seen, reckoned at 53,352; of which certainly not more than one-half were held in that portion with which the Report is concerned. As each "sipahielik" represented one landed proprietor, neither more nor less, the number of fief landholders at that time in Eastern Turkey may be estimated at 26,676. Adding to these a double number for "mulk," or private property, along with the hereditary occupants of "meeré" and "wakf" lands, we obtain 80,028 landholders in all, that is, not one-tenth of the actual number, though there is every historical reason to believe that the general population of this part of the Empire was then considerably denser than it is at the present day, and the cultivated surface wider in extent.

Concluding Remarks.

Accepting the above data, statistical or otherwise, and combining them with personal observation and with the opinion of the most competent native landholders, we are enabled to draw up a summary comparison between the agricultural or land conditions of Eastern Turkey before and after the "Tanzeemat" of the Sultans Mahmood II. and 'Abd-el-Mejeed, as follows:—

The tendency of the former period was to the security, permanence, and accumulation of land tenure; that of the latter to insecurity, change, and disintegration.

The tendency of the former period was to encourage agriculture, and to raise the value of land; that of the present, to discourage the former, and to depreciate the latter.

The strength of the former period was in the permanence of large estates and numerous tenants; the weakness of the latter, in the multiplication of small estates and numerous landlords.

Two further conclusions may yet be drawn:—

That the present conditions of landlord, life-tenant, and profit-partner offer little to choose. The first and second being too feeble for want of capital to work the land to any real profit; the third having too ephemeral an interest.

That in such a state of things no advance, economical, social, moral, or intellectual, can be expected from the agricultural population, whether landlords or tenants, and that none, in fact, exists; on the contrary, that cultivators and land are alike deteriorating, and will deteriorate more.

Answers annexed to a Report on the Laws and Customs affecting the Tenure of Land in Eastern Turkey.

Name of Country.—Asiatic Turkey, exclusive of Arabia, and including the provinces of Koordistan, capital Van, N.E.; Anatolia, chief town, Sivas, N.W.; Syria, capital Damascus, S.W.; and 'Irak, capital, Bagdad, S.E.

Population.—Generally estimated at about 15,000,000.

Religions.—Mahometans, mostly Soonnee, about two-thirds; Christians, of twelve different forms, about one-sixth; Jews, and anomalous sects of various origin, one-sixth.

Industrial Pursuits.—Agriculture in all its branches is the chief; handicraft of every kind, but all feeble and discouraged; machinery almost unknown; on the coasts trade, and transit-traffic in the interior. The proportion of the agricultural and pastoral population to the manufacturing and trading is fully ten to one.

LAND OCCUPATION.

By (A) numerous small proprietors; and (B) produce-partners, tenants for life, and tenants on term. The proportion of (B) to (A) is about two to one. Full details on this subject given in the statistical section of the Report.

(A.)—SMALL PROPRIETORS.

1. From five to fifty acres. It is usually held together, or if intersected, only so by waste land.

2. Equidivision among the heirs of equal degree, ascending, descending, or collateral, without distinction of sex. Failing heirs, the property to be sold parcel-wise among

the conterminous proprietors, who pay a 10 per cent *ad valorem* tax to Government on the purchase. For further details, see the Report.

N.B.—This system of hereditary partition is peculiar to landed property.

3. Sale, transfer, exchange, or division, other than testamentary, of land are legally effected by registry in a special office book kept for the purpose at the ordinary Government *konak*, or residence-house, of the district. A copy of each such registry is transmitted to Constantinople; but no attempt at arrangement or publication, metropolitan or local, has yet been made, nor is any extract-copy given to seller or buyer. No other deed of conveyance is required, or, if framed, has any legal value. A registry due of 5 per cent. *ad valorem* on the property transferred is exacted; and of this a receipt is given, which must be kept by the purchaser for production against any future sale or transfer. Should the receipt be then missing, the registry due is doubled, thus becoming 10 per cent. The same occurs on the initial purchase of State-land, or *Meeré*, which is then entered for the first time in the registry-book.

4. Owing to the depreciation of land, explained in the accompanying Report, loans on such properties are extremely rare, and, indeed, in the provinces wholly unknown. Nor am I aware that any special facilities from Government or other exist for such purpose, unless it be, perhaps, from the Ottoman Bank. Anyhow, the whole course of such transactions is at zero.

5. Land-mortgage, owing to the depreciation just alluded to, is almost unknown. Landed proprietors generally meet their obligations by renewed borrowing, then insolvency, then sale at a loss. The rate of interest on the objects of pledge or mortgage usual in these countries—namely, houses, shops, khans, and the like, is by law 12 per cent., by universal but fraudulent practice, 24 per cent. or 30 per cent.

6. This query, like the preceding one, has no practical bearing on these countries, where land-mortgage can hardly be said to exist. But should it occur, no special registration is made any more than of house-mortgage or the like. These are matters of private convention; the contract is legalized by being drawn up on Government stamp paper, duty 2 per cent. *ad valorem* between the contracting parties, or by special application subsequently made to the local authorities, or by litigation itself.

7. Cereals, among which wheat, barley, and maize, hold, for quantity, the first rank; millet of various kinds, the second; and rye and oats, the third—are the most universal crops. Tobacco is largely grown on the coasts of Anatolia and Syria; also in some of the inland districts, as "Irak." Hemp and flax, yellow grain, opium, madder, ricinus, and second-rate cotton, are local but remunerative growths. The plantation of mulberry-trees for silk-rearing is everywhere on the increase; olive-groves are numerous on the Western and Southern Anatolian, and all along the Syrian Coasts; vineyards succeed best in Syria, as also orange and lemon trees; other orchard-trees almost everywhere, Koordistan excepted. South of latitude $32^{\circ} 30'$, date-palms are the staple article of growth, at least in the "Irak" districts.

No regular rotation is observed. The same land is tilled for the same crop five, or even ten years in succession; then, when manifestly exhausted, allowed to lie fallow a year or two; then re-tilled again. In Syria and other genial districts, two distinct crops are often raised on the same ground in the same year, *e. g.*, barley in the spring, and maize or millet in the latter summer. Manure is occasionally, but rarely and irregularly employed.

Among the latter crops often sown, gourds, melons, and pumpkins of all sorts should be mentioned. In the list of ordinary crops I had forgotten to mention rice, never of a fine quality, but abundant in the low-lands of Anatolia, and in "Irak," along the Euphrato-Tigris Valley; also pot-herbs, the "badinjan," or egg-plant, especially, and the "bamich," with peas, beans, and lentils, cultivated patchwise everywhere.

Agricultural implements, and the whole system of tillage, are as rude as in Southern Italy, or even Spain.

There are no small grass-land properties. North of latitude 35° circ., stock are generally raised and pastured on open lands, called "yeylas," the common property of the adjoining villages, from April to November. During the winter months they are kept in sheds on fodder. South of latitude 35° circ., winter pasture-grounds become available; but in all cases pasture-land is either of the class "metrookah," common, or even of "mubah," unreclaimed.

Taking all districts and all qualities into consideration, the proportion of grass-lands to tillage in Asiatic Turkey is about three to one.

8. Machinery, as aid or substitute, is, with a very few exceptions, introduced and kept up solely by Europeans, unknown in the East-Turkish agricultural world.

Hired labourers are rare, and when they are employed it is only as complement to

the various kinds of tenants or produce-partners explained in the Report. Female labour is, if anything, more frequent than male.

For their total number, see the statistics before given. Taken apart, they may, perhaps, amount to 200,000 in all. Their wages, like those of average day labourers in other professions, are 5 piastres, or 10*d.* a-day, besides 2½ lbs. of bread. Children, male or female, receive about one-third wages. None live with their employers.

Where such labourers are employed, their average number is from four to six per acre.

9. Not agricultural labourers only, but agriculturists in general, whether small proprietors, produce-partners, tenants, and labourers, are continually emigrating, mostly to the towns and the sea-coast; sometimes out of the Empire altogether. The exact number of emigrants is hard to ascertain; in some districts, those of "Van," "Keysarecyah," and "Kara-Hisar," for example, it seems to equal from a fifteenth to a twentieth of the efficient male population yearly. The depreciation of land, and in consequence of agricultural pursuits, excessive taxation, and other circumstances detailed in my Report of November 16, 1869, on the South-Western Provinces, are the leading causes among the Mahometan population. Political instigation from without is a frequent additional motive with the Greek and Armenian peasantry.

10. The small proprietors generally live in the villages immediately adjacent to their lands; sometimes also, especially in the mountainous districts, on them.

11. Houses, food and clothing vary much over so vast an extent of country, and in such a diversity of climate; but poverty, often approaching indigence, is the rule. Few of the small proprietors can afford to spend on the items above-mentioned above 1,000 piastres, or 8*l.* 7*s.* a-year. Hence their standard of living, and their general condition, mental and physical, are rather a vegetation than a life.

In all these respects matters are at their worst in Central and Eastern Anatolia, and Koordistan. They are somewhat better in Southern and Western Anatolia and Irak; best of all—a meagre best—in Syria.

12. The average population of small proprietors per acre, taking all cultivated land whatever into account, is one to 77 acres. Reckoning each family at 5 members, the ordinary computation, this gives somewhat under one individual of this class to 16 acres.

That this section of the agricultural population is, in common with the rest, diminishing on the whole, no one doubts; but in the total absence of all comparative statistics, the degree and rapidity of the diminution become mere matters of conjecture. The urban population on the contrary increases, chiefly by the immigration above noticed, and therefore in so far inverse proportion to the other's decrease.

13. For the answer to this query see the annexed introductory Report *passim*, and especially the concluding remarks.

(B)—TENANTS AND SUB-TENANTS UNDER LANDLORDS.

Tenure.

1. Each "Muraba," or Produce-Partner, the ordinary East Turkish modification of a tenant, as explained in the Report, usually holds from 2 to 20 acres of land; six acres may be considered the average. The tenants on "Tesarref," also explained in the Report, whether on life-rents or otherwise, usually hold rather more.

2. Recapitulating what has been explained at length in the annexed Report, East-Turkish tenancy is of three kinds:—

(1.) "Muraba'lik," or produce-partnership. Its base, equi-division of produce and current outlay, gain or loss; its term, invariably one year; its leading incident, compensation for extra outlay on either side.

(2.) "Tesarref;" first form, life tenancy; rent immutable; leading incident hereditary transmission.

(3.) "Tesarref;" second form, lease of variable term, generally from 5 to 10 years; rent variable at expiration of term; leading incident, partial compensation on quitting.

These two latter forms of tenancy, rarely found except on public lands; and not one-tenth in frequency to the first.

The tenant, of whatever description, may associate, at his own risk, whom and as he chooses; but he continues to bear the entire responsibility, and is alone recognized on reckoning-day by the landlord, who accordingly rarely interferes in his tenant's sub-arrangements.

3. In produce-partnership and renewable lease, generally by paraf, rarely by

writing. In the former case the law would invariably presume the duration at a year; in the latter according to the majority of the other tenants on the same estate.

In life-leases on public lands by written registry.

4. There is none such to my knowledge.

5. No law or custom can confer any right of this nature beyond the expiration of the current year in produce-partnership tenancy. Renewal is indeed ordinary; but no right is understood or implied.

The life-lease tenancies explain themselves in an opposite sense.

In the case of the renewable lease tenancies, which are, however, unfrequent, and mostly, as already said, on public lands, custom would generally favour the continued occupation of a rent paying peasant; but in a view of courteous dealing, not of right.

6. Any such proceeding, without the consent of the landlord, is distinctly forbidden by the Revised Land Property Code, Articles 41, 42, and 43, now in force. Nor can the tenant legally sell his interest, even with the consent of the landlord; such sale being prohibited by the principle of Mahometan law regarding hire, or "Ijâret," explained by "Aboo-Haneefah," as noted at the commencement of the annexed Report.

Rent.

1. In produce-partnership tenancies by a share of the produce; in the other tenancies before noticed, in money.

2. In the case of produce-partnership, rent is regulated by custom, based on the earliest legal principles of Mahometan jurisprudence, and recognized in all Turkish Courts of Law. In the other forms of tenancy, as above, the rent is regulated by official authority; a special Commissioner being at times appointed for this purpose by the Constantinople Home Office, in accordance with the Land Law of 1867. It will be borne in mind that these tenancies are comparatively unfrequent, and are almost confined to public lands.

In all kinds of Turkish Tenancy the rent is payable yearly only.

3. In produce-partnership for the year, no modification can be legally introduced into the terms of the rental bargain. Should the landlord, however, be discontented during the course of the year with his tenant-partner, he can turn him out at once; but then he must reimburse the tenant's labour for the part of the year expired, according to an estimation made proportionately on the half-crop of the preceding year, and must also compensate for any extra expenses proved to have been incurred by the tenant. Under such conditions evictions, as may readily be supposed, are rare.

In life-rents and five or ten year rents, there is no power of direct eviction; but the tenant can be distrained on and otherwise harassed till he quits. The rents are fixed.

4. The legal means of procedure in either case are the same as those for the recovery of any other claim or debt; nor does the law confer upon a landlord any exceptional privilege. By the 115th Article of the Revised Land Property Code, April 21, 1858, land is indeed protected against seizure for debt, but a contrary precedent was established by the Administration in April 1860, when, on occasion of some public sales, land was expressly and formally rendered liable to seizure and sale in such cases.

Where the State is directly or indirectly landlord, as in the case of most public or endowment lands, cultivated by tenants for life or on renewable leases, it has of course the advantage of being at once plaintiff and Judge in any action against the tenantry.

Evictions.

1, 2. These two queries have their sufficient answer in what has been said already. As there is no tenancy strictly corresponding to that existing, *e.g.*, in Ireland, so also there are no evictions in the strict sense of the word.

Between a landlord and his "muraba," the contract which exists is a mere annual partnership, to be renewed, dissolved, or broken short, like any other partnership, and, as we have seen, under precisely similar conditions; that is, with the ordinary legal formalities, delays of time, or of notice, appeals for redress, and the like.

Such evictions, or rather ruptures of contract, are, as we have said, rare events; because little likely to prove advantageous to either party.

In the other forms of tenancy there is, we have before noticed, no regular eviction; but distraining and selling out are not rare occurrences. The chief causes are, on the tenant's side, poverty and apathy; on that of Government, oppression, chiefly fiscal, and the abuses natural to the confusion of executive and legislative power in one.

Improvements.

1. In cases of produce-partnership, they are, as a rule, executed by the landlord; the tenant-partner contributing thereto only superintendance or personal labour, and receiving in return the advantages of present use.

In the other descriptions of tenancy, above-mentioned, on public lands, they are generally executed by the tenant.

2. The landlord's consent, generally verbal, but before witnesses, is indispensable; beyond this, I am not aware of any further security being asked or given in this matter.

3. The landlord has a right by law to all buildings and plantations made with his previous consent on the ground by the tenant; but he is also bound by law to repay whatever expense the tenant may have been put to on their account; with a slight deduction, however, in compensation for the intermediate use made of them by the said tenant. Should, however, the tenant have built or planted, without the landlord's consent, the objects remain compensation-free in the possession of the latter; the tenant having and retaining no right whatever.

This rule, clearly defined in Articles 14, 22, 29, and 35 of the Revised Code before quoted, applies to all descriptions of tenancy or sub-partnership.

For other improvements, such as draining, ditching, and the like, the tenant has no right to any compensation soever, the immediate advantage thence resulting to the land, and consequently to his own share in the produce, being considered equivalent.

4. Such rights are usually defined by arbitration, under the direction, or at the tribunal of the resident magistrate; to whom belongs also the enforcing, after the customary manner. Sometimes an express Commissioner is appointed by the Constantinople Home Office, as mentioned in the Law of 1867.

5. Nothing of the kind exists to my knowledge in Eastern Turkey.

Miscellaneous.

1. The relations between the landlords and their produce-partner tenants show the ordinary amount of friendliness and bickerings usual between partners; the better feelings predominate through the course of the year, the other are more common about reckoning-day, but are seldom or never serious.

The life-lease tenants, and those on the "tesarref" system explained in the annexed Report, to which I beg leave to refer for what relates to this query, are so completely protected by law, as to be virtually almost independent of their landlords, Government excepted.

2. They cultivate by their own personal labour, that of their wives and children, and occasionally that of their neighbours, sometimes with, oftener without, distinct contract. In mode and standard of living, as in general circumstances and character, they are much on a level with the small proprietors, to whom they are inferior in little else than in the fact of non-proprietorship, and superior, in that their immediate profits are generally, as consideration of the tenantry systems already enumerated will show, a trifle better. The comparative facility of local change renders them somewhat more independent, and in a certain measure relieves them from the wearing necessity of a hopeless struggle after solvency. In both these respects they have the advantage of the small proprietors. In moral character they stand decidedly below them.

3. Substituting the word decrease for increase, the dwindling tendency is less remarkable among the tenants than among the small proprietors, because the former are less fettered in their mode of life, and because occasional change helps to make them more shifty.

4. They emigrate on the whole more than do the small proprietors, not because more miserable, but because less home-tied. Their children are, as may readily be inferred from all thus far stated, no less free to seek their livelihood than those of other men. Numbers more would emigrate if they knew where or how.

The causes of such emigration are common to the entire agricultural population, not peculiar to the tenantry. They have been so fully explained in the latter part of the annexed Report that it would be superfluous to dwell on them here. Over-taxation, mal-administration, and the growing depreciation of land and of land labour, all these and more urge on the coastward and townward movement that now galvanizes the capital and the sea line into a semblance of life, while all inland is dying or dead.

5. The prevailing system of produce-partnership is popular, because it affords a makeshift break to the fall of multitudes who would else be sunk at once in insolvency

and ruin. But it is an injurious system, encouraging supine negligence in the proprietor, and short-sighted slovenliness in the tenant, whose whole interest in the land he tills terminates with the year, while the proprietor has but a half interest in it at any time. This system, while land and land labour yet were valuable, had its advantages, the chiefest of which was to create a real community of interest between landlord and tenant, the sole advantage it still retains; besides, it was balanced by the other systems explained in the body of the annexed Report. But in its actual next to universality, and in the prevailing agricultural depression, it is decidedly an evil, all the worse for the palliation it affords to the vices it fosters by the half-stay it lends on the very brink of destitution to hundreds of thousands who, if once thoroughly destitute, might take better counsel from a wise despair of the existing system.

These remarks apply also in their degree to the comparatively few instances of life leases and renewable leases before mentioned.

6, 7, 8, and 9. The affirmative answer to these four queries is to be found in the historical section of the annexed Report, where a detailed explanation of the fief and private property system, with the co-ordinate rights of landlords and tenants, as organized by the original Ottoman Administration, is given at length. Further on in the same Report, notice is made of the gradual changes by which the conditions of creation crystallized into those of continuance, and the general tendency was rather to render permanent the manors, freeholds, and tenancies then existing, than to promote their multiplication.

In the latter part of the same Report is to be found the negative answer for the present time, when, after the violent destruction of almost all proprietary rights and titles by the Sultans Mahmood II, and 'Abd-el-Mejeed, the ensuing tendency of legislation has been to unsettle all proprietorship, and to discourage both landlordry and tenantry. Nothing of the kind alluded to in the four preceding queries has been for the last forty years created: the multiplication of small owners by parcel-sale and testamentary sub-division is a work of disintegration, not creation.

Public opinion is highly unfavourable to the present system; but the public opinion of the landed classes has, since the extinction of the "sipahes," no means of expression in Eastern Turkey.

10. It may well be imagined that, in the actual state of things, the partner-tenant is little tempted to desire the proprietorship of the land he tills, or of any other. If the tenant be a Mahometan, he invests his earnings, by preference, in houses, shops, and the like; if a Christian, in usury also. I do not mean to say that land is absolutely never purchased by produce-partners, or other tenants, but that it is not, and for the moment cannot be, a favourite investment. Should, however, such proprietorship be desired, the law and the public credit would, to the best of my knowledge, be absolutely passive in the transaction.

11. Testamentary law, by enforcing, as above stated, the sub-division of land, necessitates its dispersion. The abolition of permanent title-deeds, and of all entails, tends in the same direction. The same must be said of the entire Revised Land Property Code, in force since April 21, 1858, especially of Article 15, which orders the division of contested land by lot; of Article 67, which orders its sale, if left untilled for three years; and of Article 121, which prohibits the assignment of land in endowment, without a special Imperial rescript, not easily granted. And as no counterpoise exists, in ordinance or law, the present tendency may be said to be absolutely towards dispersion.

(Signed) W. GIFFORD PALGRAVE.

Trebizond, December 30, 1869.

Inclosure 3 in No. 15.

Notes by Consul Sir R. Dalrymple as to the Rural Law of Roumania, 1864.

1. IN the Principalities, before the Rural Law of 1864, the peasant was, in Wallachia, obliged to give a certain number of days' labour on the part of the estate cultivated by the proprietor in Moldavia, to cultivate for the proprietor a certain portion of that part; and in either principality the proprietor was obliged to give the peasant a house, garden, and certain quantity of ground to be cultivated for his own use.

The house and garden were the property of the peasant, the proprietor having merely a certain right of pre-emption.

The peasants were divided into three categories—(1), peasants without oxen; (2), peasants with one pair of oxen; (3), peasants with two pair of oxen; and the extent

of ground the proprietor was bound to furnish, and the *corvée* the peasant was bound to give, fixed for each class.

There appears to have been no legal obligation on the proprietor to give ground to peasants up to two-thirds of the acreage* of his estate; but when the peasants on any estate had, in consequence of their numbers, obtained allotments up to two-thirds of the acreage, the law intervened against the proprietor being obliged to give more.

The obligation of proportioning the land allotted to the number of oxen, and requiring the commensurate *corvée*, was not very strictly observed, and peasants were frequently reduced to inferior classes, often without objection on their part.

The peasant could not remove from the estate without permission of the proprietor; the proprietor could not eject the peasant, except for a few cases provided by law, as exciting disturbances in the village, &c., and in such case only by intervention of the authorities. A peasant thus removed was entitled to sell his house and garden, and also to compensation for ameliorations effected during his occupation. The peasant had no strict legal right to maintenance from the proprietor in old age, sickness, the case of a famine, &c.

In Wallachia, but not in Moldavia, the proprietors, as a rule, furnished the peasant with as much land in addition to his allotment as he might desire to cultivate. Such surplus was cultivated in *métayage*, the proprietor supplying the seed, the peasant labour, and receiving a portion of the crop, varying slightly in different localities (but usually two-thirds), and giving the remainder (say one-third), to the proprietor.

Properties were classed, without a very strict regard as to exact locality, into "mountain" and "plain;" and, on properties of the former category, the peasant had a right to take from forest-land wood for buildings, fences, fuel, &c.

2. By the law of 1864 the proprietor has been obliged to give house and garden, and the quantity of ground falling to each peasant, according to the category in which he happened to be placed at the date of the passing of the law, under the following conditions:—

1st. All properties were valued,† without distinction of soil or locality, at 5 ducats per pogon, *i.e.*, about 1*l.* 17*s.* 4*d.* per English statute acre.

2nd. For the amount at which their properties were so valued the proprietors received Government bonds, bearing 10 per cent. interest for 16 years, but redeemable by annual drawings within that period.

3rd. During these 16 years the peasant is obliged to pay to the State annually a sum calculated, in respect to the quantity of land he has obtained on the capitalized value, minus 20 per cent., the total amount of Government bonds issued.

It was expected that the State would recover this 20 per cent. on the State lands, as the Government did not pay the value of these lands, but received the annual payment from the peasant. More accurate calculations have, however, since led to the conclusion that this 20 per cent. will not be so met, and that there will be a deficit on the transaction requiring to be re-imbursed out of general revenue.

4th. Until the expiration of the 16 years, the peasant may not alienate his lots without the permission of the Government, who require to be satisfied that the yearly payment shall be made, &c. After that period he will have power to dispose of his allotment.

5th. The division which has been made on each estate of peasant land, and land to be retained by the proprietor, is final; the law, however, contains a provision under which sons of peasants may claim allotments of Government land at a reduced rate.

No obligation is imposed by the law on the proprietor to maintain the peasant in case of illness, old age, &c.

3. For many years previous to the passing of the law of 1864 the proprietors in the Principalities had been generally of opinion:—

1st. That the *corvée* should be abolished.

2nd. That the peasant should become a proprietor.—Differences of opinion existed principally on the following points:—

(a.) Whether an identical allotment on the lowest scale, *viz.*, the amount of ground to which peasants of the lowest category were entitled should be made to all peasants, or whether the ground to be allotted should be measured according to the class to which the peasant belonged.

* Whenever "acreage" is spoken of in the following remarks, land exclusive of forest is to be understood. Previous to 1864 the peasant had no claim as to allotment of land in forest, and the Law of 1864 has made no alteration in this respect.

† The price of land in the Principalities, without taking extremes, varies from, say 1*l.* 5*s.* to 8*l.* per statute acre. Near large towns land fetches considerably more. In Moldavian Bessarabia land sells as low as 15*s.* per statute acre.

(b.) Some persons desired to break the transition by commuting the *corvée* for a fixed money rent;

(c.) The extreme party wished the two-thirds to remain as a limit up to which, as the population on an estate increased, land might always be demanded from the proprietor, and that forest land should be likewise included in the ultimate limit of two-thirds.

4. The principal complaints made by the proprietors as to the actual measures are:—

(1.) That the land has been valued at a uniform price, without regard to locality or soil, or proximity to towns, main-roads, &c.

(2.) That in exceptionally populous districts the limit of two-thirds, up to which the proprietor was bound by the law of 1864 to give land, was not curtailed, seeing that in those districts the proprietor has remained with strictly one-third of his estate in his own disposition, while in districts where the population is scattered, the proprietor has perhaps not been obliged to allot one-half of his estate to his peasants.

(3.) Of the confusion and loss to many of the proprietors on the division—as few maps of estates and no Government surveys of the country existed, the measurement of land to the peasant before the law had been very roughly made by the poll—the proprietors assert that, where land had been occupied by the peasant in excess of the extent relative to his *corvée*, he claimed and often succeeded in retaining the excess; also, that the Government of the day, through the Commissions instituted for carrying out the measure, as a rule unduly favoured the peasant, but in some cases displayed favouritism to proprietors connected with the Government on whose lands the peasants have not been given their fair portions.

(4.) That the right of the peasant to take wood for building, &c., has been extended to properties of the plain, and more particularly that, whereas such right renders the regular management of forests difficult, it was not placed for all properties under definite restrictions.

5. As to the general result of measure up to the present time.

Small proprietors have suffered severely, and many of them have been obliged to sell their properties.

The rentals of large proprietors have, at least up to now, not fallen, and have even, in some localities, augmented.

The reason of this difference in respect to the effect of the law on the interests of large and small proprietors, is explained as follows:—

(a.) A large proprietor having frequently estates in several districts, although he might lose on a property where the soil is valuable, might, on the other hand, gain on a property in another locality.

(b.) The very general introduction of agricultural machinery has served, to a considerable extent, to replace manual labour on the larger properties.

The transition is stated to have been felt more severely in Moldavia than in Wallachia, less land having, generally speaking, been cultivated relative to the whole acreage in Wallachia than in Moldavia; and the custom of *metayage*, existing, as has been mentioned, in Wallachia, but almost, if not entirely, unknown in Moldavia, giving greater facility to the Wallachian proprietor to procure labour without making immediate money advances.

Another circumstance, although very prejudicial to the general well-being of the country, has, to a certain degree, kept up the rentals of some properties in some districts. For about a year after the passing of the law, the peasants, excited by the Government against the proprietors from political reasons, very generally imagined that the whole land of the country was to be given to them, and abstained almost entirely from agricultural labour; a famine followed in Moldavia in 1866. The Wallachian proprietors gradually recurred to their system of *metayage*; the Moldavian proprietors entered into contracts with the peasants to cultivate for the proprietor at cheap money-rates, the proprietor finding seed, &c., for the peasant's land. These contracts were generally for a period of five years; and, in cases where the peasant is not from embarrassment in his circumstances, compelled to renew such contracts, the Moldavian proprietors begin to feel a difficulty in procuring labour.

It will be observed from the above remarks that the relation between the proprietor and the peasant in the Principalities was, from remote times, very different from that generally existing in Western Europe.

The *Urbarium* of the Hospodar Constantin Mavrogordato, enacting the abolition of serfdom in the Principalities, runs thus:—

* *Urbarium du Prince Constantine Nicolas Mavrocordato*, "Chroniqueurs Nationaux dans le Magasin Historique de la Dacie," t. ii, p. 293.

"Tout clacas (laboureur corvéable) doit travailler pour le compte du propriétaire sur les domaines duquel il se trouve établi, huit, dix, ou douze jours, suivant l'arrangement qu'il aura fait avec le propriétaire, lequel est obligé de lui donner des terres de labour, des pâturages, du bois de chauffage et de construction."

But, as the interpretation of this and other Urbaria rested with the Prince and the Divans, the legislation of the Principalities up to the "Règlement Organique" of 1831, and from that date to the Rural Law of 1864, resolves itself, on this question, into fixing and then modifying the terms of an "arrangement" between the cultivator and the proprietor, without, however, even contesting the obligation of the proprietor to provide the peasant on more or less onerous conditions, with "terres de labour, &c."

Prince Ion Ghika, in perhaps the best of the numerous pamphlets on this question, states the matter as follows:—

"Il serait difficile d'établir que la propriété en Valachie soit ce qu'elle est en Occident. Le paysan, sans être attaché à la glèbe, puisque la réforme de 1746 l'en affranchit, ne pouvait cependant quitter la terre qu'avec la permission du propriétaire et de l'autorité; de son côté, le propriétaire ne pouvait disposer que de la terre dont le paysan ne faisait aucun usage, et que la loi limitait au tiers de la propriété. Le reste passait aux paysans par droit de succession ou de vente, le propriétaire n'ayant que le droit de préférence sur tout autre acquéreur."*

I likewise remember that Mr. Paget, in his well-known work on Hungary and Transylvania, makes some observations of a similar character, in respect to the countries he is describing, as to the difference in the condition of the tenure of land in Eastern and Western Europe.

The above remarks, derived, in great measure, from conversations with a Roumanian proprietor, who has been several times a Minister, and was employed on the Commission under which the Rural Law of 1864 was put in execution, are, of course, by no means intended as replies to the Foreign Office Circular of 26th August, 1869, which could only be fully answered at Bucharest by servants of Her Majesty, in communication with the Roumanian Departments; but simply—and that with the reserve that, being noted by me from memory, they may not be always perfectly accurate—to give a very general idea of a measure which had been for a great many years a very principal topic of discussion in the Principalities, and to which my attention had been drawn when attached to Sir Henry Bulwer's Mission at Bucharest in 1864–65. Sir Henry Bulwer's Report, and the Report of the Commission, both contain observations on the relations of the proprietor and peasant before the law of 1864; but it is, I should think, from an annual official publication of the Roumanian Government, "Annale Statistique et Economique," that definite answers to the queries put by Her Majesty's Government will have principally to be collected.

(Signed) R. A. O. DALYELL.

Rustchuk, October 31, 1869.

Inclosure 4 in No. 15.

Report by Consul Calvert respecting the Tenure of Land in the Sandjak of Monastir.

Name of Country.—Sandjak of Monastir, a Sub-Government of the Vilayet of Salonica.

Population.—882,000 (approximate).

Religion.—Mahometan and Greek Orthodox.

Industrial Pursuits.—Chiefly agricultural.

LAND OCCUPATION.

The land is occupied both by small proprietors who cultivate their own holdings, and by land proprietors who own farms and rarely cultivate them on their own account.

The tenant system is peculiar, and will be described hereafter. Sub-tenancies are unknown.

The proportion of small proprietors to the number of persons engaged in the cultivation of farms is, as nearly as can be estimated, one to five.

* "Derniere Occupation des Principautés Danubiennes par la Russie," par G. Chainoi (Ion Ghika). Paris, 1853, p. 97.

(A.)—SMALL PROPRIETORS.

1. The quantity of land held by each small proprietor varies as much as from 5 to 40 acres. With but few exceptions, the fields of one proprietor are intersected by those of one or more neighbouring proprietors.

2. The law at present in force regulating all matters connected with Land Tenure in Turkey, and which comprises the descent and division of landed property on the death of the owner, is dated the 7th Ramazan, 1274 (19th April, 1857). It contains 132 articles, classed in various chapters and sections. There is also a set of regulations, in 32 articles, framed on the 8th Djemazi-ul-Evvel, 1275 (11th January, 1859), which relates to the system of Land Title-deeds, called "Tapu," one of which is required for each separate field or inclosure, or unintersected piece of land, whether under cultivation or not. To these regulations were added at a subsequent period, the 7th Shevval, 1276 (20th May, 1860), 16 supplementary articles. The Land Officer and the Executive and Fiscal Authorities have also been supplied by the Government with special instructions contained in 14 articles, dated the 15th Shaban, 1276 (6th April, 1860), which clearly define their duties in regard to the issuing of the "Tapu" title-deeds.

A perusal of the law shows that all land in Turkey is held directly or indirectly from the Sovereign, to whom, in default of heirs, the possession reverts, with the exception of lands which belong to the "Vakouf" (an institution which manages the Malometan pious endowments), either by original direct Sovereign grant, or by devise of the holders under special Sovereign sanction. The greater part of "Vakouf" land is, nevertheless, subject to the law and regulations above mentioned.

Until three years ago the landed property of a deceased owner went to his direct heirs alone, by descent if he left children, and by ascent, in failure of issue, to his parents, and, if he left no direct heirs, then his property became "Mahloul," and reverted to the State, or, more properly speaking, to the "Beit ul Mal," or Treasury House of the Mussulmans, which seems to be the repository of all vacant property. In 1867 a new law was promulgated, by which landed property was made inheritable by the collateral relations, however distant, of the deceased owner. In return for such an undoubtedly great concession the dime tax on agricultural produce has been temporarily increased during a period of five years. The dime of the first year was raised from 10 to 15 per cent., and that of the four succeeding years to 12½ per cent. By such an arrangement the State gains an addition of 15 per cent. to the dime during the five years of its existence.

3. The legal method for the sale, transfer, exchange, or division, as well as the loan of such properties, is by "Tapu." In every district there is a Land Officer specially charged with the issuing of these title-deeds. On every change of ownership a new "Tapu" is required to be taken out by the incoming proprietor, who must pay a fee of 5 per cent. on the estimated value of the land, and, in addition, 3 piastres (6*d.*) for the printed form of the title-deed. In the case of an exchange, each pays half the fee on the aggregate values of both the lands exchanged. The land is valued by arbiters, who deliver a certificate which the incoming proprietor is bound to exhibit to the Land Officer. Provision is made against fraudulent valuation.

4. No facilities are afforded, either by Government or by public companies or banks, for raising loans upon such properties. Whenever the proprietor borrows money he does so on his personal security or on pledge of valuables. He can be sued on his bond by the creditor in the ordinary mode, namely, by petition to the chief magistrate or governor of the district, who decrees the suit to be heard in the proper Court of Law; and, should judgment go against the debtor, he may lie in prison until he satisfies his creditor. In such a strait the indebted land-owner may consent to have his property sold, but to do so requires the intervention of the Land Officer. Land cannot legally be seized in execution of judgment against a debtor owner, but the creditor may cause the produce to be sequestered for his benefit. The rate of interest may vary between 10 and 30 per cent. or more per annum, according to the borrowing land-owner's reputed solvency or character for honesty and industry. The legal rate of interest is fixed at 12 per cent., and, if the creditor sues him for the debt, the Court allows him only that rate, even in cases where capital and interest have been lumped together in the bond, provided the debtor can prove the fact.

5, 6. The pledging of lands held by "Tapu" is expressly prohibited by the law. The law, however, has provided another method of securing the creditor of a "Tapu" landholder. The proprietor who has borrowed money may cede or make over his land during a definite or indefinite period, either to the creditor himself or to a third party who becomes a sort of trustee. In either case the party in whose favour the land may have been ceded must take out a new "Tapu." If the landholder's debt has

been made payable at a fixed date and he fails to discharge it, the holder of the "Tapu" may, on application to the Land Officer, cause the holding to be sold and the debt discharged out of the proceeds; but, should the debt be punctually paid, the land must be re-transferred by "Tapu" to the original holder. When no limit has been assigned for the payment of the debt the creditor continues to hold the land until it is paid. Should the death of the debtor supervene, then, unless the heirs discharge the debt, the land is sold for the benefit of the creditor. The conditions attached to the sale of land under such circumstances, and the reservations connected with the rights to the heirs and next of kin, and, failing these, of the persons who have *seriatim* the preference of purchase, are given in minute detail in the fourth chapter of the law.

7. The grain crops raised are wheat (hard and soft, red and white), barley, Indian corn, rye, oats, and millet. In the eastern and southern districts some cotton is cultivated; in others, rice or madder-root. Hay of natural growth is produced in great abundance. Clover, lucerne, turnips, mangold-würzel, and potatoes, are not cultivated. Sesamum, hemp, flax, and tobacco, are not extensively grown; in some districts, as is also the case with cotton, the climate is adverse to these products. The vine is largely cultivated throughout the country; in some parts the grape forms the staple product, and in general it is considered remunerative, although requiring a greater outlay for its culture, all the labour done in vineyards being manual, by the two-pronged hoe. No vines are trailed on trellises in this country. There is no systematic rotation of crops. The practice is to allow half the lands to lie fallow for six or twelve months after they have been ploughed. The same crop is repeatedly raised on the soil which is ascertained by experience to best suit any particular product. Only an occasional change is made from winter to summer crops. Before sowing, the land is again ploughed once or twice, and harrowed. The plough in use is a most primitive implement, being simply a slight timber knee, shod with a spade-shaped piece of wrought iron, tipped with steel at the point. It is drawn by from one to three pair of oxen, or buffaloes, according to the lightness or stiffness of the soil. The harrow is of even ruder construction; it consists of interwoven boughs of trees, like a hurdle, on which the driver stands, with a heavy stone, to give additional weight when there are stiff clods to crush. The seed is always broad cast, and a great deal of it is wasted on account of its being imperfectly covered. Indian corn alone is dibbled; the soil is dug once or twice during its growth, and, since it requires more watering than rain can be safely depended upon for supplying, care is generally taken to sow this grain only on ground which admits of irrigation. Most of the proprietors have one or more cows from which they raise their stock. Bulls are kept in every village. Horses, mules, asses, sheep, goats, and pigs, are also bred by individual proprietors. There is no one who makes it his special business to raise stock. The half-nomadic Wallachians and Yourouks breed horses and mules, which they sell at the occasional cattle fairs held in various parts of this country. Small proprietors live in villages, and each village is provided, by free grant of the State, on payment of an annual ground rent, with a common, where the oxen, horses, sheep, &c., graze during the day. At night the animals are housed, or else put into folds and pens. Oxen when at work, and during the winter, when pasture is scarce, are fed upon chopped straw, and for three months upon millet. Sheep, when pasturage fails, are fed upon hay. Goats are kept only on the uplands and mountains, where they browse upon the shrubs; they do not thrive on the plains. Some of the proprietors often own large meadows, from which they raise one crop of hay a-year; they reserve a few cartloads for their own use, and sell, if they can, the remainder, which is bought up by persons who keep saddle or pack horses. Green meadows are also let out for grazing horses in the spring, at the rate of about 3*l.* an acre. Meadow land bears a higher price than arable land; it costs nothing for culture, and the only expense attending it is the mowing and drying of the crop.

Arable land is classed into four qualities; the price of each quality varies in every district, as shown in the following note, where the value is reduced to British currency and measure:—

District.	Class of Land according to Quality.											
	I.			II.			III.			IV.		
	Per Acre.			Per Acre.			Per Acre.			Per Acre.		
	£	s.	d.	£	s.	d.	£	s.	d.	£	s.	d.
1	85	0	68	0	51	0	34	0	23	16	13	12
2	68	0			51	0	34	0	34	0	13	12
3	40	16			30	12	20	8	30	12	11	10
4	17	10	13	12	10	4	8	0	6	16	3	8
5	13	12	10	4	5	2			8		1	7
6	15	6	13	12	8	0	6	16	5	2	3	8

The particulars of the remaining 15 districts of this sandjak have not been obtained at this date.

8. No machinery of any description whatsoever is employed for agricultural purposes. Small proprietors and their families cultivate each their own property, and only employ hired labour to help in reaping when the crops are unusually heavy. A few of them who have more land than they can manage alone, make arrangements with neighbours who have too little, to give their labour for a share of the crops. The only field labour done by females is reaping and digging the Indian corn fields. Each male agriculturist is calculated to be able to cultivate 6 to 7 acres of land annually. It is only exceptionally that small proprietors hire agricultural labourers by the year. The day labourers whom they occasionally employ to assist in reaping, are hired at the rate of 8d. to 1s. a-day besides their food, which is chiefly bread, of which they consume 4 lbs. to 6 lbs. weight a-day. The rate of wages of harvest labourers greatly depends upon the scarcity or abundance of labour in regard to the state of the crops; it sometimes rises as high as 2s. a-day. They are lodged by their employers, although in summer time, like all the rural population, they prefer sleeping under the open sky. As agricultural labourers are chiefly employed by the large proprietors holding farms, the average daily wages throughout the year of such few of them as are hired by the small proprietors cannot be determined. The same class of men find labour at other seasons in digging the vineyards, and also get occasional work unconnected with agriculture as mere day labourers. The greater part of the hay crop is mowed by Bulgarians, who come for the purpose from the Danubians districts; their terms are so much an acre.

9. None of the agricultural labourers emigrate to foreign countries. As labourers in search of work large numbers of them annually leave this part of the country and the Albanian districts, for periods of six to twelve months. The natives of a particular village go, as it were, by routine, to some district in another part of the Ottoman dominions, for which they have a predilection; but after a while they return to their homes with their earnings, which rarely exceed 4l. or 5l. a-year. In some few instances these day labourers find it to their advantage to settle in the place which they have been in the habit of visiting periodically. The number of agricultural labourers alone who emigrate in this way cannot be ascertained; reckoning with them the skilled labourers who also leave their homes periodically in the same manner, the total for this sandjak must be over 10,000 men a-year. Female labourers never leave their native country, except for the purpose of joining their husbands who may have settled elsewhere.

10. Small proprietors always live in the villages adjacent to their lands.

11. The cottages of the agricultural labourers are for the most part rudely but solidly constructed of sun-dried bricks, or of stones, the walls being bound by cross layers or strips of wood fastened together with nails, and plastered on the inner side with clay. The roofs are tiled. The lowest class of cottage consists of only one room, in which all the family live together. The average cost of such a cottage is about 25l. a room, measuring 20 by 15 feet superficial, and 10 feet high. All the cottages have fire-places, but are totally destitute of furniture. The wants of the inmates are exceedingly limited. They sit and sleep on the clay floor on mats or goat's-hair sacking, and cover themselves with their great-coats or stout woollen blankets. Their fare is coarse, and, theoretically speaking, might not be considered sufficiently nutritive to keep a labouring man in health and strength. Their bread is home-made; it is composed of a mixture, the selection and proportions of which vary with the habits of the locality—of wheaten, barley, maize, rye, and millet meal. It is formed into thick flat cakes, which are badly baked. The peasantry prefer heavy doughy bread, because, they say, it better satisfies the appetite. Capsicums, pounded with the seeds into a coarse powder, is the universal and favourite condiment of all the labouring classes. Leeks and onions, pumpkins, cabbages, and green peppers pickled in salt and water, salted cheese made from sheeps' milk, beans, chickpeas, lentils and vinegar, form the other ordinary articles of diet of the agricultural classes, when they can get them. Sugar and coffee are never used, on account of the expense of such luxuries. Grape syrup supplies the place of sugar. In the districts where it is produced in abundance, a light red and slightly acid wine, costing 5d. to 6d. a gallon, is extensively drunk; in other places, a spirit called *arki*, costing 1s. 10d. to 2s. a gallon, which is distilled from grape refuse, and flavoured with aniseed, is preferred. Notwithstanding the facilities afforded by the cheapness of intoxicating drinks, habitual drunkenness is an exceedingly rare vice in the rural districts. It cannot be denied that, although the Roumelian agricultural labourer sticks to his work with praiseworthy perseverance, the average amount of it is considerably less than that of a field labourer of Europe, sustained by a more nutritious and abundant diet, and malt drink. In this country, meat, fat, butter, and milk form an insignificant

Item of the food annually consumed by the poorer Christian agricultural classes, chiefly on account of their numerous and rigorous fasts. The Mussulmans of the same class are larger consumers of those articles, especially milk. Their clothing is, on the whole, substantial, although of coarse material. It is nearly all home-made. The general circumstances of the small proprietors are such as enable them to keep their families above actual want. There are some of them who are believed to be in easier circumstances than they care to acknowledge, and to have even managed to save up money, which they hoard, for fear of exciting the cupidity of others. Savings are ordinarily invested in the purchase of live stock, either as an addition to what they already possess, or by way of replacing the loss occasioned by casualties. They may also invest their money in the purchase of land, should there happen to be any for sale in their immediate neighbourhood. Among the small proprietors must be classed the artizans and skilled workmen dwelling in the towns, who possess lands which they are unable to cultivate themselves, but employ a class of persons who in this country represent the tenants under proprietors in European States. In this respect the particular class of small proprietors in question resemble, to a certain extent, the larger proprietors; the mode of cultivating their lands will consequently, for the sake of clearness, be reserved for mention under the heading (B). The artizans who are landholders frequently possess vineyards in addition to their fields, and sometimes vineyards alone. For the culture of their vineyards they employ hired day labourers.

12. The attempt to set down in figures, at even the very roughest estimate, the average population per acre, and the annual rate of increase in the population among the small proprietors, or the increase in the urban population in their own country, would merely tend to mislead. As there exists no regular system of registration of births and deaths in this country, the increase or decrease of any section of the population cannot be computed. The census of the population has not yet been commenced in the rural districts.

13. As a class, the small proprietors have no cause to be dissatisfied with the laws under which they hold their land. In return for the temporary increase to the dime on their agricultural produce, they have, through the effect of the ordinance mentioned above, secured the advantage of having their property made almost freehold—that is to say, it would require the total extinction of the deceased proprietor's own family and that of all the collateral branches before his land could revert to the State. In Turkey, however, no one can make a bequest of his landed property; the "Sheri-Sherif," or Sacred Law, provides for the mode of its transmission and division after the death of the owner. If a land-owner desires to insure the disposal of his property in a particular manner after his death, he can only do so by making the transfer during his lifetime; but in such a case he ceases to be the lawful proprietor, and must trust entirely to the good faith of the person to whom he has ceded his rights to be allowed to remain in undisturbed possession until his death. A death-bed transfer of property is hedged about with stringent conditions next to impossible to comply with. In the eye of the law, the small proprietor is on a footing of equality with the owner of a farm. The proportion of Mussulman to Christian small proprietors is about equal, and the proportion of both united to proprietors of farms is as four to six. All the farms, with few exceptions, are held by Mussulman proprietors. It is only within the last fifteen years that non-Mussulmans have been enabled to become proprietors of farms. Their number is gradually increasing.

(B.)—TENANTS AND SUB-TENANTS UNDER LANDLORDS.

Tenure.

1. The so-called tenants of landlords in this country hold no land whatever. Each tenant cultivates on joint account with the landlord as much as he is individually able to undertake the care of, usually reckoned at six to seven acres.

2. The nature of such tenancy is peculiar and of ancient date. It is of two kinds, which are known under the local appellation of the "ortakdji" and the "kesemdji" system.

The "ortakdji" (or partner) is an agricultural labourer, owning one or more pair of oxen and the necessary implements, who enters into an agreement with the proprietor of a farm. The landlord provides the "ortakdji" with a cottage for himself and his family, stabling for his live stock, store-room for fodder, &c., for which he requires no rent; he also furnishes, gratuitously, the corn for sowing. The "ortakdji," on his part,

undertakes all the labour and cost of cultivating the land apportioned to him; he also reaps, threshes, and winnows the grain crops, and, after the dime-tax has been levied upon it, the whole remaining produce is divided into two equal shares, of which the landlord takes one, and the "ortakdji" the other. The "ortakdji" moreover, carries the landlord's share of the crop from the threshing-floor, where the partition has been made, to his grain store. Considerate landlords will allow the "ortakdji" to retain the whole of the straw chopped up during the process of threshing, with which he feeds his oxen; but there are covetous landlords who claim their own half of the straw. The landlord, moreover, grants the use of about half an acre of land, called "parashpoor," which the "ortakdji" cultivates for his own exclusive benefit. In return, however, for the free use of that half acre, the "ortakdji" performs sundry services for the landlord, such as carting firewood from the mountains to the landlord's town residence, and helping with his family to reap the crops which the landlord may cultivate on his own account, receiving no wages, but merely the usual allowance of bread given to all reapers. As the "ortakdji," whilst furnishing their quota to the additional dime, receive no corresponding advantage, most of the proprietors of farms have given their "ortakdjis" the use of an extra half acre of land, without sharing the crop raised on it. The great pinch for the "ortakdjis" was during the first year, when 5 per cent was added to the dime. The "ortakdjis" are described as being satisfied with the exceptional arrangement made with their landlords.

The "kesemdji" (fixed portion-taker) is an agricultural labourer who enters with the landlord into an agreement similar in principle to that made by the "ortakdji." The difference in the case of the "kesemdji" is, that, instead of sharing by halves, he stipulates for a certain fixed quantity of the crop, irrespective of its yield. Whenever he leaves he is bound to restore to the proprietor an equal quantity of the grain used for sowing; this obligation is called "demir-bash," and the "ortakdjis" are free from it. Landlords who have had long experience of it are gradually giving up the "kesemdji" for the "ortakdji" system, which is preferred by the majority of owners of the larger farms. The proportion of "ortakdjis" to "kesemdjis" is as three to one. Both these classes of agricultural labourers remain on the farms so long as they continue to renew, year by year, their agreement with the landlords. If any one of them wishes to quit, he gives no longer notice of his intention than two or three days, unless the weather promise favourably for the removal of his family and live stock, when he may give twelve or fourteen days' notice. He vacates his cottage late in February or early in March, returns at harvest-time, and punctually performs his engagement, halving the produce and carrying away his own share. The new "ortakdji," or "kesemdji," makes his arrangement with the landlord about the same time as the outgoing one's intentions are known, and begins in March to plough the fallow land and prepare it for sowing in the autumn. In cases where the "ortakdji" comes without the means of supporting himself, the landlord makes him an advance of corn against the first crop he reaps.

Agricultural labourers hired by the year, called "ter-oglan" (literally "sweat-boys"), form a separate class. The wages of the "ter-oglan" vary with the locality. In one district their remuneration for the whole year is $68\frac{1}{2}$ to $77\frac{1}{2}$ bushels of Indian corn and rye in equal proportions, and about 16s. in money; in another, the "ter-oglan" receives 73 bushels of wheat and nothing else; whilst in a third district he gets $45\frac{1}{2}$ bushels of rye, barley, and millet mixed, $33\frac{1}{2}$ lbs. of salt, 140 lbs. of leeks or cabbages, half a raw ox-hide wherewith to make himself sandals, and from 9s. to 13s. 6d. in money. The "ter-oglan" feeds and clothes himself, and his employer gives him house room.

The only farms in this country which are let for a fixed period and for a rent to be paid in money, are those which are the property of the State or belong to the Imperial family, and are commonly known as "inlaks." The lease of these State farms is put up to auction by the local authorities, and given to the highest bidder. The lessee employs the peasants who are settled on these estates as "ortakdjis," and takes no further interest in them or in the farm beyond securing his due share of the produce, and selling it to the best advantage.

3. The agreement between the landlord and the "ortakdji," "kesemdji," or "ter-oglan," is verbal, and renewed every year.

4. A written agreement, where it be desirable to have one; could be registered if required; it is not, however, the custom to have any written agreement.

5. No right to remain in occupation so long as he continues to punctually fulfil his engagement with the landlord can be legally claimed by either the "ortakdji" or the "kesemdji."

6. Neither "ortakdji" or "kesemdji" are considered to have the right to sell their interest, nor do they ever claim any such right.

Rent.

1. Payment to the proprietors of farms is made, as above described, by share of the produce.

2. The system of sharing the produce in lieu of rent is founded on custom of ancient date.

3. The verbal engagement entered into between the proprietor and the persons who cultivate his lands being renewable by tacit consent, the landlord certainly has it in his power to renew the contract on terms less advantageous to the lessees; but, unless all the proprietors unite in raising their terms, and so compel the classes who cultivate their farms to accept them or starve—an extreme case, in which it is probable Government would intervene—the individual proprietors exercising that power would be the losers, inasmuch as the “ortakdjis,” &c., would offer their labour to some other proprietor. Self-interest, therefore, is the sole check—and an effective one it proves—upon landlords who might otherwise be tempted to make use of such power.

4. Proprietors in this country are only too glad to get “ortakdjis” to cultivate their farms, to incur the risk of earning a bad name by claiming a larger share of the produce than they are entitled to. As regards any exceptional privilege of the landlord over other creditors of his tenant, it is exceedingly unlikely that any one but the landlord would entrust his money to an “ortakdji,” &c. The landlord, thus being the sole creditor, is so fully secured by the produce at harvest time that he has no need to seek the protection of the law. In case the “ortakdji,” &c., owes money to a landlord from whose farm he may desire to remove, it is a common practice for the new landlord to pay the ortakdji's debt to the former one, and thus bind the incoming ortakdji the more firmly to his own farm. There are instances, very numerous in some districts, where the “ortakdjis,” “kesemdjis,” and especially the “ter-ogians” have, through the practice of making a debt hereditary and annual accumulation of interest, in the hands of unmerciful landlords, become so irrevocably involved as to have fallen into a state of quasi-serfdom.

Evictions.

1, 2. Evictions, under the system of cultivating farms and for the reasons above described, are unknown.

Improvements.

1 to 5. All improvements and repairs to buildings are executed by the landlord.

Miscellaneous.

1. Mutual interest is the best guarantee for the friendliness of the relations which generally exist between landlord and tenant (that is, the “ortakdjis,” &c.).

2. The mode of cultivation by the “ortakdjis” is precisely the same as that followed by the small proprietors already described. They are inferior to the small proprietors, in that they have no lands or homes they can call their own, and that at best they lead a hand-to-mouth sort of life. They, nevertheless, appear content to remain in their present state of dependence, the advantages of which in their eyes are, that it involves fewer responsibilities, and that it acts as a kind of shield against the oppressive abuses of the collectors of the dime.

Their mode and standard of living is also very little inferior to that of the small proprietors. By way of illustration, a short description of the internal economy of an “ortakdji's” family is here given. The supposed case of an “ortakdji” who is a Christian, and a Bulgarian, is selected in preference, because Bulgarians form the bulk of the rural population, and the number of Mussulman “ortakdjis” is comparatively very limited.

The “ortakdji's” family is supposed to be composed of the father, aged 60 or 70, two married sons, aged 40 and 35, their wives and four children, two boys, aged respectively 14 and 10, and two younger girls, in all nine souls. Agricultural labourers seldom have large families; a family of less than six persons is considered less likely to prosper, the larger it is, since all work together and share alike, the better; married brothers live together under the same roof with their father. The live stock consists of two pairs of oxen or buffaloes (a pair to a plough), a horse, an ass, a couple of cows, twenty sheep, a sow, and some poultry. The sons do all the field work. At daylight they go out, and return at noon from their work for their dinners, when the 10-year old boy takes the oxen out to graze. The 14-year old boy tends the sheep. On two days of the week the old father goes to the mountain to cut firewood, with which he loads

the horse and the ass; on another day he takes corn to the mill, bringing back with him the meal; and on a fourth day he goes to market, carrying poultry and eggs for sale. If he sells the poultry, he buys salt, pepper, and soap. If only eggs, then salt alone. After harvest the father brings to market a horseload (six or seven bushels) of wheat, and with the proceeds of its sale he buys cotton-twist, which the women weave into cloth for shirts, &c. Firewood, and the resinous pine-wood, strips of which are burnt for light, are obtained at little or no cost.

After sheepshearing, the women are supplied with 70 to 90 lbs. weight of fleece wool. The washing, drying, and picking of the wool reduces its weight to one-half. It is then carded, spun, dyed black or brown, and finally woven into stout cloth, called "shayaki," which lasts ten years in constant wear. Of this cloth both women's and men's outer clothing is made. The sheep's milk is converted part into butter and part into salted cheese. The cows are rarely milked so long as they have their calves with them; the custom is to leave the calves with their dams until they leave off sucking. The family reserve a portion of the butter and cheese for their own use, and sell the remainder. Wine and spirits, which are drunk by both sexes, are exceedingly cheap, and procurable in most of the villages. The "ortakdji's" bread is made of Indian corn and rye-meal in equal proportions; it is baked either in the public oven, of which there is one in every village, or else, on an emergency, upon an earthenware griddle, heated in flaming straw and covered with a concave iron plate. Four or five bushels of wheat-meal is kept apart for pastry, or for extraordinary occasions. The family requires about 125 bushels of corn a year, which, when made into bread—15 lbs. of meal to 20 lbs. of bread—yields a daily average of nearly 17 lbs., at a cost of little more than a half-penny a pound. A worn-out ox, or an old cow, is occasionally slaughtered in the village: part of the meat is sold for immediate consumption at about a penny a pound, and part is chopped up, salted, dried, and potted for winter use. The hide is kept by the owner for making sandals of. A lamb is killed at Easter in every household, and in November and December a sheep, worth 6*s.* to 8*s.*, or a pig, worth 1*l.* to 2*l.*—the meat being preserved in the same manner as the beef. The other articles of consumption, such as haricot-beans, lentils, chick-peas, leeks, onions, garlic, green and red peppers, pumpkins, as also melons and cucumbers in summer, are mostly grown by the "ortakdji" on the half acre of land given free of charge by the landlord, or else some of them are purchased at the market town and neighbouring villages. The oxen are fed upon chopped straw, which costs nothing. During the months of March, April, and September, when the oxen have harder work to do, they get a feed of millet—5½ lbs. a day each. The total cost of the millet consumed by the four oxen during the year does not exceed 20*s.*

The clear income of the "ortakdji" and his two sons, derived from the half share of the produce, after deduction of the dime, may range between 350 and 450 bushels of corn of all kinds, or, taking the average value of the corn, 30*l.* to 40*l.* a-year. The "ortakdji," however, has to pay the following taxes and charges:—

	£	s.	d.
The "Vergli" (Property Tax) on two ploughs, at 15 <i>s.</i> , half of which being paid by the Landlord, there remain	0	15	0
The "Jane" (Military Tax) on three adult males, at 6 <i>s.</i>	0	18	0
The "Djeleb" (Sheep Tax) on twenty sheep, at 6 <i>d.</i>	0	10	0
The "Djanavar" (Swine Tax) on one sow and thirteen young pigs, at 6 <i>d.</i>	0	7	0
Total of Taxes	22	10	0
		s.	d.
The Bishop, one bushel of wheat, valued at	2	0	0
The Village Priest and Church Offerings	5	0	0
The "Bekji," or Rural Guard, four bushels of corn, valued at	8	0	0
Total of Charges	15	0	0

The landlord's farm consists of, say, 150 acres of arable land, 25 acres of which are poor soil, and 50 acres of meadow land. Of the 125 acres of land under cultivation one-half ordinarily lie in fallow. As there are ten "ortakdjis" on the farm, there fall to each of them about six acres to cultivate.

3. The annual rate of increase in the population of tenants, for the reasons already given in the case of small proprietors, cannot be stated.

4. As to emigration, the answer relative to agricultural labourers (section A) equally applies to the "ortakdjis," &c.

5. Public opinion on the advantages and disadvantages of the "ortakdji" system is scarcely ever expressed. In the case of those "ortakdjis," "kesemdjis," and "ter-oglan," who are so unfortunate as to have fallen into a state of permanent servitude to their landlords

through being saddled with debts, often bequeathed to them by their progenitors, the universal feeling is one of compassion. They can be numbered by hundreds, if not by thousands. The Government does not occupy itself with them. Legislative interference in their behalf is greatly needed.

6, 7, 8. The Legislature has never enforced the creation of freeholds or tenancies by proprietors, or the granting of leases.

9. The tendency of the law of inheritance, alluded to above, is to split up land into small properties. In this way alone is the number of owners increased. Although there are waste lands in many parts of the country at the disposal of Government which could be had at a low price, there seems to be but little inclination on the part of the "ortakdjis" and their class of agricultural farm labourers to buy them. In the case of the majority want of sufficient means, attachment for the neighbourhood of their birth where they have got into the habit of labouring on terms which suit them, the insecurity of the places where there are waste lands—mostly distant as they are from inhabited spots, all combine to render them somewhat indifferent about their independence. The fact that they prefer working on the farm of some one whom they look up to as to a protector against the rapacity of the dime-farmer and other collectors of the taxes, likewise operates against the creation of new holdings.

10. "Ortakdjis" in partnership sometimes manage, partly by loans and partly from their own resources, to purchase the estate of their Mussulman landlord during his lifetime. The law permits them to do so. At the same time, if they be Christians, their tenure is liable to become insecure on the death of the original proprietor; since one of the heirs, taking advantage of the corruption of the Law Courts, has only to bring a suit against the new owners, even after being twelve or fifteen years in possession, and not only get them ejected, but further successfully prosecute them for the restitution of the accumulated share of the produce. Instances of this nature are by no means of rare occurrence; they prove that, however wise and just the Land Tenure Laws may be in Turkey, the injury to individuals and the hindrance to a wholesome development of agricultural enterprise alike proceed from the administration of the law. The Mahometan judges within the last two years appear to be under less control than they ever were, and by their acts they show a contemptuous disregard for public opinion.

11. As before stated (No. 9) the laws tend to the dispersion of land.

Copyholds.

There are no tenures resembling the copyholds of England.

(Signed) CHARLES J. CALVERT.

Monastir, December 23, 1869.

Inclosure 5 in No. 15.

Report by Consul Wilkinson respecting Tenure of Land in the Consular District of Salonica.

Name of Country.—Consular District of Salonica.

Population.—700,000 souls.

Religions.—

Mahometans	..	..	..	..	..	..	..	..	320,000
Christians	..	..	..	..	..	..	..	..	380,000
Jews	..	..	..	..	..	..	..	..	50,000
									790,000

Industrial Pursuits.—Chiefly agricultural.

LAND OCCUPATION.

Land is held by large and small proprietors in the proportion of three to two.

The system is as follows:—

Large proprietors give the land, provide the seed, and a dwelling; the holder being bound to furnish the cattle and agricultural implements necessary for the cultivation of the same. The produce, after deduction of the tithe of 10 per cent., and the seed necessary for the next sowing, is divided equally between the parties.

(A.)—SMALL PROPRIETORS.

1. On an average about ten acres, which is generally intersected by properties.
2. By a recent law the descent and division of landed property is divided equally on the death of the owner among his children (provided he has any) without distinction of sex; otherwise, to the next of kin to the eighth degree. Failing this the property lapses to the Crown.
3. By registry only. The cost of registration is 5 per cent.
4. No facilities whatever are afforded, either by Government, or by special or public companies. Loans are raised from private parties, commonly at usurious rates of interest, varying from 15 to 24 per cent. These loans are generally contracted for the purpose of replacing stock, or, in seasons of bad harvest, for purchasing seed.
5. Mortgages are seldom effected, but, when this occurs, the rate of interest is the same as stated above.
6. The following method is resorted to by large proprietors to obtain advances on their estates. A deed is drawn up before the *Mehkemé*, or Ecclesiastical Court, in which the proprietor acknowledges the amount borrowed, and appoints the lender his attorney, empowering him at the same time, on the expiration of the term mentioned in the said deed, to sell his estate in case of non-payment. The rate of interest is from 15 to 24 per cent. Small proprietors borrow at the same rate of interest, but give either personal security, or pledge their crops.
7. Indian corn, cotton, wheat, tobacco, barley, sesame, rye, oats, millet, buckwheat, French beans, &c. The rotation of crops is as follows:—sesame, cotton, or Indian corn, is sown in the spring; it is followed by wheat, barley, or rye in the autumn; and so in consecutive order, as a rule, for two or sometimes three years. The land is then allowed to lie fallow for three years. No manure is employed. Cultivation is in a very primitive state; little or no improvement is in progress. No attention is paid to the breed of stock. About two-thirds of the arable land being allowed to lie fallow, it is used as grass land.
8. Until recently no machinery has been employed as a substitute for manual labour. Two steam threshing-machines have been introduced lately, however, into my district, and have given entire satisfaction to their proprietors, which will doubtless induce others to follow their example. No hired labourers are employed. The proprietors, together with their family, cultivate the soil. The male members plough, and do the heavy work; the females weed and gather the crops. A family generally consists of five persons, who all live together.
9. Emigration does not exist among the agricultural class.
10. The proprietors with their families live in villages adjacent to their property.
11. In small houses consisting of one or two rooms, in which they live in common. Their food is either Indian corn, or rye bread, French beans, garlic, and lentils; seldom meat. Their clothing is of coarse home-spun cotton, together with a woollen tunic and gaiters of the same material, also home-made, and worn both winter and summer. Notwithstanding that their standard of living is so low, their circumstances are good. They hoard money, having as much for object to amass wealth as to be prepared to meet any extraordinary demand on their purses by the imposition of some fresh tax—a call by no means unfrequent, and which also serves in a great measure to keep them in the present low condition.
12. One to twenty. The annual rate of increase in the population among the small proprietors as compared with the urban population cannot be ascertained; no statistics exist, nor census taken. As previously stated, the proprietors with their families live in villages adjacent to the properties they cultivate; in addition to this, however, there are large tracts of uncultivated land producing timber, which are held, either in part by the small proprietors, or by the commune.
13. As no attempt has ever been made to introduce any other system than the present, no opinion is formed on the subject; a fact not so much to be wondered at, considering the state of ignorance of the peasant, whose sole anxiety is to provide from day to day for the requirements of his family, and to be able to satisfy, at no matter what privation, the exigencies of the State.

(B.)—TENANTS AND SUB-TENANTS UNDER LANDLORDS.

With regard to tenants and sub-tenants under landlords, the system, properly speaking, does not exist, as has already been adverted to, the "metayer" system alone

being in force. When the farmer is desirous of ceasing his connection with the proprietor he can do so at will, there being no law to prevent his so doing, but, as it is obviously the interest of the proprietor to retain his labour as long as possible, he generally contrives to get him indebted to him so as to compel him to remain.

Rent and Evictions.

As already explained, the "metayer" system only being in force, evictions never occur.

Improvements.

No improvements are ever made. Farm-buildings are allowed to remain as long as they will hold together, and repairs are only made by the proprietor when absolutely necessary, who occasionally borrows money for the purpose at a high rate of interest.

Miscellaneous.

The relations between proprietor and peasant are necessarily friendly, their interests being in common. No legislative interference is required, nor is ever recourse made to it.

It is worthy of remark, that the cultivation of large farms under the "metayer" system is, generally speaking, far inferior to that of the small proprietors. For the peasant pays less attention to the proper cultivation of large tracts of lands than he does to small patches, in which he has a more direct interest. For this reason the lands of small proprietors are invariably better cultivated, and produce more abundant crops.

Copyhold.

Nothing resembling the copyholds of England exist.

(Signed)

RICHD. WILKINSON.

Salonica, December 14, 1869.

Inclosure 6 in No. 15.

Report by Vice-Consul Blunt respecting the Tenure of Land in the Sandjak of Adrianople.

THE population of the Sandjak of Adrianople is assumed to be about 450,000, the Christian and Mahometan religions prevail, and agriculture is its chief industry.

The prevalent system of land occupation is by small proprietors.

The landed property on this side of the Balkan, from the Black Sea to the frontier of Macedonia, is chiefly divided into small holdings, which belong to and are occupied and farmed by a peasant population, essentially agricultural in nature and disposition. Almost every peasant is proprietor and farmer of from 5 to 40 acres; there are, of course, a considerable number of large estates, but they are farmed by hired labour, and managed by the proprietors themselves.

The following statement, furnished by a principal local land-owner, gives the relative extent of the holdings in this district:—

In 1,000 farms 3 have above 500 acres; 30 have between 100 and 500; 300 between 50 and 100; 400 between 10 and 50, and 267 have under 10 acres. These lands are usually intersected by other properties.

Their system of tenure is of three species:—(1) "Eraziyé Memlouké;" (2) "Eraziyé Miriyé;" (3) "Eraziyé Mevkoufé."

"Eraziyé Memlouké" are freehold lands held unconditionally and in full possession by the proprietors, who can sell, transfer, mortgage, and, in fact, use them as they think fit.

"Eraziyé Miriyé" are public lands held of the Sovereign or State, including those lands which were originally held by the occupiers under military colonists or fief-holders ("Timaars" or "Ziamets"), as well as all waste lands belonging to the State which have been or may be inclosed or reclaimed by private individuals. This species of tenure is becoming very prevalent in this and other districts in Roumelia, in consequence of the large extent of public waste lands which are annually inclosed by the peasantry. It is subject to special laws and restraints under the supervision of Government officers called "Tapu Naziris" (Registrars of Title-deeds), and is not open to the same degree of free disposal and competition as the "Eraziyé Memlouké" lands. For instance, the

owner of land under the "Miriyé" tenure cannot sell, transfer, or mortgage it without a licence from the authorities, nor can he convey it in mortmain, or transform it into "Vacouf" tenure without a proper Firman from the Sultan.

"Eraziyé Mevkoufé" ("Vacouf" property) are lands belonging or attached to pious foundations and institutions.

The descent and division of lands under the "Memlouké" (freehold) tenure, are regulated by the civil law of the Mehkemeh; those of "Miriyé" and "Mevkoufé" by special laws and regulations promulgated by Imperial Firmans.

In all three cases the land, on death of owner, is divided in equal portions between his children of both sexes; in the absence of children it is divided in equal portions between the heirs of both sexes of the second degree, and so on up to the forty-first degree of succession in the case of "Memlouké" lands, and the seventh degree in that of "Miriyé" and "Mevkoufé" lands. In either case, the heirs in one of the higher degrees exclude the heirs belonging to the lower degrees.

In the absence of heirs the "Memlouké" and "Miriyé" lands revert to the State; the "Mevkoufé" to the administration of pious foundations.

For the sale, transfer, &c., of "Memlouké" lands, the legal method used is by conveyance, and of conveyance and registry in the case of "Miriyé" and "Mevkoufé" lands.

The cost of conveyance on the sale of "Memlouké" lands is 5 per cent., and for succession $2\frac{1}{2}$ per cent.; of "Miriyé" lands 5 per cent. on sale, and 5 per cent. on succession; and of "Mevkoufé" lands, for sale of property on which buildings are erected 3 per cent., and $1\frac{1}{2}$ per cent. for succession; 5 per cent. is paid on the sale or succession of "Vacouf" lands upon which there are no buildings, but which yield produce or rent.

Within the last four years, since the introduction of the "Vilaet" organization, a sort of borrowing fund has been formed, and is administered by the Provincial Government, chiefly for the benefit of the peasant class of proprietors. Its capital is composed of the proceeds of an annual tax of two bushels of wheat, or its equivalent in money, levied on every pair of oxen owned by the farmers, and of a money contribution paid by those who are not engaged in agriculture equal to 10 per cent. of the amount of their income tax. The agricultural interests of the country derive great advantages from this institution; the custom so prevalent among the small farmers of borrowing money at exorbitant rates of interest in anticipation of their crops, which ultimately placed them and their property at the mercy of a host of relentless usurers, is fast giving way before the facilities offered by this institution, which enables the peasant proprietor to borrow advances at 12 per cent. per annum on very moderate security.

The trustees of these "National Borrowing Funds," as they are called, propose lowering the rate of interest to 8 per cent. next year.

It is an undisputed fact that these funds have very much contributed to place the peasant farmers in some districts on a solvent footing; many of them have not only paid off their old debts, but have also improved their properties, and brought under tillage much more land.

The small properties are not generally mortgaged now; but many of the large estates are at an average interest of 18 per cent. per annum.

If the lands are "Memlouké" or freehold, the mortgage is held valid by the local Courts, even if it is not registered, provided it is supported by the oral testimony of two or more witnesses; but mortgages of "Miriyé" and "Mevkoufé" lands, in order to be held valid and recognized by the Courts, should always be made with the cognizance of the authorities, and be duly registered by the Registrar of Title-deeds, or the Superintendent of "Vacouf" property—1 per cent. is the cost of registry in either case.

The principal crops raised are wheat, barley, maize, rye, oats, sesame, and canary-seed. A great deal of silk is also grown in some districts, and is the source of an active and profitable industry.

Generally among the peasant farmers there is no regular system of rotation of crops, but with the occupiers of large estates the common rotation for rich lands is two wheat crops, and one oats, and then fallow; or, as is often the case, several years' rest, to commence with fallow, followed by sesame.

The mode of cultivation among the peasant farmers is very primitive and simple, though not devoid of neatness and some skill. They till with the common plough, with an average depth of four inches to the furrow, though some of the best farmers plough a depth of five and six inches, and often tread their fields as long as possible with the sheep-fold before sowing. The ploughing is done with oxen or buffaloes, and in heavy lands three and frequently five or six pair form a team.

The corn grown in most of the districts is considered good and highly esteemed in foreign markets, and yet little or no attention is given by the farmers to the selection of seed. Its straw, which is much used in the rearing of cattle, dries soon and is easily broken to pieces by the process of threshing. The instrument in common use for this process is primitive, and is here made of two pieces of flat timber joined together, and stuck over with small pieces of flint. It is attached to a team of three or four horses which drive it continuously over the corn, thrown in bundles on a circular piece of ground in the farm-yard rolled smooth and firm. The straw, as soon as it is thoroughly broken, is separated from the corn and stacked, and the corn made clean and ready for market by shuffling it with shovels.

Almost every village in the province has commons—more or less extensive—belonging to it, to which the peasant proprietors have a right to turn in their cattle, subject to local customary regulations. The village has its own shepherds appointed and paid by the community to guard their cattle when turned out to pasture. By this arrangement, if a tenant's farm is small, he always has enough pasture for a few head of cattle.

The peasant farmers in the plain generally keep from ten to twenty sheep, a cow, a pair of oxen or buffaloes, a horse or ass, and a supply of fowls, geese, and other kinds of poultry; those in the hilly and mountain districts, besides the above description of stock, keep goats, and pigs. The cattle, especially the buffaloes, are well cared for and fed, but no particular attention is given to improving the various breeds. The buffalo prevails in this province as, indeed, throughout Roumelia and Bulgaria; it thrives better here than in most parts of Europe, and is a general favourite with the peasants, who esteem it for their superior adaptation to draught and the uses of the dairy, as well as for its great docility and hardihood.

It is assumed that the tillage lands in the plains are far more considerable in extent than the grass lands, and that the contrary is the case in the hilly and mountain districts, but no reliable statistics exist on this point.

Machinery is not employed by the small proprietors as a substitute for, and in aid of, manual labour. Some of the principal farmers have recently introduced on their estates English threshing-machines worked by steam-power; and, as there is a growing insufficiency of agricultural labourers in the harvest season, the use of this kind of machinery will become more general.

All the large farms are cultivated by hired labourers, but it is difficult to learn in what number per acre.

Female labour is sometimes employed on these farms for cutting and gathering in the harvest. In regard to the small description of farm-holdings, the wife and other female members of the family of the proprietor not only perform most of the indoor work, but also take an active part in the general business of his farm. In many villages, especially among the Bulgarians, the degree of the well-being of a peasant farmer is measured by the extent of his family—the more grown-up children of both sexes he is blessed with the more land he cultivates, for in general the whole family remain at home, and actively assist their parents in the various operations of husbandry; and, as to a farmer's daughters, the value which is attached to their usefulness and labour has given rise to the custom of mercenary marriages so prevalent among the peasantry here. When a peasant wants to get a wife, he has first to settle with and pay to her parents the sum they claim as an equivalent for the labour she contributed to their farm.

Day-labourers receive wages at the following rates:—men from 8*d.* to 9*d.* per day in summer, and 7*d.* in winter, with board. During harvest wages rise to 11*d.* and 12*d.* a-day. Women earn 4*d.* and 7*d.*, and lads about 6*d.* a-day.

The following are the average rates of wages paid per annum to labourers who live with their employers; these rates include board and lodging. The food they get is of the simplest kind; plenty of rye bread and porridge in the morning and evening, onions, garlic, and other vegetables, and very rarely butcher's meat. Their lodgings are of the very poorest description, and very deficient in sleeping accommodations and sanitary arrangements. In most of the farms the common labourers put up in the stables:—

	£	£
Head Ploughman	12	to 14
Herdsmen	10	..
Stableman	10	..
Ordinary Labourer	8	..
Shepherd	9	12
Dairyman	9	10
Bullock-driver	9	..
Ordinary Farm-servants	10	..

Agricultural labourers of this district do not emigrate.

The small proprietors generally live in villages adjacent to their properties. They make their habitations in a rude primitive and uniform manner, at no great expense of time and trouble. These are commonly made of large poles stuck in the ground, secured to each other with wickerwork, and plastered within and without with straw and clay, and not unfrequently cows' dung; the walls are sometimes whitewashed, and the roofs are covered with very thick thatch, and sometimes tiles.

Although the exterior of these habitations in general look slovenly, their interior is neat and trim. They are commonly divided into three rooms on the ground-floor; two are used for storing corn and provisions, and other domestic purposes, and one for the family dormitory. These rooms are 15 to 20 feet long by 10 to 15 feet broad. The conveniences of the family living-room are few and limited to a chimney, one or two cupboards, and a small window; its flooring is of earth, well hardened down, and covered with coarse matting and woollen rugs fabricated in the cottage. Images and relics from Jerusalem and Mount Athos, intermixed with crockery, copper pots and pans, a rifle or pair of pistols, and various implements for household purposes are ranged on shelves all round the walls. In one corner of the room the bedding of the family, composed of home-made coarse woollen stuffs, are piled upon each other, and behind the door stand two or three pewter jars full of fresh water. Attached to this habitation are small sheds with stables, for the accommodation of the farmer's stock; a corn-house, a poultry-house, a piggery, an oven, and sometimes a well are all included in a yard surrounded with fences or hedges, and guarded by two or three dogs. This description does not apply to every district alike; in the hilly and mountain districts the cottages of Turkish and Christian proprietors are constructed with somewhat more taste, solidity, and convenience.

The peasant proprietors are economical indeed, and study to live on the smallest possible number of wants; they very rarely taste butchers' meat, and ordinarily live on rye bread and porridge of maize and beans, seasoned with vinegar and red pepper, and also partake plentifully of dairy produce, garlic, onions, and other vegetables. Their clothing is warm, comfortable and adapted to their pursuits; it is chiefly composed of woollen stuffs, fabricated by the farmer's wife, who is at once spinner, weaver, and tailor; they wear coarse socks and sandals, also made in the cottage, use little linen, are generally sober, and look healthy and strong.

In a material point of view, the small proprietors of the soil in Roumelia appear to be in a satisfactory and prosperous condition. They are distinguished for habits of order, tranquillity, and frugality, and one rarely sees amongst them anything like suffering from want or privations; on the contrary, though they are disinclined to show outward signs of wealth and well-being, if fairly considered, a certain extent of comfort, happiness, and coarse plenty pervade their humble, primitive, and busy-looking dwellings.

The prevalent public opinion is in favour of the small proprietary system, that is to say, of the small land-owners who occupy and till their lands themselves;—it appears that they apply to their holdings more care and labour, and derive from them more produce, than is the case with the farmers of large estates. It is, moreover, generally admitted that the arrangements and regulations of landed property in Roumelia tend to bring under cultivation more land, and to otherwise promote agricultural interests, inasmuch as they preserve among the peasant farmers, who decidedly form the bulk of the population of these districts, a fixed state of society, and a species of equality, as to the rights and uses of property, with the great land-owners, and protect the country from pauperism and its accompanying evils, which are so prevalent in countries where the bulk of the land is accumulated in the hands of large proprietors.

(Signed) J. E. BLUNT.

Adrianople, December 21, 1869.

Inclosure 7 in No. 15.

Report by Vice-Consul Wrench respecting Tenure of Land in the Province of Bigha.

Name of Country.—Province of Bigha in Asia Minor, divided into eight districts and containing 397 towns and villages.

Population.—92,200.

Religions.—In the rural districts Mussulman and Greek, a portion of the urban population consisting of Catholics, Jews, and Armenians

Industrial Pursuits.—Agriculture, with its incidental manufactures of homespun cotton and woollen yarn and cloth, goats'-hair cloth and felt, besides wine where the population is Greek, and rude pottery in localities where the clay is suited to its manufacture.

LAND OCCUPATION.

The bulk of the land is held by small proprietors, who till their fields themselves assisted by their families, whose labour, when insufficient, is supplemented by the occasional aid of hired labourers. Fully nine-tenths of the land is thus held. The remainder is held principally by large proprietors, who work their land chiefly by a system of tenant-partnership that will be explained hereafter, while a few scattered instances exist of large farms occupied by tenants, and worked on the tenant-partnership principle. The practice of renting small plots of land for two years is frequent also in many parts of the province under consideration.

(A.)—SMALL PROPRIETORS.

1. As much land as can be worked by one pair of oxen is the holding that prevails throughout the country; the range of extent is between 20 acres, where the soil is heavy, and 25 to 30 of medium and light lands. Generally speaking, the lands of each proprietor lie together; it will be understood that the areas specified include the land left every year in bare fallow.

2. On the death of a proprietor one-seventh of his property goes to his widow, and the remainder is divided in equal shares amongst the children of the deceased. If there be no widow the children take the whole property. If there be no children their portion goes to the next of kin, and when there is more than one individual in the next degree of kindred, the property is equally divided among all the relations of that degree. The above is the broad rule of descent: it is useless here to follow the ramifications originating in, and dependent for their existence upon, Mahometanism. In former times the property of a childless man reverted to the State.

3. The process of transferring property is as follows:—The seller and buyer present themselves before the proper public officer, in whose presence the seller makes a declaration that he had sold the property, and the buyer that he has bought it; upon this the latter pays a fee of 5 per cent. on the purchase money, and receives a provisional certificate of ownership, which may be exchanged for a regular title-deed on application to the Central Land Office at Constantinople.

4, 5, 6. There are no facilities whatever for raising money on mortgage; indeed until a recent period the Turkish Government did not recognize mortgages at all. Where money is raised on land—a measure not as yet general—the legal interest of the Empire, 12 per cent. per annum, is paid.

7. The basis of all rotations of crops is a four years' shift, namely: first year, wheat; second year, barley; third year, bare fallow; fourth year, a summer crop, such as cotton, haricot beans, Indian corn, melons, or sesame. When these are cleared off the ground in autumn, wheat is again sown broadcast on the land, which is not subjected to any previous preparation, and ploughed in with the same wooden plough that has been in use for centuries in the East. The barley is sown in like manner on the wheat stubble. The grain is reaped by hand, and threshed out by the treading of animals harnessed to a sledge, on the under surface of which sharp flints are set. Where the land is strong, some proprietors more enterprising than their neighbours apply manure in the third year of rotation, and raise a crop of either beans or chick-peas. There are, of course, variations from the strict rule of this rotation, but they are the result of special circumstances, and are of too little importance to require illustration.

With respect to stock, small proprietors raise none, save only a few head of sheep or goats, which are pastured as best they can be on wastes, stubbles, and roadsides. Horned cattle are bred only by large proprietors, or by the inhabitants of districts where there is a range of unowned plain or forest. Goats are fed on wild waste lands, and are mostly owned by a migratory class of people. Also sheep-owning on a large scale is a nomadic pursuit carried on, as well as goat-owning, in a mode that would be impracticable in well-populated civilized countries. Grass for pasture is never cultivated, and, where pastoral and agricultural undertakings are found combined on one farm, they are carried on quite irrespective of each other, and are not, as in England, rendered mutually conducive to each other's development.

8. No machinery is employed in this province. Small proprietors employ as few labourers as possible, chiefly women, at harvest time, and for hoeing summer crops: The wages of day-labourers are, per diem, as follows:—

	Ordinary Field Work		Harvest Time.	
	With Food.	Without.	With Food.	Without.
Men	<i>d.</i> 10	<i>s. d.</i> 1 4	<i>s. d.</i> 1 0	<i>s. d.</i> 1 8
Women	4	0 6	0 8	0 10

9. No labourers emigrate.

10. The class under consideration resides mostly in houses, their own property, in villages adjacent to their lands.

11. Their dwellings are rude and unfurnished; their food is coarse but wholesome, except in summer, when crude vegetables are preferred to more solid nutriment; their clothing is simple;—in fact, expenditure is limited to the bare necessities of life, and most of them are more or less in debt.

12. The rural population is exceedingly sparse, but no statistics exist on which to frame a satisfactory reply to this question.

13. Public opinion can be hardly said to have any existence in this part of Turkey. Excessive taxation, as the most prominent evil affecting the rural classes, occupies their minds so fully as to render them indifferent to other drawbacks to their welfare of a less active and galling character.

(B.)—TENANTS AND SUB-TENANTS UNDER LANDLORDS.

Tenure.

1. The very great majority of tenant holdings consists of as much land—20 to 30 acres—as one pair of oxen can cultivate.

2. The tenure of land under proprietors must be divided into three categories, namely:—

(1.) Tenants of large farms for a term of years. The farms of absent proprietors are let, in a few cases, for terms of three to seven years, and the tenant works them on the (sub) tenant-partner system. If there is pasture land on the farm, it is usually let by the year to the nomadic shepherds of Roumelia and Bulgaria.

(2.) Tenant-partners. Under this arrangement the large holder secures the co-operation of as many men as he can supply with a pair of oxen each. These enter into a yearly agreement with the proprietor to do the work of the farm, using the latter's land, cattle, implements, seed, and manure. This form of tenancy is created by a memorandum of agreement, in which the proprietor lays down the conditions of the partnership, and the tenant-partners subscribe to it. At the close of the year the agreement becomes extinct, and the proprietor takes that opportunity of getting rid of the inefficient or turbulent members of the body, and replacing them by others. The agreement, to be legally binding, should be registered, but rarely is. It will be understood that this is not a general association of labour; but that the proprietor assigns to each individual the portion of land he is to till, and the oxen and implements he is to use for that purpose.

(3.) Tenants of small tracts for two years. Small proprietors, the extent of whose land is less than their oxen can till, or owners of oxen with no land belonging to them, rent as much as they require for two years, in the first of which they grow a crop of wheat, in the second a crop of barley, after which the land lies fallow for two years before it is supposed to have recovered from the exhausting effects of two successive grain crops, and during that restoratory period no tenant will think it worth his while to take it in hand.

3. The tenancy under the proprietor is created by a written agreement according to a form furnished by the property office where the document is registered. The sub-tenancy of the pasture is created by the payment of a year's rent in advance, and the delivery of a receipt for the same.

4. The provincial land office is also a registry office for all contracts and agreements. The document is made out in duplicate on stamped paper, and a fixed fee of about 10*d.* per annum on the duration of the agreement is paid. Although this formality

is requisite, in order to make the document legal, it is not always resorted to, as the people, in case of disagreement, prefer to settle their differences among themselves, rather than submit to the tardy and uncertain operation of the law.

5. There are no such laws and customs. It must be remembered that the population is so thin that land is comparatively a drug, so that the possessor of a pair of oxen is deemed better off than one who has some twenty acres of arable land and no oxen. It therefore arises, that those who have the necessary appliances for cultivation are never at a loss for land on which to employ them, and find greater advantage in changing about and scratching a crop out of a virgin soil than in thoroughly cultivating one spot of land—a task, indeed, for which their agricultural knowledge, as well as their implements, are inadequate. It is obvious that, under these circumstances, land-holding is stripped of all sentiment, and that there is no parallel in this country to the feeling out of which the theory of tenant-right has arisen in Ireland.

Rent.

1, 2. Tenants of large farms, as mentioned above, pay their rent in money, always partly, sometimes wholly, in advance. Sub-tenants of pasture also pay their rent in money and in advance.

Tenant-partners after paying tithes, which is $12\frac{1}{2}$ per cent., and returning to the proprietor the seed sown, further pay to him a portion of the remainder of the crop. In this neighbourhood the proportion is one-half, though further south the rent amounts to two-thirds of the nett crop.

Tenants of small tracts pay as rent a quantity of grain equal to the seed they sow. If the tenant sows a bushel of wheat he pays a bushel of wheat as rent for that year; if he sows a bushel of barley he pays a bushel of barley as rent.

3, 4. These queries contemplate a state of society and a relative value between land and labour so different from what exists in Turkey, that the issues raised by them are irrelevant to any of the considerations which arise in reviewing the condition of landholders in this country.

Improvements.

1, 2, 3, 4. A non-resident landlord never makes any improvements—a tenant never executes any of a permanent character. Rough shedding, frequently constructed of reeds, supplies the place of buildings, and lasts during the tenancy; and, as it is the custom to complete the threshing before the autumn rains, and to sell the grain as soon as threshed, it is rare to find any but the rudest and most limited accommodation for storage. It is difficult to convey an adequate idea of the forlorn aspect of the homesteads on Turkish farms, or to insist too distinctly upon the fact that the Turkish farmer, whether proprietor or tenant, confining himself to simple tillage in its most rudimentary form, neglects everything which would give even a semblance of order, comfort or thrift to the property which he occupies.

5. Tenants have no means whatever, beyond the anticipatory sale of their growing crops, of raising money for any purpose.

Miscellaneous.

1. These relations are of so primitive a character, and the ties of association between landlord and tenant are so slender that where the relations cease to be harmonious the connection severs as a natural consequence.

2. The mode of cultivation practised by tenants is identical with that employed by small proprietors. The difference between the social and material condition of the two classes, which are very closely united, is, that the proprietors have not yet been driven by creditors or taxation to sell their lands and oxen, while the tenant-partners have.

The debts of the latter having been paid by the sale of their property, they are generally less indebted than the small proprietors, with whose standard of living their own is identical.

3. Statistics on this head are wanting.

4. Never.

5. Answered under No. 13 of Small Proprietors.

6, 7. The remarks made in answer to queries Nos. 3 and 4 of Rent apply equally to these.

8. Answered under No. 13 of Small Proprietors.

9. Unfortunately no steps have been taken to increase the number of freeholders beyond the recent enactment, which confers the right of holding property upon

foreigners. The native population—scattered as it is, and impoverished by many causes, among which a prominent place must be given to taxation, which is onerous, inequitably distributed, and abusively collected—presents no element out of which to recruit the ranks of diminishing owners. Colonization alone appears to offer a prospect of amelioration, and the infusion of new blood, new energy, new capital, and greater agricultural science, is the only mode by which the position of the land-owning classes can be improved.

10. Tenants receive no assistance from any public quarter in their endeavours to become proprietors.

11. The laws in reference to land, as they now exist, have no influence either on its accumulation or dispersion. The population is too thin for dispersion, and too poor for accumulation.

(Signed)

WILLIAM H. WRENCH, *Vice-Consul.*

Dardanelles, December 6, 1869.

Inclosure 8 in No. 15.

Memorandum by M. Ceccaldi respecting Tenure of Land, &c., in the Island of Cyprus.

L'EXPLOITATION des terres en Chypre affecte deux formes principales : ou le propriétaire cultive seul son terrain avec les bras et les animaux dont il dispose, ou il s'associe avec des paysans possédant eux-mêmes des paires de bœufs.

Ces deux modes se trouvent parfois mêlés et combinés dans une même propriété ; ainsi la même personne qui cultive avec ses paires de bœufs une partie de ses terres (correspondant à la réserve de nos propriétaires) s'associe pour le surplus avec les paysans voisins. Néanmoins la grande masse des exploitations rurales rentre exclusivement dans la première catégorie, celle où le simple paysan cultive et récolte sur son champ avec ses propres moyens.

L'étendue de ces exploitations, qui forment la très grande généralité dans l'île, puisqu'il n'y a guère en dehors que 70 à 80 tchiftliks ou grandes fermes, leur étendue, dis-je, varie entre 200 et 10 échelles, c'est-à-dire, entre 50 et 2½ hectares, et descend même plus bas. Les exploitations de 110 échelles ou 27½ hectares forment une assez nombreuse classe de ces propriétés pour qu'on puisse les prendre ici pour type. Il faut se rappeler que sur ces 27½ hectares la moitié consiste en jachères suivant les errements du pays exposés plus haut, et l'autre moitié seule est cultivée chaque année. Sur ces 13 ou 14 hectares mis annuellement en valeur, le cultivateur dispose d'une paire de bœufs, avec laquelle il ensemence 11 à 12 hectares en céréales et dans les terrains favorables 2 à 3 hectares en coton. C'est la proportion habituelle.

Viennent ensuite les tchiftliks. Ce sont des fermes exploitées par le propriétaire, ou par un locataire, qui renferment généralement 500 à 600 échelles ou 150 hectares, dont 75 en jachères chaque année, et qui ont de 4 à 5 paires de bœufs. On compte environ 70 à 80 de ces propriétés rurales dans l'île.

Enfin il y a de très rares domaines renfermant jusqu'à 1,000 hectares, et parmi lesquels je citerai celui de la comté appartenant à un Français et celui de Calossi près Limassol, sur l'emplacement de l'ancienne Commanderie des Templiers, propriété Vakouf exploitée par un Grec Raya qui l'a en bail emphytéotique pour 99 ans.

Ces vastes étendues et la plupart des tchiftliks rentrent dans la seconde catégorie des exploitations rurales, celles où le propriétaire, tout en appliquant à sa réserve le travail de ses serviteurs et de ses animaux, s'associe pour la culture du surplus de ses terrains avec les paysans du voisinage. Il me reste à dire quelles sont les conditions, quel est le mode de ces associations.

Voici d'ordinaire comment les choses se passent. Le propriétaire donne le terrain et fournit les semences : le paysan fournit ses bœufs et son travail ; il laboure, sème, moissonne, et fait le battage. La récolte achevée on prélève d'abord la dîme pour le fisc ; ensuite on partage les grains en deux portions égales, l'une pour le propriétaire, l'autre pour ses associés. La paille appartient en totalité à ces derniers, à moins que le propriétaire n'ait fait la moitié des frais de la moisson, auquel cas il a droit à la moitié de la paille. Ceci concerne les céréales. Quand il s'agit de terres à coton, le propriétaire fournit le terrain et les semences ; le paysan laboure, sème, butte les plantes et fait la récolte ; on prélève la dîme et l'on partage par moitié.

D'après les renseignements que j'ai recueillis de part et d'autre, l'association est plus avantageuse au paysan qu'au propriétaire. En effet le premier trouve toujours moyen de

détruire à son profit l'égalité qui devrait exister dans le partage des profits : il détourne d'abord une partie des semences que lui donne le propriétaire ; puis lors de la récolte il trouve aussi moyen de dérober à l'œil du maître une certaine quantité de grains ; enfin il ne travaille pas sur le bien du propriétaire avec la même activité qu'il emploie à cultiver son propre champ. Il est bien difficile d'empêcher ces fraudes ; la surveillance serait inefficace à moins d'être exercée par des agents plus consciencieux que ceux que le propriétaire a généralement à sa disposition. La tromperie et la mauvaise foi, il faut bien le dire, sont particulièrement dans le caractère du paysan Chypriote, et ces dispositions naturelles ont encore été développées par la nécessité de lutter avec les moyens des faibles pendant des siècles contre l'oppression Musulmane. Cette absence de sens moral, à laquelle un bon système administratif apporterait sans aucun doute de précieux correctifs, et qui malheureusement n'est pas restreinte aux seuls paysans, restera longtemps encore un des fléaux caractéristiques de l'Orient.

Malgré les inconvénients que je viens de signaler, ce mode d'association est utile et nécessaire dans un pays où les bras manquent et où la main d'œuvre est très chère. Un conducteur de bœufs coûte à l'année environ 365 francs, 1 franc par jour : un journalier à l'époque des semailles se paie 2 francs par jour ; une femme moitié. Il est vrai que ni les uns ni les autres ne sont nourris ; mais néanmoins, comparés aux prix d'Europe, et eu égard à la moindre besogne qu'effectuent les gens de Chypre, ces salaires sont élevés. L'association est donc un bienfait pour les deux parties : pour les propriétaires, lesquels trouvent un moyen d'utiliser de vastes étendues de terrain qui sans cela resteraient improductives ; pour les paysans, qui emploient le surplus de leurs temps et du travail de leurs animaux à augmenter leur gain naturel.

Ceci me conduit naturellement à l'examen de cette question fondamentale du revenu des terres, ou du taux plus ou moins rémunérateur qu'obtiennent les capitaux consacrés à l'agriculture dans l'île de Chypre. Je ferai cet examen pour les deux types principaux de propriétés qui s'y rencontrent ; une terre de paysan, et le tchiftlik ou ferme.

Pour la terre de paysan je prendrai pour exemple l'exploitation de 110 échelles ou 27½ hectares d'abord, parcequ'elle constitue, comme je l'ai dit, une nombreuse catégorie de propriétés dans l'île ; ensuite parcequ'elle est d'une étendue assez convenable pour qu'on y puisse étudier les conditions et se rendre compte des résultats de la culture.

Le paysan cultive cette étendue avec sa paire de bœufs, ses bras et ceux de sa famille, comptant, lui compris, de cinq à six personnes.

Voici d'abord sa mise première en capitaux :—

	Piastras.
100 échelles de céréales à 150 piastras l'une, en moyenne	15,000
10 échelles de coton à 600 piastras	6,000
Une habitation	1,500
Total du capital foncier	22,500

Il faut en outre—

Une paire de bœufs	1,600
Un âne	400
Les instruments du travail : 1 charriot, une charrue, des outils, &c. ..	1,000
Total du capital d'exploitation	3,000

Les 110 échelles, dont 58 seulement, pour compter largement, sont cultivées chaque année, produisent en moyenne—

Orge, 30 échelles à 8 kilos. par échelle, à 8 piastras le kilo. ..	1,920
Blé, 20 échelles à 6 kilos. par échelle, à 16 piastras le kilo. ..	1,920
Coton, 8 échelles à 15 ocques nettes par échelle, à 6¼ piastras ..	750
Total	4,590

Je suppose que pour la terre elle-même, comme pour le capital d'exploitation, le paysan, comme cela est généralement, les aura reçus par héritage ou acquis à deniers comptants, et qu'il n'a pas d'intérêts à payer de ce chef. Les charges d'agriculture se réduiront alors—

	Piastras.
1. A l'amortissement des instruments de travail, bœufs, &c., qui peut se répartir sur 6 années, soit pour une somme de 3,000 piastras par an ..	500
2. Aux semences, qui à raison de 10 à 11 par échelle, font pour 58 échelles cultivées	600
Total	1,100

En déduisant ces 1,100 piastras du remboursement on a 3,490 de revenu net ; qui relativement aux 25,500 piastras de capital foncier et d'exploitation portent le taux de ce revenu net à 13½ pour cent environ.

Ainsi avec un capital de 25,500 piastres, ou de 5,730 francs, avec son travail et celui de sa famille, le cultivateur Chypriote gagne année moyenne 3,490 piastres ou 760 francs sur une propriété de 28 hectares, ce qui met le revenu net par hectare à 27 francs. En France il est, je crois, de 60.

Avec ces 3,490 piastres le cultivateur doit faire face aux dépenses suivantes :—

	Piastres.
1. Les impôts, savoir :—	
A. La dime, qui sur 4,590 piastres de produits, serait de 459 piastres ; mais comme le paysan trouve généralement moyen d'en dissimuler quelque chose, nous compterons seulement 400 piastres	400
B. Le droit d'Emlak de 4 pour mille sur la valeur du fonds ; soit sur 22,500 piastres	90
(L'impôt sur le revenu de 3 pour cent se trouvant perçu pour l'agriculture par le fait de la dime, nous n'avons pas à le faire entrer ici en ligne de compte.)	
C. L'Askérié, ou impôt pour le rachat du service militaire payé par les Chrétiens, qui forment les $\frac{1}{3}$ de la population agricole, par famille environ	80
D. Les impôts spéciaux pour les percepteurs, la sauterelle, redevances au clergé Grec, chemins	150
Total des impôts	720
(Ou plus du cinquième du produit net.)	
2. La nourriture et l'entretien pendant l'année du paysan et de sa famille, qu'on peut évaluer à	2,000
Total des dépenses	2,720

En déduisant ces 2,720 piastres du chiffre du revenu net, qui est de 3,490, on a une somme de 770, ou environ 174 francs, qui représenterait les économies possibles. Dans ces conditions la situation de l'agriculteur ne serait pas mauvaise en somme. Mais il ne faut pas perdre de vue que j'ai pris pour exemple la classe de cultivateurs relativement la plus favorisée—celle des paysans disposant de 28 hectares de terres ; qu'au-dessous de cette catégorie il y a un nombre bien plus considérable de propriétaires de petites parcelles qui n'ont presque jamais d'économies devant eux et qu'un certain nombre même a dû emprunter, soit pour payer un lot de terrain, soit pour faire face au déficit des mauvaises années : quant à ceux-là ils restent écrasés sous des taux d'intérêt, dont le minimum est rarement de 18 pour cent et dont le maximum dépasse 40 pour cent.

Enfin les économies mêmes réalisées par la classe la plus favorisée ne sont pas assez notables pour permettre aux individus qui la composent de remplir le rôle de la moyenne propriété dans nos contrées, c'est-à-dire, de s'élever eux-mêmes en bien-être, civilisation, fortune, tout en améliorant l'agriculture de l'île.

Il me reste à faire connaître les revenus de terres d'un tchiftlik ou domaine de 125 à 150 hectares, exploité par le propriétaire dirigeant en personne conjointement avec des paysans associés. Sans entrer ici dans tous les détails des calculs que j'ai dû faire quant au capital, aux charges d'agriculture, aux produits, je dirai seulement que le revenu des terres de tchiftlik n'est que de $6\frac{1}{2}$ à 7 pour cent. Cette différence avec les terres cultivées directement par le paysan tient au chiffre plus élevé des frais généraux à l'obligation de salarier des ouvriers que n'a pas le paysan, et enfin au moins de zèle des travailleurs et aux détournements dont le propriétaire est toujours plus ou moins victime de la part de ses ouvriers et de ses associés.

Il n'y a pas, ou presque pas, en Chypre de domaines affermés répondant à ceux que donnent à bail nos propriétaires d'Europe, et qui leur rapportent ordinairement 3 pour cent de revenu.

En résumé l'on voit que si l'assolement était introduit dans l'île, et que le paysan cultivait annuellement tous ses terrains au lieu de n'en mettre en valeur que la moitié, ce qui ne nécessiterait qu'une dépense en fumure et un ouvrier agricole en plus, le revenu en argent de sa terre serait certainement augmenté des deux tiers et s'élèverait ainsi à 22 pour cent. En déduisant même l'intérêt de tout le capital foncier et d'exploitation que je n'ai pas fait entrer en ligne de compte, et en le portant au taux de l'Orient, 12 pour cent., la terre donnerait encore un revenu de 10 pour cent.

Je crois que ces chiffres autorisent à conclure que Chypre serait un excellent pays pour une colonie agricole Européenne bien pourvue. Il est vrai que l'arrivée de cette émigration ferait sans doute hausser le prix des terres ; mais pas dans le principe, ni dans une proportion très forte durant les premiers temps, car il y a grandement de terres disponibles. Il faudrait seulement que l'entreprise fut conduite avec maturité, habileté et diligence. La constitution de la propriété sur des bases nouvelles et la réorganisation administrative et judiciaire de la Turquie hâteront le moment où de pareilles entreprises

seront possibles et fructueuses ; mais il faut d'ores, et déjà se tenir en mesure pou rarriver en bon temps.

No. 16.

Consul Sir R. Dalzell to the Earl of Clarendon.—(Received February 4.)

My Lord,

Rustchuk, January 18, 1870.

IN compliance with the instructions addressed to me by a despatch of the 1st of November ultimo from Mr. Barron, I have the honour to transmit (under flying seal to Her Majesty's Embassy) such answers as I have been able to collect to the queries put in your Lordship's Circular of the 26th of August last, as to land tenure.

The area of this Province of European Turkey is not very different from that of Ireland; its population, taking the Irish Census of 1861, probably, from 2,000,000 to 2,500,000 less;* but, even were the latter circumstances more parallel, I am afraid that little of practical use would be derived from such answers as I am able to supply.

1. As to queries in Part B, the system of tenancies is here exceptional, and where found, its incidents rather resemble those which might occur in some of our Colonies, than in a country with complicated social relations.

2 Some general information as to the condition of small proprietors may, perhaps, be derived from the answers to the queries in Part A; but with, I submit, the reserve that peasant proprietors here are not only very sparse, relatively to the cultivateable acreage, but likewise not met by the competition of a class desirous to acquire land.

The result is that, speaking generally, a peasant in Bulgaria has, or should the property be sub-divided on death, may easily acquire, sufficient land for the subsistence of a family, and even to cultivate at a small profit.

As to mere necessities of subsistence, the peasant of this province, and, I think, your Lordship will find on inquiry, the peasant in the East of Europe generally, is better off than many of our own peasantry or agricultural labourers.

As respects questions raised by political economists, as to the comparative yield of systems of large and small culture, such questions are not here tested, no other general system but that of small properties existing.

It should also be borne in mind, that the position of a landlord in this part of Europe is markedly different from what it is in more densely populated countries, land (and I speak also with some slight experience of Servia and Roumania, in both which countries I have had the honour to serve Her Majesty's Government) being of little value, from the circumstances—(1) that the population is small relatively to the acreage, and (2) that there is no immigration to any extent to more thickly populated countries.

The Government here and in Servia, and the great proprietors in Roumania, accordingly are disposed to give the peasant land on very easy terms, and this is, probably, the explanation of a statement I ventured to make in a paper lately transmitted to your Lordship by Her Majesty's Embassy as to the rural law in Roumania, to the effect that the great proprietors were not usually disinclined to concede land to the peasant, their object being to get, somehow or other, a population fixed on their estates, with whom they could subsequently deal as labourers; just as in Servia or here, the Government look to the extent of waste land brought into cultivation for the increase of the most productive taxes.

I append an abstract from such few and incomplete statistics as I have been able to obtain from the local authorities. The figures must be received with the greatest reserve, but may convey an idea of the produce, &c., of the province.

I have, &c.

(Signed) R. A. O. DALYELL.

Inclosure in No. 16.

Report by Consul Sir R. Dalzell respecting Tenure of Land in the Vilayet of the Danube.

Name of Country.—Vilayet of the Danube, Province of European Turkey.

Population.—3,500,000 (?), area (about) 35,000 English square statute miles.

Religions.—Rural population almost entirely either (1) Mussulman one-third; (2) Greek rite (two-thirds); Urban population, Mussulman and Greek rite, and also (3) some Roman Catholic (4), a few Jews (5), a very few Protestants.

* Area of Ireland, 32,512 square statute miles; population, 2,798,867.

Industrial Pursuits.—Home manufactures of cloth, linen, &c., for dresses of peasantry, *i.e.*, of carpets, some of which are exported beyond the Vilayet; cordage for small craft on Danube; tanneries in some towns; iron-works at Samakof.

LAND OCCUPATION.

(*a.*) Almost entirely small proprietors. (*b.*) A few tenants of large holdings under proprietors, some sub-tenants under intermediate tenants holding from proprietors (but subordinate holdings usually cultivated under *métayage* arrangements with chief tenant).

In absence of statistics impossible to state proportion in which these systems exist, but large holdings few in number.

(A.)—SMALL PROPRIETORS.

1. From 25 to 50 acres (to cultivate profitably peasant must have sufficient land to employ at least one pair of oxen, *i.e.*—as a certain portion of holding is left each year in fallow) from 25 to 30 acres, most of the peasant proprietors have that quantity) properties much intersected (there being no fences, villagers agree to cultivate one year the fields they possess on one side of the village, leaving their fields in another direction in fallow, or as general pasturage for stock).

2. Partition amongst children; failing children amongst nearest relatives; unlimited power of disposition by will, but peasant proprietors rarely make a will; children may arrange that property should remain undivided, and such arrangements frequent.

3. There is a bureau at the chief town of the Vilayet for sale of Government land and registry of such sales, with officers in each *kaza* (subordinate administrative division comprising a varying number of villages). A peasant having saved a few hundred piasters, and desiring to acquire title to land occupied on sufferance, or to add to his property, addresses himself to such local employé, who appraises the land with the assistance of the chief villagers of the locality; purchaser then pays down price against acknowledgment, and a counterfoil of the register is filled out on a printed form, and transmitted to central office at Constantinople to be stamped and finally returned to the purchaser, who, on receiving it, pays 5 per cent. on appraised value of the land, and 4 piasters (8*d.*) fees, and is put in possession; if he sells or exchanges, new titles are similarly issued, and 5 per cent. and 8*d.* fees again levied by Government; in case of death new titles must be taken out by heirs, but are furnished gratuitously. A property if left untouched by the proprietor for three years may be resumed by the Government.

4. Only as follows:—agricultural “caisses” have been established in the vilayet of late years; peasants receive seed, and are required to cultivate each a certain small portion of Government land annually, produce being handed over to Government, and its price-forming fund from which peasant proprietors may borrow at current rate of interest, *viz.*, 12 per cent. Considerable complaints prevail as to management of these “caisses,” but they are resorted to by the peasantry, though not universally as yet, in consequence of formalities required, sometimes for purchase of oxen, or seed, not for general improvement of their properties; on occasion of marriages.

5. Generally speaking, peasant proprietors are in debt, incoming crop being frequently pledged for small-money advance to usurers on terms equivalent to an interest of 40 to 60 per cent.

6. Such assignments of crop are frequently made by poorer to richer villagers, or merchants, either in writing or verbally, before the priest or schoolmaster, and then constitute a debt provable by witnesses; more formally on stamped paper, stamp duty small; any legal expenses trifling; no register of such assignments.

7. Principally wheat, barley, maize, millet, oats in small quantities; no system of rotation, a portion of each property is left in fallow, and except in rare cases, manure not employed; system of agriculture and implements used, of rudest description; stock principally pastured on common land belonging to every village; also on the fields not during the year under tillage; no efforts made to improve breeds. In complete absence of statistics, it can only be said that there is still much land* capable of cultivation, which has never been brought under tillage.

* If the peasant can show undisturbed possession for ten years, the land is appraised at a nominal rate. Many “*tapus*” are issued for a “*donum*” (about 1 rood).

8. About forty reaping-machines, and a few threshing-machines, have recently been purchased by the Government from the funds of the agricultural "caisses," and distributed at different points in the vilayet; former, particularly, available of by the villagers; as a rule, however, agricultural labour entirely manual and by oxen. Hired labourers are remunerated sometimes in kind, but frequently in money, at rate of 3*l.* to 6*l.* for summer six months, less in winter, and fed and lodged. Average number per acre cannot be stated; but hired labour, especially at harvest-time, is scarce and well remunerated.

Much and severe field labour is performed by the females of the family of the Bulgarian peasant by Mussulman women, to a much less extent; women not employed as hired labourers.

9. There is no stream of emigration. Large numbers of the population have at times emigrated from political causes, but many have returned. The poorer peasants frequently go to Wallachia, or cross the Balkan for harvest work, returning afterwards to their homes.

Of late years numerous Circassians and Tartars from the Crimea have been established in this vilayet by the Government on waste lands, supplied with cattle, &c., and exempted for a certain number of years from the most onerous taxes, conscription, &c.

10. In the villages and towns adjacent.

11. With exceptions in some districts, the houses of the peasantry very tolerable; those of the Mussulman peasantry scrupulously; and those of the Bulgarian peasantry very lean.

Peasants' diet consists rather of vegetable than animal food; but this not from want of means of procuring former; he is warmly clad, has plenty of fuel; and, as all articles of clothing of the Christian peasant are made by the women of the family, and there is little or no restriction on taking wood from forests, is, even though otherwise poor, well supplied in these latter respects.

Much time is subtracted from agricultural pursuits by the numerous church festivals strictly observed by the Bulgarian peasant; and the severe winters restrict the seasons of agricultural operations; but the character of the Bulgarian peasant is penurious and saving; and his industry and aptitude for agricultural pursuits remarkable. Even in the towns a beggar is scarcely ever seen.

12. In absence of statistics of population, average population per acre cannot be stated with approach to accuracy. Average number of children in a family perhaps somewhat greater in the case of peasant proprietors than in that of the inhabitants of the larger towns. The population does not increase rapidly; mortality among young children great. The conscription also great check to increase of Mussulman population.

13. Since 1865 the titles to land ("tapu") have been issued at chief town of Vilayet; and this mode of issue is, I am informed, now introduced in other Vilayets where Government printing-offices have, as here, been established at the chief town. Elsewhere the "tapu" must be obtained, in first instance, from Constantinople, and delay and expense are much greater. This increased facility for acquiring proprietorship in land, much liked by, and extensively availed of by, peasantry. In issue of small "tapu," few abuses—from circumstance that there is little opening for extortions. In issue, however, of "tapu" for larger portions of land there is considerable favouritism and speculation. No system but that of small holdings at present generally practicable here from deficiency of native capitals to acquire large.

(B.)—TENANTS AND SUB-TENANTS UNDER LANDLORDS.

Tenure.

1 and 2. Tenancy under a landlord race, existing only in the case of a few estates belonging to Pasha's, Bey's, &c., not managed directly by the landlord. These estates, though not numerous, are of large size. The whole estate is usually let to one tenant, generally against money payment; the term of the lease varying from three to five years; sureties are required from the tenant; tenant pays the Government tithe; and engages to return property in same state and with same amount of cattle as he received, mortality and multiplication of latter being at account of tenant. Tenant, then, either (a) arranges with the neighbouring villagers to cultivate for him at money payment, fixed share in kind, or share of produce; or (b), if the property is very large, arranges

* There is a good deal of forest land often reclaimed by peasants, who then obtain "tapu" at a nominal rate.

with other small capitalists that they should cultivate portions for him, such last mentioned arrangements being generally in metayage, but sometimes in the nature of sub-tenancies, and then assignable without the consent of the landlord or even the chief tenant.

3. By written agreement on stamped paper, in which conditions of lease are very explicitly stipulated.

4. No; but it is frequently made before the local authorities, and in that case the seal of the local tribunal is affixed, simply, however, as a precaution against fraud.

5. If the rent be punctually paid, and the conditions of the contract fulfilled, the lessor cannot legally oust the tenant; but, on death of proprietor, children may set aside the contract, and there may then be considerable difficulty in recovering rent advanced.

6. A tenant may sell his interest in his farm without consent of landlord. But landlord still looks to and recovers his rent from original tenant and his sureties.

Rent.

1. Generally in money; sometimes under a métayage arrangement, varying according to what is supplied by the lessor, sometimes by fixed amount in kind.

2. Landlord makes best bargain he can. There is little competition, and rent is usually very low. The periods of payment of rent are stipulated in the contract, usually six months in advance, with first payment on entry; sometimes that first payment shall not be made till the harvest is got in; frequently a much larger payment than six months in advance is made on entry, amount of rent being proportionably diminished.

3. At expiration of lease, landlord has unlimited power of raising the rent. In case of non-payment of rent, &c., landlord produces his contract to local authorities, who can turn out tenant.

4. Production of contract to local authorities; occasionally, but rarely (as the terms of the tenancy are very simple) to the tribunals. Landlord may seize crop, cattle, &c., on ground.

Evictions.

1. Landlord applies to local authorities. No notice required. Tenant appears; and, if he can establish that his difficulties are temporary, is generally allowed a short term, say two months.

2. Such evictions not frequent. These tenants, who are generally merchants in small towns, often become bankrupt; but an arrangement between tenant and landlord is generally come to.

Improvements.

1, 2, and 3. On these properties there is a house, wooden sheds for grain, wooden stables, but little else in the shape of farm buildings. The occupier takes what he finds, and executes no improvements. It is sometimes stipulated in the contract that the landlord shall put up some sheds, &c. By Turkish law, anything once annexed to the dwelling-house, however temporary in character and easily severable, becomes the absolute property of the landlord. Were a tenant to erect a building elsewhere on the ground, at expiration of tenancy value of building and soil on which it was erected would be appraised, and difference paid by either party.

4. By the ordinary tribunals.

5. No; the agricultural caisses being intended only for peasant proprietors.

(a.) It will be remembered that system of large farms is very exceptional; but much land is cultivated by the peasant proprietors as follows:—A peasant proprietor, who, from want of oxen or seed, finds himself with a field he has not means to cultivate, makes an arrangement with a neighbour under which the neighbour cultivates, rendering to the proprietor the number of bushels of seed estimated to be necessary for cultivation, and taking the profit and risk of failure of crop. After the harvest the proprietor re-enters into possession, cultivating himself, or making a new arrangement for the following year. Such arrangement is concluded verbally, generally before the elders of the village.

6. Everywhere in Turkey there are considerable estates, the proprietors of which are Mussulman religious or charitable foundations. In this Vilayet such estates are usually cultivated by arrangements with the neighbouring peasantry, who generally receive a portion of the produce in kind. A crier is sent round the neighbouring villages to announce terms offered by the Mosque; and, by a provision of law, these terms once taken up, cheaper offers cannot be received from peasants of distant villages.

(c). There are a few village proprietors in this vilayet who hold titles of land from mosques. Incidents of succession and division of land so held are now identical with that of land of which the title is held from Government.

Miscellaneous.

1. There is unfriendliness in the relations between the Pasha or Bey and his farmer, but much subserviency on the part of the latter, who, frequently a merchant in a neighbouring town, is often induced to take the farm partly with a view to some protection as to his affairs generally.

2. The ordinary rude agricultural practice of the country; cultivation somewhat worse than by peasant-proprietors; farmer divides his time between his general commercial occupations and his farm, lives very frugally, becomes very frequently insolvent, in general circumstances is of course better off, but in honesty and probity generally inferior to peasant-proprietor.

3. These farmers belonging to the town populations, answer above given as to increase of population applies.

4. The populations of towns, to which class these tenants belong, rarely emigrate.

5. No particular improvements are suggested; influx of capital by purchase of large estates by foreigners might improve agriculture, &c., but no indications as yet appear of desire of foreigners to avail themselves of right recently accorded to them to purchase land; where these large estates exist the villagers upon them are nevertheless peasant-proprietors, for in the purchase of a large tract of country a certain area round each village is always excepted; the Vice-Consuls of Sulina and Kustendji, in whose districts these large estates are principally found, inform me that the inhabitants of villages on these estates are not inferior in their circumstances to other peasant proprietors.

6, 7, 8. No.

9. Yes, *vide supra*.

10. No; there is no desire on the part of tenants to become proprietors, landed property yielding in Turkey a very small return compared with that derivable from other investments.

11. The provisions of law at first sight seem to favour the dispersion of property, but they are counteracted by the desire of the peasant to acquire land, the necessity in which he finds himself to augment a subdivided property in order to employ profitably at least a pair of oxen; and his acquisition of land is facilitated by the low terms on which, and very small portions in which, it can be acquired, in the case of a peasant who has brought waste land into cultivation at an almost nominal rate, also by a provision of law which secures pre-emption of land to a neighbour; but the exactions of Government employés in respect to taxation, in itself not onerous, and especially the wretched system of collection of the Government tithe, under which the harvest is allowed to rot on the ground till the percentage is collected, discourage the peasant and cripple his purchasing power.

Copyhold.

The properties of these peasant proprietors now differ little, if at all, in respect to nature of tenure, and the incidents of their possession, from the most favoured species of landed property in Turkey in the possession of individuals, viz., absolute property in land, subject only to the payment of the Government tithe. Premising that the peasants of a "Ziamet" or "Timar" (larger or smaller fief) were in addition to the Government tithe which they still pay, formerly subject to varying dues and taxes to the "Spahi" (or feudal lord), the following extracts from the Treatise of Gatteschi, "Des Lois sur la Propriété Foncière dans l'Empire Ottoman: Paris, 1867," will show the nature and mode of growth of their present tenures.* "Les ordonnances impériales ou kanoun établirent plus tard diverses sortes de concessions de terrains, qui ne se trouvent pas dans les plus anciens livres de jurisprudence Musulmane. Ces concessions étaient presque féodales; par

* The late Lieutenant-Colonel Neale, then Her Majesty's Consul at Varna, wrote in 1855:—"A very great proportion of the whole land in Bulgaria adapted for agricultural purposes is common, and the tenure consists in the obligation to pay tithes on the produce to the State. The agriculturist is undisturbed in his possession, but the possession must be continuous. If the lands are abandoned for three consecutive years, unless good cause is assigned, they are free of access to another."—(Inclosures in Lieutenant-Colonel Neale's No. 12 of May 7, 1855, to Embassy.)—This describes period in the transition when the Spahis, who, since the institution of the "nizam" (regular army) had ceased to render military service, still drew very arbitrary and excessive payments from their peasants, in lieu of which they now receive small annuities for their lives. As to "Ziamets" and "Timars," *vide* Report presented to Sultan Ahmed III, cited by Ubicini, "Lettres sur la Turquie, vol. i, p. 540; Von Hammer, vol. i, p. 217; D'Ohsson, vol. vii, p. 276; Thornton's "Turkey," p. 164.

elles les Sultans donnaient à leurs compagnons d'armes une grande quantité de terrain conquis, à titre de 'Ziamet' et de 'Timar,' c'est-à-dire, grandes et petites terres féodales.

"Le feudataire, dit Hammer, jouissait des rentes pendant sa vie, et après lui ses héritiers mâles, avec l'obligation non seulement de marcher en temps de guerre, mais aussi de fournir un contingent proportionné aux revenus des terrains.

"Presque tout l'Empire Turc se composait de ces fiefs, sur lesquels le concessionnaire n'avait pas de droit de propriété véritable, mais simplement un droit de jouissance avec faculté d'en céder une partie à des cultivateurs moyennant une rétribution annuelle . . .

"D'un autre côté, ils avaient le droit de percevoir sur les habitants du fief tous les impôts religieux et civils dont étaient grevées les terres qu'ils possédaient. Ils exerçaient aussi une sorte de juridiction sur les raïas, c'est-à-dire, colons, soit Chrétiens, soit Musulmans, auxquels ils accordaient des terres pour les cultiver.

"Quant aux raïas qui cultivaient les terres concédées par les feudataires, ils se trouvaient presque dans la condition de serfs vis-à-vis de ces derniers. Ils ne pouvaient quitter la terre et ils employaient leur travail au bénéfice des feudataires, sous peine de perdre la terre s'ils ne la cultivaient pas, et, dans ce cas, elle était concédée à d'autres. Ils ne pouvaient ni la vendre, ni l'hypothéquer, ni la mettre en Vakf. Ils en avaient tout simplement l'usufruit, sans avoir même la faculté de la transmettre par héritage Les paysans, dans l'impossibilité de compter sur la durée de l'usufruit, ne s'affectionnaient pas à leur terre. Ils n'exécutaient pas de travaux durables et se contentaient de la récolte annuelle. . . . Ce fut, en effet, pour y remédier que le Sultan promulgua l'Ordonnance Impériale de 1858 (1274). Il voulut rendre ainsi beaucoup plus stable entre les mains des cultivateurs la possession et la jouissance des terres 'Mirrié' ou de l'Etat, et l'on peut même dire qu'il voulut les mettre dans la jouissance pleine et entière des cultivateurs.

"Voici en abrégé les principales dispositions de cette Ordonnance. Elles abolissent les fiefs, c'est-à-dire, les 'Ziamet' et 'Timar.' Les possesseurs des terres 'Mirrié' se trouvaient par ce fait en rapport direct avec le Gouvernement. . . .

"Les terres qui revenaient ensuite à l'Etat, pour une raison ou pour une autre, étaient concédées par ce dernier à des cultivateurs, moyennant une somme à titre d'investiture, et on leur donnait un titre de possession appelé 'Tapou.'

"Une fois le terrain obtenu, le concessionnaire peut le cultiver à son gré, mais il ne doit pas le laisser inculte plus de trois ans, sous peine de le perdre et de le voir céder à d'autres. . . .

"Le concessionnaire des terres . . . peut les vendre et même les donner. . . . A la mort du concessionnaire, les terres . . . passent à ses héritiers légitimes. . . . La possession paisible par un laps de temps de dix années est reconnue comme titre suffisant à la jouissance des terres 'Mirrié,' c'est-à-dire, que l'Ordonnance admet la prescription acquisitive pour les dits terrains. . . .

"On voit quel progrès énorme cette loi a fait faire au droit de jouissance des terrains de l'Etat dans l'Empire Ottoman; car, une fois les fiefs abolis, le possesseur des terres en devenait presque le vrai propriétaire. . . . On pourrait comparer ce droit à l'emphytéose du droit Romain, c'est-à-dire, à l'*ager vectigalis*, avec l'avantage de ne payer qu'une seule fois une taxe comme prix de concession, et non une redevance annuelle."

Vide also Belin, "Propriété en Pays Musulman," chap. xi, p. 180.

(Signed) R. A. O. DALYELL

Rustchuk, January 18, 1870.

APPENDIX.

The following is a specimen half of Register of "Tapus":—

Bound books, containing each 200 leaves, are sent to districts.

When tapu is applied for, district-authority inserts particulars in A and B.

"B" is torn off and given to purchasers as Provisional Title.

When book is exhausted it is returned to Rustchuk, and tapu (*i.e.* formal Title "C") filled up as marked in red ink.

It is then sent to Constantinople to be stamped;

And finally delivered to purchaser against Provisional Title.

(A.)		(B.)	
(Translation.)		(Translation.)	Defteri Haccani.
No. of Tapu.	No. in Register	No. of Tapu.	No. in Register.
		Nature of Property (whether Government Land).	
		Receipt given for Ground in Vilayet of Danube.	
Sandjak.		Sandjak.	
Kaza.		Kaza.	
Chef-lieu.		Chef-lieu.	
Village.		Village.	
Locality.		Locality.	
Boundaries.		Boundaries.	
Extent.		Extent.	
Whether Arable, &c.		Whether Arable, &c.	
Whether Tapu of Sale, Succession, &c.		Whether Tapu of Sale, Succession, &c.	
Purchaser.		Purchaser.	
Explanatory of reason of Tapu.	{ Whether Land to be Sold passing from Father to Children, &c.	Explanatory of reason of Tapu.	{ Whether Land to be Sold passing from Father to Children, &c.
If Waste Land.		If Waste Land.	
Price ceded at.		Price ceded at.	
Ordinarily valued at.		Ordinarily valued at.	
Usual Duty, 5 per cent.		Usual Duty, 5 per cent.	
Clerk's Fees, 1 piastre; price of Paper, 3 piastres.		Clerk's Fees, 1 piastre; price of Paper, 3 piastres.	
Inserted when Sale is made from one villager to another without valuation.		Inserted when Sale is made from one villager to another without valuation.	
Ditto when valuation is made.		Ditto when valuation is made.	
(Date.)		Stating that this Paper is given as provisional title till formal Tapu is delivered.	
(Seals of Authorities.)		(Signatures of Local Authorities.)	

(C.)

(Translation.)

The motive of this Imperial receipt is, that being enregistered at the office of the Defteri Hakkani, of the Vilayet of the Danube, in the Sardjak of Rustchuck, in the Kaza of Rasgrad, village of Kadi, locality of Besh-tefula, bounded by the fields of, &c., about 3 , 75 piastres value, a piece of arable, the named Keerabet Oglon having been certified as undisputed possessor, this tapu has been given to him as proof of his right, he to pay 5 per cent. duty for his tapu, and each year 10 per cent. tithe to the authority, and so shall have the right to sow and reap.

No. of Register.

No. of Tapu.

No. 17.

Consul Stuart to the Earl of Clarendon.—(Received January 24.)

My Lord,

Janina, January 13, 1870.

ACTING on authority from Her Majesty's Embassy at Constantinople, I have the honour to transmit direct to your Lordship, a Report on the laws and customs affecting the Tenure of Land in this country, and also replies to the queries on that subject, contained in the Inclosure of your Lordship's Circular of the 26th of August last.

I have, &c.

(Signed) R. STUART.

Inclosure in No. 17.

Report by Consul Stuart respecting Tenure of Land in Epirus.

Name of Country.—Epirus.

Population.—357,000.

Orthodox Christians	..	..	..	..	..	..	..	221,000
Mussulmans	..	..	..	..	..	..	..	133,000
Jews	..	..	..	..	..	..	..	3,000

357,000

2 T

Industrial Pursuits.—Agriculture chiefly; pastoral occupations; some manufacture of coarse woollen and cotton cloths, and a few of the useful arts.

Preliminary Observations.

Epirus, by voluntary submission, became subject to the Ottoman power in 1431; and it was included in the system of land organisation instituted by Suleiman the Great in 1530. A brief sketch of that system is here necessary in order to a clear understanding of some of the regulations and conditions of land tenure still subsisting in this country.

In the 14th century, Murad I established the feudal system in his dominions, providing that fiefs should be hereditary in the male line, failing which they should revert to the State. A major fief ("ziamet") might comprise several minor ones ("timars"), but could not by any sub-division be disintegrated. These conditions were confirmed by Suleiman, especially the last, which he rigorously enjoined by a new decree. It is still in force, as are also the following, which he originated, with some unimportant variations. A "timar" might be conferred by the provisional Governor without reference to the Porte; a "ziamet" could be held only by Imperial warrant.

The different Tenures of Land created by this Sultan, were as follows:—

1. Decimal lands, the lands which after conquest became the absolute property of the Musulman conquerors, who received from the cultivators a dime of the annual produce. They were also called "mulk," under which denomination were comprised those lands which were left in possession of the owners on their becoming Musulmans. These were likewise subject to a dime payable to the State.

2. Tributary lands, which were the lands left to non-Musulman possessors, subject to the tribute called "kharadj." The "kharadj" was a double tax, consisting of a capitation tax, and of a tax either upon the land or upon the produce.

3. Domains, these were the fiefs ("ziamet" and "timar") granted for life in reward for military services. They were cultivated by Christians, and, besides the "kharadj," were subject to a heavy payment to the feudatory.

The second and third classes did not at first pay the dime, which, being in its origin of a somewhat religious character, could not be imposed on Infidels.

As Epirus became part of the Ottoman Empire by submission, its lands remained for some time in the second category. The country had not been overrun by Moslem troops, and could not therefore be appropriated or claimed by military settlers. By degrees, however, the fertile maritime plains attracted attention, and Musulmen adventurers, in increasing numbers, found means or pretexts for establishing themselves in some of the most desirable parts. The Christian proprietors were thus seriously menaced in their rights, and they would possibly in time have been wholly displaced, if they had not conjured the danger as it approached by professing the Musulman faith. Those who themselves were deterred by qualms of conscience from such a step, imposed the duty on a son or a relative to whom the estate was made over. By this means not only was the proprietor secured in possession, but his estate was relieved from "kharadj" which was levied only on Rayahs, and thus from tributary passed into the category of "mulk." In course of time those nominal proprietors, by exchanging or affecting to exchange, a simulated for a real belief became very stanch and zealous Musulmans, and were thus enabled absolutely to appropriate the lands, to the utter exclusion of their Christian kindred. It was in this way that nearly all the Albanian chiefs, who were once so powerful in this country, became Musulman Beys and the hereditary possessors of vast estates; nearly all the coast plains and low lands belonged to them, and were peopled with their clans, who never hesitated in religious matters to follow the leading of their masters.

This process of conversion did not wholly cease until the closing years of the last century, when the country underwent another violent change. At that time Aali Pasha Tepeleula was working his way to power in Epirus; and one of the means which he successfully adopted, was to wage almost indiscriminate war against the landed proprietors, whose lands he seized, destroying the title-deeds whenever he could find them. After his death, which took place in 1822, all his possessions were confiscated to the Crown, including, of course, the lands he had usurped. Such of the original proprietors as had managed to save their titles were reinstated; but as these cases were comparatively few, it came to pass that much of the freehold property of the country reverted to the State. Most of the major fiefs were involved in this change. The minor escaped because they had been spared by Aali Pasha. But in 1846, the system of fiefs was wholly abolished, compensation was granted to the holders, and the lands were appropriated by the State.

In the same year, and at different subsequent dates, changes and modifications were

here introduced into the conditions of Land Tenure ; but the impress of the original system still remains in strong relief, as will appear from the following observations.

Landed property in Epirus is at present of four kinds, viz. :—

1. Inlak (Miri), or brown lands.
2. Vakoof, or Church-lands.
3. Muawzil, or Crown-lands, let, on payment of a fine, at a reduced rent.
4. Mulk, or Freehold-lands. ..

The following remarks apply in common to the four kinds :—

The lands are marked out into divisions of very unequal extent, which, for want of a better name, may be called "estates." The boundaries of these divisions are known, but not their areas, because the art of land mensuration has not yet, except on a small scale, been introduced into this country. The extent of an estate, however, is roughly estimated by the number of "bastinas" it may contain. Bastina, a Slavic word, meaning "heritage," denotes the quantity of ground which can be cultivated by a working farmer (zeoghilć) with a yoke of oxen (zeogain). This quantity is necessarily indeterminate, as it must vary with the quality of the soil and the contour of the land, and even with the industry of the farmer and the number of hands at his disposal. There are bastinas of 30 acres, of 7 or 8, and of every intermediate area ; and estates range from 5 to 150 bastinas.

In the thinly-populated districts there are often unoccupied lands on an estate, which, for the time being, are almost valueless to the owner ; consequently, whatever the extent of an estate, its letting, and in no slight measure its selling, value is regulated by the number of bastinas or farms in occupation upon it. In other words, by the number of its villagers, heads of families—for every estate has its village, which may be more or less scattered ; so that "estate" and "village" are here synonymous terms, and are commonly expressed by the same word, "khorion," while "khorikos" means a villager or working farmer.

The population of this country is not more than, perhaps, a fourth of what the soil could support. It is still on the decline ; so that available hands are as much considered as acres in all contracts about lands.

In this country estates are never cultivated by the owners on their own account. They are, as it were, consigned to the villagers who hold such a farm, and pay annually in lieu of rent a third of the grain, a fourth of the vine produce, after deducting the Government share. This payment in lieu of rent is in kind, and is here called "imeron," from the Greek word, "gheomeron."

Estates of all kinds may be let. The maximum term is fixed by law at five years ; and the lessee, here called "subastri," from "sahibbatri," head master, acquires by his contract no other right over the land than to receive the usual rent in kind ; he is, in fact, nothing more than the purchaser of the imeron for a specified number of years. He cannot interfere with the cultivators, or the mode of cultivation : and if dissatisfied with either, he can obtain redress only by applying to the lessor. He gets his right for a money consideration, and it may be sold or assigned over and over again without limitation, the transfer being each time registered in the proper office.

The first charge upon the produce of all lands is the Government share. No lands are now excepted, for in 1867 the vakoof was taken in, which, until then, had always been exempt from every secular burden. The share is levied on the gross produce ; and in the same year, 1867, it was raised from a tenth, its immemorial proportion, to 15 per cent. ; in the following year it was reduced to 12½, at which figure it now stands.

As the dime, for so the Government share is still called, has much to do with both Government and private landed interests, some remarks upon its working and results may not here be out of place.

I need not dwell on the long-established principle that the dime, especially when levied on the gross produce, is an unfair impost, of unequal pressure, increasing in proportion to the profits in an inverse ratio to the goodness of the soil and the facility of cultivation. These truths have not yet been practically recognized here. On the contrary, the Government seems to cling more than ever to the system ; and all its defects are aggravated by the mode in which it is carried out. That mode is as follows. In the spring of each year the vine of the ensuing harvest is sold by auction to the highest bidder. The whole province may be put up in one lot, or parcelled out, at the discretion of the Governor. When, as generally happens, the lots are large, the first business of the successful bidder is, to sub-let his contract in sub-divisions, which process is at times so often repeated, that there is a series of five or six middlemen between the Government Receiver and the farmer, each making a profit out of his speculation. From this it follows, either that the Government largely undersells the

dime, or that the cultivator is taxed in more than a tenth. Of these two propositions one must be—both, in fact, are—true.

That abuses should not follow from such a system, is to suppose a very high standard of public and private morality. This question deserves a little consideration. In the first place, the Government is presumed to sell the dime to the best advantage; the purchaser, on the other hand, must be indemnified for the employment of his capital or credit, of his time and labour; and, as money bears high interest in Turkey, it is natural to suppose that the profits which he aims at bear a fair proportion to those of other investments. That they do so may be inferred from the fact that tithe-farming is in great favour with capitalists in Turkey. But, in order more fully to insure this result, the Government is compelled in its own interests to arm the contractor with greater powers of law and authority. By virtue of these powers, from the moment that his contract is sealed, he becomes absolute master of all the agricultural operations in the district over which his contract extends. He is not only partner in the crop, but he is the managing partner. He fixes the time for reaping, carrying, threshing, and selling the corn—nothing can be done without his leave; and, as to reaping, that leave is often withheld until a great part of the corn is shed from over ripeness, or consumed by birds. It will thus be seen that, during several months of every year, the villager is little better than the serf of the tithe-farmer. Helpless to contend openly with one who has all the advantages of power on his side, he has recourse to the usual weapons of the weak—to fraud and deceit—which he believes to be justifiable in the hard circumstances of his case; but even these avail him little, and the demoralising contest is sure to end in his defeat.

The system, then, of tithe-farming, as carried out here, must interdict all improvement, and being, as it would appear, inseparable in its parts, it admits of no modification. Such being the case, nothing short of its total abolition can prepare the way for ameliorating the agricultural condition of the country.

I cannot better conclude the observations on this head than with the following extract from the Khatti-Sheriff of Gulkhaué, proclaimed in Constantinople, November 3, 1839. On the subject of farming the revenues, it said: "By this system the civil and financial administration of a district is handed over to the control of a single man, that is to say, sometimes to the iron hand of the most violent and avaricious passions; for if the farmer is not a good man, he will think of nothing but his own advantage."

Such are the conditions common to every kind of landed property in this country. I now proceed to notice those which are peculiar to each.

Imlak or Crown Lands.—These lands are managed by the District Council (Temizi-Hukuk), under the control of a Government Inspector (Imlak-Naziri). Each estate is let by public auction, that is, the "imeron" or share of the produce paid by the cultivators of the estate, is framed on the same principle as the dime. The letting used to be annual, but by a new regulation, issued in 1864, it was made quinquennial. The payment by the lessee must be made in equal instalments of money, at the end of every four months, for the punctual discharge of which obligation he must give good securities. If the villagers on the estate are bidders for the "imeron," it is provided that a preference, even at some loss to the public chest, be awarded to them. In such case they must find securities, and must, furthermore, bind themselves, each and all for every other, in a joint "solidarité," by which means they are reciprocally engaged that no one of this number shall neglect or abandon his farm. If in the course of a lease held by another, they offer to purchase the estate, and the offer is accepted, the term of the lease is cut down from five to three years. This privilege is not conceded to any other purchaser or purchasers.

To the successful bidder a warrant, called "zapt," is given without charge by the Council, which is his authority for claiming the "imeron." The transfer of the "zapt" carries with it that of the "imeron;" and each transfer must be noted on the face of that document by the Council, and duly registered, which is also done without charge.

"Imlak" estates may be sold, but always with the permission of the Crown. The mode of proceeding is, with little variation, the same that was prescribed in 1530 by Suleiman the Great for the granting of "ziamets" or major fiefs. It is as follows:—The intending purchaser makes his application to the Local Governor, who forwards it to the Porte; if accepted, a firman is sent back to the Governor, authorizing the proposed sale; this he finishes, receives the money, and gives a receipt in duplicate. The firman he deposits in the local archives. The purchaser sends the duplicate of the receipt to the "Dafter-khoné," or Archive Office, in Constantinople; whence he receives a "berat," or letter warrant, which is his title-deed to the estate. The purchaser has no fee to pay at any stage of this transaction, the dealing being with the Crown.

"Vakoof," or Church Lands.—"Vakoof" is Church real estate, both Christian and Mussulman. Christian "vakoof" lands are almost exclusively those attached to the monasteries, and they are managed by the respective Hegumeni, who are accountable for the proceeds to a Board of Trustees under the presidency of the Local Diocesan.

Musulman "vakoof" is of three kinds, viz.—

1. "vakoof" proper, which consists of lands and every other description of property granted for the maintenance of mosques and the services of religion.
2. Public "vakoof," real estate, the proceeds of which are applied to the foundation and support of public schools, hospitals, baths, poor-houses, fountains, &c., all under the charge of the Ulemah, and severally attached in the grants to special mosques.
3. Custom "vakoof" ("aadeti-vakoof"), or real estate placed under the ægis of the Church by first selling it to the Ulemah at a nominal price, and then holding it from them at a nominal rent. This transfer is not merely fictitious, it places the estate out of reach of the secular law and of all civil process; and though the estate may subsequently be sold, let, or assigned, its condition remains unchanged; and on the death of the owner without lawful issue, it becomes *bond fide* "vakoof" proper.

All Musulman "vakoof" is managed by a Committee of the provincial Ulemah, under the superintendence of an officer ("Vakoof-naziri") deputed from the Central Committee of the Ulemah in Constantinople. The "imeron" of the estates is farmed by private contract for terms varying one to five years. The lessee may be an individual or the collective villagers, who, as in the case of "imlak," have both to find and become security.

"Vakoof" lands, either Christian or Musulman, cannot be sold, as they are inalienable.

"Muansil."—All Crown lands, which, by virtue of a firman issued in 1845, are let, on payment of a fine, at a reduced rent. The tenure of these lands is hereditary in direct descent; but on the death of the owner without lawful issue, they revert to the Crown. The interest in them is assignable. There is no fixed proportion between the fine and the selling value of the land, the terms of every contract of the kind being the subject of special agreement. It would appear that the terms are in general advantageous, for tenure by "muansil" is in much request.

To obtain "muansil," a written application, offering terms, must be made to the local authority, which transmits a copy of it to the Porte; if granted, and the terms are accepted, an authority, founded on the firman issued in 1845, is sent back to the Provincial Governor, who directs the transfer to be proceeded with, receives the fine, and gives a receipt. A duplicate of this receipt is sent to the Defter-Khoné in Constantinople, whence is issued a "berat," or letter-warrant of the required tenor, which, transmitted through the Provincial Governor, gives possession of the estate. The yearly rent is paid in money; and the holder has the right, on payment down at any time of twelve years' rent, to get his title changed from "muansil" to "mulk," or freehold. As in the case of "imlak" sales, no fee is charged in the course of "muansil" transactions, because they are with the Crown.

Mulk.—"Mulk" are freehold estates belonging either to single owners,—when they are called "chiftlik," from "chift," the Persian for a yoke of oxen,—or to the villagers collectively, when they are called "Eleotherokhoria," free estates. As these latter constitute a large proportion of the landed property of the country, it will be well before proceeding further, to point out their distinctive character. They are, as has been said, freehold estates; and they belong each to its own body of villagers, who, to acquire possession in the first instance, collectively incurred all the responsibilities, collectively went through all the process required by law, and obtained a "berat," conveying the estate to them as a corporate body. And yet they do not hold in co-partnership; but each member of the body has a distinct and separate share, over which he has an independent, alienable, and transmissible right; and in proportion to the value of which he contributed or became responsible for his share of the purchase-money, and likewise contributes to all the dues to which the joint estate is liable. All this, however, is a matter of internal arrangement, settled by the villagers among themselves; for the Government,—adhering to the principle laid down by Murad I, and confirmed by Suleiman the Great, that large grants of land should not be disintegrated,—knows only the estate, which it regards as the unit of landed property in respect to taxation and all other State dues. Internal subdivision of the estate is, however, recognised by provincial jurisdiction; and, as it cannot clash with Imperial regulations, it is respected by the law, and is valid to all intents and purposes. Such being the case, the villagers, when they have bought an estate, take out, each for himself, a "tapi," or provincial title, for his holding, paying a fee of 5 per cent. on the ascertained value of the property. This "tapi" is to the farm

what the "berat" is to the estate; on every transfer to the farm it must be cancelled, which is done by an entry on its foil leaf in the register kept in the "tapi" office, and a new one, subject to the same fee as the old, made out for the incoming possessor, who takes over the property with all its responsibilities.

The way in which the possession of a "chiftlik" is originally acquired has already been described. When the proprietor lets the "imeron," the agreement must be in writing, otherwise it is not recognised by the law; and it must be drawn up on stamped paper in the "beldeah," the office appointed for such acts. Here it is registered, and a fee is charged of only 5 piastres (11*d.*), if the lands have been surveyed by the "Cadastre" commission; if they have not, of 2½ per cent. on the total of the payments specified in the agreement. It must be settled between the parties which is to pay the fee, for the law does not say.

The conveyance of "mulk" is effected as follows:—The parties in the transaction appear before the local council, where the owner produces his "berat;" this being verified, the transfer is registered in the books of the council, and a note of it entered on the face of the "berat," which is then handed to the new possessor, who pays a fee of 5 per cent. on the value of this estate. He thus acquires provincial right of property, but not general. To obtain this, he has to transmit the old "berat" to the "Dester-koné," in Constantinople, where it is cancelled, and a new one is made out, on receipt of which he becomes absolute owner of the estate.

Such, in a general way, are the conditions and incidents of landed property in this country. It will be perceived that "chiftliks" and "bastinas" correspond in measure to the "ziamets" and "timars" of the early Ottoman institutions, and are subject, in some important respects, to the same laws and conditions. The "vakouf" laws acquired force and precision in proportion as the "Ulemah" grew into a recognised estate of the realm. "Muanzil" is a tenure of recent creation.

The returns of Imlak, Muanzil, and Mulk, may approximately be stated as follows:

	Imlak.	Muanzil.	Mulk.		Total.
			Chiftlik.	Eleoteerokhorla.	
Estates	230	95	585	665	1,575
Farms	7,500	3,000	13,000	84,000	57,500

Of the "vakouf" estates it is not easy to obtain returns. The Musulman "vakouf" consists chiefly of buildings of different kinds. Its landed estates are few, and are all, or nearly all, of the 3rd class, or Custom "vakouf." Of Christian "vakouf" there are 93 estates, corresponding to the number of monasteries in the province. The number of farms they contain it would be difficult to learn; but collectively the estates yield about 15,000*l.* a-year.

(A.)—SMALL PROPRIETORS.

1. Small proprietors in this country are the owners of single farms, sometimes of two or three. The farms vary in extent, from 7 or 8 to 30 acres, and are almost always intersected by other properties.

2. Landed property, on the death of the owner, is equally divided among the sons and daughters of the deceased, the issue of a deceased son or daughter succeeding to what would have been the share of their parent. For each inheritance a new title (tapi) must be taken out, for which a charge is made of 5 per cent. on the selling value of the property.

Formerly landed property, on the death of the owner without issue, reverted to the Crown, the option of purchasing it at a reduced rate being conceded to the nearest of kin. The law to this effect was repealed in 1867, and firman was issued, according to which the nearest of kin inherit in the following order:—

- 1st degree, father and mother;
- 2nd degree, brothers and sisters;
- 3rd degree, nephews and nieces;
- 4th degree, widow.

If the widow does not succeed she is entitled to a jointure of one-fourth of the income yielded by the estate. A legacy-duty is charged of 4 per cent. on the value of the inheritance.

1. The method used has already been described when speaking of "mulk" estates; that

is, the parties appear before the District Council (Temizi-Hukuk), the owner produces his "tapi," which, being verified, a note of the intended transaction is made upon it by order of the Council; it is then transmitted to the District Tapi Office where it is cancelled, a new one is made out, and both are handed to the transferee who pays a fee of 5 per cent. on the value of the property. In the case of division the proceeding is the same, the old "tapi" is cancelled, and for each part of the property a special one is given on payment of the same *ad valorem* fee.

4. There are no such facilities.

5. They are often mortgaged, but rarely, however, for more than half their selling value, as more will not be advanced upon them. The usual rate of interest is 12 per cent., which is the maximum allowed by law.

6. The mortgage must be registered at the Tapi Office, which charges a fee of $2\frac{1}{2}$ per cent. on the amount of the loan; and no mortgage is valid which is not so registered. The repayment of the loan must likewise be registered at the same office, but without fee.

7. The principal crops raised here are, Indian corn, rye, wheat, barley, oats, and millet. Tobacco, flax, and cotton are grown in small quantities. The most usual rotation is—first year, Indian corn; second year, rye or wheat, or barley, or oats, or millet, according to the nature of the soil; third year, fallow, that is, if the farmer can spare the land; if not, he must do the best he can, using manure, and varying the crops as much as his means or the land will permit. For of rotation there is always more or less, and the system is voluntarily adopted by the farmers, who know from experience its advantages.

The general mode of cultivation is of the most primitive and simple kind, little, if at all, changed from what it is known to have been 2,500 years ago.

For the raising and pasture of stock there is always a tract of mountain land attached to each estate, which the villagers have the right to use in common without payment. A tenant cannot appropriate any part of his farm to pasture, as the landlord is not entitled to any direct profit from stock. It is true that he, or whoever takes the "imeron," yearly receives from the tenants a present of one lamb out of every fifty born on the estate. This present is called "arniatika," and may be a sort of payment or thank-offering for the use of the pastures, though some think it a remnant of the feudal times. Be that as it may, it is always most scrupulously proffered, though, if withheld, means could be found of enforcing it.

In winter the stock on small properties are often housed and fed on straw or hay, helped out at times, for sheep and goats, with oak leaves and wild acorns.

It would be exceedingly difficult to arrive at the proportion between tillage and grass lands in this country. Meadow lands are generally let for pasture in the late summer and early autumn. In the coast districts extensive grazing lands are reserved as well for horned cattle and young horses as for the large flocks which, at the approach of winter, descend from the mountains and in different parts of the province; there are wide tracts of waste land equally applicable to tillage and pasture.

The same, or even greater, difficulties prevail with respect to lands occupied by woods and forests. Those lands are very extensive in the mountain districts; but though great numbers of trees are every year cut down for timber, firewood, and charcoal, and the woods and forests are sensibly diminishing, the cleared ground is not brought under tillage, because there is already more arable land in the country than the population can cultivate.

8. Machinery is not at all employed here on farms.

Hired labourers are seldom employed, as the tenants themselves and their families generally do all the work. Whenever they are, those who live with their employers receive from 500 to 600 piastres, say about 5*l.* a year, with shoes. A male day labourer gets from 4 to 5 piastres (9*d.* to 11*d.*), a female from 2 to 3 piastres (5*d.* to 7*d.*), both with food.

Nearly all the lighter farm work, and a good deal of the heavy, is done by women.

9. There are here two classes of small proprietors—the one consisting of men of business, or others who, as an investment, buy a farm, or it may be several, over the heads of the cultivators, whom, I may observe, they rarely, if ever, disturb. These never live on their properties. The other is composed of cultivators who have become the owners of their farms. These always live either on their properties, or in the village of the estate of which their properties form a part.

10. The villager who owns a farm must have borrowed the money with which the ownership was acquired. It always takes some years, often 8 or 10, of hard work and close pinching to repay this money; and sometimes the most strenuous efforts fail, and

the property has to be re-sold. Supposing that it does not come to this, but that the villager steadily gains on his difficulties; the man now toils with the energy inspired by necessity and the prospect of becoming a proprietor—for the love of land is not less strong here than in other countries; the soil improves under the pains he takes to render it more productive; every inch of it is turned to account; and the evils of waste and neglect disappear from his farm. As yet, however, his personal or domestic condition is little changed for the better, because every farthing he can spare must go to clearing off his debt. This once effected, he is master of his own profits, which are sometimes considerable if the farm is within easy distance of a town. He improves his house, wears better clothes, and as to his diet, it is enough perhaps to say there is a butcher's shop in many of the "eletherokhoria"—a thing almost unknown on estates of other kinds. I may add, that many of these small proprietors save money, give good portions to their daughters, and establish their sons respectably in life. Compared with any other class of working farmer, they are altogether superior in their standard of living and general circumstances.

11. Here, as has already been said, there is no admeasurement of land, except on a small scale, as for building ground, market-gardens, and such like; and there are no rural statistics that can be relied upon. It would, consequently, be next to impossible to strike an average of population per acre, or work out the rate of increase among the small proprietors, either abstract or comparative. It may, however, be stated that the population does increase on those small properties that are free from incumbrance.

12. There is no outspoken public opinion in this country. Mutual diffidence checks the expression of thought; and the divisions of classes and interest are too broad to admit of a community of views. Besides, traditional custom is here of paramount force, and is respected to such a degree as to repress discussion on any usage sanctioned by it.

(B.)—TENANTS AND SUB-TENANTS UNDER LANDLORDS.

Tenure.

1. From 7 or 8 to 30 acres, or so.

2. The tenure is wholly permissive, the duration uncertain; the tenant holds, in succession perhaps to his ancestors, from year to year, without any agreement, written or verbal; so that he is, in the strictest sense of the word, a tenant at will. On the other hand, traditional custom, strengthened by the concurrent interests of the landlord, inspires the belief, I might say, the assurance, that he will not be disturbed in the possession of his holding, so that, practically, he considers himself in the enjoyment of fixity of tenure. Sub-tenancies are not assignable; but a tenant may, with the voluntary consent of his landlord, make over his farm to another, in which case his connection with it totally ceases.

3. The tenancy is, in the first instance, created by the permission or invitation of the landlord, given to a peasant to settle on the estate on the usual condition of paying the "imeron;" there is no agreement, parol or written; and the law declares or presumes nothing as to duration of tenancy.

The peasant, acting on the permission or invitation given to him, goes on the land, selects an eligible plot ("khorafi"), in some unoccupied part, incloses and fences it, builds offices, and a house which may be either on the plot or in the estate village; all this at his own expense. He thus creates a "bastina," or farm. In addition to the plot originally selected, he may afterwards take up other strips and outlying patches of unoccupied land, which may be more or less detached, and apart from the "khorafi" and each other. These he also fences and incloses; and once taken possession of with the sanction of the landlord, they thenceforth constitute an integral part of his farm. As, owing to the sparseness of the population, there is generally a difficulty in multiplying tenancies, it is obviously the interest of landlords to encourage the extension of farms, as land, while unoccupied, is of no value. On the other hand, by reason of the scarcity of hands, and the expense of hired labour, farmers, as a rule, are cautious in taking up more land than they themselves and their families can cultivate.

4. As there is no written agreement, there can be no system by which it may be registered.

5. None.

6. There is no law or custom which gives such a right; but a tenant is sometimes allowed by his landlord to sell his interest in his farm, or rather his occupancy of it; on

the understood condition, however, that the purchaser acquires no right in the farm but that of yearly tenant at will.

Rent.

1. By share of the produce.
2. The share of the produce given in lieu of rent is fixed by custom. The relations between landlord and tenant do not seem to come at all under the cognizance of Courts of Law. The "imeron" is paid yearly, and there is never a hanging gale.
3. The landlord cannot increase the "imeron"—that is, the share of the produce given in lieu of rent. He has unlimited and irresponsible power of eviction, with or without cause.
4. As the law does not interfere between landlord and tenant, no legal procedure can be resorted to by either against the other; consequently, the law does not confer upon the landlord any exceptional privilege over other creditors.

Evictions.

1. The landlord can evict a tenant by a simple order to quit, and need not have recourse to any legal means of procedure, indeed cannot have, for the reason given in the preceding answer. He may, if he likes, give notice and serve time; but he is not bound by law to do so. The tenant has no legal mode of resisting such eviction. Here there can be no such thing as non-payment of rent, for the harvest cannot be cut or gathered without leave, and when it is collected, a receiver is present to take, as a matter of course, the landlord's share.

2. They are not. No particular cause can be assigned, as a rule, for those that take place.

Improvements.

1. All farm improvements, including buildings, are executed by the tenant. Works that benefit the estate generally—such, for instance, as a water-course, are executed by the landlord.

2. Under none whatever.

3. He has, with the exception of any vines the tenant may have planted. For these he is entitled by law to compensation.

4. The vines are appraised by some of the other tenants, and the compensation is always paid without difficulty.

5. None.

Miscellaneous.

1. The relations between landlord and tenant are in general to all appearance healthy. When they meet, which in many cases is not often, the landlord is gracious and condescending in manner; the tenants, in Eastern fashion, are profuse in demonstrations of respect. Without a conscientious executive, I do not think that the tenant would be benefited by any legislative interference in his behalf; for though in theory and in fact, as cultivator of the soil, he has no legal rights or but very few, he is rarely made to feel that such is the case; and whatever he may think of his condition, there is nothing, I am inclined to believe, that he would dread more than legislative interference in his concerns.

2. The mode of cultivation is the same as that of small proprietors; but, as a rule, it is more careless, and, consequently, less profitable. In all the respects mentioned in the query, and, indeed, in all others that can be conceived, as regards moral and material condition, tenants are inferior to small proprietors. A few observations will illustrate this. The tenant never has capital; he must, therefore, borrow whatever money he may need for the year's operations. Upon this money he must pay compound interest at rates varying from 2 to 5 per cent. a month, and it is always secured on his share of the coming crops. If he cannot clear off the debt in the current year, the balance due is carried, still with compound monthly interest, to the next year's account, which may still further run on accumulating until it involves the wretched man in difficulties from which he despairs of ever escaping. Thus fettered, he becomes spiritless and demoralised; he labours feebly and without heart, feeling that he is the serf of a usurer, and that however abundant the harvest, he will get from it no more than a bare subsistence.

Such is, not uncommonly, the condition of tenants; and it is from this condition that small proprietors are generally free.

3. The population among tenants is decreasing, while that of small proprietors, who are free from incumbrance, increases; but in what ratios cannot, in the absence of statistics, be stated.

4. Neither the tenants themselves nor their children emigrate.

5. There is no public opinion here.

6. Never.

7. *Vide* preceding answer.

8. The idea of legislative limitation of proprietary rights has never perhaps occurred to the public mind here.

9. The Government sells Crown estates when good prices are offered, and professes to give a preference in the sale to the villagers. I know of no other steps it may have taken to increase the number of owners or freeholders.

10. The only assistance which tenants receive in their endeavours to become proprietors is, that if their offer for a Crown estate is approved of at a time when the estate is under lease for the "imeron," the lease is cut down from five to three years. Their general wish is to become proprietors; and that wish they carry into effect whenever an opportunity offers, provided they can raise the required money.

11. By prohibiting the breaking up of estates, and setting no limit to the numbers of estates that one person might possess, they seem to favour the accumulation of land.

Copyhold.

None. The tenants, as has been stated, hold at the will of the landlord, without agreement, parol or written, according to immemorial usage. But no length of occupation nor amount of improvement, gives them any right to the land, of which law or authority takes cognizance. Consequently they have nothing out of which a tenure resembling the copyhold of England could grow.

(Signed) R. STUART.

Janina, January 12, 1870.

No. 18.

Mr. Odo Russell to the Earl of Clarendon.—(Received February 11.)

My Lord,

Rome, January 30, 1870.

WITH reference to your Lordship's Circular of the 25th August, 1869, respecting Tenure of Land in the Roman States, I have the honour to inclose herewith a memorandum on that subject, drawn up by Mr. Alessandro Franz, the Secretary of Her Majesty's Consul in Rome.

I have, &c.

(Signed) ODO RUSSELL.

Inclosure 5 in No. 18.

Report by Mr. Franz on the Tenure of Land in the Roman States.

THE country respecting which I shall endeavour to present some information, deriving from official sources and personal knowledge, in answer to the several queries set before me, offers various systems of land settlements, and comprises both large and small properties and cultivations, the first prevailing in one portion of the territory, the second prevailing in the rest.

I deem it advisable to begin by giving a general view of the state of landed property in the Roman territory, aided by some very important reports which have been furnished to me by the Presidenza Generale del Censo (Cadastre), containing statistic prospectuses of the value of landed property, number of proprietors, number of transfers, and general mode of cultivation.

Population; Division of Land; Number of Transfers.

On a total population of 683,464 individuals constituting 143,525 families, or 247 communes or territories, the total number of landed properties is 103,089; the extension

of possessed land is 11,656,949 tavole, equal to Roman rubbia 630,787 (2,838,541 acres), the estimated value of which is 45,687,554 scudi (9,137,510*l.*), and the number of proprietors is 93,026. The total number of transfers, under any title whatever, during the period of ten years 1855 to 1864 was 58,843, representing the estimated value of 19,174,212 scudi, that is, an average of 5,884 land possessions valued scudi 1,917,421 transferred in every year. From which it can be inferred that, if in all the properties the transfers occurred with an equal frequency, and it did not happen that for some they took place more often than for others, all the land of the Roman States would change master in 23·6 years.

The above figures must, however, undergo a great change as regards the value of land, if from the estimated value we raise them to the real value established by the sale. I learn from the said prospectuses of the Presidenza del Censo, that the total number of contracts made during the ten years 1855 to 1864 was 29,681, and the estimated value of land transferred by the same 4,533,853 scudi; while the actual value represented by these contracts was 11,100,703 scudi—that is to say, that the proportion between the estimated value and the real value of the land was for the above period of time 100 to 244·84, which proportion, if applied to the general value of landed property in the Roman State, would raise the 45,687,554 scudi estimate to 111,477,631 real (22,295,526*l.*).

If we then divide the total extension of possessed land tavole 11,656,949, representing an estimated value of 45,687,554 scudi, and a real value of 111,477,631 scudi by the total number of properties 103,089, the average of each property will result to be tavole 113·07 of the estimated value of 443·19 scudi, and the real value of 1081·37 scudi.

A TABLE showing the Land Estimate of the Five Provinces forming the Roman Section (Roman State).

(From a Report of the Office of the Cense, June 1869.)

Provinces.	Superficies.					Estimate as actually subject to Taxation.	Land Tax.									
	Estimated.	Not Estimated.			Total of the Superficies.		Rate of Taxation.			Amount of Tax.						
		Waters.	Roads.	Total.			Highest.	Lowest.	Average.							
	Tavole.	Tavole.	Tavole.	Tavole.	Tavole.	Scudi.	Scudi.	Paoli.	Lire.	Scudi.	Paoli.	Lire.	Scudi.			
Rome and Comareo	2,122,766·81	30,782·30	14,923·54	45,705·84	2,168,472·65	13,311,605·23	1	41	28	1	17	03	1	18	68	157,994·53
Civita Vecchia	2,414,223·15	24,396·14	24,098·24	48,494·38	2,492,717·53	10,239,032·36	2	09	19	0	52	19	1	18	95	121,796·08
Viterbo	968,210·21	9,340·30	6,939·24	16,279·54	984,489·75	3,549,158·16	1	66	42	1	11	39	1	26	21	44,794·09
Frosinone	2,907,072·95	38,462·03	30,768·02	69,230·05	2,976,303·00	9,153,878·95	1	72	75	0	74	12	1	22	12	111,792·85
Velletri	1,764,580·65	13,340·85	22,393·66	35,734·51	1,800,315·16	4,918,444·41	1	86	05	0	82	61	1	19	11	58,565·33
Total	11,656,949·24	126,764·96	111,283·94	238,048·90	11,894,998·14	45,687,554·11	2	09	19	0	52	19	1	19	24	544,759·29

A Tavola is equal to 1,000 Square Metres. 18 Tavole ·18 make 1 Rubbio.
A Scudo is equal to 5 Lire ·37. or 4s. 2d.

Cultivation.

The cultivation of the land in the Roman territory presents a great variety of systems, answering the special conditions made to it by the laws or the wants of local consumption, and dependent from the qualities of the earth and the productive capacity of the people. The following Table will show the various modes of cultivation which are numbered at 76, and the rotation given to tillage land. It is divided by provinces, and a careful examination of this Table will by itself suffice to give an idea of the state of productive land in this country, and the quantity and variety of agricultural produce grown in the same.

(A.)—TABLE showing the General State of Cultivation in the Roman State.

Progressive Number.	Cultivations.	Rotation.	Provinces.						
			Rome and Comaria.	Civita Vecchia.	Viterbo.	Frosinone.	Valletri.	Total.	
			Tavole.	Tavole.	Tavole.	Tavole.	Tavole.	Tavole.	
1	Tillage lands, without trees:—								
2	Corn								
3	Maize and other yearly produces								
4	Corn, hemp, or other produces								
5	Corn and maize	Every 2 years.							
6	Corn and March pulse	" "							
7	Maize and March pulse	" "							
8	Corn and pasture	" "							
9	Rye and pasture	" "							
10	Corn, maize, and March pulse	Every 3 years.							
11	Corn in one year and March pulse in two years	" "							
12	Two years corn and one pasture	" "							
13	Corn, oats, and pasture	" "							
14	Corn, buckwheat, and pasture	" "							
15	Corn, March pulse, and pasture	" "							
16	One year corn and two pasture	" "							
17	Two years rye and one pasture	" "							
18	Two years corn and two pasture	Every 4 years.							
19	One year corn, one oats, and two pasture	" "							
20	One year corn, one buckwheat, and two pasture	" "							
21	One year corn, one March pulse, and two pasture	" "							
22	Two years corn, one March pulse, and one pasture	" "							
23	Corn, maize, March pulse, and pasture	" "							
24	One year corn, two March pulse, and one pasture	" "							
25	One year corn and three pasture	" "							
26	Tillage lands, tangled with underwood, sown with corn at various rotations								
27	Ditto ditto sown with rye								
28	Banks								
29	Tillage lands, specially enumerated								
30	Tillage lands, planted with olive-trees:—								
31	Corn and March pulse	Every 2 years.							
32	Corn and pasture	" "							
33	Corn, March pulse, and pasture	Every 3 years.							
34	Corn, maize, and March pulse	" "							
35	Corn, March pulse, and March pulse	" "							
36	Corn, pasture, and pasture	" "							
37	Tillage lands, specially enumerated, with olive-trees								
38	Tillage lands, planted with vine:—								
39	Corn and maize	Every 2 years.							
40	Corn and March pulse	" "							
41	Maize and March pulse	" "							
42	Corn and pasture	" "							
43	Corn, March pulse, and March pulse	Every 3 years.							
44	Corn, maize, and March pulse	" "							
45	Corn, March pulse, and pasture	" "							
46	Tillage lands, specially enumerated, with vines								

Progressive Number.	Cultivations.	Rotation.	Provinces.					
			Rome and Comaria.	Civita Vecchia.	Vi	Frosinone.	Velletri.	Total.
			Tavole.	Tavole.	Tavole.	Tavole.	Tavole.	Tavole.
44	Vineyards .. .. .	.. .. .	190,749	5,371	53,676	7,117	83,055	339,968
45	Tillage lands, with nut-trees, and one year corn, and two years March pulse .. .. .	.. .. .	82	..	..	..	..	82
46	Tillage lands, specially enumerated, with nut-trees .. .. .	.. .. .	10	..	..	..	..	10
	Tillage lands, with oaks :--							
47	One year corn, one year March pulse	Every 2 years.	15,25	..	..	..	..	1,525
48	One year corn and one pasture .. .. .	" " "	..	..	8,930	..	..	8,930
49	One year corn and two pasture	3 years.	1,298	..	24,663	..	..	25,961
50	Two years corn and two pasture	Every 4 years.	920	..	..	..	..	920
51	One year corn and three pasture	" " "	1,755	..	1,545	..	..	3,300
52	Tillage lands, specially enumerated, with oaks .. .. .	.. .. .	644	..	..	1,455	..	2,099
53	Tillage lands, with mulberry-trees, one year corn, one year March pulse .. .. .	.. .. .	..	..	..	81	..	81
54	Tillage lands, specially enumerated, with mulberry-trees .. .. .	.. .. .	..	..	..	16	..	16
55	Farmers' meadows .. .. .	.. .. .	879	..	5,124	..	..	6,003
56	Hiring meadows, with water .. .. .	.. .. .	7,440	..	2,041	..	..	9,481
57	Hiring meadows, dry .. .. .	.. .. .	175,813	28,372	44,316	25,812	15,699	290,612
58	Meadows, with olive-trees .. .. .	.. .. .	112	..	..	233	3,942	4,257
59	Meadows, with vine .. .. .	.. .. .	..	..	..	234	55	289
60	Meadows, with nut-trees .. .. .	.. .. .	36	..	..	..	..	36
61	Meadows, with oaks .. .. .	.. .. .	..	..	932	..	..	932
62	Orchards, with water .. .. .	.. .. .	1,580	14	1,326	58	..	2,978
63	Orchards, dry .. .. .	.. .. .	2,900	899	1,201	2,143	1,489	8,632
64	Pasture land, simple .. .. .	.. .. .	925,630	194,001	249,139	383,566	318,579	2,070,915
65	Pasture land, with olive-trees .. .. .	.. .. .	54,008	3,039	18,173	64,438	28,087	167,745
66	Pasture land, with vine .. .. .	.. .. .	..	..	..	1,048	..	1,048
67	Pasture land, with nut-trees .. .. .	.. .. .	36	..	..	..	..	36
68	Pasture land, with mulberry-trees .. .. .	.. .. .	..	..	..	21	..	21
69	Fruit orchards, with apple-trees and nut-trees .. .. .	.. .. .	3,650	407	1,368	..	119	5,544
70	Chestnut orchards .. .. .	.. .. .	11,988	331	38,232	2,043	9,027	61,121
71	Fruit and pine woods .. .. .	.. .. .	125,287	48,059	407,618	183,927	249,754	1,014,645
72	Underwoods .. .. .	.. .. .	841,218	292,956	282,283	232,038	274,944	1,923,439
73	Woods .. .. .	.. .. .	43,340	2,937	65,786	8,915	10,465	131,452
74	Land, with ancient ruins .. .. .	.. .. .	29,817	947	..	..	..	30,764
75	Marshy lands, and lakes, with fish .. .. .	.. .. .	78,356	..	124,881	1,480	41,402	246,119
76	Sterile land .. .. .	.. .. .	9,368	1,596	3,019	725	634	15,342
	Estimated surface .. .. .	.. .. .	4,566,990	968,210	2,907,073	1,764,580	1,450,096	11,656,949
	Surface not estimated { Waters .. .. .	.. .. .	55,178	9,340	38,462	13,341	10,443	126,764
	{ Roads .. .. .	.. .. .	39,022	6,939	30,768	22,394	12,161	111,284
	Total surface of land .. .. .	.. .. .	4,661,190	984,489	2,976,303	1,800,315	1,472,700	11,894,997
	Total surface of towns .. .. .	.. .. .	14,891	549	3,527	2,132	1,035	22,134
	Total surface .. .. .	.. .. .	4,676,081	985,038	2,979,830	1,802,447	1,473,735	11,917,131

The synoptic classification of the various systems of culture of the land resulting from the foregoing Table shows that the productive land is divided as follows:—

Classes.	Provinces.		Total.
	Rome, Viterbo, Civita Vecchia.	Frosinone, Velletri.	
	Tavole.	Tavole.	Tavole.
Land without trees	5,887,302	1,652,195	7,039,497
Land with industrial trees	635,495	545,672	1,181,167
Land with natural trees	2,202,256	972,568	3,174,824
Valleys and lakes with fish	203,237	42,882	246,119
Total productive land	8,428,290	3,213,317	11,641,607

The same surface, classified as follows, presents the categories of:—

Classes.	Provinces.		Total.
	Rome, Viterbo, Civita Vecchia.	Frosinone, Velletri.	
	Tavole.	Tavole.	Tavole.
Tillage land with and without trees	3,811,738	880,714	4,692,452
Woods and forests	2,160,044	977,113	3,131,157
Grass and pasture land	1,959,366	1,224,627	3,183,993
Valleys and lakes with fish	203,237	42,882	246,119
Vineyards	249,796	90,172	339,968
Other cultivations	44,109	3,809	47,918
The total surface comes to	8,428,290	3,213,317	11,641,607
Adding the sterile land	13,983	1,869	15,342
Total of possessed land	8,442,273	3,214,676	11,656,949

In order to show what is the proportion of the various classes of land to the whole of the territory, I also append the following Table, which is:—

AN ABSTRACT of the Table showing the general state of Cultivation.

Classes of Lands.	Surface.	Proportion by Hundredths to the whole Territory.
Productive land—	Tavole.	
Without trees	7,039,497	59·071
With industrial trees	1,181,167	9·911
With natural trees	3,174,824	26·640
Valleys and lakes with fish	246,119	2·065
In all	11,641,607	97·687
Sterile land	15,342	0·129
Total of estimated land	11,656,949	97·816
Towns	22,134	0·186
Land not estimated	11,679,083	98·002
	238,048	1·998
Total of the territory	11,917,131	100·000

It has likewise been calculated that, of 100 families, 94 are possessed of some property—that is. 65 of landed property and 51 of urban property, 22 being possessed both of landed and urban property.

The Province of Rome; the Agro Romano.

What precedes affects the whole of the Roman territory without distinction of large and small possessions; but as I wish to show what are the effects of these two systems, one compared with the other, I shall give a special account of the state of landed property

in the province of Rome, which comprises the so-called "Agro Romano." This name is given to the land extending around the capital and down to the Mediterranean, whose special characteristic is the large property. In the Agro Romano, the small landed property is restricted to the vineyards and orchards surrounding Rome and the towns of its vicinity to a distance of about two miles; the rest is divided in large tenements belonging to pious institutions and to a few primogenitures. These properties are inalienable.

I shall therefore present, first, some details of the Province of Rome, and then establish a comparison between this same Province and the Province of Civita Vecchia, by far resembling one another, and the Provinces of Frosinone and Velletri, where the small property prevails. Of the Province of Rome, I shall after take in examination that part forming the Agro Romano, taking away the vineyards and orchards, and thus the actual state of large property will appear.

The extension of possessed land in the Province of Rome is 4,566,989 tavole, equal to 247,136 Roman rubbia (1,112,112 acres), divided in 44,141 properties, representing an estimated value of 20,843,329 scudi (4,168,666*l.*). The total number of transfers effected during the ten years, 1855 to 1864, was 20,186, representing an estimated value of 9,292,466 scudi. The total number of contracts of the same period was 9,942, representing an estimated value of 2,577,357 scudi, and a real value of 6,442,337 scudi, the proportion between the estimated value and the real value of landed property in the Province of Rome being 100 to 249·96, which is not much different from the proposition before stated as affecting the whole of the State, 100 to 244·84. The above proposition applied to the total value of landed property in the Province of Rome will raise the 20,843,329 scudi, estimate, to 52,099,985 scudi (10,419,997*l.*). Dividing now the extension of possessed land, and the value, both estimate and real, by the number of properties, the average of each property will result to be, in the Province of Rome, 103·5 tavole of the estimated value of 472·2 scudi, and the real value of 1,180·3 scudi.

Taking the same data for the two Provinces of Rome and Civita Vecchia, in comparison with those of Frosinone and Velletri, I infer the following remarks:—

The extent of possessed land in the two former provinces, 5,525,199 tavole, divided by the number of properties, 46,137, gives an average of 119·9 tavole for each property.

The extent of possessed land in the two latter provinces, 3,214,675 tavole, divided by the number of properties, 31,332, gives an average of 102·5 tavole for each property.

The proportion is, therefore, 116 to 100.

The estimated value of the possessed land is 23,776,193 scudi in the former, and 9,594,719 scudi in the latter—that is, an estimated value for each property of 513·1 scudi for the former, and 306·2 for the latter, and a proportion of 167 to 100.

The total number of transfers effected during the ten years, 1855 to 1864, was 21,459 for Rome and Civita Vecchia, and 18,729 for Frosinone and Velletri, and the estimated value represented by the same was, respectively, 11,423,487 scudi and 3,733,340 scudi.

The total number of contracts during the said period was, respectively, 10,629 and 10,452, and the real value of land transferred in this way 7,341,898 scudi and 1,765,657 scudi, the proportion between the estimate and the real value resulting to be 100 to 230 for Rome and Civita Vecchia, and 100 to 257 for Frosinone and Velletri.

The average of the estimated value of each property resulting to be 512·1 scudi for Rome and Civita Vecchia, and 306·2 for Frosinone and Velletri, and the average of the real value being respectively 1,180·1 and 786 scudi, the proportion will be 167 to 100 for the real value, which is by no means a great difference.

The proportion between the real value of landed property in the Provinces of Rome and Civita Vecchia and the Provinces of Frosinone and Velletri may be established by taking the average of the real value of each property 1180·1 scudi and 786 scudi, and dividing it by the average of the extension of land occupied by each property. This will give a proportion of 128 to 100.

It remains to demonstrate what is the division and value of landed property in the extension of 2,031,419 tavole, equal to 109,925 Roman rabbia (494,662 acres), which constitute the portion of the Agro Romano reserved for long tenements. The number of properties for the above surface of possessed land being 426 (this number includes the pediche, or small tracts of land detached from the principal tenements), the average of each property will be 4,768 tavole. The total estimated value of the land 10,541,918 scudi, being raised by the proportion previously established at 100 to 230, to a real value of 24,246,411 scudi (4,849,282*l.*), the average of the real value of each property will be 56,916 scudi. This will lead me to establish the proportion between the real value of land property in the tenements of the Agro Romano, and that of the provinces of Frosinone and Velletri at 155 to 100. The same proportion applying to the

tenements of the Agro Romano in comparison with the whole of the provinces of Rome and Civita Vecchia will be 120·2 to 100.

General Remarks.—Referring to the Table of cultivations before annexed, I may observe that in the Province of Rome most of the land is kept for the four years' rotation, one year corn and three years pasture. This does not imply that every four years the quantity of land destined for tillage should be all sown, and it happens, on the contrary, that tenants prefer leaving the earth to its natural production, using it for pasture and grass land. Excepting some rare cases the proprietors of tenements in the Roman campagna never cultivate the land on their own account, but let it to tenants. They live in town on their rents, and are not even in the habit of visiting their properties, if it be not for a shooting party or for a pleasure expedition, so that they often let many years pass without going at all on their properties. I shall treat after of the way in which the leases of these tenements are made, but as regards the proprietors I may here state that the only thought they take of their properties is at the moment of renewing the lease, when they try to raise the rent the most that they can.

The Roman Campagna, as it is well known, is not inhabited. In autumn, numerous companies of peasants from the Abbruzzi and the Marche and other parts, led by their chiefs, who are called corporals, descend to the Campagna for the works of the sowing. The corporals are generally engaged by the tenants since the preceding year. When the work is finished all these labourers go back to their country to return in June for the harvest. Each labourer gets about 1*l.*, besides the nourishment for eleven days' work.

The tenants of the Roman Campagna constitute a wealthy class of people, and, besides the profits they make by their large undertakings, they possess a great deal of cattle from which they derive milk, cheese, butter, &c., for the provisions of the capital.

Machinery may hardly be said to be employed in the land works of the Campagna, and much more so for the rest of the Roman territory. Threshing-machines, and some other machines of English make, are being adopted now, and it is not possible to give yet an idea of the effects they may produce on the general condition of the land. The operations of the earth are conducted with the ordinary means.

A very different aspect from that of the Roman Campagna present the two southern provinces of the Roman territory, Velletri and Frosiuone; but my informations with regard to these are very scarce, as a personal inspection of the localities would have been necessary to acquire an adequate cognizance of the state of landed property and the general condition of the people. The land is certainly much divided there, and it is more cultivated than in the Province of Rome, but the produce scarcely surpasses the wants of the population, which is by no means advanced in the degree of civilization. The bulk of the populations of the towns is composed of common peasants, and there being no manufactures of any consequence, all must get their means of living from the produce of the land. Women and children attend to the works of the earth. They will be employed by preference in working the small piece of land possessed by the head of the family, while men go out to work on account of other people. The wages for one day's work will be about 1 *lira* (9*d.*) for each adult labourer, and about 12 *soldi* (6*d.*) for a woman.

In the Province of Frosinone, part of the plain land is irrigated by means of waters that derive from abundant sources, but owing to the scarcity of manure given to the earth, and the exercise of continuous cultivations, particularly of the maize, it is in general much enervated, the produce is rather poor, and requires a great deal of manual work. In many territories of this province the labourers are housed in the country in dwellings spread over the properties, or agglomerated in villages.

On the contrary, in the Province of Velletri, the labourers live in the towns, far from their holdings, which are generally unprovided with farm houses. In this province the culture of the vine takes the first place. The vine is kept low, or hanging upon the trees; and this sort of cultivation is generally exercised by way of contracts of "miglioria," amelioration, which result in a true emphyteusis with a share of the eventual produce of every year. The amount of the share is regulated by so many circumstances as would determine the amount of the rent in case of ordinary leases.

I find that in practice the division of the produce of the land between the proprietor and the farmer is subject to immense variations, and it would be very difficult to establish an average. In the Province of Viterbo, for instance, I find that sometimes it is the third part of the produce that goes to the advantage of the proprietor, and sometimes it is the fourth or the fifth part, the proprietor always advancing the quantity of seed required, which is afterwards rendered by the farmer. In other places the produce of the land is

divided in equal shares, the seed being also at the equal charge of both, and in some cases the proprietor gets the half or the third, the seed being all at his charge; and there are instances that the proprietor gets the third, the fourth, and so on, even to the tenth, the seed being at the charge of the cultivator.

The above division of the produce in some places in the Province of Rome is effected by halves, the seed being at the charge of both; and in other places the share coming to the proprietor is one-third, or fourth, or fifth, and even the sixth, without prelevation of seed.

In the Province of Viterbo, there is the special custom of giving the proprietor his share not in kind, but in money.

As regards the vineyards surrounding the capital, the farmer gets the two-thirds of the produce, and deducts from the share of the proprietor the amount affecting perpetual expenses, and the expenses of manutention.

I shall notice here, that all over the Roman territory many landed properties are subject to serve as public pasture, that is, to remain open to any one who will take his cattle to feed on the same; and many are charged with a canon, which is called *emphiteusis*. I shall explain after what is the nature of this charge; but as regards the public pasture, its actual importance is shown by the following Table:—

A TABLE showing the Quantity of Land subject to remain open to Public Pasture.

Provinces.	Total.		Free from		Subject to the above Service.							
					The whole Year.		In Winter.		In Summer.		Total of the Land subject.	
	Surface.	Estimate.	Surface.	Estimate.	Surface.	Estimate.	Surface.	Estimate.	Surface.	Estimate.	Surface	Estimate.
	Tavole.	Scudi.	Tavole.	Scudi.	Tavole.	Scudi.	Tavole.	Scudi.	Tavole.	Scudi.	Tavole.	Scudi.
Rome and Comarca ..	4,566,989·96	20,843,329·78	3,332,050·43	18,288,678·79	1,178,861·03	2,403,621·02	10,672·62	23,859·67	45,405·88	127,170·30	1,234,939·53	2,554,650·99
Civita Vecchia ..	968,210·21	2,932,864·03	673,765·75	2,270,582·81	208,076·63	440,177·70	..	..	86,367·83	222,103·52	294,444·46	662,281·22
Viterbo ..	2,907,072·95	8,206,103·99	1,746,761·26	5,650,163·41	942,432·46	2,059,662·87	18,123·42	85,384·01	199,755·81	410,893·70	1,160,311·69	2,556,940·58
Frosinone ..	1,764,580·65	5,009,129·32	1,064,088·64	3,416,545·18	659,107·12	1,570,605·71	31,161·67	12,960·10	10,223·22	9,018·33	700,492·01	1,592,584·14
Velletri ..	1,450,095·47	4,585,590·58	1,104,725·75	3,851,647·44	331,815·34	693,117·65	..	..	13,554·38	40,825·49	345,369·72	733,943·14
Total ..	11,656,949·24	41,577,017·70	7,921,391·83	33,477,617·63	3,320,292·58	7,167,184·95	59,957·71	122,203·78	355,307·12	810,011·34	3,735,557·41	8,099,400·07

The total surface of this land subject to this service being 3,735,557 tavole, its proportion to the total surface of possessed land of the Roman territory, will be 32 to 100, which is also the same in the single provinces. The proportion between the value of the land subject to this service, and the total value of possessed land is, however, $19\frac{1}{2}$ to 100; and the difference of these two proportions will show that the land subject to be open to public pasture is of an inferior value. There is a law enabling proprietors to redeem their properties from this charge; and many take advantage of this law to the great disappointment of the people and of the communes.

In addition to what I have already said in regard to the improvements of the land, I shall also notice that these are always put at the charge of the new tenant, in the leases that are made for the tenements of the Roman Campagna. Indeed, the ameliorations are very few, and the quantity of tillage land being in a continual decrease, they would not even be profitable if they were made for more than what is strictly necessary. The principal ameliorations are the planting of olive-trees or mulberry-trees on a given surface of land, the reduction to tillage land for some woody ground, rooting out the earth, building a fountain, and so forth. Sometimes they fix a certain sum to be employed by the tenant to such use. All the ameliorations go to the advantage of the land and the proprietor, without any compensation from this latter to the tenant. The expenses for the ordinary holding of the tenement are at the charge of the tenant, and those extraordinary are defrayed by the landlord. When speaking of the leases for the tenements of the Roman Campagna, I shall say something more on this argument.

The Landed Property; Succession by Will or Intestate; Sale and Transfer of Properties; Registry and "Cadastré."

When the property is free at the death of the owner the law makes no distinction between landed property and other property, both moveable and unmoveable. The owner may by a will divide his lands in as many portions as he likes, and he can dispose of the same in favour of any person, even excluding his own children, to whom he is only bound to leave the share established by law, which is called "legittima." This share may consist of landed property, or of any other sort of goods at the pleasure of the testator. It represents the third part of the estate if the children are four, or less than four; it represents one half of the estate if the children are more than four. In establishing the "legittima," the daughters make number and not part; they are excluded from the inheritance in favour of the sons, and have only right to a congruous dowry.

When no will exists on death of the owner, the landed property, together with all other property, both moveable and immoveable, goes indistinctly to the lawful heir or heirs, who, if more than one, after having made a legal inventory and valuation, proceed to the division of the same, each of them becoming possessed of such a portion of the estate as corresponds to the amount of the share to which he is entitled by law, and if the estate is composed of various sorts of goods, the share of each heir will also be composed of portions of all these goods, and it will therefore occur in such cases that one piece of land will have to be divided in so many portions, according to the number of the heirs. The succession being intestate, it is regulated by the Novel 118, with some modifications introduced by the legislative and judiciary regulations now in force; and it takes place in advantage of the sons and the exclusion of the daughters, both with regard to the inheritance from the father and the grandfather, and from that of the collaterals male. The first to succeed are the sons, in equal shares; and in case that any of them die before, the grandsons are entitled to the share going to their deceased father. When no children exist, or descendants in the direct line, the inheritance is devolved to the father or the grandfather, the brothers of the deceased concurring in this case to the inheritance with the father or the grandfather. There being no ascendants, the collaterals have right to the inheritance, and first of all the brothers in equal shares; also in this case the sons representing those that might have died before; and if all the brothers are dead, their sons are called to succeed in equal shares.

The congruity of the dowry to which women are entitled, is proportioned to the amount of the estate, and is adequate to the condition of the family. In practice it follows the custom of the place; and, generally, it is regulated after the manner of the "legittima," the lawful share of the inheritance.

Excepting the case that the heirs are the descendants in direct line, in all other cases, both if the succession is by will or intestate, they are bound to give notice of the amount of the estate to the Office of Registry, paying a duty proportioned to its value, as derived from the inventory. This duty varies from 2 per cent. to 8 per cent., by reason of the degree of consanguinity existing between the heir and the deceased. The only

object of the now-mentioned notice is that of establishing the succession-duty; for, as regards the real estate, the heir is bound to effect the transfer of the same to his own name, at the office of the cadastre, "Censo." In this office all properties, landed and urban, are inscribed with the names of proprietors and estimate, and the maps are kept. The estimate serves to regulate the land tax.

The owner of landed property can dispose of the same, if it is free and not entailed *fide commissio*, by sale, or transfer, or donation, as of any other property. Three formalities are required by the law in such cases. The agreement, the registration, and the transfer at the Cadastre. The agreement may be by a private writing or by public instrument. When it is made by a private writing the contracting parties simply sign their names at foot. For the validity of the contract, either sale, transfer, exchange, donation, or division, it is sufficient that it has been entered at the office of Registry, subject to a duty of 2 per cent. on the price in case of sales, and on the estimated value in case of exchanges or donations, &c. The transfer of the property at the Cadastre is also binding, and the fee charged for the same is 5 pauls. It will be in the interest of the new proprietor to transcribe the agreement at the office of Mortgages, which serves to give it the necessary publicity. The property passes to the purchaser, with all the mortgages existing on the same, but from the day of the transcription at the office of Mortgages the creditors of the seller cannot enter new mortgages on the alienated property. The transcription now spoken of is subject to a duty of five per thousand on the purchase-price, or on the value of the property in case of donations, exchanges, &c.

When the agreement is made by a public instrument it requires the intervention of a public notary, and must be written on stamped paper, and stipulated in the presence of two witnesses, who sign the deed with the notary and the contracting parties. The original instrument is kept in the archives of the notary, and a certified copy on stamped paper must be left by the notary at the office of Registry, to be deposited in the general archives. The stamped paper is of three different prices, according to its dimensions, viz. :—

Lire 0'30, 0'60, 0'90 for every sheet.

The notarial fees are the following :—

	Roman Money.		English Money.		
	Scudi.		£	s.	d.
If not exceeding the value of 100 scudi	0.75		0	3	0
From 100 to 300 scudi	1.50		0	6	0
300 to 500 "	3.00		0	12	0
500 to 1,000 "	3.50		0	14	0
1,000 to 1,500 "	4.50		0	18	0
1,500 to 2,000 "	5.50		1	2	0
2,000 to 3,000 "	7.50		1	10	0
3,000 to 5,000 "	10.00		2	0	0
5,000 scudi and upwards, 0.20 scudi for every 100 scudi, the highest fee never exceeding	30.00		6	0	0

The instrument must be registered by the notary within the ten days following that in which it has been executed, paying the duty of 2 per cent. as before stated. The transfer in the Cadastre must likewise be effected, and in the interest of the purchaser; also the transcription in the Mortgage Office. Therefore the actual cost of a public instrument of this kind will be as follows, viz. :—

EXPENSES and Notarial Fees attending an Instrument for the Sale of a Property for the price of 50,000 lire.

	Fees.		Expenses.	
	Lire	c.	Lire	c.
Certificate of the Office of Mortgages	3	30	..	..
Ditto of the Cadastre	3	30	2	0
For drawing the instrument	13	45	..	..
Various meetings	16	12	..	..
Attendances out of office	16	12	..	..
Stamped paper, 5 sheets of 50 cents .. .. .	..	..	3	0
For writing the instrument .. .. .	..	..	4	30
Notarial fee for ditto, and attendance	109	15	..	..
Registry, duty of 2 per cent., and attendance	1	65	1,000	40
Copy for the general archive, 10 sheets of 90 cents, including the annexes .. .. .	..	..	9	0
For writing the same .. .. .	..	..	10	75
Certified copy for the use of the parties .. .. .	..	..	17	95
Notarial fee for ditto	107	50	..	..
Second copy for the use of the parties, not certified	10	75	11	5
For copying the maps .. .. .	..	..	9	0
Registry of annexes	1	65	6	60
Transcription at the Office of Mortgages, $\frac{1}{2}$ per cent.	3	30	250	0
For writing the instrument at the said office .. .. .	..	..	150	0
Transfer at the Office of the Cadastre .. .. .	..	..	2	10
	286	29	1,476	15
			286	29
Total			1,762	44

In English money 67l. 12s.

Limitation of Proprietary Rights on Unentailed Property by the Contract of Emphiteusis; Perpetual and Temporary Emphiteusis; Canon; Right of Preference in the Sale; Recognition in Dominum; Caducity; Property charged with an Interest ("Censo").

The liberty of selling unentailed property undergoes a limitation when it concerns emphiteutic property, or property charged with an interest, "censo." They call emphiteutic property the landed or urban property, which by the proprietor has been alienated for ever, or for a very long time, with the reserve in his favour and of his heirs of an annual pension, called also "canon." These sorts of contracts are generally made when the land is in a poor state, and wants ameliorations which the proprietor is not disposed to make himself. The seller remains the direct proprietor, which is called also "directary." The purchaser becomes the master of the profits, or otherwise emphiteuta. He takes possession of the property with all its revenues and profits; and all the ameliorations which he makes on the same are also his. He is only liable to the direct proprietor for an annual charge or pension, which is called the canon. The contracts of emphiteusis are of two sorts, either perpetual and "transitoria ad quoscunque," or temporary. The contract is temporary when the emphiteusis is granted for a very long time, so as to say 90 years, or to the third generation of the grantee. At the expiration of the 90 years, or when the third generation is extinct, the property reverts to the direct proprietor "directary," who is not bound to pay anything for the ameliorations.

There is another kind of contract of emphiteusis to the third generation, which is called by compact and providence of the grantor "ex pacto et providentia concedentis," which cannot be ceded to others but those members comprised in the investiture. This sort of emphiteusis is of the nature of the entailed property, because the persons called to the possession of the same are entitled to it by their own right, in virtue of the original grant. However, it is now almost out of use, and it used to be made by the religious corporations to the effect of benefiting those families who had well deserved of them to whom they granted these investitures for a very small canon.

If the stipulated canon is not paid for three successive years, the contract is subject to caducity; that is to say, that the property reverts to the direct proprietor, who is not bound to pay anything for the ameliorations made.

In case that the grantee of an emphiteusis wishes to sell his rights to the profits and to the ameliorations, he is obliged to give notice of it to the direct proprietor, who has a right of preference in the sale, paying the same price that has been offered by other purchasers. After two months' time from the date of the notice, if the direct proprietor has not exercised this privilege, the grantee of the emphiteusis will be at liberty to effect

the sale to other persons. The now-mentioned notice is binding on the part of the grantee; and if it is omitted, the sale may be of no effect.

The purchaser, in taking possession of the property, has to pay to the direct proprietor, as an acknowledgment of his rights, "recognitio in dominum," the fiftieth part of the purchase price, which is called "landemio."

Some properties are subject to interest or "censo," that is, when the occupier is liable to return an annual charge or interest in produce of the land or in money. When the interest of the money was reprovved by the Church, and Paul de Castro had not yet invented those requisites called by his name, consisting in annexing to contracts of loan with interest certain proofs that the interest stipulated would be given by other persons; at that time the form of contract here spoken of was much in use. Instead of borrowing money by interest, the proprietors used to sell for a certain price a certain quantity of the revenue of their property. The contract is dissolved the moment that the proprietor returns to the lender the sum received. Also, in the case of sale of this "censo," the proprietor has a right of preference accepting the same conditions offered by other purchasers.

A large part of the property, both landed and urban, in the Roman territory, is charged with canon or with censo, and some with both; also some properties besides the principal canon are charged with a second canon, called sub-canon. With the exception of the privileges before stated, the occupier of landed property subject to emphyteusis or censo is free to use the same in the way that he likes.

Entailed Property; Large Properties of the Agro Romano; Tenancies; Leases; Rent; Consignment; Sub-Tenancies.

I shall now give some account of the state of entailed property in that portion of the Roman territory extending around the capital, which takes the special denomination of *Agrò Romano*, and the way in which this property is used. What concerns the legislation applies also to the state of entailed property in the rest of the Roman territory.

The properties which cannot be alienated are those subject to primogenitures, or *fidei commissio*, and those belonging to religious corporations and pious institutions; and as the Roman Campagna is for the principal part divided in large tenements called *tenute*, which belong to this category of proprietors, it may be affirmed that the bulk of landed property in this portion of the Roman territory is inalienable. The tenements of the Roman Campagna are, with very few exceptions, let out to a certain class of tenants who take the special name of country merchants, "*mercanti di compagna*."

The lease is generally made by what is called a private deed, although sometimes it is also made by a public or notarial instrument. The verbal agreement by word of mouth is not in use, but it is not excluded by the law. The only formality required to be accomplished for a private deed is the signature of the contractors. The deed must be written on stamped paper, and the custom is to make it duplicate, one for each party. The lease lasts, generally, not less than six years, and not more than twelve. The rent is never determined by valuation, but always by competition. In annex C is given the form of a notice for a lease of a tenement with the conditions that are followed in receiving the biddings. When the offers have been opened it is in the power of the landlord, subject to a Papal authority easily obtained, to try the experiment of the "*vigesima*"—that is, raising the highest rent offered by the twentieth. I annex also a form of a notice of this kind (see letter D). It is not, however, meant that offers made under a notice of *vigesima* should not be inferior to the twentieth of the highest rent offered under the notice of lease; and it always happens, on the contrary, that such offers are given for less than the twentieth; the same for the "*sesta*," which is the augmentation of the sixth on the highest offer received under the *vigesima*. The notice which is published in this case is similar to that of the *vigesima*, with the only difference of the word "*sesta*."

When all the experiments admitted by the law have been completed, to the effect of raising the rent as high as possible, the agreement is signed by the two parties with all the clauses and conditions resulting from the quire of charges previously compiled and shown, inserting those changes, if any, about which the parties may be in accord. In order to give an exact idea of the way in which such contracts of leases are made, and of the clauses and conditions of the same, I append a form of an agreement of this sort in which, as far as I can judge, all probable eventualities attending a tenancy in the *Agro Romano* are provided (see Annex E). In case of dispute the agreement must be registered at the Office of Registry before producing it in the courts of justice, subject to a duty of one-fourth per cent. on the total amount resulting from the rent multiplied by the number of years.

When the agreement is made by a public or notarial instrument, the formalities are the same as those before stated attending the sale of property, and the registration duty is the same as that now mentioned. The cost of an instrument of this kind, assuming the rent to be 50,000 lire and the lease for nine years, would be the following:—

	Fees.		Expenses.	
	Lire	cent.	Lire	cent.
For drawing the instrument	13	45	..	..
Stamp paper, 5 sheets of 60 cents. .. .. .	..	..	3	0
For writing the instrument .. .. .	..	..	4	30
Notarial fee for ditto	161	25	..	..
Registering duty of $\frac{1}{4}$ per cent.	1	65	1,125	40
Copy for the general archives .. .. .	..	..	17	0
Certified copy for the use of one of the parties .. .. .	..	..	17	0
Notarial fee for ditto	161	25	..	..
Second copy, not certified	10	75	10	0
	348	35	1,176	70
			348	35
Total			1,525	6

The lease is completed when the act of consignment has been effected.

Sub-tenancies allowed, and only in the case that the prohibition is not specified in the agreement the tenant can, under his own responsibility, sub-let all or part of his holding. I shall mention a particular kind of sub-tenancy occurring in the Roman Compagna, which consists in letting out, for certain months in the year, portions of grass land for pasturing the cattle, which is called selling the grass of the pasture, and is made with owners of cattle who are unprovided with pasture land.

The rent is generally determined by competition, as I have said before, and is paid by the month, or every two or three months, but never by the year. The landlord cannot claim a rent higher than that named in the agreement as long as this lasts, but at the end of it he is free to raise the rent as much as he likes. For security of the payment of the rent and other charges stipulated in the agreement, the landlord has a privilege, granted to him by the law, on the produce and other appurtenances of the tenement, which consists in being preferred to all other creditors in taking possession of the produce of the land and of other goods belonging to the tenant which exist in the tenement.

A like privilege is granted by the landlord to the direct proprietor in the case of *emphiteusis*. In the case of "censo" the landlord has the right of taking temporary possession of the land until, by means of the produce of the same, he has recovered his credit on the occupier for non-payment of the agreed interest.

Besides the privilege on the produce of the land already mentioned, the landlord sometimes requires from the tenant either a guarantee, or a mortgage, or even a deposit.

At the expiration of the time established for the lease, the landlord has the right to evict the tenant, though he has been exact in paying the rent, and in observing all the clauses and conditions of the agreement. The Tribunal has no power to interfere, in order to compel the landlord to prolong the lease; and excepting the case that special conditions have been made for the continuance of the lease, the landlord has the full right to let his property to any one. The landlord is, however, bound to give notice to the tenant of the cessation of the lease previous to its expiration; and in the contrary case the lease may continue with the same conditions for another year, and so on, year by year, until either of the parties informs the other of its cessation. They are accustomed to insert a clause in the agreement, to the effect of avoiding such notice, and then the lease ceases by itself.

In case that either landlord or tenants should be in want of money, and the sum they will borrow is not very large, when the interest would be lower, the usual interest they pay is 6 per cent., with mortgage. Provided that the security is unexceptionable, it is very easy to find money at this condition, either from public institutions of credit, or from private persons, it being a well-known fact that capitals wanting an employment are very abundant; but it is always a difficulty to place them safely. Loans of this kind are the only ones in use; and they are made for a certain time, six or ten years, or may cease at any time, by returning the capital to the lender. A notarial instrument is indispensable, and the cost of such a deed will be the following:—

**EXPENSES and Notarial Fees attending an Instrument of Loan of the sum of 50,000 lire,
with Mortgage.**

	Fees.		Expenses.	
	Lire c.		Lire c.	
Certificate of the Office of Mortgages	3	30	..	..
For drawing the instrument	13	45	..	..
Various meetings	16	12	..	..
Attendances out of office	16	12	..	..
Stamp paper, 5 sheets of 60 cents .. .. .	..	..	3	0
For writing the instrument .. .. .	..	..	4	30
Notarial fee for ditto and attendance	109	15	..	..
Registry, duty of 1 per cent. and attendance	1	65	500	40
Copy for the general archive, 10 sheets of 90 cents, including the annexes .. .. .	..	..	9	0
For writing the same .. .. .	..	..	10	75
Certified copy for the use of the parties .. .. .	..	..	17	95
Notarial fee for ditto	107	50	..	..
Second copy, not certified	10	75	11	05
Registry of annex	1	65	2	20
Inscription at the Office of Mortgages, 3 per 1,000 .. .. .	..	..	150	0
Other expenses for ditto .. .. .	..	..	24	30
	279	69	732	95
			279	69
Total			1.012	64

In English money £38 18s.

The Procedure.

The legal means of procedure by which the respective rights of proprietors and tenants are enforced, are the law-suits before the civil Tribunals. The plaintiff summonses the other party by proxy, to appear in the Court after eight days. The defendant names his attorney, and gives notice of the fact to the plaintiff, whose attorney, or that of defendant, summonses the other party to appear by proxy at the first audience of the Court on the term of not less than one day, and not more than three days. If this summons is not answered, the Court declares the contumacy, and orders a new intimation to be made for an equal term. Continuing the contumacy, the Court issues the sentence; but if the attorney of defendant appears before the Court, then the cause is proposed and debated by the opponents in a public audience. Supposing that the right of one of the two parties appears to the Judges to be unquestionable, they may give at once their decision; but if they find that a better examination of the case is required, they order the cause to be entered in the Rolls. After the time of not less than one month from the date of service of such order, the cause may be heard again by the Court. The pleadings must this time be made in writing, and they must be communicated in due time to the Judges, and to the opposite party. The Court simply gives at first an opinion, to which the contending parties have to reply after ten days, and then, if sufficiently acquainted with the case, the sentence is pronounced.

There may be, however, many reasons of delay before one can obtain a sentence, such as incidental definitions, nomination of esteemers, examinations of witnesses and similar. The expenses of the cause are at the charge of the losing party, and they are determined by the Court in the sentence. The sentences of the Common Court may be appealed against to a Superior Court. The appeal suspends the execution of the sentence; but it must be made within ten days; and when this time is elapsed, the sentence may be executed, subject to be suspended the moment that the appeal is introduced.

In case that the Court orders the pledging of goods, these may be sold by public auction on the demand of the creditor. If they are immoveables, there may be other creditors that must be preferred; then the amount derived from the sale is deposited to be divided among the creditors according to their rights.

Supposing that a landlord sues his tenant for the payment of the rent, the Court may order the seizure of the produce of the property occupied by the latter while the cause is still pending. The tenant may in this case give a guarantee, or deposit the amount claimed, in order to obtain release.

On the demand of the landlord, the Court may order the eviction of a tenant for non-payment of rent, or for the unobservance of some condition of the lease, or even fix a time to the tenant for accomplishing his duty.

It does not often occur that tenants be evicted in this way, especially as regards the tenements of the Roman campagna. The quantity of cattle possessed by tenants, the

corn and other produce of the land, and the other guarantees given by them, stand as a sufficient security for the landlord; and it very seldom happens that a landlord is exposed to any loss.

The objections which may be put forward by the tenant to refuse wholly or in part the payment of the rent, may be of several kinds—such as the want of part of the property let, or the non-observance on the side of the landlord of some clauses of the agreement; as, for instance, if this latter has engaged to repair some buildings, or build a bridge, or open a road, and similar. In the last years, on account of the cattle plague and of the vine disease, several tenants claimed before the Courts a reduction of the agreed rent, and in many cases their claims have been admitted.

(C.)—*Notice.—Lease of Tenement.*

Wishing to conclude the lease of the tenement called —, situated in the Roman Campagna, at the — mile of the — Road, for the period of nine or twelve years, Notice is hereby given to all persons who might wish to make an offer, that in the twenty days following the — of — 1870, the offers will be received at the office of the undersigned notary, where are shown the quire of charges and the map of the tenement.

The offer must be written on stamp paper, and must mention in letters, not in figures, the annual rent and the domicile of the offerer. It must be given closed and sealed.

When the above time is expired, all the offers will be opened and taken into consideration, including those for persons not named.

Rome, , 1870.

(Name of Notary.)

(D.)—*Notice of "Vigesima" for the Lease of a Tenement.*

Notice is given hereby given that with the consent of the Holy Father the experiment of the "Vigesima" will be made on the offer for the lease of the tenement , made by Signor , for the amount of scudi.

All persons wishing to augment of the twentieth the price now mentioned, are invited to give their offer at the office of the underwritten notary within the twenty days following the date of this Notice.

The offer must be written on stamp paper, and state the domicile of the offerer. They will not be attended to if made for persons not named.

The experiment of the "Sesta" sixth is reserved.

Rome, , 1870.

(Name of Notary.)

(E.)—*Form of an Agreement for a Tenancy in the Roman Campagna.*

After a description of the property with all its denominations and limits, and the names of the contracting parties, follow the conditions of the agreement, viz. :—

The former tenant having to return the cattle (horses, oxen, and bulls for the plough) which constitute the stock of the tenancy for the same quantity, quality, and breed, and at the same price that it was given to him, it is hereby agreed between the new tenant and the landlord that the said cattle will be sold and respectively bought by them at the current prices to be established at the beginning of the lease by two apprizers appointed, one on each side, with the addition of A B in case of discrepancy. The same with regard to the implements, utensils, and moveables pertaining to the herd and pasture-lands. The payment will be made by the tenant by depositing, on the first day of the lease, in the cash of the landlord, the amount of scudi (or lire); and as soon as the valuations shall have been completed the difference, if any, will be paid over by either of the contractors to the other, as the case may be.

The new tenant will have to receive from the past occupier the consignment of the property in the place of the landlord, and subject to the conditions mentioned hereafter, and to his sanction and will.

In case that the consignment should not be completed on the part of the past occupier, the tenant will have no right or claim towards the landlord, but he will act directly against the past occupier, he representing also the rights of the landlord.

The lease will last years, to begin from the and terminate the which time decurred it will cease without any notice.

The rent is established at scudi a-year, and will be paid quarterly at the end of every quarter in the cash of the landlord in gold or silver, being excluded all other money.

Follow some clauses to prevent that the payment of the rent be made in any other money but gold and silver, whatever might be the dispositions of the law at this regard.

Independent of the rent, and in addition to it, the tenant will furnish every year rubbie of corn (or oats or any other article) to the landlord.

The tenant will also, at his expense, provide for the celebration of the mass in the holidays, and will have care of the sacred ornaments.

The payment of the rent will be effected regularly by the tenant, notwithstanding any misfortune, even of the most extraordinary nature and such as has never occurred, no case being reserved even most unknown and not to be imagined. The tenant, in consequence, will have no claim on the landlord under this title for remission or deduction whatsoever, renouncing now by oath to any pretence on his side.

Any claim the tenant may have on the landlord for any title whatever, will not give him the right to retard the payment of the rent, and he will only be able to bring the case before the proper Court for their decision.

In case that the tenant should retard the payment of the rent for any reason whatever, it will be in the power of the landlord to annul the contract at the end of the agrarian year.

The land-tax will be at the charge of the landlord, but all other taxes or duties of any nature or denomination now existing or future that are or may be imposed by the Government, the province, or the communes, including those on the cense or property, and on any other object on the fruits of the capital and their conservation, extraction, or operation, will always and entirely be at the charge of the tenant. This also comprises the shares due for the preservation of the roads.

A description of the property will have to be made at the moiment of the consignment, with the assistance of the agents of the landlord. Everything must be left in the same state and position where it then exists. The assistance of the agents of the landlord will be for one half at the charge of the tenant.

The tenant will, at his own expense, keep, maintain, ameliorate, or renew, every object of any kind and nature received by him in consignment, the walls and beams of the buildings being only excepted, on condition that the damages have not been caused by the tenant.

In case that reparations should have to be made to any of the buildings that should prevent the use of the same for the time required by such reparations, the tenant will have no right to compensation.

A new rotation, of the period of four years, "quarteria," in the cultivable land of the property will be established by the agents of the landlord, and the tenant will only be permitted to sow in the second year the half of the portion of land, "quarto," which was cut in the first year of the rotation, excluding always the sowing in the third year. In case that this condition should not be complied with, the tenant will be subject to the payment of two rubbie of corn for every rubbio of land sown by him in the third year of the rotation, or in the second year, above the quantity allowed or sown above the fourth year established of the cultivable land, and this in addition to the redress for the damages. The works of the earth should be conducted according to the best rules of art.

The description of the consignment, besides the turn of the works of the earth, will indicate the quantity of land destined for pasture and meadows, the quantity of seed allowed, and every other kind of cultivation and work that should not be changed, and should be maintained until the end of the lease.

Special conditions may be made with regard to some portion of land. This the tenant is permitted to cultivate during a certain time at his own pleasure, but according to the rules of art, and subject to the condition that it should be left to its natural fruit during the last four years of the tenancy.

The first day of March of the last year of the lease the proprietor or a new tenant will be at liberty to cut the "quarto," or fourth part of the cultivable land destined in the rotation, and will enjoy the use of the portion of land that shall have been reserved for pasture of the animals employed in the work since October of the present year.

In case that the landlord or the new tenant should not want the use of the above-mentioned land for pasture, the tenant will have to pay to either of them, as the case may be, the price of the grass.

During the time that the present lease will last, the tenant will not be permitted to sow Indian corn, or any other produce that might enervate the earth of those portions

of land that will be specially reserved in the act of consignment, and, therefore, to avoid questions it is intended that the sowing should be limited to corn, oats, and beans.

The fences, railings, huts, and similar existing in the property, will be given and respectively received in consignment to be returned at the end of the lease in the same quantity and value.

The tenant is bound to preserve, to repair, and renew all the ditches, banks, bridges, stow walls, ducts and appendages existing on the property.

The tenant is forbidden to cut the young trees and full-grown trees, including elm trees, and he is only permitted to cut the branches of willow-trees and poplars.

The custody of the woods will be at the charge of the tenant, and in case of damages he will be subject to compensation.

The cutting of the underwoods will have to be effected at the age of nine years, according to the period that will be established in the act of consignment; and the cutting will have to be made according to the best rules of art, with the obligation to cut also hardened jets and the thorns.

The 15th day of March of the year in which the cutting takes place it must be completed, the 24th of June the cooking should be terminated, and the 15th of July the charcoal should all be taken away.

The pasture in the land where the cutting of the wood has taken place is prohibited during the first three years immediately following that of the cutting if the lease lasts less than nine years.

The tenant is prohibited to introduce to the property pigs, buffaloes, or other obnoxious animals, subject to a fine of 3 scudi (12s.) per head in case of contravention.

In case that the agents of the landlord will have to inspect the state of the property, or visit it on business relating to it, the tenant will provide the necessary treatment, the use of horses, and the quantity of hay and oats required, without any right to compensation.

Everything that may be found to exist under the ground is intended to be the property of the landlord; and in case that he should like to make excavations for his own account, the tenant will only be entitled to a compensation in proportion of the land occupied for such excavations and the corresponding rate of rent.

All the ameliorations that may have been carried out by the tenant, excepting the case of a special convention, will go to the advantage of the landlord without giving the tenant any right to compensation.

Sub-tenancies, and all associations of persons are expressly prohibited: in contrary case the present agreement will be of no effect.

Every claim or demand on the part of the tenant towards the landlord, and not *vice versa*, will have to be presented in writing before the month of January of each year, otherwise it will be of no effect.

The present agreement will be complete when the act of consignment will have been signed, it being reserved to the landlord to constrain the tenant to receive and sign the consignment, or to rescind the contract when the agrarian year is over.

It will be in the power of the landlord to convert at any time the present agreement in a public instrument at the expense of the tenant, including the cost of registration, notary, &c.

Follow some clauses for the observance of the agreement by which the tenant renounces to every right that the law might grant him against the landlord with regard to the interpretation of the same.

(Signed) ALESSANDRO FRANZ.

No. 19.

Mr. Jerningham to the Earl of Clarendon.—(Received February 22.)

My Lord,

Stockholm, February 15, 1870.

WITH reference to Mr. Jocelyn's despatch of the 22nd of October last,* I have the honour to transmit a Report upon the Tenure of Land in Sweden which has been drawn up by Mr. Gosling, Third Secretary at this Legation.

I have, &c.

(Signed) G. S. S. JERNINGHAM.

* See Part I of Reports respecting Tenure of Land abroad, page 13.

Inclosure in No. 19.

Report by Mr. Gosling on Tenure of Land in Sweden.

Population.—On the 31st of December, 1868, 4,173,080.

State Religion.—Lutheran, with liberty for all other confessions (heathens excepted) to exercise their rites and worship.

Industrial Pursuits.—Agriculture, mining, navigation, fishing, and manufacturing employments of every description.

LAND OCCUPATION.

(A.)—SMALL PROPRIETORS.

1. The greater part of Swedish soil is the property of peasants, who cultivate it themselves, and, consequently, the land is, for the most part, divided into small properties. There are, relatively, few large properties in the possession of individuals. The private landed property in Sweden is divided among about 290,000 landowners.

The large majority of landowners cultivate their own land.

As a rule, it is only in connection with large properties that land is leased.

The entire country contains 66,438 "mantal,"* or assessed unities. If this sum be divided among the before-named number of proprietors, an average is obtained of less than a quarter of a "mantal" for each property.

The average quantity of land contained in a "mantal," calculating from the entire area of the kingdom, is about 1,220 "tunnland"† (1,488·22920 English acres). The average, however, varies considerably when taken in separate "lans" or Governmental districts, in consequence of different degrees of cultivation and fertility. For instance, in the Governmental District of Malmöhus, the average of a "mantal" is only 225 "tunnland" (274·46850 English acres), while in the Governmental District of Norrbotten, it amounts to 26,000 "tunnland" (31,716·3600 English acres).

The average population on each "mantal," taking the whole kingdom, is about 55 persons, ranging between about 24 persons per "mantal" in the Governmental District of Upsala, and 144 persons in the Governmental District of Wermland.

Each "mantal," on the average, is divided into four properties, ranging between $1\frac{7}{10}$ in the Governmental District of Stockholm, and $11\frac{1}{2}$ in the Governmental District of Wermland.

2. Landed property is inherited in the same manner as personal property, and is divided between the heirs without other regard to sex than (1) that brothers have the right of choosing, among equally divided shares, the portions they prefer, and sisters take the shares that are left; and (2) that brothers are entitled to buy in the shares of sisters, when the land cannot be advantageously divided. Also, when the most privileged kind of land, "säteri,"‡ is inherited, together with less privileged land, and the former constitutes a single property. Brothers are entitled to take the privileged property, giving full compensation to the sisters for their being compelled to accept the less privileged land.

Further, if any heir inherit a larger share than his co-heirs, he enjoys the right of choosing such share, and, if the land cannot be advantageously divided, of buying out his co-heirs, otherwise the heirs to the smaller shares may buy in the share falling to the principal heir.

Entailed estates exist in Sweden, but no new entails can be formed.

3. In the sale, gift, or exchange of landed property, the conveyer gives a deed of conveyance. Judicial aid in drawing up this deed is not needed, nor is it usually employed (in cases of exchange one deed, in "duplo," is sufficient; or each of the contracting parties may give a deed, conveying the property each conveys, and describing the property each receives in exchange). The deed of conveyance must subsequently be produced, proclaimed, and entered in a special record before the Town or County Court of the district in which the property in question is situated. Conveyances are also published by notifications posted on the doors of the Town or County Court; or by being read from the pulpit of the parish church, after which they are again proclaimed at the next ordinary meeting for the year of the Town or County Court. Certificates

* "Mantal," an ancient division of land based on its assessed value.

† "Tunnland," equal to 1·21986 English acres.

‡ "Säteri," an estate originally belonging to a noble, and released from certain taxes and imposts.

of the first, and subsequent proclamations before the Court, are noted on the deed of conveyance. Provided no counter claim be put in during the interval, the Court, at the close of the year, confirms the conveyance of the property to the new owner. This legal confirmation by the Court is called a "fastebref." Even if a counter claim be put in, provided it be subsequently disallowed by a judicial decision finally established, the confirmation, or "fastebref," is also issued by the Court. All the proceedings before, and resolutions of the Court with reference to such conveyance, are entered in the before-named Record, a copy of which is sent in, within a prescribed time, to the Court of Appeal there to be preserved, the original being kept in the archives of the Town or County Court. (The records of all Courts of Justice are accessible to the public.)

With reference to landed property inherited by bequest, the proceedings are the same as those described in connexion with deeds of conveyance.

The costs of conveyance are—(1) stamp duty, $\frac{3}{4}$ per cent. on the value of the land conveyed, and 25 öre riksmünt ($3\frac{1}{2}d.$) for each special certificate issued by the Town or County Court, of the proclamation of the conveyance; and (2) fees: (a) for the certificate of the Court relative to each proclamation, 3 riksdaler ($3s. 4d.$); and (b) for the certificate of conveyance, $\frac{1}{2}$ per cent. on that part of the value of land which does not exceed 20,000 riksdaler ($1,111l. 2s. 2\frac{3}{4}d.$); and $\frac{1}{10}$ per cent. on that part which exceeds the said value. The 25 öre ($3\frac{1}{2}d.$) and 3 riksdaler ($3s. 4d.$) above-mentioned are only the minimum charges for the certificate of the first proclamation. If the certificate covers several sheets, which is most frequently the case, 25 öre ($3d\frac{1}{2}$) and 1 riksdaler ($1s. 1\frac{1}{2}d.$) are added for each additional sheet.

4. To provide for loans on landed property on the most advantageous terms possible, Mortgage Associations are incorporated in each of the provinces of the kingdom, and during the last eight years a General Mortgage Bank has also been established, which alone raises capital for the several Mortgage Associations, and transmits to each such sums as are required and can be obtained on acceptable terms. This Bank has received from Government, for reserve capital, State obligations to the value of 8,000,000 riksdaler ($444,444l. 8s. 10\frac{3}{4}d.$). This capital may only be employed in certain prescribed cases, the Bank being bound to indemnify Government for any loss the latter may sustain by the use of the said capital.

Loans thus obtained from the Mortgage Associations are redeemed by annual instalmentary payments. The terms depend upon circumstances, but are easier than those on which landed proprietors can otherwise raise loans by mortgage. Such loans, whether obtained from Mortgage Associations, or from private persons, or from public funds, are usually sought for the purpose of liquidating old charges, or in connexion with the purchase of landed property and the improvement of the same.

5. Land in Sweden is mortgaged to a very large proportion of its aggregate value. The rate of interest for loans on landed property obtained otherwise than from Mortgage Associations is—since the crisis of 1857—generally six per cent. per annum, this being the highest rate of legal interest on such loans.

6. In obtaining a mortgage on landed property, the mortgage-deed must be produced, proclaimed, and specially recorded before the Town or County Court of the district in which the property is situated, and the terms of the mortgage be noted on such deed.

The proceedings relative to the copy thereof are the same as those described under A. 3.

Provided a mortgage be not redeemed within ten years after the date of registering the same before the Court, such mortgage becomes null and void, unless, in the interval, it have been again declared valid by the Court. The same conditions hold good with regard to each following decade during which such mortgage remains unredeemed. The removal is noted on the deed, and entered in the Record. When several mortgages are effected on the same property, the first has the preference. A renewed mortgage claim enjoys precedence in the order in which it was first granted.

The costs are: When the loan is granted: (a) stamp duty, $\frac{1}{2}$ per cent. on the amount of the loan, and 25 öre ($3\frac{1}{2}d.$); (b) fees (3 riksdaler) ($3s. 4d.$). Provided the Certificate issued by the Court covers more than one sheet, an additional 25 öre ($3\frac{1}{2}d.$) and 1 riksdaler ($1s. 1\frac{1}{2}d.$) are paid for each following sheet. On renewal of a loan: (a.) Stamp, 25 öre ($3\frac{1}{2}d.$); (b.) Fees, 3 riksdaler ($3s. 4d.$).

7. The crops raised are: potatoes, oats, rye, barley, meslin, wheat, peas, vetch, flax, rape, and beans. The quantity grown of each kind decreases in the order enumerated from about 6,170,000 bushels of potatoes to about 500,000 bushels of beans annually.

The grain sown on each "mantal," on the average, is about 200 bushels, varying

between about 80 bushels per "mantal" in the Governmental district of Jemtland, and 360 bushels in the Governmental district of Malmöhus. The crops raised on a "mantal," on the average, are about 990 bushels, with variations exceeding, in the Governmental district of Malmöhus, 2,250 bushels.

The rotatory system is only introduced on some of the best cultivated estates. The order of rotation varies considerably. One of the most common rotations is: fallow, rye, grass for two or three years, and then oats, barley, or wheat. The cycles of rotation vary from four to nine years.

In the Northern provinces, and some other districts of the country, the same crops are produced every year—rye being the most common grain, and usually sown in the autumn. In Middle and Southern Sweden it is customary to grow the same, or similar crops, for terms varying, in different provinces, from two to eight years, with an interval of one or two fallow years, which, however, is frequently employed for the growth of potatoes, turnips, peas, clover, and other fodder. Taking the whole country, by far the larger part still clings to the most primitive modes of agriculture: but even with enlightened farming, the systems are necessarily numerous, in consequence of the great variety of soil and the many gradations in climate and temperature existing in a country stretching from 55° 20' to 69° 4' N. lat.

About one-sixtieth part of the area of the cultivated soil is subdrained.

Marl is increasingly used as manure in those provinces (chiefly the southern), in which it is found in sufficient quantity.

Little attention or care is given to raising stock. In the summer, live stock is generally put out to graze on forest and natural meadow land. During the long winter months both cattle and sheep must be housed, and large quantities of roots and hay provided for winter fodder. The total number of live stock in the kingdom is about 1,185,000 cows, 1,690,000 sheep, 400,000 young cattle under two years, 380,000 pigs, 280,000 oxen, 130,000 goats, and 38,000 bulls. These are chiefly divided in small numbers on each farm, and are seldom kept in large quantities. The average live stock for each "mantal" is about 30 head of cattle, 26 sheep and goats, and 6 pigs.

The total area of tillage land is about 6,460,000 acres, that of natural grass land about 5,360,000 acres. The total area of land in the whole kingdom, including islands, is estimated at about 112,380,000 acres.

8. The machinery is, relatively, very little used, but is gaining ground on the larger estates.

A very large proportion of the land being the property of peasants, and worked by them and their families, considerably reduces the necessity for hired labour. This is, however, increasingly required in connexion with improved systems of farming.

There are about 310,000 hired farm and garden labourers (paid either in wages or by holdings and in kind). Of these 141,000, or about five-elevenths, are females. In addition to regular farm labourers, there are about 100,000 "torpare," who hold cottages and small plots of land for which their families and beasts of burthen are bound to render a certain number of days' work annually.

If these 310,000 hired and other labourers, and the 100,000 torpare are divided among the total area of tillage land in the kingdom, viz., 6,460,000 acres, it will give a proportion of about one labourer to every 15 or 16 acres. It must, however, be borne in mind, that there are nearly 200,000 proprietary peasant farmers, and about 40,000 tenant farmers who (in most instances with their wives and families) are regularly engaged in farm labour.

The majority of farm labourers are hired for terms of six months, each spring and autumn (24th April and 24th October) for yearly wages and board.

Yearly wages for farm servants, with board, ranges from about 3*l.* to 8*l.* for males, and from 1*l.* 10*s.* to 4*l.* for females. In some of the northern provinces the highest yearly wages rise to 12*l.* for males and 5*l.* 10*s.* for females.

Day wages, without board, range from 7*d.* to 2*s.* 2*d.* for males, and from 4*d.* to 1*s.* 10*d.* for females in the summer months; and in winter from 3*d.* to 1*s.* 8*d.* for males, and from 2½*d.* to 10*d.* for females.

9. The emigration among the agricultural classes is large. It is chiefly occasioned by the hope of larger earnings and increased prosperity in America (to which country they almost exclusively emigrate), and in some cases from a desire for greater religious liberty and free political institutions.

The number of emigrants from the whole kingdom was:—

In 1860	..	..	348	|	In 1867	..	..	9,334
1865	..	..	6,691	|	1868	..	..	27,024
1866	..	..	7,206	|				

And during the year 1869 it is estimated to have considerably exceeded 30,000. Upwards of a third of the above emigrants were agriculturists and their families. In 1868, the number of peasant farmers and agricultural labourers, with their families, who emigrated, was 9,367, divided as follows;—1,507 married couples, 1,818 unmarried men, 890 unmarried women, 1,852 boys, and 1,723 girls, under the age of fifteen. The number of labourers is not separately specified.

10. Proprietors of all classes, with comparatively rare exceptions, live on their properties.

11. Small proprietors, above the peasant class, live and dress like the rest of the middle classes of the community. Their houses are roomy and clean, often furnished with some degree of luxury.

Peasant proprietors usually live in two-storied cottages, with two or three rooms on the ground floor, and two gable rooms on the upper floor. On the ground floor there is mostly one large room, serving for the kitchen, dwelling, and sleeping room of the whole family and servants. Recesses are formed in the walls for beds, and benches around the walls are adapted for sleeping-berths. The rooms are low, the windows generally fixtures, incapable of opening; and thus the houses, though warm, are too confined for sanitary requirements.

The food of this class is substantial, consisting chiefly of coarse, hard rye-bread (sometimes mixed with barley or oatmeal), potatoes, fish, rye, barley, or oatmeal porridge, cheese, milk, salt meat, and herrings; fresh meat is a rarity.

Their dress is warm and serviceable, and mostly made of home-spun and woven linen and woollen materials. In fashion it is primitive, and usually peculiar to the district. They generally possess large stocks of clothes, which, however, are seldom used, except on Sundays and holidays. Their working attire is dirty, and seldom changed. As a class, they are decidedly above poverty, and a large proportion in comfortable circumstances. Some are rich for their station, and possess property to the value of from 1,000*l.* to 10,000*l.* Their style of living is not much affected by different degrees of wealth. The variations that exist in this respect result more from the variety of habit in different districts. Some of the richer peasant farmers adopt more refined and expensive habits. Since the abolition of separate legislative chambers for the different classes of society, the wealthier peasants are gradually abandoning their distinctive characteristics.

12. A mean division of the land belonging to peasant farmers gives about 30 acres of tilled, and 26 acres of natural grass land to each proprietor.

A peasant farmer's household averages about four or five members.

The increase of population, under normal conditions, in this class, is about 1.17 per cent., which does not greatly differ from the general increase of the urban population of the kingdom, and compares, not unfavourably, with the natural increase of population in most other European kingdoms. Nearly the entire aggregate increase of the kingdom is derived from surplus of births over deaths among the rural population.

The Returns for the year 1868, however (the last for which statistics of population are published) show an absolute decrease in the entire population of the kingdom of 7,512, nearly the whole of which falls on the rural population. This decrease is attributed to the following causes:—

1. The small number of births in the years 1826—1840;
2. The economical depression which has prevailed since 1860, as compared with the financial prosperity of the previous decade.
3. The dearths and bad crops of the years 1867 and 1868, and the sudden increase of emigration.

13. Enlightened public opinion is favourable to the present system of land tenure, and the laws in force for the inheritance and transfer of real property and mortgaging the same. An objection is sometimes made to the easy and inexpensive manner in which land can be conveyed, because it facilitates the sub-division of properties, and thus acts prejudicially on farming operations. Among intelligent agriculturists a feeling is gaining ground in favour of an agglomeration of small properties into larger ones, so that machinery and scientific appliances may be more effectually employed.

With respect to the primitive system of agriculture, and the domestic habits of peasant farmers, the enlightened part of the community see that improvement is desirable.

(B.)—TENANTS AND SUB-TENANTS UNDER LANDLORDS.

1. As before stated, tenancies and sub-tenancies are not numerous, on account of the very large proportion of the land being in the possession of peasant farmers; and it being the rule even for the owners of large estates to cultivate their lands themselves.

In those cases in which tenancies exist they usually consist of entire estates, or of parts of large estates, which have originally been separate properties. The average quantity of land held by each tenant is consequently about the same as the quantity held by each proprietor, viz., somewhat less than a quarter of a "mantal," or about 385 acres, varying according to the character of the soil, from about 60 acres in the Government district of Malmöhus, to about 5,000 acres in the governmental district of Norbotten.

The above average includes forest and waste lands.

The average quantity of tilled land held by each tenant farmer is about 22 acres, and of natural meadow land about 18 acres.

2. The tenure is by lease for a certain term of years (but not exceeding fifty), or during the natural life of the tenant and his wife. Sub-tenancies are prohibited. This prohibition does not apply to sub-farms, subordinate to the principal property leased by the tenant. The rent of such sub-farms, however, may not be raised above the sum determined by previous tenants of the principal property. This, notwithstanding the tenant of the principal property is often permitted by his lease to let sub-farms to new tenants, as vacancies occur on such terms as he may be able to obtain.

The tenant is generally bound to provide the stock and implements requisite for the cultivation and maintenance of such sub-farm.

No reduction of rent in case of misfortune is provided for. The owners in such cases, however, usually grant a respite with reference to the payment of a certain part of the annual rent contracted for.

3. Tenancies may be created both by parol and written agreement. When no certain term is prescribed for the duration of tenures, the term is presumed to be one year. Tenants of small farms, however, are generally allowed to retain their tenures as long as they live, and are usually succeeded by their sons or sons-in-law.

4. A written agreement relative to a tenure must, in order to be valid with regard to a third party, who has not previously obtained a legal transfer or mortgage, be produced and proclaimed before the Town or County Court of the district, and entered in the Record described under A 6; and a certificate relative to such procedure must be noted on the written agreement by the Court. The above legal confirmation must be renewed before the expiration of each tenth year, in the manner described under A 6, provided the agreement extend over a long term of years.

The law costs are—On the first production and proclamation in court—(a) stamp $\frac{1}{4}$ per cent. on the amount of the annual rent, and 25 ore ($3\frac{1}{4}d.$); and (b) fee, 3 riksdaler ($3s. 4d.$). If the certificate of the court fill more than one sheet, which is most frequently the case, a further sum of 25 ore ($3\frac{1}{4}d.$) and 1 riksdaler ($1s. 1\frac{1}{4}d.$) is charged for each additional sheet. On renewal of the legal confirmation, the costs are—(a) stamp, 25 ore ($3\frac{1}{4}d.$); and (b) fee, 3 riksdalers ($3s. 4d.$).

5. There is no law or custom by which a tenant is considered to have a right to remain in occupation without special agreement.

6. There is no law or custom by which a tenant is considered to have a right to sell his interest in his farm.

Rent.

1. Rent is paid according to the nature of the agreement—in money, kind, and labour.

2. Rent is determined by agreement alone. If determined in money or kind, it is paid once a-year. Payment of rent by a share of the produce is rare.

3. The landlord possesses unlimited power, on the execution of each new agreement relative to tenure, to demand as high a rent as he can obtain from the tenant.

Carelessness or neglect on the part of the tenant in executing stipulated building operations, is specially declared by law to be a good and valid reason for eviction; but in almost every agreement there is a provision that the tenant shall be liable to eviction for non-payment of rent, or any other breach of covenant.

4. If the matter is clear, the process for recovery of rent, or other claims, is summary, by order of the Governor, granted on application. The powers of the Governor in such matters are equivalent to those of a Sheriff. If the matter is complicated, or open to doubt, it must be tried before the proper Court. The proprietors of privileged land ("frälse jord")* are entitled, for the recovery of claims, to place an embargo on the personal property of tenants on their estates, through two impartial "nämudemän,"† but must, in such cases, within a fortnight thereafter, apply to the

* "Frälse jord," free land; land exempted from certain imposts, and specially privileged.

† "Nämudemän," a kind of permanent jurymen in the County Assize Districts.

executive authorities for aid in the sale of the sequestered property; previous to which the tenant must be examined by those authorities. If such application be not made, the embargo becomes null and void, except in so far as it establishes a right of precedence to other creditors. In bankrupt estates, the landlord possesses an absolute precedence of claim on the goods and chattels of the tenant for delapidations and the rent of the current year, and a conditional precedence of claim on the same property for the rent of the two previous years. The landlord further enjoys an absolute precedence of claim with respect to compensation for cattle, farming implements, and other property furnished by him to the tenant, and also with regard to any special hire stipulated for cattle, farming implements, &c. Proprietors, however, rarely furnish tenants with cattle, farming implements, &c. As stated under Tenure 2, tenants are generally in possession of this, as well as other farming stock.

Evictions.

1. Evictions take place by order of the Governor. Previously to the issue of such order, the tenant is summoned to a hearing in the matter, and the Governor's judgment passed. If the matter be open to doubt, it is referred to the proper judicial Court for trial. Provided the tenant be declared liable to eviction, either by the Governor or a judicial Court, the sentence, in either case, is executed by the Sheriff ("Kronofogde"), or Bailiff (Länsman"). An appeal against the judgment of the Governor, and also of the judicial Tribunal may be instituted in the higher Courts.

There are no legal provisions for respite with regard to the payment of arrears of rent.

2. Evictions are very rare.

Improvements.

1. Improvements are generally effected by the tenant, without any assistance from the owner. It is likewise obligatory on the tenant to maintain all buildings in the condition in which he receives them, and to place them in such prescribed condition for which he has been supplied with the requisite means. He is also bound to build new buildings that may be needful, but within certain limits prescribed by law.

2. The tenant possesses no defined legal security to be compensated for improvements executed by him.

3 and 4. The owner possesses legal right, without making any compensation, to appropriate all improvements the tenant may have effected during his term of tenure. It is, however, the established practice, that the tenant, on leaving his tenure, is at liberty to remove the buildings he may have executed, with his own materials, beyond those which he was bound to erect, provided the landlord does not agree to pay the existing value of such buildings; and, also, if the tenant have built beyond his obligations—even with materials taken from the estate—it is considered binding on the proprietor to compensate the tenant for the labour expended, deducting the wear and tear of such buildings in the interval since they were executed; or, otherwise, the tenant should be allowed to remove such buildings on paying the landlord the value of the materials taken from the estate.

5. There are no means provided by the Government to assist tenants in raising loans for the improvement of their estates.

Miscellaneous.

1. The relations between tenants and proprietors are generally friendly; between small tenants and large proprietors they have hitherto been patriarchal. Of late, however, signs of discontent have been manifested by some of the smaller tenantry, which, before long will, probably, call for various amendments in the existing laws.

2. The mode of cultivation among small tenant-farmers is generally of the most primitive kind; and they are, as a class, decidedly inferior in solvency, independence, general circumstances, and character to proprietors of even the smallest farms.

3. No separate statistics are published on this subject. It is probable the increase of population among small tenants is less than among small proprietors on account of their greater property.

4. The emigration among tenant-farmers and their families is large; but probably less than among small proprietors for want of sufficient funds. The causes are the same as those described under A 9.

5. Public opinion is, as yet, much divided on the question of tenant-farmer. The

question has not by any means received the attention it deserves. It may, perhaps, be assumed, that enlightened opinion is becoming increasingly opposed to the payment of rent in labour; the obligation of tenants to erect new buildings; and their possessing no legal claim to a reduction of rent in times of severe misfortune, or to receive compensation for permanent improvement.

6, 7, 8, 9 and 10. No legislative measures have ever been taken to create freeholds or tenancies, or promote the granting of leases.

11. The laws in force contain no restrictions with regard to the accumulation of land, and have a tendency, within certain wide limits, to promote its dispersion.

Copyhold.

There are a description of holdings called "frälseskatte" farms, which somewhat resemble English copyholds. These properties are of two kinds—the one consists of farms, the land-tax of which is received by private persons who have purchased the right of collection from the Government; and the other of farms that have been sold by private owners with the condition that a certain annual rent shall be paid in perpetuity.

In most provinces of Sweden the land-tax is high.

(Signed)

AUDLEY GOSLING.

Stockholm, February 14, 1870.

No. 20.

Sir A. Paget to the Earl of Clarendon.—(Received February 28.)

My Lord,

Florence, February 22, 1870.

I HAVE the honour to transmit to your Lordship herewith two papers which I have received from Mr. Consul Colnaghi on the systems of land occupation and of agriculture which exist in Piedmont and Lombardy.

Mr. Colnaghi, who has taken the greatest possible pains to obtain correct information on these subjects, states that he has received considerable assistance from Mr. Vice-Consul Kelly, at Milan; M. Jacini, formerly Minister of Public Works, and author of an important book on landed property in Lombardy; Professor Cantoni, President of the Agricultural Committee of Turin; Chevalier Oudart, Chevalier Panizzardì, and several other gentlemen who have specially devoted their attention to agricultural questions.

I have, &c.

(Signed)

A. PAGET.

Inclosure 1 in No. 20.

Notes by Consul Colnaghi on the Tenure of Land in Piedmont.

Piedmont, as at present constituted,* consists of the four Provinces of Alessandria, Cuneo, Novara, and Turin. It is separated from France, on the west, by the lofty summits of the Maritime, Cottian, Graian, and Pennine Alps; from Liguria, on the south, by the lower Alps and the Appenines. On the north, it is bounded by Switzerland; and on the east, by the Lombard Provinces of Como, Milan, and Pavia.

In the centre of the territory rise the fertile hills of the Province of Alessandria, which are only separated by the Tanaro from the advancing spurs of the Appenines. Round these hills, on the west, north, and east, bend the great plains of Piedmont, irrigated by the Po and its tributaries, the Stura, Tanaro, Bormida, and Scrivia, on the south, and the two Doras, Stura di Lanzo, Orco, Sesia, and Ticino on the north, with many smaller streams. All these rivers flow in diagonal lines to the Valley of the Po, by reason of a double inclination of the soil, consisting of a partial slope, north to south, from the Alps to the Po, and a general fall of the country, west to east, from Monte Viso to the Adriatic.

The superficial area of the territory contains 29004.11 square kilometres;† the

* The portion of the province of Pavia, consisting of the districts of Bobbio, Lomellina, and Voghera, which formerly belonged to Piedmont, has, since the annexation of Lombardy, been politically attached to that division of the country.

† About 18,162 English square miles.

proportion of mountain and hill to plain land is as 0·774 to 0·226; and the total population, in 1861, amounted to 2,764,263 souls.

The geological* features of the country are varied. The highest points of the Alpine system are generally composed of porphyry, granite, micaceous schist, and other crystalline rocks; the succeeding masses are formed, for the most part, of limestone; while between the two grand divisions, anthraciferous metamorphic rocks are found.

The range of the Appenines, bordering on Liguria resembles in character the general Alpine system: while the series of hills, which advance northwards into the interior of the country, are composed of rocks of the middle tertiary period (Miocene I), and the hills beyond the Tanaro belong, for the most part, to the upper tertiary (marine) formations.

The plains immediately to the east and west of the Alessandrine hills are of the upper tertiary (fresh water) period; but the great body of the plain land, forming the central portion of the country, is chiefly composed of diluvial deposits.

The Province of Alessandria is formed of a fertile plain, surrounded by ranges of well-cultivated hills. It is rich in corn, fruits, and wine.

The Province of Cuneo is shut in, on the west and south, by the lofty slopes of the Maritime Alps and the Appenines. The snowy summits of these mountains contrast with the smiling hills and valleys, rich in vines and woods, that spread out, on the north, into the noble plain forming the most fertile district of Piedmont.

The conformation of the Province of Novara is varied. On the north, it is bounded by the ranges of the Pennine and Lepontine Alps, offshoots from which, advancing southwards, form the two great valleys of the Sesia and Ossola. These open out into the plain of the Valley of the Po, a fertile portion of which completes the territory of the district.

The Province of Turin, for the greater part of its extent, is formed of the Cottian, Graian, and a portion of the Pennine Alps, with their offshoots, spurs, and valleys. The remainder of the district is plain land, and extends on both sides of the Po, by the tributary streams of which it is abundantly watered.

LAND OCCUPATION.

The abolition of fiefs, the influence which the French occupation, at the beginning of the century, exercised over the legislation of Piedmont, especially with reference to the laws of inheritance, and the unquiet condition of the country at the same period, may be cited as among the principal causes which gave rise to a system of land occupation differing from that of the large estates which existed before 1789. The recent sales of lands belonging to the State and to the Church may be considered as steps further tending to the subdivision of landed property.

Land occupation, at present, varies, as it is probable that it always more or less did, according to the nature of the country and the character of the soil. The whole territory may be classed in three distinct divisions:—

1. The hill districts.
2. The non-irrigated plains.
3. The irrigated plains, which may again be subdivided into the rice country, and the districts where meadow lands prevail.

In the hill region, and more particularly where the cultivation of the vine obtains, the land is chiefly in the possession of small and medium proprietors. In some mountain parts, as in the districts of Ossola and Aosta, property is subdivided into small lots of, on an average, from $\frac{1}{2}$ to 3 hectares, and a system of "petite culture" is adopted suitable to the nature of the land and of the country.

In the non-irrigated plains, where corn is cultivated on a large scale, small properties, though, it may be, less frequent, are still to be found in considerable numbers.

In the fertile and irrigated plains, especially where the cultivation of rice is common, as in the districts of Vercelli and Novara, large estates are the rule. The land is divided into properties, varying between 40 and 1,000 hectares, and even more, which are, in general, leased out to farmers, who form an important and wealthy element of the rural population.

The proportion of small proprietors, who are owners of from $\frac{1}{2}$ to 20 hectares, to

* Siamonda, "Geological Map of Piedmont," 1866.

large proprietors, may be calculated, very approximatively, at the proportion existing between mountain and plain land, *i.e.* :—

Mountain (small proprietors)	..	..	..	..	..	0.774
Plain (large proprietors)	..	..	..	..	..	0.226

The medium proprietors, holding from 20 to 50 hectares, may be considered as equiposed in the two territories.*

The above calculation does not give the proportion between proprietors and tenants. The metayer system is common on the small properties, and the metayers form too important a class to be left out of the question; but I have no data to serve on this head.

The census of the kingdom of Sardinia, for the year 1858, gives the following statistics of the number of proprietors of land and persons employed in agriculture :—

	Alessandria. Population in 1858, 637,629.	Cuneo. Population in 1858, 603,584.	Novara. Population in 1858, 573,392.	Turin. Population in 1858, 924,209.	Proportion Per Cent. of Total Population. †
Landowners ("Proprietarij") ..	69,562	77,917	33,076	121,660	10.11
Farmers ("Fittainoli") ..	9,802	8,014	6,834	13,716	1.4
Metayers and permanent labourers ("Coloni") ..	66,084	62,225	52,214	39,509	8
Bailiffs ("Castaldi") ..	2,706	2,846	11,471	4,314	0.77
Day-labourers ("Braccianti") ..	126,007	76,096	170,988	142,106	18

† Total population of the four provinces, 2,738,814.

The above statistics include males and females, but are exclusive of the "day-labourers without fixed professions," who numbered, in 1858, 112,873.

The number of proprietors, as noted above, is probably, however, much within the truth, as many possessors of landed property, professional men, employés, or tradesmen gave in their names in their business capacities, and not as landowners. Another calculation would make the total number of landed proprietors in Piedmont (and Liguria) to be at the rate of 18.90 per 100 inhabitants.

(A.)—SMALL PROPRIETORS.

1. Small properties, in general, are greatly subdivided; exchanges, notwithstanding, are unusual. In the mountain districts, this may be attributed to the love the Highlander bears for his paternal field. Elsewhere, it is said to arise from the fact that small properties are often the results of the dismemberment of large estates, bought up by speculators and retailed to the peasantry, whose only means of paying for their purchases are often to be derived from future savings.

The average extent of freeholds possessed by the peasant proprietors may be considered, for mountain districts, to be from $\frac{1}{3}$ to 3 hectares.

Among the vine-cultivated hills of the district of Casale (Province of Alessandria), where favourable examples of the advantages attaching to small properties may be found, the land is divided into freeholds of from 6 to 20 hectares. When the properties are too much intersected, they are re-formed by means of fresh purchases.

In great part of the district of Tortona (same province) five-tenths of the proprietors own small freeholds, of from 10 acres to 10 hectares in extent; three-tenths of from 3 to 10 hectares; the remaining two-tenths are possessors of properties ranging from 10 to 100 hectares.

In the Province of Turin, the freeholds cultivated by the owners themselves are, on an average, from 2 to 3 hectares in extent.

5. The amount of mortgages may be estimated at one-half, or, perhaps, even two-thirds the value of the land. The average rate of interest is between 6 and 7 per cent.

7. The principal products of the soil are wheat, rice, indian corn, oats, rye, and other grain; vines and mulberry trees; clover, lucerne, &c.; flax and hemp; fruit, such as cherries, chesnuts, apples, pears, peaches, walnuts, &c., and vegetables.

* The foregoing statement is an attempt only to give an idea of the probable proportion existing between large and small proprietors, and may not be correct for all the districts of the country.

The rotation varies, as do the products, according to nature of the soil, be it irrigated or non-irrigated plain, hill, or mountain land.

The rotation on the hills, between the lines of vines, is the alternate fallow—that is, the first year the field is sown with wheat, and is left fallow during the second, the land giving only one crop of wheat every two years.

In the district of Casale (already mentioned) the rotation is biennial—the first year, part Indian corn or beans, part vetches for fodder, and, in part, clover; second year, wheat, with a portion of the land as meadow, with lucerne, or as permanent meadow, in which case it is manured every year.

Among the mountains of Aösta, at 800 or 900 metres above the level of the sea, the alternate fallow is the rule for corn land. In the district of Ossola, the rotation of crops is but little practised.

In the plain of Turin, the rotation is quinquennial—first and second years wheat, third clover, fourth wheat, fifth Indian corn. It is probable that many of the small proprietors near the town are market gardeners.

Animal manure is in general use, with vegetable manure made from rotten plants, &c. In the neighbourhood of towns sewage is employed.

The rotation of crops, in the districts where rice is cultivated, will be noticed under heading (B).

On the rapid slopes of the hills, where the vine is cultivated, intersected with corn, spade husbandry is employed. On the easier hill sides and in the valleys the plough, drawn by oxen, is adopted. The same is the case in the plains where the ploughs, more or less perfect, are in use. Steam-power, in connection with agriculture, has not yet been introduced into the country.

Notwithstanding the climate and the fertility of the soil, the yield of wheat is not up to the standard of modern agriculture. On an average the product is between 11 and 12 hectolitres per hectare; the English average being 35 hectolitres per hectare. One proprietor alone in Piedmont, the Marquis E. Di Samburg, has, by a good system of cultivation, though under unfavourable circumstances, obtained an average yield of from 20 to 22 hectolitres per hectare. Thus it may be seen that the smallness of the product is to be attributed to defective system of agriculture; more particularly, perhaps, to the land not being ploughed up to a sufficient depth to remove the cold and clayey sub-soil. The quantity of seed used per hectare is about two hectolitres, some use three hectolitres. If line sowing were adopted two-fifths of the wheat now employed in sowing might be economized. The yield of barley is from 15 to 23 hectolitres per hectare.

The cultivation of the vine is beginning, little by little, to be more carefully attended to. The old system of festooning the vines on trees, more picturesque than advantageous, is dying out by degrees, and the French method of planting is being adopted, as more suited to the wants of the plant, if good wine be required.

The raising of live stock on small properties is an object of no special care.

In the mountainous district of Ossola, cattle, which form the principal wealth of the mountaineers, are kept in the stable in winter. In summer they are pastured on the hills and Alpine heights, as far as the Swiss territory. The animals are herded by the family of the owners, or are entrusted “à cheptel” to professional herdsmen.

In the valley of Aösta, the young calves are suckled for three months, after which they are fed on hay or grass, according to the season. The kids and lambs are reared in the same manner. In summer large and small stock are pastured on the mountain heights, near the snow, where they are given “à cheptel” to the care of shepherds and herdsmen.

The proportion of meadow to arable land in Piedmont has been calculated as follows:—one-twentieth in the hill districts; from one-fifteenth to one-twelfth in the non-irrigated plains, and from one-fourth to one-third in the irrigated plains. The proportion, however, varies greatly in the different districts.

8. Although agricultural machines are found now-a-days in all the agricultural exhibitions that are held in North Italy, their use, with the exception of threshing-machines for corn and rice, is but little extended on large and not at all on small properties. The employment of agricultural machines has met with obstacles in the customs of the people, and in the special conditions of the climate. There are some, however, for sowing, &c., which are suitable to the country, and the introduction of machinery, which may in time become of great importance, is beginning to increase. Factories for agricultural machinery have also been established both in Piedmont and Lombardy.

In general, the small freeholds are cultivated by the proprietors themselves. When this is not the case they are usually farmed on the “metayer” system, to which, as a

tenancy, reference will be made under heading (B). On the properties, however, which are too large to permit the labour of the owner and his family to suffice for their cultivation, hired labourers are employed. As these labourers are the same, and are engaged on the same conditions, as on the large properties, I shall speak of them here as a whole.

The agricultural labourers are divided into two distinct classes—the “bifolchi” or “boori” (ploughmen or permanent labourers), who are also called “famigli” and “schiavandari” in some districts, and the “braccianti” (day-labourers or casual labourers).

The permanent labourers are hired by the year, but they often remain a long time on the same property. They are lodged, with their families, at the farm, not, however, too commodiously, and are paid partly in money and partly in kind. The system existing,—and which may not be unworthy of attention,—is to interest the labourer in the results of his work, by confiding to him a portion of land for cultivation of which he shares the produce.

In the district of Casale (Province of Alessandria), the permanent labourers receive in kind corn and wine, and in money the value of about 500 Italian lire per annum, and lodging. If the members of their families work they are paid separately. The permanent labourers take care of the cattle, cultivate the land, dress the vines, &c.

In the plain of Marengo (same province) the “boori” receive in kind the value of about 400 or 500 lire per annum, and 48 lire in money. They also have a small portion of land which they cultivate for a half share of the produce with their master. They rear the silkworms, dividing the yield, which may bring them in from 50 to 200 lire. They are lodged, and receive wood and oil.

In the Province of Turin, in the plain, the “boori” receives 4 sacks of maize (5 emines per sack), 3 sacks of wheat, 3 sacks of oats, and 100 lire in money per annum. In addition to the above, they also have 2 myriagrammes of hemp, 1 myriagramme of walnut oil, a share in the poultry belonging to the farm, 7 or 8 tables of land, of a value of 3 or 4 lire per annum, on which to grow vegetables, and lodging. This is called the “paga frança.” There are farmers who pay less, but who are ill-served. Sometimes the “booro” becomes responsible for the cultivation of the Indian corn. He bears all expenses, ploughing, however, with his master’s cattle, and for this he receives a sixth part of the yield. The “boori” perform all the work of the farm, except harvesting the wheat, &c.

In the district of Vercelli, a plain country, and where rice is extensively cultivated, the labourers, in general, receive 100 lire per annum in money, 9 hectolitres of Indian corn, 1 hectolitre of rice, and $\frac{1}{2}$ hectolitre of beans, and they cultivate in addition, dividing the produce in unequal share; with the farmer, 150 acres of land sown with Indian corn. They have also the right of gleaning in the corn-fields, and both themselves and their families are lodged generally on the farm itself.

Altogether the condition of the permanent farm labourers is tolerably good. They are in constant work; but they have probably suffered, of late years, under the general depression of agriculture caused by the disease of the vine and the silkworm, and the political events which have taken place in Italy.

In the Province of Cuneo, where the “metayer” system prevails, the sub-division of property in the plain has originated a class of agriculturists called “Viciurau,” to be found in considerable numbers in the neighbourhood of Racconigi, Savigliano, Saluzzo, and Bra. Their chief, if not only employment, is to plough the fields of the smaller proprietors and thresh the corn at fixed rates.*

The position of the casual labourers is not favourable. They are ill-paid, except at certain seasons of the year, and are fed in the most simple manner. Their food, in general, consists of a soup made of beans, lard, and water, with a kilogramme of dry bread. In the hill country they may sometimes drink wine. Their wages vary in the different districts, and according to the season of the year.

In the district of Alessandria, the men receive from 90 centimes, or even less, to 1 lira 10 centimes per diem in winter, and from 1 lira to 1 lira 50 centimes in summer. The women from 50 centimes to 1 lira. During the harvest the wages of the men rise to 2 lire, and sometimes even 5 lire, with 3 litres of wine per diem.

In the district of Turin labourers receive from 1 lira to 1 lira 25 centimes per diem in winter, and from 1 lira 25 centimes to 1 lira 50 centimes per diem in summer. Women from 75 centimes to 1 lira. In summer, when the days are long, the farmer gives a water-soup, with some salad, once a day to his labourers in addition to their pay.

* “Relazione della Camera di Commercio e d’Arti di Cuneo sulla Condizione Economica della Provincia.” Cuneo, 1864.

The reapers and threshers receive one-sixth part of the wheat harvested in payment for their work, including the storing of the grain in the granaries.

The proportion in which labourers are employed also differs according to the method of cultivation followed in each district. In the Province of Alessandria the proportion is one labourer per hectare. Near Turin one "booro" is employed for every 40 or 50 journées of land (1 journée equals 38 acres). This is exclusive of casual labourers. In the district of Vercelli the proportion is 12 permanent labourers for 100 hectares, the same number of day-labourers and four times the number of occasional labourers when required.

The women are employed for certain light work in the same proportion as the men; for heavier work, less, or not at all; for hay-making in larger numbers.

The casual labourers may be divided into two classes—(1) those living in the district who, when work is wanted, are generally employed on the same farm, and are, more or less, certain of constant occupation of some kind or another; (2) the tramps, who are temporarily hired on occasions of pressure of work. In Turin the mowers and reapers may be seen waiting in the market-place until some one shall hire them.

9. I have been unable to obtain any reliable information regarding Piedmont on the subject of the permanent emigration to South America, which would appear to be decidedly on the increase. I believe that the emigrants chiefly belong to the mountain districts. According to M. Jacopo Virgilio, the total number of emigrants from Italy to South America, in 1867, amounted to more than 20,000 individuals.*

The periodical and temporary emigration of labourers without fixed profession and shepherds, according to the census of 1858, was as follows:—

Province.	Labourers without Fixed Profession.	Shepherds and Herdsmen.
Alessandria	8,447	19
Cuneo	5,657	2,382
Novara.	4,268	261
Turin	8,536	1,408
Total	26,908	4,070

The individuals emigrating in search of work, for the most part, went to provinces (Italian or Piedmontese) other than their own, to France, Switzerland, or Austria (frontier lands).

10. Generally the peasant proprietors live in the villages in the neighbourhood of their small freeholds. When the proprietors do not cultivate their land themselves they usually reside in the towns, where they exercise some trade or profession.

11. The petty proprietors live like the other peasants. Their houses are small and dirty, and they are not much better fed than the ordinary labourers. It is not easy, however, to answer this question in general terms, as the condition of the proprietors differs according to the position they occupy in the social scale. On an average, and granting that the small proprietor is able to live by his freehold, his position is tolerably good, although, by the disease of the vine and of the silkworm, many proprietors have been reduced to great straits.

In the district of Casale, where the disease of the vine has not committed great ravages, the position of the small proprietors is good. Their freeholds are in the neighbourhood of the large villages in which they live. Their food consists of bread, meat, and poultry, polenta, vegetables, eggs, fish, and they always drink wine. On *fête* days they dress like the small trades-people.

In the district of Vercelli, the proprietors live on Indian-corn bread and sometimes wheaten bread, soup, a little home-fed bacon, poultry, eggs, milk, and beef on holy days; in general they drink wine. They wear woollen clothes in winter. The small proprietors of Casale and Vercelli may be taken as favourable specimens of their class.

In the mountains of Aösta, the small proprietors eat but little meat, a great many potatoes and chesnuts, polenta and vegetables. They are dressed in woollen stuffs and country cloths.

13. The general opinion is that small properties are suitable to the hill districts and non-irrigated plains, and lands where the vine is cultivated, but not to the irrigated

* "Delle Migrazioni Transatlantiche degli Italiani:" J. Virgilio. Genoa, 1868.

plains, where the system of cultivation is opposed to the "petite culture;"—and the general practice of the country would seem to conform to this opinion.

The condition of the small proprietors may, on the whole, be considered a happy one, when their properties are not too deeply mortgaged. Moreover, the system is reputed to be an excellent barrier against communistic doctrines. The small proprietor feels that he has a stake in the country, and that he may hope to advance in prosperity, while the simple labourer, especially when not sharing in the produce of his toil, is condemned to gyrate in the same circle, and to see his children unable to rise higher than himself.

(B.)—TENANTS AND SUB-TENANTS UNDER LANDLORDS.

Tenure.

1. The quantity of land held by tenants under landlords in Piedmont varies from the smallest plots to, in some few cases, over 1,000 hectares. The tenancies differ according to the nature of the country. In the hill districts, and on the non-irrigated plains, the tenancies (which here are chiefly "metayer" farms) may average from 4 to 20 hectares; in the irrigated plains, from 100 to 300 hectares.

2. The tenancies may be divided into two distinct classes: land held on the "metayer" system, and simple tenancies for a money rent.

The "metayers" are a species of farmers, sharing with the proprietor half the produce of the soil. Each "metayer" holding is large enough to give employment to one family of peasants. The house, which always stands on the property, is kept in repair by the proprietor, and the "metayer," in general, pays no rent. The farmer must possess from two to four oxen, according to the extent of ground he has to cultivate, ploughs, harrows, and all the requisite agricultural implements. If there are vines the proprietor is obliged to supply the props. The "metayer" farms are generally held by the year, six months' notice to quit being required on either side. In some districts, however, they are held for nine years, though terminable at the end of each triennial period, on the usual six months' notice being given.

The regular tenancies for a rent in money are usually held for 9 years; sometimes for 12, 15, or even 18 years, in the case of the larger estates. Leases also run for 3 and 6 years. Estates belonging to charitable institutions are never let for longer than a 9 years' lease, which is often terminable at the end of each triennial period.

The general incidents of a tenancy are as follows:—

The farmer takes over the property under a detailed inventory, which describes minutely the condition of the farm-buildings, the shape and extent and cultivation of the fields, the number of trees and plants and their dimensions, the quantity of fodder and manure existing on the farm, &c. At the end of the lease the tenant is bound to deliver up to the proprietor the farm as he found it, the usual allowance for usage of the buildings excepted. The tenant gives the proprietor a mortgage on any property he may have, as a guarantee for the payment of the rent, or, if he has no landed property, a money guarantee of from one to two years' rent paid in advance. In the latter case, however, he receives interest on the money deposited at a rate to be determined by the parties interested. At the present time it is, generally, from 6 to 7 per cent.

The power of assigning sub-tenancies depends entirely upon whether they are allowed by the terms of the lease, which would appear rarely to be the case. Sub-tenancies are, therefore, not common, except in the case of speculators who take on lease large estates which they sub-let in small farms, mostly on the "metayer" system.

Rent.

1. The rent of the "metayer" farms is paid by sharing the products of the soil with the proprietor, except for the meadow lands, for which a rent is paid, unless, indeed, the first crop of hay called "maggiengo" is made over to the proprietor. The rent for the house, when one is required, which in Piedmont is exceptional, is also paid in money.

For the other tenancies, the rent is always paid in a fixed sum of money, to which generally certain appendices ("appendizi") are annexed, as a sack of rice or wheat or Indian corn, the carriage of produce or materials, if required, &c. These supplements

may, however, be considered rather as marks of good will than as forming part of the actual rent.

2. Rent is paid either yearly or half-yearly, at the end of each period. The most general custom appears to be for the rent to be paid in two rates; one, at the end of June, the other, on St. Martin's day (11th November); or, sometimes in August and on the 31st December, with the exception of the last year of the occupancy, when the final rate should always be paid on the 11th November, the end of the agricultural year.

Improvements.

1, 2. The particular conditions of each lease regulate the execution of improvements to the buildings. If they are made by the farmer with the consent of the proprietor he has a right to compensation. If, without the landlord's authorization, there is no claim for reimbursement. If, as often happens, the farmer wishes for certain improvements, such as, for instance, some new stables, the proprietor builds them at his own expense, and the tenant pays him 5 or 6 per cent., according to agreement, on his outlay.

All improvements to the land, having reference to its proper cultivation, are borne by the farmer, who is obliged to give back the property to the owner improved rather than deteriorated.

Repairs to the buildings, with the exception of the small annual repairs called "localizie," which are at the charge of the tenant, must be executed by the proprietor. The tenant, however, furnishes the carriage of materials.

Miscellaneous.

1. In general the relations between landlord and tenant are friendly: when difficulties arise recourse may be had to the civil tribunal, but disputes are, perhaps, more generally settled by private arbitration, and in accordance with local usages. The existing law would appear fully to protect the interests of the tenant.

2. The condition of the metayers and small farmers of the hill districts and non-irrigated plains, their method of cultivation, &c., resemble those of the small proprietors of the same districts who have been already noticed under heading (A). These farmers, may, as a rule, be considered inferior to the proprietors in social independence, when they do not possess landed property of their own, in addition to cultivating land of others.

The large farmers of the irrigated plains belong to a distinct class. They live well, educate their children for the liberal professions, and keep their carriage.

I add here a short description of a farm I visited in the plain of Vercelli.

The "Venaria Vercellese" belonged formerly to the House of Savoy, but was exchanged by the late King Charles Albert against the palace of the Marquis Durazzo at Genoa. Rice fields form the principal wealth of this farm; its extent is about 1,000 hectares, and the annual rent paid by the farmer amounts to 98,000 lire. The farmer possesses 50 yoke of draught oxen, with cows in proportion to maintain the breed. He has 12 pairs of mules, horses, ploughs, carts, and all necessary farm implements in profusion. Above 300 labourers are constantly employed on the farm, and at harvest time, or whenever there is any extraordinary pressure of work, a number of occasional labourers are called in to assist.

The farm-buildings of dark brick, surround an immense quadrangle, near the centre of which stands the farmer's residence. The buildings contain a chapel, a small inn, the stables for oxen, &c. (above which are the hay-lofts), the mill, with machinery of the latest invention for husking and cleaning rice, and the labourers' lodgings. Beyond the regular square are the threshing and drying floors, with three separate rice-threshing machines under substantial cover, and worked by water-power. When I was at the farm, the Indian corn was being threshed. On the floor whole families of peasants, women and children of all ages, were working gaily to gather in the fruit of their labour—the Indian corn being shared in unequal parts between the farmer and the labourers. The whole arrangements of the farm, if rough in outward appearance, and somewhat wanting in neatness, were in good working order, and would imply, I should be inclined to think, considerable agricultural progress of late years.

In the irrigated plains rice, meadows, and cereals are the principal cultures. Animal manure is much used. In the neighbourhood of the towns sewage is employed to advantage. Of late years, I learn, that considerable quantities of Peruvian guano

and artificial manures are beginning to be used. The fertility of the soil is further maintained by the frequent ploughing in of green crops ("soveschi").

The rotation in the plains of Vercelli and Novara is as follows:—

Three years of rice, then oats, wheat, maize, and meadow; or three years alternately wheat, meadow, and Indian corn.* Sometimes the rice is repeated for more than three years in districts where it follows after meadows, and where the fertility of the soil is maintained by ploughing in a succession of green crops, such as lucerne, colza, clover, &c., every year before the rice is sown. There are also, in the Vercellese, some permanent rice-fields.

Where rice is not cultivated, the rotation for the other products is the same, but where there is little water the meadows are natural, and often of small product.

The rotation in the different districts differs in details. The above examples may serve, however, to give a general idea of the method of cultivation as practised in the irrigated districts of Piedmont.

Stock are raised generally for draught purposes and for their manure, and, in the dairy-farm districts, for the value of their milk. The oxen are stall-fed on meadow hay mixed with wheat, oat, or rye straw, or Indian-corn tops, both in summer and winter. Sometimes rice-bran is mixed with the hay. The cattle are only pastured after the third crop of hay is cut in the month of October. Cows are imported from Switzerland into the districts of Vercelli and Novara;† but Piedmont possesses a native breed of cattle which, as producers of meat, are preferred to the Swiss.‡

The Province of Cuneo is very rich in cattle, large and small. Dairy-farms are numerous, and large quantities of cheese are made. Drovers of pigs are usually kept on the dairy-farms to use up the refuse of the milk. There is an important export trade in cattle from this province to Liguria and the coasts of Provence. In 1863 and 1864 the exportation of cattle was as follows:—

				1863.	1864.
				Head.	Head.
Bulls and oxen ..	..	..	..	4,399	5,751
Cows ..	..	..	..	870	1,450
Calves ..	..	..	..	3,800	1,801
Sheep and Goats ..	..	..	..	28,219	21,949
Pigs ..	..	..	..	3,896	4,332
Total ..	..	..	..	41,184	35,283

4. It is probable that among the metayers and small farmers emigrants to South America may be found; but statistics are wanting on the subject. Neither the large farmers of the plains nor their children emigrate.

5. With regard to metayer farms there would appear to be a tendency on the part of many proprietors in Piedmont to confine this species of tenancy within narrower limits, and, whenever practicable, to let their lands for a rent in money. In its present condition, as a yearly tenancy, there can be no doubt that the system is opposed to improvements in agriculture; it remains to be seen whether under a fixed tenure, for a longer period, it might not prove equally advantageous to the peasant and the proprietor, or whether the development of modern civilization is adverse to the continuance of patriarchal associations.

With reference to the ordinary tenancies, the general opinion would seem to be that a lease of nine years is not long enough to allow the farmer to cultivate his land to advantage. There are some who would, therefore, wish to have the term of the lease prolonged; others, who think that it would be sufficient to give the outgoing tenant a preference at a reduction on other offers, or a premium of so much per cent. on the increased value the land may have acquired under his tenancy, on his giving up occupation.

A prevailing impression exists that proprietors consult their own interests in letting their land to farmers, because, among the few who have attempted the direct management of their property, all have not been successful. But, again, it would only be advantageous to the general interests of the country, if landed proprietors would

* In the district of Lomellina, which, though now forming part of the Lombard Province of Pavia, may be considered as agriculturally belonging to this portion of Piedmont, the rotation is as under:—Years 1, 2, 3, rice; 4, oats, with biennial clover (or wheat); 5, meadow (sometimes there are three years of meadow in succession); 6, Indian corn.

† In some districts, and particularly in the Lomellina (Pavia), where the cows on a farm are few in number, the milk is sold to professional cheesemakers, as is likewise the case on the southern plain of Lombardy.

‡ Veal is the general food in Piedmont. The beef is inferior, as the oxen are seldom killed until they are past work.

remember that they have duties as well as rights, learn to attend to their own affairs, and employ their time usefully. The art of agriculture, though quietly progressing, as is strikingly exemplified in some individual cases, has to be further studied both practically and scientifically in Piedmont.

D. E. C.

Turin, January 1870.

**

WEIGHTS and Measures used.

1 are is equal to ..	..	..	..	..	3.995 English perches.
1 hectare is equal to ..	..	..	..	..	2.47 " acres.
(1 journée is equal to 38 ares.)					
(1 table of land is the 100th part of a journée.)					
1 kilogramme is equal to ..	..	..	..	..	2.20 " lbs. avoirdupois.
1 myriagramme is equal to ..	..	..	..	..	22 " "
1 litre is equal to ..	..	..	..	..	1.76 " imperial pints.
1 hectolitre is equal to ..	..	..	..	..	2.75 " bushels.
(4½ emines is equal to 1 hectolitre.)					

The Italian lira is equivalent to the French franc.

The foregoing notes have been, in great part, drawn up from information most courteously and kindly furnished by the presidents of several local agricultural committees, and other gentlemen who have devoted their attention to agriculture. Among the number I may be permitted more particularly to mention Professor Cantoni, President of the Agricultural Committee of Turin, the Chevalier Oudart, of Genoa, and the Chevalier Panizzardi, President of the Professional Institute of Turin.

D. E. C.

Inclosure 2 in No. 20.

Notes by Consul Colnaghi on the Land Tenure of Lombardy.

MODERN Lombardy is composed of the eight Provinces of Bergamo, Brescia, Como, Cremona, Mantua, Pavia, and Sondrio: it is confined on the west by the Canton of Ticino and the Italian Provinces of Novara and Alessandria (Piedmont); on the east by the Mincio and the Province of Rovigo. The region is separated on the north from Switzerland by the wall of the Alps, and, on the south, is bounded by the River Po, which separates Lombardy from the Provinces of Piacenza, Parma, and Modena. The territory contains 23,377.74 square kilometres*, of which about 10,399.54 are mountain and hill, and 12,978.20 plain land. The total population, in 1861, amounted to 3,259,638 souls.

The mountain system of Lombardy is composed of the range of the Rhaetian Alps, which surround its northern frontier for a distance of about seventy-five miles. From this chain spring the pre-Alpine ranges, by which the Val Camonica, Valtellina, and other minor valleys are formed. The lower hills stretch down, rich and fertile, to the plain, which lies, in shape like a vast spear-head, at the foot of the mountains. The point of the steel is at Quatrelle, in the Province of Mantua; its base rests on the heaths of Somma, near Varese; and its angles are at Pavia on the south, and Bergamo on the north. The plain inclines gently towards the Adriatic, and is watered by the Ticino, Lambro, Adda, Oglio, Mincio, and other streams, which, descending from the Alps, become the tributaries of the Po as this river flows majestically by the southern frontier of the country. They are not absorbed by the great river, however, until they have played their part in the important scheme of irrigation which forms so prominent a feature in Lombard agriculture.†

With regard to the geology of the district, the highest mountain peaks are formed of granite, serpentine, and other primary rocks, and the lower ranges, for the most part, of limestone. In the valley of the Po, the great plain is principally composed of the silicious detritus of the Alps.

The agricultural productions of the country are many and varied, and extend from the lemon and olive trees of the lake of Garda to the pasture grounds of the Alps. Vines and mulberry trees, with wheat, Indian corn and other grain, are grown on the hills and upper plain, while rice, flax, and hay form the chief products of the irrigated

* About 14,611 square miles.

† "Notizie Naturali e Civili su la Lombardia:" C. Cattaneo. Milan. 1864.

lands. Lombardy is rich in silk, cheese, and butter. The production of wine, which the oidium had almost entirely destroyed, is recovering under the general application of sulphur. The territory is the seat of considerable manufacturing industry.

The characteristics of the different provinces, the methods of cultivation, and the systems of tenancies vary according to their position, the degree of fertility and nature of the soil, and the capabilities for irrigation. For facility of description, however, the whole territory may not inconveniently be divided into three great agricultural zones marked out by nature :—

(1.) Upper Lombardy, formed of the mountains of the Provinces of Bergamo, Brescia, Como, and Sondrio. This division contains the four important lakes of Maggiore, Como, Isco, and Garda, forming the reservoirs for the irrigation of the plains. The magnificent pine forests which formerly covered the highest slopes of the mountains have been in great part destroyed by an ill-understood desire for gain; but other woods, chiefly composed of beech and chesnut trees, still exist on the lower hills, whilst attempts are being made to arrest the further denudation of the mountains.

(2.) Central Lombardy, the district of the hills and non-irrigated plain, situate between the mountains and the lands where irrigation begins to be practised. It contains portions of the Provinces of Milan, Bergamo, Como, and Brescia. The whole of this region is not equally productive. The western part of the Upper Milanese consists of land conquered from the heaths ("brughiere"). The eastern part is more favoured by nature, as are also many districts to the east of the Adda, which are included in this division. In the other portions of this zone the fertility is not continuous, and the perseverance of man was put to hard proof in reducing to cultivation large tracts of sterile land. The vine and mulberry tree are amongst the most important products of this region. The population is very dense, and suffices not only for the cultivation of the soil, but for the advancement of manufacturing industry, which is widespread throughout the district.

(3.) Lower Lombardy, consisting of the irrigated plains of the Provinces of Milan, Pavia, Cremona, and Mantua, but containing as well, in the southern districts, some non-irrigated lands. The separation between the irrigated and the upper plain is gradual, each district blending with the other. The country offers a very different aspect to the second zone; the fields are intersected by canals and rows of trees in monotonous succession. Social life is less active than in Central Lombardy, the population is more scattered, and industrial enterprizes are concentrated in the towns and larger villages,—not spread over the country districts.

LAND OCCUPATION.

Corresponding, on the whole, with the division of Lombardy into three zones, the landed properties may be separated into three categories :—

- (1.) Small properties, under 15 hectares.
- (2.) Medium properties, from 15 to 100 hectares.
- (3.) Large properties, above 100 hectares.

The small properties are more especially the tenure of Upper Lombardy, where the proportion of proprietors to the total population may be taken as 1 to 3, except in the immediate neighbourhood of the towns, where it is as 1 to 11. In this region the communes hold the largest estates. They consist exclusively of extensive possessions in woods and Alpine pasture lands; they are, however, no longer of the importance of former times.

The second zone is the seat both of medium and small properties. Here the proportion of proprietors to the total population may be taken as 1 to 13. The most important estates (now that the Church property has been taken over for sale by the Government) are in the hands of hospitals and other charitable institutions.

The large estates are to be found in the irrigated plains of Lower Lombardy, though small properties are not uncommon in the less or non irrigated portion of the territory. The proportion of proprietors to the total population is as 1 to 20, with a tendency to increase the size of the estates.

The small mountain freeholds are always cultivated by the proprietors themselves; an owner alone would give the loving labour requisite to render the rocky mountain slopes productive. In the neighbourhood of the towns and valleys, where the properties may be somewhat larger, and are in the hands of the trading rather than the peasant class, they are generally cultivated on the metayer system, or, if consisting

of meadow lands, let out for a money rent. Cases also occur in which small tradesmen have their little properties cultivated, by hired labourers, under their own superintendence.

In the hill districts and upper plains the majority of the properties are cultivated under the metayer system, or a modification thereof. The estates belonging to charitable institutions are always leased out, by public auction, to farmers, who may, perhaps, more properly be termed contractors ("appaltatori"). They do not cultivate the land themselves, but sub-let the different small farms on each estate to metayers.* This is the principal instance of sub-tenancies which I have noticed in Lombardy, and here the tenant-in-chief really acts the part of factor, or collector, for the charity. Some large private land-owners manage their property with the help of a bailiff ("fattore"), but the soil is usually cultivated on the metayer system.

The irrigated plain, for the most part, is leased out in large farms to well-to-do tenants for a rent in money.

Lands held on a perpetual lease ("beni livellari"), emphyteotic, and similar tenures are exceptional, and would appear to be rapidly disappearing. They could not, therefore, be considered here to any practical advantage.

(A.)—SMALL PROPRIETORS.

1. The owners of small properties in Lombardy may be divided into two classes:—the peasant proprietor who cultivates his own freehold, aided by the members of his family; and the trading, or middle class, proprietor, who has his land cultivated for him by third persons, whom he either pays for their labour in money or with whom he shares the produce of the soil in kind. It is the peasant proprietor whom alone I shall consider under heading (A), as coming within the scope of the present inquiry. The following remarks must, therefore, be taken as referring more especially to the mountain region of Upper Lombardy.

The average size of the small properties cultivated by the owners themselves may be calculated at from one-third of a hectare to three hectares. They are not always held together, but the different portions are often intersected by other properties, a natural consequence of the continual subdivision of land.

In some districts of the Valtelline, a family of peasants unite various kinds of tenure, as co-proprietors of communal pastures and woods, having domicile in a certain commune, owners of a small freehold, lessces of a little meadow, and cultivating a neighbour's land on the "metayer" system.

5. In general small properties in Lombardy are mortgaged for more than half (some say for two-thirds of) their estimated value, between loans and family and other guarantees.

Since the failure in the yield of silk and wine, the proprietors in many districts have become, though still the nominal owners, in fact the mere tenants of their creditors. A slight reaction is said, however, to be taking place, and the position of the proprietors is somewhat improving. The rate of interest varies from 5 to 7 per cent., and even higher.

7. The products of the mountain districts are obtained by the hard labour of the owners of the soil. A system of "petite culture" is adopted throughout the territory. The use of the spade prevails, the plough being only employed on the level ground of the valleys. The chief products are the vine and the mulberry tree, and the falling off in the yield of grapes from the vine disease, and the reduced production of the silkworms of late years, have caused, as has been already mentioned, great distress among the Lombard peasantry. In the valleys rye, barley, potatoes, buckwheat, and, lastly, hemp and maize are grown; but not in sufficient quantity to supply the wants of the population. The slopes of the hills are covered with chestnut trees, important not only for their timber, but their fruit, which is consumed in large quantities by the inhabitants of the plain as well as of the mountain.

The rotation of crops in the valleys is of a simple description, being a continuous alternation of cereals. Meadows under rotation are but little known, and hay is only cut on the permanent grass lands, which exist in the valleys or on the mountains. These last are diligently manured and irrigated by means of the mountain rivulets, the waters of which are carefully collected. They must not, therefore, be confounded

* A most unfavourable system for the sub-tenants.

with the Alpine pastures, which are neither manured nor irrigated, and are never cropped.

The fertility of the soil is maintained by the use of animal manure, and by ploughing in green crops ("soveschi").

The rearing of cattle has lost some of the importance it possessed in an earlier period of Lombard history. Still the breeding of calves, a great gain to the peasant, is actively carried on as far as his means will admit, especially in the villages. Cows are almost entirely imported from Switzerland. In the mountain districts in summer the cattle are driven to the Alpine pastures under the care of herdsmen. In the winter, they are brought down to the lower grounds of the plains, and fed on hay purchased for their use. On the small farms in the valleys cattle are always maintained, generally in sufficient numbers for draught purposes, and for the supply of manure. In the summer they graze in the fields after the harvest. In the winter they are always kept in the stables, and are fed on hay and Indian-corn leaves and stalks.

Goats and sheep, ill-cared for and poorly fed, are greatly objected to by the peasant in those districts where the mulberry tree and vine prevail, owing to the damage they inflict on these plants.

The proportion between arable and meadow land on the hills is, probably, as four-fifths to one-fifth. In the valleys there is more meadow than arable land. The mountains possess the Alpine pastures, but I have no data on which to base their extent.

8. The small proprietors in the mountain districts employ few, if any, salaried labourers. The question of hired labour will be considered under heading (B).

10. The small proprietors generally live in the villages and hamlets in the immediate neighbourhood of their properties.

11. The small proprietors are fed on vegetables, chestnuts (of which a species of polenta is made), potatoes, and coarse maize bread for the poorer class. Those somewhat better off have polenta of buckwheat ("grano Saraceno") or Indian corn, and cheese and milk in addition. The inhabitants of the Provinces of Bergamo and Como, more industrious than those of the Valtelline and Brescia, are generally better fed than the latter.

The dress of the peasants is good, but plain. It consists of fustian for the men, cotton stuffs for the women. In winter the men's dress is woollen. The mountaineers rarely go barefoot.

Their houses, which are generally built of stone, or a mixture of stone and bricks, are poor and dirty. The villages are, for the most part, labyrinths of narrow tortuous lanes, unclean and unpaved. The married couples sleep in bed; the other members of the family in the stable or the hay-loft.

The general condition of the peasantry before the failure of the two chief products of the country—silk and wine—if hard was prosperous; now there is more difficulty in making both ends meet, and an increase of emigration would appear to be one of the consequences of increasing duties.* The mountaineers, whenever opportunity offers, willingly exercise some industry. Where there are iron mines they make nails, agricultural implements, gun-barrels, knives, and other articles. Manufactures in wood, wool, and hemp are limited, for the most part, to articles made for the sole use of the family producing them.

13. Public opinion holds that small properties are advantageous on mountain soils, where the spur of ownership is required to compel production. From a social point of view the possession of freeholds may always be considered a benefit to the peasantry, and wherever "la petite culture" is possible it is favourable to agriculture. On irrigated lands small proprietors could hardly exist unless they formed associations for the joint cultivation of the soil. Owing to the non-occurrence of this contingency the irrigated plains of Lombardy are in the hands of large and wealthy proprietors, or, perhaps it may be more properly stated, are let out in large farms to wealthy tenants who are able to make the soil yield its increase.

(B.)—TENANTS AND SUB-TENANTS UNDER LANDLORDS.

Tenure.

1. The average size of the tenancies in the mountain and hill districts and non-irrigated plain is from 2 to 12 hectares. The large estates, which, the subdivision of

* This is a vexed question, as it is said that it is not always the poorest who emigrate. As emigrants are generally able to send home money to their relatives, there is a wide-spread belief that all may better themselves by emigration.

property notwithstanding, exist in the second zone, belong, for the most part, to hospitals and other charitable institutions. In the irrigated plain the average size of the tenancies is from 100 to 300 hectares.

2. Farms held on the *métayer* system, or for a fixed rent in corn, are the most common in Central Lombardy. Direct leases for a money rent prevail in the lower plain. The ordinary duration of the lease in these last tenancies is for nine years on the smaller estates; from nine to twelve years, sometimes, not often, extending to fifteen or eighteen years, in the larger properties. The leases under which the estates of charitable institutions are held never exceed nine years, and in some districts are terminable at the end of each triennial period. The farms held on the *métayer* and corn-rent systems are let out by the year, six months' notice to quit being required on either side. They are, in general, allowed to run on without formal renewal for an indefinite period.

The general conditions of a lease in the irrigated plain are as follows:—

The tenant always enters on his farm on St. Martin's day (11th November) and leaves it at the same epoch. He is obliged, however, to make over to his successor in the previous July some of the farm-buildings and a third part of the arable land. The tenant, in addition to the lien which the law gives the proprietor on his farming implements, live-stock, &c., gives further security on mortgage, or pays a year's rent in advance, for which, however, he receives interest at the rate of 5 per cent. The tenant receives the farm from the engineer of the estate under a detailed inventory, in which are minutely described the extent, shape, and particular cultivation of each field,—the plantations, locks, bridges, canals, roads, paths, farm-buildings, and their accessories. The tenant binds himself, in general terms, to improve and not deteriorate the land, to maintain a fixed number of cattle, and to use up all the hay, as well as, with some exceptions, the straw, and Indian-corn leaves and stubble. The Government taxes are sometimes to be paid by the proprietor, sometimes by the tenant; but, even in the first case, the farmer has to advance the money when payment is due. The communal and provincial taxes are generally, if not always, at the charge of the tenant.

Rent.

1. The payment of rent for the large farms in the irrigated plain is always in money; but many farms agree to certain obligations, such as the loan of their draught-horses, or the carriage of materials, and the payment of extras ("appendizi") in the shape of fowls, butter, eggs, flax, &c. Some small holdings, chiefly detached fields or meadow-land, are likewise held for a money rent in the mountain and hill districts and non-irrigated plain. But the general system of tenure in these territories is the *métayer*,—"mezzadria" or "masseria" or "colonia,"—or a modification thereof. The systems in use may be briefly described as follows:—

Mezzadria.—In Lombardy the true "mezzadria" is only preserved in the Province of Bergamo, where it extends not only into the mountain districts, but even over a large portion of the irrigated plain. The "mezzadria" is a contract between the owner of the soil and the peasant, by which the first gives a habitable house suitable for farm uses, with a certain quantity of land not only under proper cultivation, but planted with mulberry trees and vines, the latter with their props. The peasant contributes his labour, and also the working capital in seed, farm implements and cattle. The produce of the soil is divided into equal shares between the two parties. The land and other taxes west of the Adda are generally divided into equal shares between proprietor and tenant; east of that river they are generally paid by the former.

For the house* and meadow-land the rent is paid in money, and though, as has been said, the immediate products of the soil are shared equally between the peasant and proprietor, special stipulations often regulate the division of the grapes and the mulberry leaves, the latter the most important product of the territory. In all cases the total yield of the grapes, as well as of the cocoons, is handed over to the proprietor as the more capable of disposing of the produce to advantage, and he credits the "metayer" with his share.

In addition to the rent and the share of the produce, there are certain extras, under the name of "appendizi" or "onoranze," which the "metayer" agrees to give to the proprietor. These consist of fowls, eggs, and so many days' labour or carriage of materials, if required, and are sometimes commuted for a sum of money.

The associations of four or five families governed by a patriarchal head, and which at one time were characteristic of the system of "mezzadria," though still to be met with in some districts, have greatly fallen off under the influence of modern civilization.

* It would appear that rent is only paid for the house in the most fertile districts.

Corn Rent.—To obviate certain inconveniences which affect the contract of “*mezzadria*,” with special reference to the division of the multifarious products of the soil, a different contract has been substituted and prevails in the Upper Milanese and Province of Como. The vines and cocoons are divided “*à mezzeria*,” the money rent for the house and meadows and the “*appendizi*” are the same; but the immediate products of the soil are subjected to a fixed rent in kind, generally wheat, as the most marketable cereal, and the one less liable than the others to be injured by atmospheric influences, as being harvested before the season of hailstorms. In light soils, however, part of the rent is occasionally allowed to be paid in rye. The quota of grain varies from 2.75 hectolitres to 8.28 hectolitres, per hectare, according to the fertility of the soil.

Where this contract exists the peasants are divided into two classes—“*massari*” and “*pigionanti*.” The first, like the regular “*metayer*,” possess cattle and ploughs, and may still be found in the old patriarchal associations of four or five married couples. They cultivate from 5 to 14 hectares of land. The second class are only able to give manual labour, and cultivate from 1 to 4 hectares.

Terzeria.—A further modification of the “*mezzadria*” system is found in the Province of Brescia, under the name of “*terzeria*,” which alternates with the “*mezzadria*” throughout the second zone in that province. This tenure varies in the different localities. In some places the produce of the vines and mulberry trees, as well as the immediate products of the soil, are divided into three parts. Of the first, mulberry leaves and grapes, the proprietor takes two-thirds; of the grain, &c., the peasant takes two-thirds. In more sterile districts the grapes and mulberry leaves are divided equally between the proprietor and the peasant, and the latter still retains two-thirds of the grain crops. In the eastern part of the province, however, the peasant becomes a mere “*terzaniolo*,” and receives only one-third of all the products, or, at most, half of the cocoons.

2. The payment of rent on the “*metayer*” and similar tenancies is not regular. His share of the produce is duly conveyed by the “*metayer*” to the residence of the proprietor; but for the rest an open account is kept between the parties, which is finally settled at the termination of their connection, though it is made up on the 11th November of each year. Of late years, owing to the disease of the vine and the silkworm, nearly all “*metayers*” are in arrears with their landlords.

The rent of the money tenancies is generally paid annually, in some cases half-yearly. The annual rent is paid on St. Martin’s day (11th November). Various modifications, however, of this arrangement obtain in the several districts of the country, according to the agreement entered into between the landlord and the tenant, and for the convenience of both. Thus, the rent is sometimes paid in three rates in September, December, and March of the following year, or the payment may be made in May, September, and December.

Improvements.

1. Improvements to the buildings, as well as all necessary repairs for maintaining the farm-buildings in habitable condition, are at the charge of the proprietor. If, however, the tenant should request certain improvements or additions to the farm-buildings to be made for his own benefit, he would have to pay 6 per cent, or such interest as may be agreed upon, on the amount expended. All improvements made by the tenant without the landlord’s consent are at his own risk, and do not entitle him to compensation.

The improvements to the lands are at the charge of the tenant, who is bound to cultivate the property according to the terms of the Italian Code (Article 1583)—“*Da buon padre di famiglia.*”

Miscellaneous.

1. The relations between proprietor and tenant would appear, on the whole, to be friendly, nor can I learn that any legislative intervention is required to protect the interests of the tenants against the landlords.

The chief difficulties that arise between landlord and tenant relate to the non-payment of rent. In general the landlords are patient and considerate, and, though some complain that the interests of the tenant have been studied in the existing law to the detriment of those of the landlord, this is not the opinion of other competent persons.

2. The method of culture followed by the tenants depends upon the situation of the farms, whether in the irrigated or non-irrigated zone. In Central Lombardy small tenancies prevail; in Lower Lombardy the system of high-farming obtains. It will be necessary to describe the two systems separately.

The principal wealth of the middle zone (Central Lombardy) is derived from plantations of mulberry trees and vines and from wheat. Near the lake of Garda the territory produces oranges and lemons. Olive trees are also to be met with on the shores of the lakes. Maize, rye, and millet are grown in the territory. In the Milanese the payment of the rent in wheat gives the first place to that cereal. In the Province of Bergamo Indian corn is the predominating culture. The cultivation of the potatoe is on the increase. Fodder is scarce, as is also firewood. Beans, lentils, carrots, &c., are grown in the fields, which, under spade husbandry, resemble so many gardens.

The rotation of crops consists, as in the mountain districts, of a continuous alternation of cereals, the fertility of the soil being maintained by animal manure and the ploughing in of green crops ("soveschi").

In the district west of the Adda the quantity of wheat to be cultivated on each farm is fixed by the terms of the lease. To obtain this, under favourable circumstances, three-fifths, or perhaps more, generally two-thirds, of the land must be sown with wheat annually. With the remaining one-third, or two-fifths, the farmer has to restore the fertility of the soil by rotation and manure, to find fodder for the live-stock, which, though not numerous, is indispensable, and obtain from the land sufficient to support himself and his family.

The peasant manages to satisfy the claims upon him as follows: nearly two-thirds of the land, as has been said, are sown with wheat (in light soils occasionally with rye), among which is scattered field clover; the remaining third is cultivated with Indian corn and beans, and a few patches with vegetables, flax, or hemp.

In order to maintain the proportion between the wheat and other productions unaltered, the metayer in the second year sows wheat on the previous year's maize, reserving a small strip for field cabbage ("ravizzone"); after the harvest maize ("grano Turco Agostano") is immediately sown. On half of the land grown with wheat the previous year maize is sown, the other half continuing under wheat, as before. Diversities of culture naturally occur, owing to varieties of soil. In some places millet is sown after wheat, as a second crop. A strip of land is always kept for rye or buckwheat, and a corner is also reserved for potatoes. The soil, with the exception of a small piece of meadow-land on the more extensive farms, lies under a succession of exhaustive crops, and fertility can only be maintained by ploughing in green crops, such as lucerne, beans, colza, &c., and by an abundant use of animal manure.

In the district east of the Adda the farm-contracts, being generally "à mezzadria," are less binding, and leave the peasant greater liberty of choice in the cultivation of the soil. Of this freedom the metayer makes good use in the greater part of the Province of Bergamo; but in the Brescian territory, where the population is more scattered and the plough is used, the minor relative productions of the soil are only compensated by the greater extent of land confided to the peasant for cultivation. The exhaustive character of the crops is, however, amid infinite varieties of culture, common to the whole middle region of Lombardy.

The extraordinary productiveness of the southern plain is owing entirely to the extensive system of irrigation, which has created an artificial fertility on a soil for the most part little favoured by nature. In 1856 the superficial area of land irrigated in summer was calculated at 427,200 hectares, exclusive of the territory of Lomellina—a well irrigated district at that time included in the Kingdom of Sardinia—and this area has doubtless been extended during the last twelve years. That portion of the Lombard plain which lies to the west of the Adda is watered more abundantly than the territory situate to the east of that river. It also differs to some extent in the quality of the soil, the methods of cultivation, and in its products.

Of the western division of the plain rice-fields and meadows, on which large herds of cattle graze, form the principal features. On the eastern side the cultivation of rice is less frequent, the vine and the mulberry tree are extensively planted, while meadow lands are comparatively rare. Wheat is grown in the Province of Milan, and in large quantities on the heavy clay soils of the Provinces of Brescia, Cremona, and Mantua. The cultivation of Indian corn is very general; flax is chiefly grown in the eastern plain, and hemp at its southernmost extremity. The market-gardens in the neighbourhood of Milan deserve mention, from the large quantities of vegetables, especially cabbages ("cavoli"), that they produce. The well-known grana cheeses, commonly called "parmesan," are made in the well-irrigated districts of the western plain. In the light soils the plough is drawn by horses; in the heavy ground by one or more yoke of oxen.

The rotation of crops varies in the different districts, and even from estate to estate; but the following examples may serve to show some of the principal methods of cultivation:—

Western plain (Lomellina, Province of Pavia):—1st year, rice; 2nd year, wheat, with clover sown among the grain; 3rd and 4th years, meadow; 5th year, Indian corn. Sometimes the rotation is sexennial—the first two years as above, then 3rd, 4th, and 5th years meadow, and the 6th Indian corn.

In the Lower Milanese, where rice is grown, a rotation of nine years is common—three years rice, three years meadow, and three years wheat and Indian corn.

The rotation of the district of Lodi is as follows:—

1st year, maize-land, well manured and ploughed up four times.

2nd year, wheat. After the harvest a spontaneous growth of clover springs up, a peculiarity of this division of Lombardy.

3rd, 4th, and 5th years, meadow, manured.

6th year, spring flax, then millet, or, instead of the millet, 40-day Indian corn (quarantino).

In the eastern plain the rotation of Cremona is as under:—

1st year, maize, land well manured.

2nd year, wheat, with clover, sown (as in Lomellina).

3rd year, meadow, manured if possible.

4th year, flax, then millet, or 40-day maize.

Sometimes the meadow is maintained two and three years in succession.

In Lombardy, generally, flax follows the meadow in rotation, *i.e.*, after one year in the territories of Brescia, Como and Cremona; after two years in those of Milan and Pavia; after three years in the district of Lodi.

In this region of North Italy, as may also be seen from some of the above rotations, it is possible to obtain two successive crops in a year; thus after flax, millet or 40-day maize is sown; after clover, at the end of May, maize or rice may be cultivated; after rye, cut in mid-June, maize or flax; and after wheat, harvested at the end of June or the beginning of July, 40-day maize or millet.

Milan, the climate of which may be taken as representing the average condition of the plain generally, has a summer like that of Rome and Cagliari, and a winter colder than that of Paris. At Milan, in an average of 92 summer days there are only 3½ days' rain. These special characteristics of temperature, with the help of irrigation, enable the varied produce of the country to be cultivated with success.*

The proportion of arable to meadow land in the hill districts and non-irrigated plain, as well as in great part of the eastern division of Lower Lombardy may be taken as four-fifths to one-fifth: in the western division of the south plain this proportion is reversed, meadow lands forming two-thirds, three-fifths, and even four-fifths of the total cultures.

The meadows are of three different qualities: permanent meadows, artificial meadows in rotation, and winter meadows or "marcite." The fodder, either green or dry, differs according to the quality of the meadow in which it is produced, and the season in which it is cut.

Other conditions being equal, the best hay is made from the permanent meadows, which are only irrigated in the summer. They yield three crops; one in May, the second in July, the third in September. After the last, the cattle are turned on to the meadow to graze. It is only on the most fertile fields that the fourth crop (quartirolo) is cut and made into hay, supposing the month of October to be favourable.

The artificial meadows in rotation are chiefly formed of red field-clover, or rye grass, both sown among the wheat; the grass and hay are rather coarse, but very nourishing. In the territory comprised between Milan and Lodi, and in part of the Province of Pavia, the white clover (*trifolium repens*) springs up spontaneously after the wheat harvest, and supplies excellent fodder to the cattle which produce the milk from which the grana cheese is made. In the artificial meadows three, and occasionally four, crops are cut.

The winter meadows, or "marcite," are an exclusively Lombard—almost a Milanese production. These meadows have this peculiarity—that they are constantly under irrigation in winter as well as in summer. The land is divided into several compartments, so that the surface may be always covered with a thin sheet of running water, which maintains the activity of the vegetation even during the cold weather. For the "marcite" the waters of the nearest springs are preferred (the cold not having had time to act on them), or the streams laden with town sewage.

A heavy crop is cut in these meadows every sixty or seventy days, and in those

* "Les Produits de l'Agriculture du Piedmont, de la Lombardie, et de la Venetie." Par le Ch. Guétan Cantoni. Paris, 1867.

irrigated by the waters of the Vettabia (which contains the sewage of Milan) every forty or forty-five days, so that from six to nine crops are obtained per annum. Vegetation continuing throughout the year, the cows, except during one month, are constantly fed on green fodder, a fact having great influence on the quantity of milk produced.

In order to obtain the greatest profit from the meadows, large numbers of cows, besides draught oxen and horses, are kept on the farms, which are well provided with stabling, cow-houses, hay-lofts, &c. To make a "forma"* of cheese per diem not less than 50 cows are required, and on some farms as many as 120 and 160 head are kept. When the cows on the farm are few in number, the owners either join together in making the cheese, or sell the milk to the professional cheesemaker.

In this district milk is the chief product and its quality is such as to require to be made into butter and cheese. No stock are, therefore, bred on the farms, the young calves being sold when a fortnight old. The cows are imported chiefly from the Swiss cantons of Schweitz, Lucerne, Zug, Uri, and Unterwalden. Brought into Lombardy when three or four years old, before they have completed their full growth, and fed on the tender and succulent herbage of the plain, they fill out and grow so rapidly that a cow of the largest breed, called "matronale," where there are "marcite" will give forty and more Milanese brenti of milk per annum. The Swiss cows, born in a healthy climate, fed on aromatic herbs, and carefully bred, are of sound constitution, and capable of resisting the inclemency of the seasons. They are good milkers, long-lived, and subject only to ordinary maladies, for which reasons, and not because they differ physiologically, they are preferred to the native breed. Any cow fed on the grass of the Lombard plain would give milk fit for grana cheese.

Droves of pigs are fed on the refuse of the milk.

In the hill district and non-irrigated plain every peasant keeps one or more head of cattle for draught purposes where the plough is used, but cows, where spade husbandry predominates.

The breeding of live-stock shows a tendency to improvement, and might become a source of considerable property to the country, as a nursery of cows required for Lower Lombardy.

For the sake of their manure the cattle are usually kept in the stable. In summer they are fed on hay or green crops. In winter, on hay mixed with Indian-corn leaves and stalks. They are chiefly pastured in the fields in the autumn.

But little care is, in general, taken of the sheep and goats, from the milk of which mountain cheeses are made. Sheep are, however, exported to some extent, and the Bergamese is a good breed.

The following Tables show:—(1) The product, per hectare, of the different kinds of meadow land; (2) The yield, weight, &c., of the various agricultural products of Lombardy.

(1.)—TABLE showing the Product per Hectare and per Annum of the different kinds of Meadow Land (irrigated) of Lombardy.

Permanent Meadow Product, per Hectare, in Quintals.	Artificial Meadow in Rotation Product, per Hectare, in Quintals.	Winter Meadow or "Marcite" Product, per Hectare, in Quintals.
1st crop hay .. 40 quintals.	1st crop hay .. 35 quintals.	1st crop grass .. 105 quintals.
2nd " " .. 35 "	2nd " " .. 40 "	2nd " " .. 150 "
3rd " " .. 25 "	3rd " " .. 25 "	3rd " " .. 180 "
100 "	100 "	4th " " .. 120 "
		5th " " .. 90 "
		6th " " .. 60 "
		Grass .. 705 "
		Reduced to hay .. 141 "
Weight (dry) per cubic metre:	Weight per cubic metre rather less than that of hay from permanent meadow.	
1st crop .. 117.80 kilogrammes.		
2nd " .. 136.10 "		
3rd " .. 150.90 "		

But the produce of the "marcite" is always used as green fodder. The above is for an ordinary water-meadow: the produce per hectare, when irrigated by the waters of Vettabia, would amount to 1,400 quintals of grass.

* A "forma" is one cheese, weighing from 50 to 90 kilogrammes. To make it, from 6 to 12 hectolitres of milk are required, to produce which from 50 to 90 cows are wanted.

(2.)—YIELD, Weight, &c., of the various Agricultural Products of Lombardy.

Agricultural Products.	Quantity sown per Hectare, in Hectolitres.	Produce per Hectare, in Hectolitres.	Weight per Hectolitre, in Kilogrammes.	Remarks.
Wheat (<i>Trit. Sativum</i>) ..	1.80 to 3	10 to 20, average 12 to 13	75 to 82	
Indian corn, "Maggiengo" ..	according to whether the grain is scattered or sown in line	65 to 75	72 to 75	
" " "Agostano" ..		45 to 50	75 to 78	
" " "Agostanello" ..		30 to 35	68 to 72	
" " "Quarantino" ..		20 to 25	60 to 80	
Rice, "Nostrale" ..	2 to 3	1st year, 40 to 50	50	
" " "Novarese" ..	.. ..	" 90 to 100	43	
" " "Mellone" ..	.. ..	" 90 to 100	54	
" " " " ..	.. ..	2nd year, 60 to 70	60	
Barley ..	as wheat	22 to 25	60 to 70	
Rye ..	ditto	15 to 23	75 to 80	
Oats ..	2 at most	36 to 45	44	
Buckwheat, "Grano Saraceno" ..	0.50	23	60 (with husk)	
Millet ..	.. ..	28	.. ..
Flax, autumn ..	150 kilogrammes	*Harl, 270 to 300 kil.	Total weight, including seed, 5,000	Filasse.*
" " "Marzuolo" ..	250 to 300 kilogs.	{Seed, 7 to 8 hect. Harl, 130 to 150 kil.}	Total weight, 3,000	Oil, 28 per cent.
Hemp ..	1.10 to 1.40 hect.	Harl, 1,000 kilogs.	.. ..

When speaking of the system of tenures in the eastern division of the Lower Lombard plain, the existence of "metayer" farms in the Gera d'Adda,* an irrigated district, as well as in irrigated portions of the Province of Bergamo, should have been noticed.

The want of fertility of the soil in the Gera d'Adda compelling attention to the plantations not only of vines and mulberry trees, but also of peach trees, is the cause of the adoption of the system in this district. In the Province of Bergamo the tenure differs in no way from that in force in Central Lombardy, save that the peasant pays for his water rights. The agricultural results of the system cannot, however, be considered as favourable, unless the farm is of sufficient size to place no obstacle in the way of the advantages to be derived from irrigation.

In considering the position and character of tenants, as compared with the small proprietors, it must be borne in mind that the large tenant farmers of the lower plain are men of considerable capital, and often of education, who are in no way connected with the peasantry. They live as well-to-do members of the middle class, eat, drink, and dress well, and drive their carriages. Their children are often educated for the liberal professions.

The "metayers" are peasants, as are the small proprietors of the mountain districts; of the same class are the hired labourers of the plain. It will, therefore, be necessary to consider the rural population of Central and Southern Lombardy under one head. The small proprietors have already been noticed under (A).

But first must be mentioned the "fattore" or "castaldo," the steward or bailiff, who, on the larger estates, often represents the proprietor, administering the whole property and enjoying a confidential position. The "fattore," as the *alter ego* of the proprietor, possesses considerable influence among the peasants, from whom he is widely separated by position and education; but his knowledge of agriculture is generally empirical.

The proportion the cultivators of the soil bear to the extent of cultivated land in each province is shown in the following Table, which, however, refers to the year 1854:—

Province.	Land under Cultivation in 1854, in Hectares.	Male Villagers (Villici) above 18 years of age in 1854.	Proportion of Cultivated Land per Villager, in Hectares.
Milan	155,880	94,585	1.64
Brescia	186,803	66,757	2.79
Bergamo	153,038	85,095	1.79
Cremona	118,208	37,500	3.15
Como	100,252	82,476	1.21
Lodi and Crema	97,048	35,076	2.76
Mantua	205,541	47,170	4.33
† Pavia	87,563	29,110	3
Sondrio	28,392	24,136	1.17
Total	1,132,735	502,205	2.32

* This district extends from Gera d'Adda, on the left bank of the Adda, to the neighbourhood of Lodi.

† Not including the districts belonging to this Province attached, in 1854, to Piedmont.

Central Lombardy.—Few hired labourers are employed in this zone, except in the Provinces of Brescia and Bergamo, where many mountaineers come down to the lower lands to work in the fields during the busy season. The peasants belonging to this region who look solely to hired labour for a livelihood are few in number; even the extra hands employed by the “metayers” for the harvest are sometimes attached to other estates on which they have constant work. The wages paid are from 1 to 2 lire per diem in summer, and from 80 centimes to 1 lira in winter. The labourers provide their own food.

Proprietors who manage their own meadow land sometimes employ casual hired labourers; but, in general, they make use of the “metayers” residing on their own property, who are obliged, by the conditions of their contract, either to give a certain amount of gratuitous labour, or to work when required at reduced rates, varying from 50 to 75 centimes per diem in summer, and from 30 to 60 centimes in winter.

The women are little employed in field labour in Central Lombardy. They find work in the silk and cotton mills, the agricultural and industrial population of this region not being distinct. In the winter, when they have no other occupation, they spin the flax grown on their small farms.

The houses of the peasantry in general are poor, but not squalid, as the breeding of the silkworms compels them to be built of a certain size, and to possess tolerable ventilation. The country people dress decently, especially on fête days; the men in fustian and cotton velvet, the women in cotton prints. These last, to the west of the Adda, wear a head ornament composed of long pins, which are often of silver. Their food is poor, and meat is only seen on great occasions. In the Upper Milanese and lower districts of Como the chief food is bread, made of mixed maize, rye, and millet flour. In the Provinces of Brescia and Bergamo polenta (Indian-corn meal) is principally eaten. The morning meal is always composed of bread or polenta. The dinner consists of rice-soup (water and rice, with sometimes a little lard), with turnips and cabbages. In the Upper Milanese polenta (maize flour), mixed with vegetables, and flavoured with a little bacon, is a favourite dish; cheese or milk, sardines or eggs, are sometimes added as a relish. In summer the quantity and quality of the food is, if possible, increased, and on large farms a little wine is given. In the poorest districts a bad heavy bread is made, and here pellagra* is very frequent.

The poorest and most wretched peasantry are to be found in the rich Province of Milan. As a connecting-link between the two regions of Central and Lower Lombardy, I annex a description of the present condition of the agricultural population of this district, taken from an official document published in 1868†:—

“If the cities and towns (‘borghi’) have of late years improved in general cleanliness, the same cannot be said of the country villages. With the exception of a few “metayer” farm-houses of recent construction in the district of Mouza, and some large farm-buildings in parts of the Lower Milanese and the district of Lodi, nothing can be more miserable and unhealthy than the ‘cascine’ of the peasants. The cottages are low and ill-ventilated, with small windows. On the lower storey the flooring is of beaten earth, which softens under the influence of damp, and helps, with the smoke from the fire, to corrupt the air. In the rooms of the upper storey, which are too small for the wants of the inhabitants, six, eight, or even more persons are often lodged. They are low and ill-ventilated, and not seldom without windows, while from the ceilings hang the store of ears of Indian corn. The stables, badly built, and most filthily kept, in the winter evenings shelter one or more families, in order to save fuel. The dirty courtyards, channelled with the overflowings of the rain-pipes, are generally occupied by dung-heaps in the centre, while at the sides ditches, slightly covered with straw, or stalks of Indian corn, perform the office of cesspools. The lanes of the hamlets are ill-paved, if paved at all, and often serve as receptacles for the filth of the houses fronting them. To the above deplorable hygienic conditions may be added, for the communes near large centres of population, the improper method of transporting sewage in open vessels, and the manner in which it is spread over lands, in great part destined for the cultivation of garden stuffs.”

Lower Lombardy.—In the southern plain, the estates being generally in the hands of large farmers, the peasants are reduced to the condition of hired labourers, though even in this zone, wherever the nature of the cultivation admits, the peasant is interested in the results of his labour by receiving a share of the produce.

* Pellagra is a skin disease, accompanied after a time by diarrhœa, and ending in suicidal monomania—always drowning.

† “Annotazione Statistiche sul Cholera della Provincia de Milano—Epidemia del 1867.” Dr. E. Pellegrini and five other doctors, members of the Provincial Sanitary Commission.

The occupations and condition of the labourers vary as they are employed on the large dairy farms of the south-western districts, or on the grain-growing estates to the east of the Adda.

The labourers of the south-west plain may be divided into four categories:—“famigli,” “garzoni,” fixed day-labourers, and occasional day-labourers.

The “famigli” are the regular farm servants and have care of the cows. They are divided into head, ordinary, and apprentices (“mattell”). Their wages differ somewhat from territory to territory, but those of the ordinary “famigli” may be taken as follows:—

Average summer wages (from St. George’s to Michaelmas day) 25 lire 85 cents. per month; for the three winter months 8 lire 25 cents. per month, and for the rest of the year about 12 lire 85 cents. per month, making a total of about 206 lire 90 cents. per annum. These wages are for adults—unmarried men—as is exclusively the case on the estates cultivated in winter meadows (“marcite”). They have no share in the products of the soil, but are fed, receiving two Milanese lbs.* of Indian-corn bread, or its equivalent in polenta, per diem in summer, and 1½ lbs. of bread in winter, two or three mezzi (of about half a litre each) of milk in the morning, and two rice-soups. On Sundays a little sausage.

When the “famigli” are married, which is generally the case where meadows do not form the sole cultivation, their money wages are less, but they obtain the following advantages: a cottage and garden-plot gratis, fire-wood, half the greens and flax cultivated on a small plot of ground allotted to them, and the “diritto di zappa,” or right of culture, which consists of the cultivation of a portion of land sown with Indian corn or rice, the produce of which the cultivator shares, in unequal portions, with the farmer.

Of the Indian corn the labourer usually receives one-third, but sometimes only one-fourth, of the gross produce. On the rice-fields he has one-fourth of the yield in the compartment under his care. The seed is provided by the peasant, with one-eighth over. With the exception of ploughing, manuring, and threshing, all the charges of the cultivation are borne by the labourer. In a good year the peasant may obtain for his share of the produce six or seven hectolitres of rice and the same quantity of Indian corn, so that on an average his gains per diem, one year with another, may be calculated at about 1 lire 60 cents.

It commonly occurs that the unmarried “famigli” are members of a family having the “diritto di zappa,” or that two families live under one roof. In these cases the condition of the peasantry, where rice and Indian corn are cultivated, is tolerably good,—on the whole better than that of the artisans of the towns. The apprentices† are paid less, and no unmarried men enjoy the “diritto di zappa,” which requires the help of the younger members of the family to assist in its cultivation.

The “garzoni” are divided into “cavallanti,” “bifolchi,” and “fatutto,” who are again subdivided into “capo cavallanti,” “sotto cavallanti,” and “cavallantino,” “capo bifolco,” “sotto bifolco,” and “bifolchetto.” The “cavallanti” are attached to the horses; the “bifolchi” to the oxen, as ploughmen, carters, &c.; the “fatutto,” as their name implies, make themselves generally useful.

The money wages of the “cavallanti” and “bifolchi” amount to from about 68 lire to 90 lire per annum, besides food, for which, however, an equivalent is sometimes given in money; they are always married, and have house, garden-plot, and “diritto di zappa.” The lower grades and the “fatutto” are not married; the latter, besides food, receives about 115 lire per annum, but no cottage: he sleeps in the hay-loft.

The poorest of the peasants of the lower plain are the fixed day-labourers, the “paesani” or “falciatori d’orba” (“omen de ferr”), who are very numerous. They are hired by the year, and receive about 78 centimes per diem in summer, and sometimes only from 46 to 68 centimes in winter; they are, however, always fed, but in less quantity than the “garzoni.” By working early and late they may succeed in gaining something extra, as also when works of irrigation, or other improvements, are undertaken by the proprietor. They pay rent, about 30 lire per annum, for a small cottage and garden. These day-labourers, whose wages are low and their lodging squalid, bear poverty depicted on their faces. They are at the worst, however, where meadows only are cultivated. If a considerable portion of the estate is in arable land, and the labourers are married, they have a “diritto di zappa,” with somewhat less money wages, but their condition is preferable.

The occasional day-labourers or “giornalieri di piazza,” work for whatever may

* Probably the “libbra grossa.”

† Apprendisti.

want them, and their wages vary according to the season and the demand. They are greatly in request where rice-fields prevail, and sometimes cut the corn crops by contract. Occasionally they may make 3 lire per diem, but, as they are, in some seasons, obliged to take work at any price, their condition is very precarious. Their wages, on an average of the whole year, may be taken at from about 1 to 2 lire per diem, with food; 1 lira 50 cents. to 2 lira 40 cents., without food. As belonging to the same category may be noticed the 7,000 or 8,000 mountain peasantry who, every year, come down from the Apennines to work in the plains until their own scanty crops shall be ripe.

The numbers in which these different categories of labourers are maintained vary according to the nature of the cultivation.

Where meadows predominate the "famigli" are the most numerous, one, at least, being required for every fifteen cows, as also the fixed labourers for cutting the hay. Where rice-fields prevail the "garzoni" and occasional labourers are employed. Where the land is chiefly under tillage crops the "garzoni" are the principal labourers.

The peasants of this division of the lower plain are ill-lodged, their cottages are generally full of water, and they are badly fed; they suffer greatly from intermittent fevers.

The other rural classes found in the western plain have still to be noticed. They are the "fattori," "campari d'acqua," "casari," and "sotto casari."

The "fattore" of the lower plain differs greatly from his namesake of Central Lombardy. Here he is under the direct superintendence of the farmer, and is chosen generally from the class of "garzoni" among those most distinguished for honesty and intelligence. He receives double wages, and enjoys a certain degree of consideration.

The "camparo d'acqua" regulates the irrigation of the fields, and his position is between that of the "fattore" and the simple peasant.

The "casaro," or cheesemaker, stands in a better position than all. The "casari" may be said to form a species of caste; they surround their craft with as much mystery as possible. Their wages in money and kind equal from 2 to 3 lire per diem. They are fully conscious of their importance as the arbiters of the most valuable product of the country, and are held in great consideration by the farmers, with whom they treat as equals. The "sotto casaro" receives from half to one-third the wages of the "casaro." He is often unmarried, in which case he is not entitled to the "diritto di zappa."

The condition of the peasants of the eastern plain may, generally speaking, be considered as more favourable than in the western. The share they have in the cocoons, when successful, is an important element in their prosperity, and the cottages, where the silkworms are bred, are more spacious and airy than those to the west of the Adda.

The agricultural contracts made with the peasantry of this district are of two kinds:—first, the hired labourers; second, the contracts of "mezzadria," similar to those of Central Lombardy, and which need not be further alluded to here.

The hired labourers are divided into "bifolchi," "cavallanti," and "braccianti." The two first correspond to the "garzoni" already described; they are paid in the same manner, and at the same rates, the chief difference being that the "diritto di zappa" produces more in this territory, rendering the condition of the peasants more tolerable.

The principal products which are shared between the farmer and the peasant are cocoons and Indian corn, then millet, in districts where this grain is grown, and linseed. The flax is not divided unless the family of the labourer undertake its preparation. Wheat, rye, and oats are excluded from the division, though in some districts the peasants have a right of gleaning. The quantity of Indian corn which falls to the share of the cultivator is from one-third to one-fourth of the yield, according to the degree of fertility of the soil. In this district the amount per "zappa" may equal from 12 to 14 and even 16 hectolitres. The Brescian peasant receives only one-fifth of the Indian corn, but has a larger share of the linseed, which, however, does not compensate him for the diminution, and he is not so well off as the labourer of the Province of Cremona.

The "braccianti" day-labourers are divided into "obligati" and "non-obligati." The first assist the ploughmen; the second are employed solely on manual labour. They pay a rent for their house, and receive fixed wages which vary greatly. In some places they are paid 45 cents. per diem for every day in the year, and double in harvest time; in others 65 cents. per diem only when they are wanted. Altogether

they receive in money about 200 lire per annum, which, with the "diritto di zappa," gives them a yearly income of about 333 lire. Each married couple having a "diritto di zappa," a combination of two or more of the same family renders their position much more satisfactory.

The occasional day-labourers are few in number.

In the Province of Cremona there exists a class of "braccianti" differing considerably from that above described. The proprietor rents out to the peasant a cottage and little field of from $\frac{2}{3}$ to $1\frac{1}{2}$ hectares, with the obligation of working for him on his property when required at from 65 to 75 centimes per diem in summer, and 45 to 55 centimes in winter. These peasants are the poorest of all, and are not to be envied even by the fixed labourers of the meadow lands. Only a favourable yield of cocoons can save them from want.

The moral condition of the peasants of Lower Lombardy is less satisfactory than that of the agricultural population of Central and Upper Lombardy. They have not the same affection for the soil, and pass with great indifference from one farm to another. Although they share in the produce of the land through the "diritto di zappa," the principle of division of labour adopted in the plains renders the peasant an instrument instead of a director. He is not obliged to concentrate all his intelligence on a small holding, but is ordered now to one field, now to another, on a large estate. Between the farmer and the fixed labourer, if there is no dislike, there is no affection—they are not friends, but friendly acquaintances. Where, however, there are many fixed and occasional labourers without the "diritto di zappa," in years of scarcity unfriendly feelings prevail.

The dress of the peasants of the lower eastern plain is similar to that of the inhabitants of Central Lombardy. The women are, however, not so smart or neat in their appearance. Children are here regarded as a source of well-being, because even the youngsters are able to gain a little at light work, and because the more manual labour they can provide the larger extent of ground the "diritto di zappa" embraces.

The peasants to the east of the Adda have, however, a future before them. An honest, intelligent man may aspire to the position of "fattore," from "fattore" he may become farmer, from farmer proprietor. Examples of families of peasants who have thus risen in the social scale are not rare. West of the Adda this rise is almost impossible.

On comparing the relative conditions of the rural population of Lombardy, the first place, for the possession of the chief necessities of life, must be given to the peasants of the eastern plain to whichever class they belong, whether "metayers" or hired labourers, as far as, but exclusive of, the "braccianti non-obligati," and also the "braccianti" of the Province of Cremona.

Next in order come the peasants of Central Lombardy cultivating the land as "metayers." Then, if the gains derived from employment in the silk and cotton mills be taken into account, follow the "massari" of Central Lombardy to the west of the Adda; in about the same rank may be classed the "famigli" and "garzoni" of the western plain, in parts where rice and Indian corn are cultivated. The last place is held by the "pigionanti" of the Province of Milan, the "terzanioli" of certain territories of Brescia, the "braccianti" of the Province of Cremona, and the fixed and occasional day-labourers of the lower plain.

The condition of the small proprietors of the mountain districts varies considerably according to the extent of their properties and the amount of their debts. The greater number cannot, however, be said to be better off than the peasants of the western division of Central Lombardy.

4. The peasants of the lower plain of Lombardy are not much given to emigration. From the mountain districts the emigration is much more considerable, and may be divided into two classes—temporary and perpetual.

The temporary emigrants leave their mountain homes in search of work; from the highlands of Bergamo as porters at Genoa and Leghorn; from the hill districts of Como as masons, who are found in all parts of Europe, as workers in copper ("ramieri"), as potters ("vasellaj"), &c., each commune sending out members of the same craft. In the course of time they return to their homes, not unfrequently with a small competence to be invested in land—the dream of their existence.

The perpetual emigrants, chiefly derived from the same districts, have become very numerous, from the great distress of late years, owing to the failure of the silk-worm and the disease of the vine. They leave their native land for South America. At Buenos Ayres and Monte Video large colonies of Italians are established.*

* Neither the large farmers of the plains nor their children emigrate.

8. Public opinion would appear to hold that the systems of tenure in use in Lombardy are, on the whole, suited to the nature of the country and of the products. In Upper Lombardy, where none but an owner would labour to force the precipitous hill-sides into verdure, small properties predominate. In Central Lombardy, where the multifarious products of the soil—the vine, the mulberry tree—require, if not the ownership, at least, the interested co-operation of the cultivator, the “metayer” system prevails. In Lower Lombardy, the region of meadow lands, and suitable for high farming, large tenancies are conducted by farmers of capital and experience.

It would be impossible to compare with any profit these different tenures the one with the other: from an agricultural point of view each system has its merits and demerits under different circumstances. From a social point of view, and looking to the well-being of the peasant, there is no doubt but that his position is improved wherever he shares in the produce of the soil, and that he is more independent in spirit as a small proprietor, unless his freehold be too small to enable him to make a living from the land.

The principal disadvantages of the “metayer” system would seem to be found in the stationary character of the cultivation. A modification of this system would appear, however, always to be convenient in districts where small farms prevail, where the products are varied and the population dense. The system is founded on the good faith of the parties to the contract, and, perhaps, was more universally applicable in patriarchal times than in the present day, as may be inferred from its decrease in districts where the method of cultivation allows a rent in money to be substituted. This change may be considered to the detriment of the peasant, if he becomes a mere paid labourer, though, by an association in the products of the soil under a farmer, his hold on the necessaries of life may be more assured than when he managed matters himself on a small holding, but then he has lost his independence.

With reference to the simple leases for a money rent which, alone, are practicable under the system of high farming carried on in the lower plain, it would seem to be the general opinion that the term of tenancy of from nine to twelve years is not long enough to enable the farmer to do full justice to the land and to himself, while the system of putting up the leases of estates belonging to charitable institutions for competition by public auction is spoken of in terms of general condemnation by competent persons.

M. Jacini, in his admirable work on Lombardy,* on which these notes are chiefly based, seeking a remedy for the defects in the system of location in use in Lombardy, points to a lease which may be met with on a limited scale in the plain of La Beauce, in Central France, and which he describes as follows:—

“The tenancies are for short terms—six, seven, nine years at the most. At their termination, if the tenant propose to renew the lease at an increased rent, then a clause which is inserted in the contract comes into effect. This clause is as follows: should the tenant offer to renew his lease at an increased rent, the proprietor may either accept or refuse his offer, but, on refusal, he is obliged to pay down to the tenant a sum of money corresponding to three times the amount of the increase of rent offered. Thus, if a tenant pay eighty francs per hectare, and offer, at its termination, to renew the lease at an increase of five francs per hectare, and the proprietor reject his offer, the latter must pay down a sum of fifteen francs per hectare, or permit the tenant to deduct that amount from the last year’s rent.”

This lease would appear to have fixed the attention of some agriculturalists in Lombardy, and the system has been adopted on property belonging to the hospital of Groscaia.

D. E. C.

Turin, January, 1870.

WEIGHTS and Measures used.

1 are, equal to	3.995 English perches.
1 hectare, equal to	2.47 “ acres.
1 kilogramme, equal to	2.20 “ lbs. avoirdupois.
1 quintal, equal to	220.466 “ “ “
1 Milanese lb. (“libbra grossa”) equal to	1.68 “ “ “
1 litre, equal to	1.76 “ imperial pints.
1 hectolitre, equal to	2.75 “ “ bushels.
1 Milanese brenta, equal to	18.85 “ “ gallons.

The Italian lira is equivalent to the French franc.

* “La Proprieta Fondiaria e le Popolazioni Agricole in Lombardia.” Studj Economici di Stefano Jacini. Terza Edizione. Milano e Verona, 1857.

In drawing up the foregoing notes, I am specially indebted to the kindness of M. Jacini for his personal assistance, as well as for the help afforded by his work on Lombardy. My best thanks are also due to Mr. Vice-Consul Kelly, of Milan, for his constant co-operation, and to several other gentlemen who have most courteously favoured me with much useful information on the subject of Lombard agriculture.

D. E. C.

PART IV.

REPORTS

FROM

HER MAJESTY'S REPRESENTATIVES

RESPECTING THE

TENURE OF LAND

IN THE SEVERAL

COUNTRIES OF EUROPE.

(In continuation of Papers laid before Parliament, March 29
and April 5, 1870, and March 27, 1871.)

Presented to both Houses of Parliament by Command of Her Majesty.
1871.

LONDON:

PRINTED BY HARRISON AND SONS,

[C.—426.] Price 5½d.

Report by Mr. Herries respecting the Tenure of Land in Italy.

[In continuation of Papers laid before Parliament March 29 and April 5, 1870, and March 27, 1871.]

Sir A. Paget to Earl Granville.—(Received July 22.)

(Extract.)

Florence, July 13, 1870.

I HAVE the honour to inclose Mr. Herries' Report, in reply to the queries contained in the Earl of Clarendon's Circular of the 26th of August, 1869, respecting the tenure and occupation of land in Italy. Mr. Herries has addressed to me a confidential letter, in which he explains the reasons which have prevented him from concluding his Report earlier, and refers to the great difficulties of various kinds with which he has had to contend in its compilation. To these difficulties I beg leave to bear my own testimony, as well as to the unremitting labour which Mr. Herries has devoted to his task. No one probably out of Italy can form a conception of these difficulties; but Mr. Herries, by his unflinching perseverance and industry, has now produced a work which is replete with the most valuable information on the subject on which it treats, and which does the highest credit to his acknowledged ability.

Inclosure.

Report respecting the Tenure of Land in Italy.

Name of Country.—Italy.

Population.—Estimated in 1868, 25,527,915.

The last census was taken on the 31st of December, 1861, when 21,777,334 inhabitants of the Kingdom of Italy, as then constituted, were enumerated.

No census has been taken in the Provinces of Venetia and Mantua since 1857, when the number of inhabitants was found to be 2,446,124.

Religions.—Catholic, 24,157,855 persons; Evangelical, 32,932; Israelite, 29,233; other creeds, 1,840.

Industrial Pursuits.—Persons employed in agriculture, 8,292,248; mineral industry, 58,551; manufactures and arts, 3,225,057; commerce, 698,574.

LAND OCCUPATION.

The existing systems of land occupation are manifold.

There are peasant proprietors of small pieces of land which they till themselves.

There are proprietors of estates of various extent, who keep their land in their own hands and employ hired labour upon it.

There are large tenant farmers who have regular leases, middlemen who divide the land into small holdings, occupiers from year to year, who share the produce of the soil with the owners, money rents, corn rents, labour contributions, and various combinations of these conditions.

There are also leases for generations and perpetual tenancies at fixed rent, which I shall endeavour to describe in answer to the additional query concerning copyhold.

An estimate of the extent of land occupied in each or any of these different modes would be mere conjecture, resting on no sure foundation.

The Returns of the land tax assessments furnish no material for it.

The Kingdom of Italy inherited from the several States to which it had succeeded some twenty-three "catasti," or valuations of real property made at different periods, on different principles, in different methods, five from the Kingdom of Sardinia, where the first official valuation was begun in 1699 and completed in 1729, two from Lombardy, ten from Modena,—but it is needless to go through the catalogue. In some parts no real survey was made, and the estimations were formed upon the declarations of proprietors. The operation is said to have been effected in the most careless manner in the Neapolitan provinces, where it is averred that the recorded measurements are entirely incorrect.

The number of assessments to the land tax at different rates cannot lead to any safe conclusion as to the division of property, because it does not coincide with the number of taxpayers, a person possessing land in two or several communes being assessed separately in each of them.

According to the returns of the census of 1861 (not including Venetia), 7,708,631 persons (4,869,421 males and 2,839,210 females) were employed in agriculture or in branches of industry connected therewith. Of this number, 1,264,753 persons (768,417 males and 496,336 females) or about one-seventeenth of the total population of the kingdom at that time were small proprietors who cultivated their own land. They were distributed as follows :—

		Proportion per 100 of Population.
Piedmont and Liguria	608,375	17·21
Lombardy	160,179	5·16
Parma and Piacenza	31,117	6·84
Modena, Reggio, Massa	37,494	5·94
Romagna	16,069	1·55
Marches	40,255	4·56
Umbria	23,577	4·60
Tuscany	56,217	3·08
Neapolitan Provinces	223,705	3·30
Sicily	51,838	2·17
Sardinia	15,927	2·71
Kingdom	1,264,753	5·81

The next division of agriculturists is that of "mezzadri," or occupiers who take half the produce, or nearly so, of the soil, the other half belonging to the landlord. They were nearly equal in number to the small proprietors, but their distribution was very different, as will be seen by the subjoined figures.

	" Mezzadri."	Proportion per 100 of Agricultural Population.
Piedmont and Liguria	81,438	6·07
Lombardy	236,117	21·74
Parma and Piacenza	19,814	10·61
Modena, Reggio, Massa	83,267	34·37
Romagna	204,761	57·22
Marches	269,892	70·65
Umbria	95,343	38·43
Tuscany	227,374	39·79
Neapolitan Provinces	24,468	0·95
Sicily	5,470	0·97
Sardinia	342	0·02
	1,248,286	16·19

Of this total number of persons, 747,183 were males and 501,103 were females.

310,019 tenant farmers paying rent (200,478 males and 109,541 females) are enumerated in the following order :—

		Per 100 of Agricultural Population.
Piedmont and Liguria	24,730	1.77
Lombardy	52,539	4.83
Parma and Piacenza	4,990	2.67
Modena, Reggio, and Massa	12,370	5.11
Romagna	4,434	0.40
Marches	275	0.07
Umbria	130	0.05
Tuscany	10,321	1.81
Neapolitan Provinces	194,114	7.50
Sicily	8,201	1.45
Sardinia	915	0.06
	310,019	2.60

An undefinable class of occupiers of small holdings on various conditions comes under the head of "coloni." It comprises 319,457 persons (199,179 males and 120,278 females) the proportion of the total number to the whole of the persons employed in agriculture being 4.14 per cent.

Nearly half the peasant proprietors in Italy appear, from these Returns, to belong to Piedmont and Liguria, where they greatly outnumber all other classes of occupiers, and are more than 45 per cent. of the whole agricultural population.

In Lombardy this element is much less important, and is said to be confined to the mountainous region. The rest of the country may be considered as forming two zones, in each of which a distinct system of land occupation prevails:--

1. What is called the upper plain where, as a general rule, farms are small and the conditions of holding are either the division of certain descriptions of produce between owner and occupier, together with the payment of a fixed rent in corn, or the division of the whole of the produce in different proportions, according to circumstances.

2. The lower and richly irrigated plain, where, as is also the case in the corresponding part of Piedmont, the land is commonly let in large farms to substantial tenants who pay rent in money.

For Venetia there are no reliable statistics. Much land in that part of Italy is occupied by tenant farmers under leases of a very uncertain nature, the division of produce is also practised, and perplexing combinations of different systems are common. In many districts the complication is increased by the circumstance that the tenant who pays rent in money for a part of his holding, rent in wheat for another, rent in poultry and eggs for something else, who divides some kind of produce with his landlord, and who is further obliged to give him a certain number of days' labour at a stipulated price, is usually at the same time the proprietor of a piece of land which he cultivates on his own account; the working of every system and condition of land occupation being thus represented in the person of a single peasant.

From the returns given above, it may be seen how great is the preponderance of "mezzadri" over small proprietors and leaseholders, in the Emilian Provinces, the Marches, and Umbria taken together,—the total numbers being, in the first of these classes, 673,077; in the second, 148,512; and, in the third, 22,199.

Throughout the greater part of Tuscany the system called "mezzeria"—the partition of produce between owner and occupier—is almost invariably adhered to. There are many small proprietors, but few (see Note 1) are to be found who cultivate their own land, except in the little territory of the former Duchy of Lucca which has some peculiar features deserving notice. Land is extremely subdivided. In the plain a great number of exceedingly minute portions are held on leases for three generations. The mountains are covered with patches of freehold land occupied by the peasantry. Remarkable eagerness is displayed for its acquisition and, as an illustration of this feeling, I have been told by a gentleman well acquainted with this part of the country, that it is very common to see persons who have gone out to foreign countries—chiefly America—as itinerant image vendors, come home and buy bits of land as soon as they have succeeded in scraping together a little money in the exercise of their trade.

In the plain a great number of exceedingly minute parcels are held on leases for three generations.

These lots are in general so small that, although infinite care and labour are bestowed upon their cultivation, and the plain where they are situated has been rendered highly productive by irrigation, they cannot suffice for the support of the families of

their thrifty and industrious occupiers, who are obliged to seek additional means of subsistence by working elsewhere.

The land belonging to larger proprietors is occupied on the "mezzeria" system, with the exception of the olive grounds which they keep in their own hands, employing hired labourers.

In the Maremma or coast district, we find a state of things entirely different from that which exists in any other part of Tuscany. Here the rule is, extensive property and large farms in the hands of the owners, or let to tenants, the former being the more usual practice. Small holdings on the "mezzeria" principal have, however, been created by some great landowners.

The number of peasant proprietors in the Neapolitan Provinces is considerable, but the extent of land they cultivate is probably very inferior to that which is occupied by tenant farmers.

Since the year 1812 when the feudal tenures which had their origin in the Norman conquest were abolished in Sicily, the tendency of legislation has been to favour the alienability and division of property. In 1819 entails were put an end to, and the testamentary power of a father was limited to one-half of his property, an equal share in the other half being secured to each of the children. Encumbered estates were required to be sold for the payment of debts in 1821. In 1862 a Law was made for the disposal of the church lands, with certain exceptions—the value of which was then estimated at one-sixth of that of the landed property of Sicily—in small portions on perpetual leases. Under the provisions of this Act, which was confirmed by the subsequent disendowment Laws of 1866 and 1867, such leases have been made, producing an aggregate rental of (at the end of 1869) 5,629,640 francs.

An official return shows that between June 1861, when the operations began, and the end of December 1869, when they were almost completed, 19,427 lots were disposed of, the aggregate extent of which was 182,736 hectares (about 451,554 acres), the average being about 9.40 hectares, or nearly 23½ acres. I am unable to say how much of this land has been acquired by the peasantry. A considerable proportion of it is said to have come into the hands of the wealthier classes.

Similar grants of land to be held in perpetuity on payment of a fixed rent were made very frequently by the feudal lords in former times, and in many cases the land so held has been broken up into extremely small fragments. Small freeholds occupied by their owners also exist.

But in spite of the legislative changes that have taken place during the last fifty years, the greater part of the soil of the island is still in the possession of a few. (See Note 2.)

The rural economy of Sicily is so peculiar, and the accounts given of it are so contradictory, that it behoves a stranger to be very cautious in speaking on the subject.

A few large proprietors keep their land in their own hands, and attend to its cultivation, but this requires not only a considerable amount of disposable capital, but constant supervision, difficult under any circumstances, and rendered more so in times not far distant by the insecurity of the interior of the country as well as by the proverbial deficiency of means of communication. It is, therefore, not surprising that such undertakings have hitherto been comparatively rare. The usual practice seems to be to let the whole of one estate—still called in common parlance "feudo"—to a tenant for three, five, seven, or nine years.

It is often affirmed that the tenant—called "gabelloto"—as a general rule divides the land into proportions which he sub-lets to others, who again subdivide and sublet, the same process being repeated through several grades until it can be carried no further. But I am assured by one of the principal landowners of Sicily that this is by no means a correct description of the present state of things, subletting being on the contrary expressly prohibited by a covenant in almost every lease. My informant, whose authority cannot be contested, further tells me that the ordinary mode of proceeding is this. The tenant, who rarely farms more than a portion of the lands he holds, distributes the rest in small lots, the occupation of which is limited to the raising of one year's crops, among the peasants of the neighbourhood, with each of whom he makes a particular agreement. Such temporary arrangements are principally of two sorts:—

1. "Terraggeria," where the labourer has to make a certain stipulated payment in kind, generally wheat; and,
2. "Metateria," where the produce is to be divided in various ways according to circumstances between the parties.

According to other accounts the agreement sometimes has a duration of two or three years.

The manager of one large property says that he lets a farm to one or more tenants, who "sublet it to a legion."

In some places there are small tenant-farmers holding land immediately of the owners.

.. Notes.

1. *On Small Proprietors in Tuscany.*—Small portions of land are in some places occupied by peasants, who hold them in *quasi* perpetuity by the tenure called "livello," or "enfiteusi," and who may be considered as in part owners of such land.

Explanations on this subject will be given in reply to the additional query.

2. *Division of Land in Sicily.*—Count Salmour, in a work of high reputation on Land Credit (published in 1862), referring to the "Catasto," assumes the number of owners of real property in Sicily to be 703,650, or 31 per cent. of the inhabitants of the island, and he adds that of these 703,650 persons there are barely 1,314 whose annual incomes from real property exceed 425 francs (13*l.*)

This remarkable statement, from which it appears that nearly one person in three—men, women, and children—is a land or house owner in Sicily, deserves examination, and the more so because it has been reproduced and indirectly confirmed by another eminent writer on Land Credit.

It evidently refers to an official Return which was published at Palermo in 1861. Now, I find on the face of this Return a note distinctly explaining that it shows merely the number of insertions in the Register ("Articoli di Castasto"), and not the number of proprietors. Two reasons are given for the indication of the former and not of the latter. In the first place the same proprietor's name sometimes appears more than once in the "Catasto" for a single commune; and, secondly, he may possess property in more than one commune.

I am able to show a case in point:—It is that of a great landowner by whom I am informed that he has property of different kinds in six out of the seven Provinces of Sicily, and in about four communes on an average in each province. He must appear in the "Catasto" at least twenty-four times, and is, therefore, reckoned by the authors above-mentioned as twenty-four proprietors.

With regard to the second part of the statement under consideration, it is to be observed that the official Return gives 1,314 as the number of persons having incomes from real property exceeding 1,000 ducats, the equivalent of which sum would be, not 425 francs, but 4,250 francs.

(A.)—SMALL PROPRIETORS.

1. The accounts which I have been able to obtain from different parts of Italy show that the quantity of land held by each varies from a quarter of an acre to about 50 acres.

It appears to be more frequently intersected by other properties than held together; but in some places the contrary is said to be the general rule.

The small proprietors spoken of here and elsewhere are those who occupy and cultivate their own land.

2. The Italian Civil Code, which came into operation on the 1st January, 1866, regulates in the following manner the descent and division of property of any kind, whether real or personal, on the death of the owner:—

When a person dies intestate his or her legitimate issue or their descendants, without distinction between males and females, or between the whole and the half blood, inherit altogether, *per capita*, when all are in the first degree; and *per stirpes*, when all or any of them succeed by representation.

Adopted children, as well as those legitimated by subsequent marriage of the parents, or by Royal Decree, and their descendants, are included in this provision.

If the intestate leaves no issue, and no brothers or sisters, or their descendants, the father and mother divide the inheritance equally between them, or the surviving parent takes the whole.

In default of all the heirs above designated, the ancestors of the deceased in the paternal line take one moiety, and those in the maternal line the other moiety of the property left, without regard to its origin. If, however, they are not all in the same degree, the whole inheritance goes to the nearest ancestors in either line.

Brothers or sisters of the whole blood inherit, *per capita*, together with the father and mother, or one of them, of the deceased, with this proviso, however, that the portion of the parents, or of the surviving one, must in no case be less than one-third.

Brothers or sisters of the half-blood are entitled to only half the portion of those of the whole blood.

The descendants of brothers or sisters succeed *per stirpes*.

If both father and mother are dead the portion they would have had, if alive, goes to the nearest lineal ancestors.

In default of issue, parents, or any lineal ancestors, the brothers and sisters of the deceased inherit *per capita*, and their descendant *per stirpes*.

On failure of lineal descendants and ancestors, brothers or sisters, and their descendants, the nearest kindred of the deceased inherit, but the succession does not extend beyond the tenth degree.

If, besides legitimate issue, the intestate leaves natural children, recognized according to law, the latter take half the portion that would have belonged to them if legitimate.

If he or she leaves no legitimate issue, or their descendants, but a father or mother, or other lineal ancestor, or wife or husband, two-thirds of the inheritance go to such natural children, and the remainder devolves upon the ancestors, or the husband or wife. If there are left at the same time natural children, lineal ancestors, and a husband or a wife of the deceased, then the ancestors take one-third, the husband or wife one-fourth, and the natural children the rest.

Natural children inherit the whole property of the intestate in default of legitimate descendants, or ancestors, or wife or husband.

The estate of a natural child who dies leaving no issue or husband or wife is inherited by that parent who has recognized such child. If both parents have recognized their child they divide the inheritance equally between them. One moiety belongs to them, or to one of them, if there is left a wife or a husband, who takes the other moiety.

The husband or wife of the deceased has the usufruct of a portion equal to that of each of the legitimate children, if any, such husband or wife being reckoned as one of their number. That portion, however, can never exceed the fourth part of the inheritance.

The surviving husband or wife has the absolute property of one-third; when lineal ancestors or natural children, or brothers or sisters, or their descendants, but no legitimate issue, are left. Of one-fourth, when there are both lineal ancestors and natural children of the deceased. Of two-thirds, in the case of other kindred being entitled to share in the succession. Of the whole, when no kindred are left within the sixth degree.

The right of inheritance which would have belonged to a surviving husband or wife is lost in consequence of a judicial sentence of separation obtained at the suit of the deceased.

In default of all persons capable of succeeding, according to the rules laid down by the code, the inheritance devolves to the State.

No person can dispose by will of more than a moiety of his property if at his death he leaves children—legitimate, legitimated, or adopted—to whom and to their descendants the other moiety is reserved.

If the testator leaves no descendants, but lineal ancestors, he may dispose of two-thirds, the remaining third belonging to his father and mother, to be divided equally between them, or to the survivor of them. When neither father nor mother is left, but there are paternal and maternal ancestors of the testator in the same degree, one-half of the reserved portion to the former and the other half to the latter. If they are not in the same degree the whole of it is taken by the nearest in either line.

The portion due by law to either descendants or ancestors cannot be burdened with any conditions by the testator.

A surviving husband or wife is entitled to the usufruct of a portion equal to that of each of the legitimate children if any of the testator; to the usufruct of one-fourth of the property when lineal ancestors but no descendants are left; and, in default of both, to the usufruct of one-third.

When, besides legitimate issue or lineal ancestors, the testator leaves legally-recognized natural children, these last have a right to half the quota that would have belonged to them if legitimate. They are entitled to two-thirds of such quota, when there are no legitimate descendants or ancestors of the testator.

The portion which is due to a husband or wife, or to natural children, must be

taken from the disposable part of the testator's property, and cannot be deducted from that which is reserved by law to legitimate descendants or ancestors.

Except in the cases provided for in the manner above stated, any person of sound mind, and having completed the age of 18 years, can dispose of the whole of his goods by will.

The Code specifies, however, several causes which may render persons incapable of receiving bequests, as well as of inheriting *ab intestato*.

Entails are prohibited. **

In the Venetian provinces where the Italian Civil Code has not yet been put in force, the descent of landed property has hitherto been regulated by the Austrian Code.

3. The legal method used for the sale, transfer, exchange, or division of landed property, is by distinct conveyance followed by registry. By the Civil Code any such contract is void, unless made either by what is termed "*atto pubblico*"—a deed executed with certain formalities before a Notary or other public functionary empowered to authenticate the same; or by "*scrittura privata*"—a private instrument.

Under the provisions of the Registration Laws of 1866 and 1868, such acts must be presented at the property Registry Office within twenty days after date, by the Notaries before whom they have been executed, or by the parties interested, if they have been executed privately. The penalty for delay is a fine equal in the former case to half the duty, and in the latter case to the whole of the duty chargeable. Unregistered deeds cannot be received as evidence by any Court of Justice. The following registration duties are payable (including what is called the additional war tenth).

On the sale or transfer of real property, 3 francs 30 centimes for every 100 francs of the total amount of the price, together with the charges assumed by the purchaser.

On exchange, the same rate calculated on the property of the highest value.

On division, 2 francs 20 centimes, up to the value of 1,000 francs, and 1 franc 10 centimes, for every additional value of 1,000 francs.

The deeds must be written on stamped paper of 1 franc per sheet.

The other expenses of a conveyance, such as charges of Notaries, &c., cannot be precisely stated, as they necessarily vary according to its length and difficulty. Under ordinary circumstances, however, they may be reckoned at from 200 francs to 300 francs for a public notarial act. In the case of a private deed, where the Notary has merely to attest the signatures of the parties, there is only a charge of 1 franc for every attestation.

The Civil Code provides, that publicity must be given to conveyances by transcription in the register of the officer, called "*Conservatore delle Ipotechi*." Until they have been so transcribed, they cannot affect the rights of third parties.

A fee of 1 franc 25 centimes, is payable for this formality.

4. No special facilities are afforded for raising loans from Government upon landed property.

A system of credit on real property ("*Credito Fondiario*") was established in 1866, after various unsuccessful attempts on the part of Italian and foreign capitalists, by an agreement between the bank of Naples ("*Banco di Napoli*"), an agricultural bank of long standing called "*Monte dei Paschi di Siena*" (founded in 1624), the savings-banks of Milan and Bologna, and a charitable institution at Turin called "*Opera Pia di San Paolo di Torino*."

Under the terms of this Convention, which was sanctioned by Law, June 14, 1866, a certain district is assigned to each of the above named institutions for its operations, the Neapolitan provinces to the Bank of Naples, the Tuscan provinces and that of Perugia, to the "*Monte dei Paschi di Siena*," the Marches, Romagna, Modena, and Reggio, to the savings-bank of Bologna, Lombardy, and part of Piedmont to that of Milan, and the Provinces of Alessandria, Cuneo, Genoa, part of Novara, Porto Maurizio, Turin, Parma and Piacenza, to the "*Opera Pia di San Paolo*" of Turin.

	Francia.
As a guarantee fund for the operations contemplated by the agreement, the Bank of Naples sets apart from its capital	8,000,000
The Monte dei Paschi	1,000,000
The Bologna Savings-Bank	1,000,000
The Milan Savings-Bank	4,000,000
The Opera Pia di San Paolo	1,500,000

The following are the main features of this system of credit.

Loans are made on first mortgage of land or houses to the extent of half the value of the property.

The smallest amount of any one loan is 1,000 francs, and the largest, 500,000 francs.

Every such loan is made in bonds issued by the lending institution, and taken by the borrower at their nominal value of 500 francs each. These bonds which are transferable, bear interest at 5 per cent. and they are paid up by half yearly drawings. The borrower has to pay annually, interest at the rate of 5 per cent. on the amount of the loan, 60 centimes on every 100 francs for commission, expenses of management, registration, stamp, and mortgage duties, &c., and further, a sum to be applied towards the redemption of the debt which must be extinguished in this manner within a period of not less than 10 or more than 50 years.

Advances in money may also be made in account current to a land or house owner who is allowed to open a credit on mortgage security, between the limits of 1,000 francs and 500,000 francs.

The rate of interest is variable. It must, however, be at least 1 per cent. higher than the actual interest on the above-mentioned bonds calculated at their real market value.

Advances may likewise be made on deposit of land credit bonds.

Provision is made by the Law above cited for the acquisition of existing mortgages by any one of these institutions.

The establishments of Milan and Turin began to transact business under the new system in October 1867, that of Bologna in January 1868, and those of Naples and Siena in the following April. The subjoined statement of the extent of their operations up to November 1868, is taken from the Report of the Currency Committee of the Chamber of Deputies, 1869.

	No. of Applications for Loans, &c.	Amount asked for.	No. of Applications Granted.	Amount of Loans.	No. of Bonds issued.	Average Market Price of Bonds of 500 francs Nominal Value.
		Francs.				Fr. c.
Bank of Naples ..	193	13,534,225	17	392,500	783	400 0
Monte dei Paschi ..	18	1,195,500	4	184,000	386	422 0
Bologna Savings Bank	80	3,906,980	8	673,500	1,147	..
Milan Savings-Bank ..	67	3,080,700	11	664,000	1,321	440 0
Opera Pia di San Paolo	224	7,392,000	47	2,023,500	4,047	433 75
Total	554	29,109,405	85	3,887,500	7,684	..

A further account of the loan operations of these institutions will be found annexed to the replies to these Queries (No. 4).

The Bank of Sicily has undertaken to act for that island.

It was felt that the system of "Credito Fondiario" thus established, however much it might benefit the landed interest by rendering the conditions of loans on mortgage less onerous than before, did not, however, meet the ordinary requirements of agriculture, and the attention of the legislature was directed to the necessity of introducing a new mode of agrarian credit which should enable farmers and others to borrow money for short periods on reasonable terms. A measure for this purpose was brought forward in 1867 by the Minister of Agriculture, Industry, and Commerce, who in doing so alluded to the agricultural distress prevailing in Italy, and pointed out that owing to the want of good institutions of credit available to them, agriculturists were "exposed to the excesses of the most unbridled usury" and the progress of cultivation was checked.

This Bill, after undergoing various modifications, finally became law on the 21st of June 1869.

It authorizes the formation of companies, institutions, &c., for the following objects:—

To assist farmers and land owners by discounting or negotiating promissory notes, bills of exchange, warrants, &c., not having more than ninety days to run;

To lend money to such persons for periods not exceeding twelve months on securities that can be easily realized, as land credit bonds, or agricultural produce deposited in public warehouses, &c.;

To issue bonds and notes payable at sight;

To receive deposits;

To promote undertakings for reclaiming land, replanting forests, making irrigation canals, or roads, and for the execution of other works beneficial to agriculture;

To promote the establishment of warehouses for agricultural produce;

To undertake on sufficient security the payment of taxes due from land-owners or their tenants;

To discount to landlords the rent payable by their tenants.

Two Joint Stock Banks, "Banca Agricola Nazionale" and "Banca Agricola Italiana," have been (1870) established pursuant to the provisions of the above-mentioned law.

A very ancient form of agricultural credit in kind which still exists in some parts of Italy, and more particularly in the Southern Provinces deserves to be noticed.

"Monti Frumentari" or corn banks, are stores of grain from which the quantity required for sowing is advanced to small farmers. The conditions of such loans are stated generally to be that the grain lent in level measure is to be returned the next year in heaped measure. According to the regulations established in the Province of Otranto the distribution of grain takes place from August to the end of October, and the quantity advanced to each farmer must be restored not later than the month of August in the following year, with the addition of two-twentieths for every measure equivalent to about $1\frac{1}{2}$ bushels, or in other words, with 10 per cent interest.

It is expressly laid down that no grain is to be supplied directly or indirectly to corn dealers.

In some few places funds arising from the sale of surplus stocks of "Monti Frumentari" have been collected for the purpose of making loans in money to farmers for the purpose of wages at harvest time.

These institutions seem to have had their origin in charitable foundations. They began to appear in Lombardy at the close of the fourteenth century, in the Emilian Provinces at the end of the fifteenth, in the south of Italy and in Sicily about the same time, and in Sardinia, perhaps, early. They have been exposed to many vicissitudes. In the Neapolitan Provinces they were plundered and ruined in 1799, and at a later period placed by the French authorities under a central administration with a dotation from the property of suppressed ecclesiastical corporations. After having been deprived of this fund at the Restoration they were again put on their original footing in 1827, and are said to have enjoyed a period of prosperity until 1848, since when, but more particularly since 1860, they have been falling into decay.

In a work published by Dr. Maestri, the Director of the Statistical Department of the Kingdom of Italy, the number of these "Monti Frumentari" throughout the country is reckoned at 1,908, possessing an aggregate stock of about 220,000 quarters of corn.

Since these replies were written a statement of the loan operations of the above-mentioned Land Credit Institutions has been received from Mr. Colnaghi, to whom it was communicated by the manager of the "Opera Pia di S. Paolo," at Turin. The following general results are taken from it.

AMOUNT of Loans granted from October 1, 1867, to December 31, 1869.

Bank of Naples	..	..	..	..	..	..	5,132,500
Monte dei Paschi di Siena	..	..	..	..	..	..	913,000
Bologna Savings-Bank	..	..	..	..	..	..	2,176,000
Milan Savings-Bank	..	..	..	..	..	..	3,397,500
Opera di San Paolo, Turin	..	..	..	..	..	..	8,047,000
							<u>19,666,000</u>

MARKET PRICE OF BONDS.

	1868.		1869.	
	Highest.	Lowest.	Highest.	Lowest.
	Fr. c.	Fr. c.	Fr. c.	Fr. c.
Naples	400 0	359 50	400 0	340 0
Siena	420 0	400 0	395 0	370 0
Bologna	433 30	410 0	420 0	..
Milan	445 0	440 0	450 0	445 0
Turin	433 0	422 0	448 50	425 0

5. The following figures, which are taken from a statement published by the Finance Department, show the total amount of the mortgages registered in the several

principal divisions of the Kingdom of Italy, not including the Venetian Provinces, at the end of each of the years 1866 and 1867 :—

	Bearing Interest.		Not bearing Interest.	
	1866.	1867.	1866.	1867.
	Francs.	Francs.	Francs.	Francs.
Ex-Kingdom of Sardinia	1,552,741,139	1,614,884,696	953,273,341	990,894,628
Lombardy	1,049,067,225	1,101,690,770	256,386,617	272,111,051
Parma	154,946,848	165,560,122	68,685,585	66,892,955
Modena	125,602,491	134,683,017	90,210,621	92,101,350
Ex-Papal Provinces	464,674,920	509,843,580	535,260,180	1,426,200,960
Tuscany	640,371,554	685,152,848	187,451,789	789,481,501
Neapolitan Provinces	1,119,924,642	1,195,154,539	2,329,233,583	2,511,940,869
Sicily	526,866,766	600,898,943	807,501,026	849,070,034
Total	5,644,195,585	6,007,668,515	5,227,952,742	7,007,692,371
Add, mortgages bearing no interest	5,227,952,742	7,007,668,371	..	..
Grand total	10,872,148,327	13,015,360,886	..	..

In 1865 there were—

Mortgages bearing interest	Francs.	5,266,441,876
Ditto, not bearing interest		4,949,464,699
		10,215,906,575

And for the three previous years the amount of charge is given in round numbers by Dr. Maestri in the "Italia Economica," thus :—

	1864.	1863.	1862.
	Francs.	Francs.	Francs.
Mortgages bearing interest	5,046,000,000	4,825,000,000	4,680,000,000
Ditto, not bearing interest	4,621,000,000	4,296,000,000	4,159,000,000
Total	9,667,000,000	9,121,000,000	8,839,000,000

5, 6, 10, 15 per cent., or more, are rates of interest paid in different places.

It is to be observed with regard to the mortgages bearing no interest that more than half the amount is registered as an eventual charge.

As above stated the total amount of the mortgage debt on which interest was payable was, at the end of 1867, 6,007,668,515 francs. What proportion this sum bears to the total value of real property I cannot pretend to know.

In the "Italia Economica" for 1868, at page 184, the total mortgage debt at the beginning of 1865, 9,668,885,997 francs is reckoned as one-fifth of that value, which would consequently be 48,344,429,985 francs. At page 186 the sum of 5,000,000,000 francs which was in round numbers the amount of the interest bearing debt at the same period, is said to be one-tenth of the actual value of property ("il quarto cioè ed anche più del valore catastale ed il decimo del valore effettivo dei fondi"). But a little further on the sum of 1,005,000,000 francs is given as the true estimate (the official valuation is much less) of the total income from real property, and the interest on the capital is assumed to be at the rate of 3½ per cent. ("il proprietario che non trae da' suoi fondi se non il 3½ per cento," &c.) The capital must, therefore, amount to (in round numbers) about 28,700,000,000 francs, instead of 50,000,000,000 or 48,300,000,000 francs, according to the two immediately preceding calculations. It is possible that the above mentioned rate of interest may be intended to apply only to land and not to house property; but in that case the discrepancy would be still greater, because, a higher rate of interest being taken for the whole, the amount of the capital deduced from it must of course be diminished.

A bill on land credit brought forward by the Government in 1862 was accompanied by a statement from which it appeared that the aggregate value of real property in the whole kingdom, as then constituted, was 25,200,000,000 francs, the annual income at 4 per cent. being 1,008,000,000 francs.

Another statement made on the same subject by the Minister of Agriculture, Industry, and Commerce in 1866, gave 29,178,000,000 francs, as the amount of the capital in the continental provinces alone, and 883,392,000 francs as the income derived from it.

A Royal Commission was appointed in 1861 to endeavour to find the best mode of making an equitable appointment of the land tax among the different parts of the newly united kingdom, I have before me the Report, which together with its accompanying documents fills 806 quarto pages; and likewise the reports of the proceedings of the Chamber of Deputies and the Senate thereupon, in two volumes quarto, comprising 1,154 pages in double columns. These papers contain some very ingenious and elaborate calculations of the actual income from real property; but, interesting and valuable as no doubt they are, their results are so various, and gave rise to so much controversy, that considerable perplexity is caused by the study of them; and it seems difficult to avoid the conclusion come to by a learned Professor of Political Economy in a memoir addressed to the Statistical Congress of Florence—that we left in uncertainty as to the amount both of the annual income from real property and of the capital.

The mortgage debt in the Venetian Provinces, to which none of the preceding observations are applicable, amounted in 1868, according to "l'Italia Economica," to 357,377,782 francs, and the value of real property there has been estimated at about 2,000,000,000 of francs.

The Ministerial statement above referred to, which accompanied the Land Credit Bill of 1862, made it appear that the average rate of interest on mortgages was then about 7 per cent. In the north it was 5 per cent., and the highest interest was paid in the southern continental provinces, in Sicily and Sardinia. A Table annexed to this statement shows the following variations of interest on mortgages registered in Calabria during the ten years 1851-60:—

In each of the years 1851, 1852, 1854, from	Per cent.
1853	3 to 15
1855	1 24
1856	3 24
1856 and 1858	2 15
1857	1 15
1859	3 20
1860	2 20

The average for the whole period was 8.39 per cent.

For the purpose of ascertaining the effect of the abolition of the legal rate of interest in the Kingdom of Sardinia in 1857, Count Cavour caused returns to be furnished showing the different rates of interest above 5 per cent. on mortgage debts contracted in the several administrative divisions during the months of June and July in that year. The maxima were as follows:—

	Per cent.
Cagliari	30
Turin	12.50
Anney and Cuneo	12
Ivrea and Vercelli	10
Alessandria	9
Genoa, Novara, and Chambery	8
Savona	7.50
Sassari	7
Nico	6

The average was 7.40 per cent.

The extent to which small properties in particular are mortgaged can only be conjectured.

Count Salmour, in his work on land credit ("Del Credito Fondiano e del Credito Agricolo in Francia ed in Italia de Torino, 1862,") says that of the whole number of mortgages effected in the Sardinian States in 1849, no less than 46½ per cent. were for sums below 500 francs, and 70 per cent were for sums inferior to 1,000 francs. Speaking more generally, and of a later period, he observes that the greater number of the loans contracted are those of the least magnitude, which are raised by small proprietors.

In the opinion of this author the object for which money is borrowed is, in the majority of cases, the purchase of land, and very rarely indeed the improvement of property. The ruling passion of the peasant, he says, is the desire, to become the owner of a farm, or to extend it if he possesses one. This passion, he observes, has produced some very good effects; but, on the other hand, great inconvenience and danger arise from the extravagance and improvidence of peasants, who buy beyond their means, and contract onerous debts, from which they find it difficult to free themselves.

6. The following is the legal method of registering a mortgage:—

(1.) The contract for the loan which is to be secured by mortgage must be registered

in the same manner as any other contract within twenty days after the execution of the deed at the Registry Office for the district in which such deed has been executed.

A duty is chargeable thereon at the rate of (including the War Tenth) 55 centimes for every 100 francs of the sum borrowed.

(2.) The inscription of the mortgage deed must further take place at the office of the keeper of mortgages ("Conservatore delle Ipoteche") for the district in which the property mortgaged is situated. Until this has been done it has no effect.

The formalities required for this purpose are prescribed by the Civil Code thus:—

The mortgage deed must be presented, together with a statement in duplicate, setting forth—

(1.) The Christian name and surname, the domicile or residence of both lender and borrower, their profession, if any, and likewise the names of their fathers.

(2.) The domicile chosen by the lender within the jurisdiction of the Court to which the particular mortgage office belongs.

(3.) The date and description of the deed, as well as the name of the public functionary to whom it was delivered, or by whom it was attested.

(4.) The amount of the sum borrowed.

(5.) The interest or other annual payments thereon.

(6.) The time fixed for repayment.

(7.) The nature and situation of the property mortgaged.

The Keeper of Mortgages retains one copy of the statement in his office, and returns the other, accompanied by a certificate showing that the inscription has been duly effected.

The expenses are to be paid by the borrower unless it be otherwise stipulated.

They are as follows:—

Duty, including war-tenth, 55 centimes for every 1,000 francs of the sum inscribed.

Fees, 1 franc 25 centimes.

As to the charges of notaries, lawyers, &c., the observation may be repeated which was made on a similar subject in replying to query 4. From 200 to 300 francs may be taken as a fair average.

7. The extent of productive land in the Kingdom of Italy is reckoned at 23,057,496 hectares, divided thus:—

	Hectares.
Arable land, with or without vines	11,035,061
Meadow land	1,173,436
Rice grounds	153,303
Olive plantations	554,767
Chestnut plantations	585,132
Woods and forests	4,158,349
Pasture	5,397,448

These figures are taken from the above cited work, "l'Italia Economica," published by the Director of the Statistical Department in 1868, and the following account of the average annual produce of the soil is given on the same authority:—

	Hectolitres.
Wheat	34,719,168
Maize	16,352,141
Rye	2,799,951
Barley and oats	7,467,239
Rice	1,584,798
Other cereals	6,543,905
	<hr/>
	69,497,202

Other kinds of agricultural produce:—

	Hectolitres.
Chestnuts	5,360,142
Potatoes	9,513,043
Pulse	3,955,899
Oil (olive)	1,561,430
Wine	28,879,900
	<hr/>
Hemp and flax	635,000

An approximative estimate for each of the principal divisions of the kingdom will be found in the subjoined tabular statement. The figures are taken from the "Anuario Statistico Italiano" for 1864, with the exception of those under the heads of Oil and Wine, which are extracted from "l'Italia Economica."

	Piedmont.	Lombardy.	Parma and Placentia.	Modena, Reggio, and Massa.	Romagna.	Marches.	Umbria.	Tuscany.	Neapolitan Provinces.	Sicily.	Sardinia.	Venetia and Mantua.
	Hectolitres.	Hectolitres.	Hectolitres.	Hectolitres.	Hectolitres.	Hectolitres.	Hectolitres.	Hectolitres.	Hectolitres.	Hectolitres.	Hectolitres.	Hectolitres.
Wheat	4,122,274	1,992,222	673,001	650,000	2,302,438	2,029,120	1,008,315	1,500,000	12,182,290	5,877,475	787,741	1,268,292
Maize	3,984,863	3,041,116	604,029	550,000	1,159,680	1,214,921	337,982	600,000	2,802,362	..	15,323	2,051,865
Rye	1,572,868	572,836	6,676	60,000	2,882	2,060	4,524	500,000	..	..	..	78,105
Barley .. ..	..	34,239	1,494	5,384	24,492	50,748	113,732	..	4,947,917	4,306,711	264,454	23,246
Oats .. ..	..	221,438	32,315	4,637	27,819	56,298	55,533	..	..	..	111,858	179,924
Rice	424,290	536,933	47,108	60,000	165,213	1,263	33	..	..	6,658	..	191,900
Other cereals ..	1,468,762	239,955	14,263	180,000	..	..	..	400,000	3,250,000	669,762	135,040	186,123
Chestnuts	1,577,081	132,612	101,241	213,333	57,471	11,481	13,533	1,220,000	1,900,000	29,000	28,390	76,000
Potatoes	1,785,388	234,134	2,179,807	56,986	9,072	21,743	22,946	..	5,067,718	..	9,099	146,150
Pulse	1,090,689	285,537	176,148	137,341	122,058	162,436	166,659	..	1,487,199	217,247	16,696	93,889
Oil	283,500	48,320	..	4,000	5,400	57,300	2,880	160,000	629,600	307,380	54,000	9,950
Wine	3,800,412	1,228,150	600,000	750,000	3,663,933	2,447,400	1,724,150	1,500,000	2,101,700	8,188,100	508,000	2,368,050
	Met. quint.	Met. quint.	Met. quint.	Met. quint.	Met. quint.	Met. quint.	Met. quint.	Met. quint.	Met. quint.	Met. quint.	Met. quint.	Met. quint.
Forage	10,030,054	9,571,917	1,157,863	4,500,000	3,024,000	1,200,000	144,000	..	..	..	..	15,693,680
Flax .. ..	..	52,877	..	103	2,800	1,000	3,000	..	..	..	..	8,000
Hemp	69,826	17,097	..	49,028	193,000	2,600	8,000	..	..	..	..	40,011

Oranges, lemons, and other fruits, as well as various dyeing materials and drugs, constitute a considerable source of wealth, particularly in Sicily and the southern provinces of the mainland; but the total quantities raised cannot be ascertained.

A few general calculations of amount of produce per hectare (1 hectare equal 2 acres, 2,280·3326 square yards), as well as of the quantity required for sowing or planting in different kinds of cultivation, may be here inserted. They are taken from the "Manuale dell' Agricoltore," a book lately published by Professor Cuppari, Director of the Agricultural Institution of the University of Pisa.

		Per Hectare.	
		Sown or Planted.	Produce.
Wheat	.. ..	150 litres	Varies greatly; about 12 hectolitres.
Rye	.. ..	Ditto	Ditto.
Oats and barley	.. ..	250 litres	About 24 hectolitres.
Rice	.. ..	200 litres	Varies greatly; good, crop, 30 hectolitres.
Maize	.. ..	50 to 75 litres	About 25 hectolitres.
Saggina (Indian millet)	.. ..	15 to 20 litres	Varies greatly.
Miglio (common millet)	.. ..	8 to 12 litres	About 30 hectolitres.
Beans	.. ..	120 litres	15 hectolitres.
Colza	.. ..	5 kilogrammes	25 hectolitres.
Potatoes	.. ..	2,500 kilogrammes	18,000 kilogrammes.
Turnips	.. ..	4 kilogrammes	Over 30,000 kilogrammes.
Cotton	.. ..	50 kilogrammes	300 kilogrammes of wool, and 900 kilogrammes of seed.
Madder	.. ..	60 kilogrammes of seed, or 1,400 kilogrammes of roots.	3,500 kilogrammes of dry root, besides stalks.
Flax	.. ..	150 to 200 kilogrammes	350 kilogrammes of broken flax, and 18 hectolitres of grain.
Hemp	.. ..	90 litres	700 kilogrammes.
Lemons	.. ..	.. ..	490,000 lemons.
Olives	.. ..	.. ..	6 hectolitres.
Chestnuts	.. ..	.. ..	2,200 kilogrammes; reduced, when dry, to about 610 kilogrammes.
Mulberry	.. ..	.. ..	10,000 kilogrammes of leaves.
Sumach	.. ..	.. ..	1,500 kilogrammes of leaves.
&c.	&c.		

An account given by Professor Cuppari in another work of the various systems of agriculture and the general mode of agriculture prevailing in Tuscany and in other parts of Italy, will furnish the best answers to the questions relating to these subjects.

The first system to be noticed is the very singular one practised in the plain of Lucca, where, year after year, on the same land, the same crops are raised in succession: first, wheat (from December to June), and afterwards maize accompanied by kidney-beans and turnips, a slight change, however, being made once in about every four years by the substitution of a mixture of barley and beans as a first crop for wheat. The continuance of this process, without exhausting the soil, is rendered possible by the frequent and laborious use of the spade by the small cultivators who are either owners of the land or occupiers on leases for three generations, by the quantity and quality of the manure, chiefly town sewage, which is applied, and lastly by irrigation.

A common biennial rotation in the Pisa district and elsewhere is formed thus:—First year, maize; second year, wheat; followed by oats, barley, rye, or maize, cut, when green, for forage.

The triennial rotations usually adopted in Tuscany are:—First year, maize, or beans, or vetches, or sometimes fallow; second year, wheat; third year, wheat or oats.

Quadrennial rotations have long been practised.

In the Valdarno the system is:—First year, maize or beans; second year, wheat; third year, wheat; fourth year, rye. In the Azezzo country, the first two years' crops being as above, in the third year clover is grown together with oats, and in the fourth year wheat, followed, sometimes, by green crops.

In the neighbourhood of Pisa the course is sometimes:—First year, beans; second year, wheat; third year, vetches; fourth year, wheat.

A peculiar system is found in the Tuscan Maremma, where little or no manure is laid on the land.

The rotation is triennial, thus:—First year, fallow; second year, wheat; third year, pasture. Or quadrennial:—First year, fallow; second year, wheat; third year,

pasture; fourth year, pasture. Or quinquennial:—First year, fallow; second year, wheat; third year, pasture; fourth year, pasture; fifth year, pasture.

Speaking of Tuscany generally, Professor Cuppari says:—"We have no true rotation, the alternation of crops being quite arbitrary; and, moreover, green crops occupy a most insignificant position in it."

There are infinite varieties of rotation in the rest of Italy corresponding with the various conditions of climate, soil, industry, and population, and the different degrees of agricultural advancement.

They may be classed generally under two heads:—

(1.) Crops grown without irrigation.

(2.) Crops grown on irrigated soils.

(1.) One of the systems specially noticed under the first head is that which is followed in the Bologna and Cesena country, one year hemp and the next year wheat.

A rotation common to different parts of Italy is, maize one year, and wheat, followed by a second crop, the next year.

In the Roman Campagna, as well as in parts of Sicily, Apulia, and Calabria, a year of fallow is succeeded by one of wheat, and afterwards, one, two, three or more, years pasture. Fallow one year and wheat the next, make a biennial rotation very common in Sicily and Calabria. A crop of lupins or beans is frequently substituted for fallow.

In the district of Trapani in Sicily the following quinquennial rotation is in use. First year, wheat with "sulla" (*Onobrychis conferta*); second year, "sulla"; third year, wheat; fourth year, pulse or barley; fifth year, flax or wheat.

In the plains of Calabria there is a triennial course. First year, indian corn; second year, wheat; third year, lupins. Or, first year, Indian corn; second year, wheat; third year, wheat followed by what is called "sovercio," i.e., a growth of plants of various descriptions to be ploughed into the soil when green as a fertilizing progress.

On the eastern side of the Apennines the rotation is generally managed thus: wheat is grown on half the land and it is followed by Indian corn, hemp, clover, pease, beans, vetches, &c.

In some places there is a triennial rotation with four crops, thus: first year, Indian corn; second year, wheat; third year, wheat, followed by Indian corn.

Two kinds of rotation are found in the district of Lomellina (Province of Pavia). 1. On arid soils: first year, kidney beans; second year, rye; third year, fallow. 2. On fertile soils: first year, indian corn; second year, wheat, with lupins to be ploughed in; third year, wheat; fourth year, lupins or vetches; fifth year, wheat; sixth year, wheat; seventh year, clover; eighth year, wheat.

(2.) Under the head of irrigated soils the following examples of rotation may be cited:—

At Pachino, in Sicily, first year, cotton; second year, cotton; third year, wheat; fourth year, grass ("prato spontaneo"); fifth year, pulse. In other places in Sicily: cotton, wheat; or, cotton, wheat, barley.

In the Province of Naples, first year, grasses as "sovercio," followed by cotton; second year, grasses as before, followed by hemp and Indian corn; third year, wheat and Indian corn: or, first year, "sovercio," and afterwards madder and Indian corn; second year, madder; third year, "sovercio," and then cotton. Where cotton is not grown there is a biennial rotation: first year, Indian corn or wheat; second year, wheat. Or, quadrennial: first year, Indian corn; second year, wheat; third year, hemp; fourth year, wheat. In the Lombard district of Lomellina we have first, second, and third years green crops; fourth year, Indian corn; fifth year, wheat or rye; sixth year, repetition of the previous year's crop.

In the Lodi country: first, second, and third years, green crops; fourth year, flax followed by millet, and sometimes by rape; fifth year, Indian corn; sixth year, wheat. The following examples may be given of rotations where rice is grown.

In the Vercelli country (Piedmont): first year, Indian corn and oats; second year, wheat raised with clover; third, fourth, and fifth years, rice. In the Somellina, first, second, and third years, rice; fourth year, Indian corn; fifth year, wheat or rye; sixth year,

On tenacious and wet soils, first, second, and third years, rice; fourth year, oats and clover; fifth year, clover; sixth year, clover; seventh, eighth, and ninth years, wheat. In some places, first year, wheat; second and third years, green crops; fourth, fifth, and sixth years, rice; or, first, second, and third years, rice; fourth year, on part of the land, wheat; on another part, oats; and on a third, Indian corn; fifth year, Indian corn where the wheat and oats were grown the previous year, and wheat where the Indian corn was grown; sixth year, green crops all over. Rice is sometimes grown in four successive years instead of three, the rest of the rotation remaining unchanged.

It is to be observed that, generally speaking, the rotation of crops is most regular

on very large farms, where simplicity and uniformity of cultivation are desirable; and on very small ones, where the land must be made constantly to yield the quantity and description of produce which the small proprietor or occupier requires for his subsistence. On farms of a medium extent, especially if occupied on the "mezzeria" system, crops are raised without regard to rule. The longest rotations are to be found on large farms and the shortest on small ones. Thus the large Lombard farms of 1,000 or 1,200 acres have rotations of five, six, seven, or eight years, while the practice of the small cultivators of Lucca is to repeat the same crops year after year. Fallows are confined to thinly populated or mountainous regions, crops of Indian corn, principally, being now substituted for them in Northern and Central Italy, and of cotton or beans, &c., in the South.

Great use is made of the spade and the mattock, especially in those regions where the cultivation of the vine, the olive, fruit trees, &c., predominates. In Southern Italy and in Tuscany, the common plough, which can hardly be said to differ from the Roman "aratrum," is an imperfect instrument and is turned to little account. Crossing the Appenines and descending into the great Lombard plain, we find a more powerful plough employed as the principle implement of agriculture, but farther north spade husbandry again becomes the rule. Of other implements there is, in general, a great deficiency. In many districts even the harrow is unknown.

In Italy, considered as a whole, the land is scantily manured. Farm yard manure is employed less in the south than in the north where it is more abundant owing to the greater number of beasts kept in the stable. The use of "soverci" (beans, rue, lupins, in some places clover, &c., ploughed into the soil) is common to all parts of Italy. The Lucchese cultivators lay on their fields as manure, weeds and mud extracted from lakes and ditches. Town sewage is also employed very largely by them: in the rest of Italy, with the exception of some parts of Tuscany and Lombardy, it appears to be neglected. The application of lupin seed is met with everywhere; that of oil-cake, feathers, woollen rags, &c., chiefly in the Bologna country, and on the large farms in Lombardy, where guano also has latterly been introduced.

Great advantage is derived from irrigation in Lombardy, Sicily, and the little territory of Lucca. This cannot be said of the rest of Tuscany; where, on the other hand, much labour and ingenuity have been devoted to drainage. Important works have in different places been executed for that purpose, and among the contrivances resorted to for carrying water off the land, that which is called "colmata" seems particularly to deserve notice. It is the artificial elevation of the soil, effected—when the operation is performed on a large scale—by the deposit of earth brought down by streams.

The cultivation of the vine, which is very general, is most carefully attended to in Sicily. The most extensive olive plantations are found in Calabria and Sicily, but the best oil is made in Liguria and Lucca as well as other parts of Tuscany. Mulberry-trees, for silk-worm breeding, are grown principally north of the Po: they abound also in Calabria and the Province of Messina. Chestnut-trees are planted in the mountainous regions throughout Italy, but they are treated with little care. Oranges, lemons, &c., are produced in greatest abundance in Sicily and Calabria, about Sorrento, and near Genoa. Of herbaceous plants those most extensively grown are wheat and Indian corn. The production of potatoes and turnips is very limited. Hemp is cultivated with success in the Bologna country chiefly. The richest meadows in Europe are, it is believed, those of Lombardy. On the other hand, where there is no irrigation, green crops are scarce.

The learned professor from whose work these summary notices have been gathered, arrives at the conclusion that Italian agriculture is not in so backward a state as many persons have declared it to be, and he maintains that in some respects, as in irrigated meadows, hemp cultivation, olive production, &c., it is superior to that of other countries.

In his remarks upon the agriculture of Tuscany in particular, he says that little attention is paid to conditions of climate and soil, the same crops being grown almost everywhere and in the same manner. Indian corn, vines, and wheat, are frequently raised on soils that are not adapted to their cultivation, an inconvenient practice which he attributes chiefly to the system of "mezzeria" and partly also to the great division of property, both occupiers and small proprietors being desirous to get out of the land what they want for their own consumption.

He declares it to be irrational to apply the same mode of cultivation to the hills as to the plain, and remarks thereupon "At present in the greater part of the hill country, the 'mezzeria' system is struggling against impossibility. This is shown by the economical results which are equally disastrous to both of the parties

interested, the landlord and the tenant ('colono'), the former being obliged to spend the greater part of his moiety of the produce in providing for the necessities of the latter, whose share does not suffice for his support," &c.

The professor ends his observations thus:—"From this rapid glance you will easily perceive how far from its zenith our (*i.e.*, Tuscan) agriculture still is; and you will not agree with those who as they drive along the high road from Pisa to Florence exclaim, 'This is a garden!' Let them turn off the road and when they have gone a mile, or even a few hundred yards the enchantment will be dispelled. Tuscany, considered as a whole, is far advanced in many branches of agricultural industry and can offer excellent examples for imitation, but this is not the case in every respect or in every part of the country."

Accurate information respecting Venetia seems to be unattainable; but there is sufficient evidence to show that its agricultural condition is far from satisfactory.

The author of a recent work on this part of Italy ("Saggi Statistici ed Economici sul Veneto di Emilio Morpurgo, Deputato al Parlamento") deploras the extreme difficulty of arriving at any certain knowledge of facts. He is, however, able to perceive that, except in some isolated cases, Venetian agriculture makes no progress. All Reports of Chambers of Commerce, he says, and all books written on this subject, agree in lamenting the tenacious adherence to a system of cultivation which precludes the possibility of increase of production. They all dwell upon the excess of cereals, the deficiency of green crops, and the want of good methods of rotation. Wheat and Indian corn are always grown in preference to anything else; hemp and rice in particular districts are rare exceptions to the general rule. It must be admitted, he observes in another place, that Venetia is to a great extent a poorly cultivated country. The produce of the soil may be a little larger now than it was in a remote age, but there is no indication of any decided improvement in agriculture. No national direction is given to it, and where there should be progress, habits are perpetuated from father to son. This state of things the author attributes to want of instruction, want of capital, want of enterprise, and to the uncertain, improvident, and onerous conditions of land occupation.

The following statement is taken from some notes obligingly made by an eminent Professor of Agriculture on the Province of Udine, and portions of the Provinces of Treviso and Venice:—

"The small proprietors cultivate their own land together with the land they rent. Near the villages corn is principally grown, with intersecting rows of mulberry-trees and vines. Between one village and another lies the permanent meadows ("prati stabili") from which only one crop of hay a year is obtained. The soil produces wheat, Indian corn, millet, cut green for fodder, a little lucern, and less clover, besides hay. Wine and silk are also among the productions of the country.

There is no regular or systematic rotation of crops. Generally, two years of wheat are followed by one of Indian corn. The land is but slightly manured. The proportion of artificial meadows, which do not follow any regular order, is quite inadequate.

A gentleman, well acquainted with the agriculture of Lombardy, gives the following account of the mode of cultivation in that part of Italy:—

"Cereals of all kinds can be grown, but in the upper plain the most important crops are wheat and Indian corn, rye and millet being next in order. The cultivation of potatoes is always on the increase. Fodder is scarce. The rotation of crops in this part of Lombardy is open to censure, being a continual alternation of cereals. The farmer having to pay a fixed rent in wheat, is obliged to devote nearly two-thirds of the land he occupies to that crop, clover being sown with the wheat. Indian corn, with kidney beans, is grown on about another third, and a little flax or hemp is raised on the small remaining portion of land. This order is inverted the following year, or, at any rate, wheat is not grown on the same field more than two years in succession.

"The spade is generally used instead of the plough, and the earth is by that means more perfectly broken up; but this advantage is obtained at the expense of a great increase of labour, one man being able to plough a hectare (nearly 2½ acres) of tenacious land in a day, whereas he cannot turn up with a spade more than a twentieth part of it in the same time. There is a scarcity of beasts for labour in Upper Lombardy. Every cultivator keeps a cow, and, if he is well off, an ox or two for the sake of manure.

"The system of cultivation in Lower Lombardy, where large estates exist, and the land is let in large farms, is entirely different from that which prevails in the upper plain, where, on the contrary, property is greatly divided.

"In the lower region, besides the cereals raised in the upper country, rice is grown

either continuously or in rotation, and there are meadows either permanent or temporary. The permanent rice grounds are not manured, as the marshy vegetation in the winter serves the same purpose. Manual labour with the spade is employed upon them. There are two kinds of permanent meadows, those which are irrigated only in the summer from time to time at intervals of a week or a fortnight, and those which are kept constantly irrigated even during the winter so as to give an abundant supply of grass for the cows all the year round.

"The rest of the land, which is neither permanent meadow nor permanent rice-ground, is cultivated in this manner. In the Lodi country, where the soil cannot be ploughed to a greater depth than about eight inches, it is not possible to grow rice, and there is generally a succession of green crops for three years; in the fourth year flax followed by millet; in the fifth year Indian corn; and in the sixth year, wheat with a spontaneous and simultaneous growth of *Trifolium refens*

"In other parts of Lower Lombardy there is a triennial rotation; three years, rice; three years, cereals, as Indian corn, oats, coluza, rye or wheat; and three years, green crops."

A very complete and detailed account of the agricultural system of Lombardy, as well as that of Piedmont, will be found in M. Colnaghi's separate Report.

A Memorandum, drawn up by the Director of a Technical Institution at Naples, and kindly communicated to Her Majesty's Mission by the Minister of Agriculture, Industry, and Commerce, contains the following observations on the method of cultivation, &c., in the southern continental provinces:—

"Wheat, barley, oats, rye, and Indian corn are the cereals grown.

"Wheat is generally grown once in two years on the same land, a triennial rotation being more, and it follows Indian corn, or hemp, or flax, or some kind of pulse, as beans, &c. After wheat there is a crop of rye, oats, or barley. There are various modes of cultivation, which depend upon the hydrological conditions of the soil. Wheat is usually sown broadcast. It is preceded by a 'sovescio' of beans, lupins, or turnips, mixed with other plants.

"Reaping is done by hand, but machines for that purpose are being introduced. In small farms the corn is threshed by men; in large ones the operation is performed by the trampling of horses or oxen. The introduction of and the demand for threshing machines are deserving of notice.

"Indian corn usually comes after a green fallow. It is sown in April and in May, or after a crop of hemp, flax, wheat, &c., in deep and wet soils.

"A nomadic system of pasturage has hitherto prevailed. In the winter cattle and sheep are kept in the natural meadows of the plains, and in summer they are sent to graze on the mountains, being often driven for that purpose to a great distance from one province to another. The raising of one or two head of horned cattle is very common, and it is found profitable, the expense of keeping the beasts, that are fed on the remains of crops, being small."

A few notes made by Mr. Vice-Consul Oates, of Girgenti, and communicated by the late Mr. Goodwin, may be added:—

"The crops raised are corn, pulse, cotton, vines. The first year is employed in manuring the land and sowing beans and other pulse; the second year produces wheat; the third year, barley. This rotation produces a very good result, the average being that 1 salm (1 imperial quarter) produces 12 salms of corn, and sometimes, on smaller properties, which are better cultivated, 1 salm will produce from 20 to 24 salms. Some farmers will cultivate the land as follows:—First year, wheat; second year, wheat; third year, barley; fourth year, ploughing the field three times without sowing at all, or sometimes planting beans. Some properties are wholly given up to the cultivation of vines, others to that of cotton, and others to that of sumach.

"In general mules are preferred to cattle, the former being more useful in carrying corn and other produce to town, roads being wanting. Small proprietors keep from three to four oxen or cows; some keep one bull and a few cows. The cattle are pastured in the day on grass, 'giummara,' wild palms which are very abundant: at night they are kept in stables and fed on hay, straw, and beans."

It may be useful to insert some statements which have been received from Bologna, Ferrara, and Reggio (Emilia):—

"*Bologna*.—In the best cultivated part of the plain the rotation is biennial, wheat and hemp. In the less fertile parts, and on the hills, the rotation is wheat, Indian corn, and other spring crops. Agriculturists are beginning to introduce into the rotation sainfoin, lucern, and biennial clover. The marsh lands are cultivated with rice. The rice fields are permanent, except when the exhaustion of the land makes it

necessary to let them lie fallow. There are few natural meadows, and they are often like marshes. The proportion of tillage to grass-land is as 5 to 1.

Ferrara.—The products are wheat, hemp, Indian corn, grapes, rice, and fodder. Vegetables and fruit are not abundant. The rotation is biennial. Wheat is grown on one-half of the land; hemp on four-fifths of the other half; and Indian corn on the remainder. The rice-fields are permanent. They form a very small portion of the country. Stock are raised in the stable, or sent out to pasture, according to the season. One-third of the cultivated soil, exclusive of the marshes, which yield a coarse fodder, may be reckoned as grass-land, either natural or artificial, and two-thirds as tillage.

Reggio (Emilia).—The principal products are wheat, Indian corn, wine, chestnuts, rice, and silk. The rotation is biennial: 1, wheat; 2, Indian corn, with spring crops. In the plain stock are raised in the stable, and tolerably well fed on hay from the irrigated or artificial meadows. On the mountain land cattle are bred on poor, natural pastures; they are ill-fed in winter, and afford small profit. The proportion of irrigated meadows to tillage land, is as 1 to 17, that of grass generally to tillage, is as 1 in 12.

With respect to the proportion borne by the number of live stock to the extent of a farm, the following data are given in the "Agriculturist's Handbook," already cited. On a large farm of 500 hectares (nearly 1,250 acres), in Piedmont or Lombardy (Vercelli and Lomellina), about 150 head (horned cattle or horses), or 1 in $3\frac{1}{2}$ hectares, from 18 to 20 yoke of oxen, and 12 horses being used for labour. On a "mezzeria" farm, near Pisa, of 10 hectares (about 25 acres), 8 head, mostly cows for breeding, for milk, and for labour; and where oxen are employed, 1 yoke per 12 hectares. On a farm near Bologna, of 16 hectares, occupied in the same manner, 3 yoke of oxen. For different parts of Tuscany the calculation varies: thus, in portions of the Maremma, where land is given up to pasture for two or three years consecutively, the average rate is 1 beast per 4 hectares. In the Siena-Volterra country, where fallows take the place of pasture, it is 1 per 2 hectares; in the valley of the Arno, where the land never lies fallow, 1 in $1\frac{1}{2}$ hectare; and in the Lucca country, where two crops of corn are raised every year, and consequently a great quantity of manure is required, there is 1 per hectare.

As a general rule in Tuscany, stock are kept in the stable, grazing being rare, except in the Maremma district.

In the Venetian provinces before referred to, it is stated that cattle are raised solely for draught. Oxen are rarely put out to pasture, and are generally fed on meadow hay. Cows are also used for draught.

All that can be said concerning the raising of stock on small properties in particular, will be found in Mr. Colnaghi's Report on Piedmont and Lombardy.

8. Very little machinery is employed as a substitute for, and in aid of, manual labour. Threshing and reaping-machines have been introduced in some places.

According to the census returns of 1861, 34.97 per cent. of the total agricultural population belonged to the class (of day-labourers ("agricoltori giornalieri"), which comprised 2,695,977 persons—1,744,332 males and 951,645 females; 1,135,540, or nearly one-half of the entire number of labourers, were in the Neapolitan provinces. In Sicily there were 376,739; in Piedmont and Liguria, 348,791; in Lombardy, 319,953. The proportion of this class to the local agricultural population, is largest in Sicily, where it is 66.78 per cent.; in Parma and in Piacenza, 49.81 per cent.; and in the Neapolitan provinces, 44.20 per cent. It is smallest in Sardinia, 2.32 per cent.; in the Marches, 14.64 per cent.; and in Tuscany, 19.91 per cent.

These labourers are sometimes engaged for a year; but they are generally hired by the day, and their existence is altogether precarious. The Director of the Statistical Department, in his Report on the Census, represents their condition as a very pitiable one. He says, that there cannot be a more painful spectacle than that which is witnessed every day in a village market-place, of groups of labourers waiting to be hired, and having to undergo an inspection, which he compares to the examination of negroes by a slave-dealer.

Under the head of "Agricoltori Coloni," we find an exceedingly vague category of occupiers of small holdings on all sorts of conditions, one of which is usually the contribution of a certain amount of labour at a fixed rate of remuneration: 319,457 of such "coloni" are enumerated.

Another class, which is still less capable of definition, includes, under the designation of "contadini," or peasants, 1,422,432 persons—834,115 males, and 588,317 females—many of whom are probably occasional labourers. It is supposed that some of them may be small proprietors, who, after tilling their own little plots of land, go out to work elsewhere.

To which of these classes are assigned the regular farm servants, hinds, or ploughmen, called variously, "boari, bifolchi, famigli da spesa," &c., who are found in different parts of the country, does not appear.

With such elements as these, any calculation of the average number of hired labourers per acre in Italy would be vain; and it must be borne in mind that there are some districts in which they find no employment—others where it is only occasional and subsidiary—the occupiers being the actual tillers of the land.

The following replies to questions respecting agricultural labourers, have been received from different parts of Italy:—

Lombardy.—In the upper plain there are, properly speaking, no hired labourers. The peasants who cultivate the land, the produce of which they share with the owner, or for which they pay rent in wheat, are obliged to do certain necessary work for the landlord at a fixed rate of 50 centimes a-day in summer, or 35 centimes in winter. What they earn in this way, is not paid at once, but the amount is put to their credit in the general account. In the lower plain, on the other hand, there are labourers who receive regular wages in money at different rates, according to the nature of their work, and, further, a share of the produce of Indian corn and rice, in the cultivation of which their families may have been employed. Wages range from 1 franc to 1 franc 50 centimes a-day, with board; and from 1 franc 20 centimes to 2 francs, without board.

Venetia (Eastern Part).—Neither the small proprietors, nor the tenant-farmers ever employ any labourers. On large estates, farmed by the owners themselves, labourers are employed in the proportion of 1 to 6 hectares (about 15 acres), in addition to the tenants who are bound by the terms of their leases to give so many days' work at a reduced rate. Occasional labourers are paid at the rate of 85 centimes a-day in winter, and 1 franc 60 centimes in summer, except at harvest time, when it rises above 2 francs. Tenants ("coloni affittavoli"), receive for their stipulated labour about two-thirds less than these rates. Women in all cases are paid one-third less than men. Labourers, as a rule, are not fed, with the exception, however, of reapers and persons employed in wine-making, who have food to the value of 80 centimes a-day, besides their wages.

The average rates of wages for the whole of the Venetian Provinces where, according to the work already cited (Morpurgo, "Saggi," &c.), the agricultural labourers are in a state of extreme misery, seem to be lower than those stated above.

Ferrara.—"The real agricultural labourer is the 'boaro,' who is hired by the year. He tends the cattle, makes the cheese, and is ploughman and carter. His family is paid for work done with a share of the produce, according to the agreement. In some seasons when extra help is required day-labourers are called in who are paid by the day or more frequently by the job. On an average there are two labourers (not including children and old men) per hectare. Women are employed in harvest work, hay-making, preparing hemp, &c., nearly in the same proportion as men. The wages of an occasional labourer are from 1 franc 50 centimes to 2 francs a day. Those of labourers living on the farm are, for extra work, 1 franc for men and 60 centimes for women."

Bologna.—"Many day labourers are employed. Their wages are, for men, from 1 franc to 1 franc 80 centimes; for women, from 80 centimes to 1 franc 20 centimes. When food is given, exceptionally, a man's wages are from 80 centimes to 1 franc."

Reggio.—"The small proprietors employ very few labourers. The average rates of wages are 97 centimes a day for men, and 65 centimes for women; or with board and lodging, 45 centimes for the former and 25 centimes for the latter. One-fourth of the persons employed in ordinary kinds of cultivation are women; in the rice fields, one-half."

Modena.—Average wages, for men, 1 franc 20 centimes, and for women, 60 centimes a day.

It may not be out of place to give the substance of a few passages relating to the condition of the agricultural labourer which are to be found in the Report of the Royal Commission appointed last year to inquire into the causes of the grist tax disturbances in the provinces of Parma, Reggio, Modena, and Bologna.

"In Parma," the Report says, "a farm servant or hind who lives upon the farm, is paid in kind with the addition of a little money, the whole being reckoned at 400 or 450 francs, for a family consisting of a man, a woman, and two children. A labourer who has an agreement with his employer is sure not to lose a day's work except when it rains, but he gets only his regular daily wages which may be as low as 60 centimes, and never come up to a franc. At the best he can keep a pig, raise some 10 kilo-

grammes of cocoons, and grows millet on an acre of ground, half the produce going to the landlord. Descending still lower we come to the chance labourer. Wages vary according to the season of the year, as well as the sex and age of the persons employed; but it may be calculated that the family of a man, a woman and a boy, can together earn in the course of a year about 300 francs, out of which the old people and the little children must be supported. Some persons maintain that there has been an increase of one-sixth in wages, but this is denied by others House rent has risen to that extent It is no wonder, then, that the consumption of millet which formerly was to that of wheat as 3 to 1 should now be in the proportion of 5 to 1; that in some communes eight-ninths or even nine-tenths of the food of the people should consist of Indian corn, and that the "pellagra" (a singular disease very prevalent among the peasantry in Northern and Central Italy*) should be spreading to a deplorable extent."

Further on, after speaking of the misery of the cultivators (occupiers) of the soil, and the consequent impoverishment of the landowners in the Provinces of Reggio and Modena, the Report observed that the able-bodied labourers finding no work are obliged to emigrate, leaving their children, their wives, and the old people. It adds that the price of labour, which was extraordinarily high during the three years 1856, 1857, 1858, owing to the construction of the railway, is now so low that it hardly enables a man to procure the necessaries of life.

This Report shows that the greatest distress has for some time past prevailed among all classes of the rural population in the three provinces above-mentioned, but of the condition of Bologna, it gives a much more favourable account.

Neapolitan Provinces.—Mr. Bonham reckons one man for 6 acres on large farms, the average rate of wages being from 1 franc to 1 franc 50 centimes a day for men, and from 50 to 60 centimes for women.

The memorandum before referred to gives an entirely different calculation. It says, "Four men, and according to the nature of the cultivation, one or two women are required on an average for every hectare (nearly 2½ acres). The average rate of wages is, for a man 1 franc 30 centimes, and for a woman 60 centimes a day. The labourers live with their masters."

I am informed by a gentleman who has devoted himself to the study of questions of this kind that, in some of the southern provinces, Calabria, Molise, and Basilicata, the daily wages of a labouring man are as low as 50 centimes.

Sicily.—From the Report of a Committee of the Chamber of Deputies in 1867, it appears that agricultural labourers in the Province of Palermo were then receiving from 1 franc 70 centimes to 2 francs 55 centimes (1s. 4d. to 2s.)

The late Mr. Goodwin reckoned the average rate of wages in Sicily last year as equivalent to 1s. or 1s. 2d. Mr. Oates, Her Majesty's Vice Consul at Girgenti, states that at harvest time in that part of the island a labourer is paid from 3s. 4d. to 4s. a day; the usual rate at other times being equivalent to 1s. 4d.

It should be observed that the rural population of Sicily is comparatively small. Only 23·6 per cent. of the total population were declared in 1861 to be occupied in agricultural industry, the proportion in the whole kingdom of Italy being 35·4 per cent. Moreover, of the persons so described as being occupied in agriculture no less than 45·30 per cent. were agglomerated in towns of 6,000 inhabitants and upwards, against 2 per cent. in Piedmont, 1·64 in Lombardy, 1·45 in Tuscany, and 10·08 per cent. in the whole kingdom. Large tract of country are, owing, it is said, to unhealthiness, and possibly also to traditional insecurity, almost entirely uninhabited, and a peasant frequently lives at a considerable distance from the land on which he has to work.

In the greater part of Tuscany where, as it has already been explained, the produce of the soil is divided, as a rule, between the owner and the occupier, the actual work of cultivation is done by that occupier and his family, and it is only when there is a deficiency of hands that he hires extra labour. A man is sometimes engaged by the year. He lives with the occupier's family, and receives besides board and clothing, from 100 to 150 francs. I am told also that the daily wages of an occasional labourer do not exceed 1 franc. Women may earn at the rate of 80 centimes, but they are rarely employed by the day.

Professor Cappari in his "Manuale dell' Agricoltore" gives the following estimate of the expense of keeping a labouring man on a model farm:—

* Outwardly, this disease resembles elephantiasis. It affects the mind, and generally proves fatal.

Food for a year—							Fr. c.	Fr. c.	
Wheat and Indian corn, 4 hectolitres (1 quarter 3 bushels); beans,									
20 litres .. .. .	..	..	..	..	..	70	0	
Meat, salt fish, cheese, &c. .. .. .	..	..	..	..	..	20	0	
Salt .. .. .	..	..	..	..	..	2	50	
Oil .. .. .	..	..	..	..	..	6	0	
Wine .. .. .	..	..	..	..	..	20	0	
								118 50	
Clothing—									
Shoes .. .. .	..	..	..	..	..	9	24	
2 pairs of trousers .. .. .	..	..	..	..	..	8	40	
Waistcoat .. .. .	..	..	..	..	..	1	68	
Jacket .. .. .	..	..	..	..	..	5	88	
2 hats .. .. .	..	..	..	..	..	1	68	
2 shirts .. .. .	..	..	..	..	..	8	40	
2 pairs of stockings .. .. .	..	..	..	..	..	1	68	
								36 96	
Furniture, &c.—									
Bedding .. .. .	..	..	..	..	..	9	0	
Towels, &c. .. .. .	..	..	..	..	..	2	50	
Table and chairs .. .. .	..	..	..	..	..	1	0	
Kitchen utensils .. .. .	..	..	..	..	..	3	0	
								15 50	
Light .. .. .	..	..	..	..	..	2	0	
Fire .. .. .	..	..	..	..	..	11	0	
								13 0	
Lodging .. .. .	..	..	..	..	..			12 0
Sundries—									
Recreation, medical attendance, &c. .. .. .	..	..	..	..	..			10 0
								207 96	
Wages .. .. .	..	..	..	..	..			90 0
								297 96	

The subjoined data concerning the employment of labour in different places and under different circumstances, are also extracted from the same useful work.

1. Large farm of 508 hectares (about 1,255 acres) in the plain of Vercelli (Piedmont): labouring people, 39 families, each composed of one or two men, as many women, and some children; the aggregate number of working men being about 50. There are besides four men who attend to the irrigation, a store-keeper, a watchman, a bailiff and an under bailiff. Each family has, rent free, a house and a bit of garden. The men receive regular wages, the other members of the family are paid when employed from time to time. A woman gets 40 centimes for a day's work.

A man's wages are 90 francs a year. He has, besides Indian corn, rye, rice, &c., to the amount of 8.40 hectolitres (about 2 quarters 5 bushels) reckoned at the value of 90 francs, 600 faggots valued at 30 francs, and further a portion, supposed to be equivalent to 100 francs, of the produce in Indian corn of a hectare of land which is cultivated in part by his family. His house and garden together with various little advantages may be considered as representing 90 francs more, which added to the other items make an aggregate remuneration equal to 400 francs. Extra labourers are wanted occasionally; they are paid 75 centimes a day in winter, 1 franc in other seasons, except during harvest when they earn 2 francs.

2. Large farm of 312 hectares, near Grosseto (Tuscan Maremma), in the hands of the owner or let to a tenant. Only four men are regularly kept. Owing to the prevalence of malaria in the summer, the country is deserted and farm work is suspended from July to November. Migratory labourers come in the winter from Lucca and other parts.

3. Little farm of 2½ hectares (about 6¼ acres) in the Brianza district of Lombardy, cultivated by the occupier and his family, eight persons in all; conditions of holding partly corn rent, and partly division of produce.

4. Farm of 16 hectares in the plain of Bologna occupied and cultivated on "mezzeria" system by a family of twelve or fourteen persons. Extra labourers hired occasionally.

5. "Mezzeria" holdings in Tuscany:—

Farm in the plain of Pisa, extent 12 hectares (rather more than 29½ acres); occupier's family, twelve persons, including three or four men fit for work, extra labour taken for harvest, &c.

Farm in the Val di Nievole, 12 hectares; family of twelve persons.

Farm in Chianti hill country, extent 20 hectares (49½ acres), one-half cultivated and the other half woodland; occupier's family from seven to ten persons.

One person per hectare appears to be the average on "mezzeria" farms of a medium size. On very small ones the proportion is larger.

9. Under the head of "Periodical Emigration" the Census Report enumerates 43,794 persons as emigrants to foreign countries who regularly depart from and return to Italy at certain times of the year. Of these so called emigrants, 21,055, or not quite half, are described as belonging to the agricultural classes, 13,442 being field labourers. But as to the true emigration, a term which cannot properly be applied to this sort of temporary wandering, of this or of any other class, statistics are wanting. In a notice published by Professor Virgilio at Genoa in 1868 ("Delle Migrazione Transatlantiche degli Italiani, Cenni Economico-Statistici"), the total number of emigrants from Italy by sea was reckoned at about 20,000. Many others it is said pass through Switzerland and go to Antwerp, Ostend, or some French port where they embark.

In the Chamber of Deputies on the 30th of January, 1868, the attention of the Government was drawn to the lamentable increase of emigration by a Lombard Deputy who declared that great numbers of citizens were being driven out of the country by hunger. Whole families he said were departing, half the inhabitants of some communes had emigrated, and if the movement continued at the same rate, there would not be men enough left for the cultivation of the soil.

The President of the Council, who did not deny the facts alleged, addressed an exhortation to landowners and manufacturers, that they should endeavour to give the labouring classes the means of earning a proper livelihood, otherwise he said it was clear that they would emigrate.

Signor Castagnola, Deputy for Chiavari, near Genoa, the present Minister of Agriculture, &c., described the emigrants from Liguria as people in rags, poor peasants, who left the country because the ungrateful soil refused them sustenance. They went to South America, where by dint of hard work they acquired wealth, and as soon as they had done so they returned home.

Whatever may be the extent of the emigration of agricultural labourers, the existence of the misery which has been declared to be its principal cause can hardly be doubted. The evidence of their deplorable condition, which is to be found in the Report on the Census, the Report of the Royal Commission of 1869 in the Emilian Provinces, and Signor Morpurgo's work on Venetia has already been recorded. Further testimony may be adduced. In the well known Report of the Committee of the Chamber of Deputies on brigandage in 1863, the wretchedness of the rural population of many of the southern provinces was pronounced to be the primary cause of that evil. Professor Virgilio in his work above cited says, "Except in the principal towns and a few centres of industry, working men in general, and agricultural labourers in particular, are so miserably paid that they cannot even procure wholesome and sufficient nourishment." Another writer tells us that a peasant in the south can hardly get his daily food, which consists of onions, potatoes "polenta" beans, and cheese; that his habitation is more like the den of a beast than a human dwelling, and that his clothing is nothing but a filthy heap of rags. A work of authority which was published at Milan last year ("Della Carità Preventiva e dell'Ordinamento delle Società di Mutuo Soccorso in Italia di Enrico Fano") may also be consulted on this subject. Nothing can be more dismal than the picture it gives of the state of the peasantry throughout Italy.

The above reply had been already written when the following particulars, for which I am indebted to Mr. Brown, Her Majesty's Consul at Genoa, were received. The total number of emigrants from that port, almost all to Monte Video or Buenos Ayres, was, in 1868, 15,326, and in 1869, 19,448. Nearly the whole belonged to the agricultural class. Of those who embarked in 1868, 1770 were of the Province of Genoa. The majority of the rest came from Lombardy and Venetia, but there were some from every part of the kingdom, Naples and Sicily even not excepted.

10. In some districts it appears that small proprietors who cultivate their own land generally live on their properties; in others, on the contrary, they are said to live in neighbouring villages or towns.

11. Generalization would be vain respecting the mode of living in this class, distributed as it is throughout a country which extends over ten degrees of latitude, a space about equivalent to that between Venice and Copenhagen, Dover and Barcelona, or the Lizard Point and the Shetland Islands, and which, little more than ten years ago, was split into seven distinct States, different in their laws, their traditions, and the degree of their civilization.

The peasant who owns and tries to cultivate a patch of barren land on a rugged mountain side or in a sunless Alpine valley near Aosta or Sondrio, can hardly lead

the same sort of existence as one who possesses a bit of orange garden near Messina or in the "golden shell" of Palermo; and there is probably no greater resemblance between the small proprietor in the neighbourhood of the baths of Lucca and the small proprietor in Calabria than between the farmer of Kent and the farmer of Connaught.

I have had no opportunities of making myself acquainted with the condition of this portion of the peasantry in the several parts of Italy by personal observation, and the information on the subject, which I derive from various sources, is very scanty.

In one district I am told:—"The small proprietors (who are likewise tenants of farms belonging to larger landowners) live and dress like simple peasants. They either reside in the farm-houses, which are incommodious and dirty, or in their own cottages, roughly built of wood, straw, and but little stone. Their food consists of Indian corn bread and polenta, vegetables, a little pork, and a small quantity of wine. The greater number of them are in debt to their landlords for portions of rent. They possess however, cattle and implements of husbandry, and a few of them have even a little stock of money."

In another part of the country it is stated that "the proprietor who cultivates his own land lives and is clothed poorly. He inhabits a modest cottage in the plain or a cabin on the mountain."

Elsewhere the account given is that "their food is excellent, their clothes good and often elegant, their houses healthy, solid, and commodious."

An informant in a different place remarks that "small proprietors as such would have difficulty in making both ends meet did they not generally exercise a profession by which they maintain themselves in comfort."

12. The superficial extent of the Kingdom of Italy without Venetia, as computed by the Statistical Department from somewhat uncertain elements, is 259,320.31 square kilometres, and the number of small proprietors, according to the census Returns of 1861, is 1,264,753. Consequently, the average is, approximatively, one small proprietor to about 50½ acres. Venetia must be excluded from the calculation, because there is no indication of the number of small proprietors in that part of Italy.

There are no means of ascertaining the annual rate of increase in the population among this class as compared with the urban population in Italy and the annual rate of increase in other countries.

It should be remarked that, of the total number of 1,264,753 persons described as small proprietors who cultivated their own land (by which expression we must understand those who bestowed their own labour upon its cultivation) 496,336 were females.

(B.)—TENANTS AND SUB-TENANTS UNDER LANDLORDS.

In order to avoid constant confusion and tedious repetition, it seems advisable before answering *seriatim* the queries under this head, to give a separate account of the system of division in various proportions of expenses and produce between owners and occupiers, which is known by the general designation of "colonia parziaria," and more particularly by the name of "mezzeria" or "mezzadria," ("mezzeria" is the word used in Tuscany; in Sicily it becomes "metateria"), where the respective shares are equal, or are supposed to be so.

A chapter of the Civil Code is devoted to agreements of this nature.

It provides generally—

That any accidental loss of produce is to be borne in common by owner and occupier.

That the occupier cannot sublet or assign his holding unless expressly authorized to do so.

That the agreement, in whatever way made, does not expire until notice is given by either of the parties at the customary time.

That legal proceedings may, however, be instituted at any time to obtain the cancelling of the agreement on sufficient grounds, such as breach of covenant on the part of either owner or occupier, the inability of the occupier from constant illness to cultivate the farm, or others of a similar nature.

That after the death of the occupier the agreement ceases at the end of the current year, unless his death takes place within the last four months of the year, in which case the sons or other heirs of the deceased who lived with him, are entitled to continue in occupation during the following year, the widow having the same right in default of such heirs.

That in all other respects local custom is to be followed when there is no express covenant.

The Code then lays down the rules which are to be observed in the absence of both custom and covenant.

It is unnecessary, however to give them here.

In Tuscany, where the most perfect form of "mezzeria" is to be found, the general practice seems to be as follows:—

The agreement is made for one year, beginning on the 1st of March, but unless due notice of his intention to terminate it be given by either of the parties it runs on from year to year.

Such notice must be given before the 1st of December.

The landlord hands over to the tenant (called indiscriminately "colono," "mezzainolo," or "lavoratore"), the land already brought into cultivation with a house and buildings, &c., live stock, manure, hay, and straw, seed (sometimes), and the principal agricultural implements, &c., the smaller instruments, such as spades, hoes, pickaxes, &c., being found by the latter.

The landlord keeps the buildings in repair, pays all taxes on the property, provides the livestock that may be required, and bears the expense of permanent improvements.

The occupier is bound to cultivate the land according to known rules, and in conformity with the intentions of the landlord; to do the work required every year for planting vines, to clear the ditches, drains, &c., and keep them in good order; to carry farm produce to the landlord's house or the bailiff's premises.

He is paid for any extra work that he may be called upon to do.

He cannot, without authority from his landlord, cut trees, begin the vintage, out or thresh the corn, sell or buy livestock, or use the cattle for any purpose unconnected with farm work.

He is prohibited from holding on lease, or cultivating land belonging to another proprietor, and neither he nor any other member of his family is allowed to work anywhere but on the farm they occupy.

They may not engage in trade.

Without the consent of the landlord the number of persons composing the family must neither be increased by marriage or the admission of strangers, nor diminished by the removal of any of its male members.

In case of the death of the head of the family, the landlord can put in his place any other member of the family whom he may consider as the most competent to direct their affairs.

With the exception of manual labour, which the occupier is obliged to supply, the annual expenses of cultivation are, as a rule, borne by both parties alike (in some places, however, the seed for wheat is found by the occupier). The produce of the soil, except such as is required for the food of cattle, &c., is also divided equally, and although the live stock forms part of the landlord's capital, the profit or loss by its increase or decrease is likewise shared between him and his tenant.

The landlord receives, however, over and above his portion of wine and oil a certain quantity for the use of his ovens, presses, &c., in making them; and further, the tenant pays him sundry dues in the shape of poultry, eggs, ham, fruit, &c., as a return for the advantage of keeping fowls, pigs, &c., on the farm.

It is customary for the landlord to advance, though there does not seem to be any legal obligation on him to do so, to the tenant what is necessary for the support of his family, and the accounts showing such advances, as well as the amount to which he may be entitled for extra work or share of profit, are balanced every year. But it will shortly appear that a settlement is not very easily effected, the debt of the tenant to his landlord having, on the contrary, a tendency to go on increasing year after year.

Notice having been given or received by the occupier at the period prescribed by law—that is to say in the month of November after the first corn has been sown—he must leave his holding before the 1st of March, and during the interval he is not allowed to do anything beyond gathering what is ripe.

The valuation which was made of the live stock, implements of husbandry, hay, and straw manure, plants, &c., on his taking possession of them, is renewed when he delivers them up and he pays or receives half the difference, decrease or increase, that is ascertained in the value.

The outgoing tenant, being entitled to receive a moiety of the crop of corn sown before notice was given of the termination of the agreement, has a right to return at harvest time to get it in, and the new tenant is bound to allow him all reasonable facility for that purpose.

These rules are observed under ordinary circumstances, but an agreement is always liable to be cancelled at any season by judicial sentence, on due cause being shown.

The conditions stated above, besides others which are omitted, are, as I understand, those generally adhered to. There are particular local usages, however, and it is to be observed that owners and occupiers are entirely free to make what covenants they please.

Some persons believe that the Tuscan "mezzainolo" enjoys what is called a virtual fixity of tenure. This is a mistake. It is true that cases of undisturbed occupation during many years are very common and that there are farms which have been held by several generations in succession of the same labouring families, sometimes for two or three centuries. Although evictions are perhaps not frequent, they can and do take place at the good pleasure of the landlord. The occupier has absolutely no security against removal at the end of every year, and if he is a bad labourer or in other ways gives dissatisfaction to his landlord he very likely will be removed. The precariousness of the position of the "mezzainolo" is constantly alluded to by writers on rural matters, and I have heard the facility with which he can be got rid of mentioned as one of the advantages of the system. Moreover, it has been decided by the courts that the occupation of a farm may at any time be summarily terminated by judicial sentence on such relatively slight grounds as irregular cultivation, premature harvesting, the abandonment of the farm by some of the members of the labourer's family and the like.

The size of a farm ("podere") varies greatly from district to district, and it is not easy to find the general average. M. Minghetti, in one of the Reports relative to the Paris Universal Exhibition of 1867, reckons it at from 5 to 6 hectares (about 12½ and 14½ acres). He gives 75 hectares (about 185½ acres) as the maximum, and from 2 to 3 hectares (about 5 to 7½ acres) as the minimum, extent. Professor Cuppari in his agriculturists' hand-book already cited takes 12 hectares (about 29½ acres) as the medium extent of a farm. From 2 to 7 hectares is an estimate, which has been given to me by a gentleman of experience in matters of this kind. Farms were formerly much larger than they are now. According to Professor Cuppari, as I have mentioned in another place, the average number of persons including men, women, and children, in a family of labourers occupying a farm is in the proportion of 1 person to a hectare (nearly 2½ acres) for farms of medium extent, the proportion being smaller for large farms and greater for small ones.

The system of equal division of expenses and produce seems to have begun to come into use after and in consequence of the cessation of predial servitude in the thirteenth century. A learned historian of agricultural legislation (Poggi—"Cenni Storici delle Leggi sull' Agricoltura," &c.) says that his researches have not led to the discovery of any traces of it before that period. He has found evidence to show that the labourer's share was in general much larger than that belonging to the lord. Thus the latter according to this author took from one-tenth to one-third of the corn; a fourth, a third or one-half of the grapes; half the olives, &c.; the expenses of cultivation, on the other hand, being borne by the peasant, who had besides to keep up the live stock and implements of husbandry, furnished in the first instance by the lord of the soil. When the serf became a free labourer new arrangements had to be made. Various forms and conditions of lease were tried but as it would seem with little success, and finally the "mezzeria" system, nearly in its present form, became the general practice. From the stringent ordinances made at different times to prevent the labourer from turning his theoretical liberty to practical account by getting his livelihood in his own way, it may not unreasonably be concluded that he was not altogether satisfied with the economical conditions of the new system. For instance he was not allowed to leave his holding without the written consent of his landlord, and even then if married he might not work for daily wages but was obliged to find another farm to occupy, &c.

Under the vicious and contemptible despotism of the Medicean period the so-called free peasant was ground down by intolerable exactions, for which he endeavoured to obtain compensation from theft, and so habitual was this resource that, in law-books, a husbandman was described as being necessarily a thief. "Coloni regulariter sunt fures," and "Colonus ergo fur," are the expressions quoted by the historian above cited. About the middle of the seventeenth century the state of the peasantry became so deplorable that, as Galluzzi in his history of Tuscany tells us, "families reduced to misery and evicted by their landlords on account of the excessive amount of their debts, scoured the country in bands and subsisted by robbery."

The extinction of the line of the Medici Princes prepared the way for a better

state of things and agricultural industry flourished under the renovating influence of the wise reforms accomplished in the reign of the Grand Duke Leopold I.

One of the Laws of that period (made in 1785) prescribes the rules still in force for the termination of a "mezzeria" agreement. Six months notice on either side were originally required. This term came gradually to be extended to twelve or even eighteen months which were again reduced to eight by a Law made in 1577. Experience, however, having shown that the time required was too long, the cultivation of a farm being neglected during the interval between notice and removal, it was finally limited to three months by the law of 1785.

Foreigners generally take their notions of the condition of the Tuscan peasantry and the working of the "mezzeria" system from the sweet arcadian picture drawn by M. Sismondi in his Essay "De la Condition des Cultivateurs en Toscane." He shows us a person of beautiful aspect and contented mind, to whom distress is unknown, who has all the advantages of property without the inconvenience of being obliged to defend it, who has little need of money—for he receives from the hand of nature all that he wants for his subsistence, who lives in peace and harmony, not only with his neighbours, but even with his landlord, the tax-gatherer, and the priest. The house which he inhabits is a sweet image of industry amply rewarded—of abundance and peace. His clothing is substantial, nay, comfortable. His nourishment is wholesome, abundant, and varied. His wife and daughters possess silk dresses and good store of body linen. All the members of the family work with ardour. Their intellectual culture is by no means neglected. They have a taste for art, and a keen sense of the beautiful in nature. They cannot read, it is true, but the theatre is a constantly accessible school of poetry, language, and mythology; and they are made familiar with the history of the Atrides by frequent representations of the classical tragedies of their favourite author, Alfieri.

The value of M. Sismondi's testimony may be estimated from one passage in his essay. Speaking of his model peasant's house which is a sweet image of abundance and peace, he says "that the windows have shutters only and no glass; but it must be remembered," he adds, "that there is no frost in the winter" ("l'hiver est sans frimas"). By the side of this assertion, the enormous absurdity of which must be at once apparent to any one who has had experience of the bitterness of a Tuscan winter, may be placed a few meteorological observations on the three winters immediately preceeding the publication of M. Sismondi's essay in 1837. They are taken from Reports addressed to the Academy of Georgofili and from sundry contemporary notices:—

1834. At the end of October, at Florence, the thermometer fell to about the freezing point, and the cold continued to increase until it reached, on the 24th and 30th of December, the maximum of 7 degrees, Réaumur. A letter to the "Giornale Agrario," from a correspondent in the Val d'Arno speaks of intense and persistent cold during the months of December 1834 and January and February 1835.

The winter of 1835-36 was very severe. According to a Report laid before the Georgofili Academy, the cold weather began in the first days of October and lasted till the 2nd of May, when there was a heavy fall of snow on the hills near Florence. Towards the end of October the thermometer marked 2 degrees, Réaumur, and that temperature continued during some days in November. On the 4th of January the reading of the thermometer (Réaumur) was 9 degrees. It remained at about 5 degrees until the end of February, with snow on the 18th and 19th of that month. During March and the first ten days of April the night temperature was generally one or two degrees below zero. In the case of the winter, the Arno at Florence was completely frozen over.

In 1837 notices in the "Giornale Agrario" mention great cold at different places. A letter from Figliino states that, from the middle of March to the middle of May, there was no cessation of snow or rain. The thermometer marked 5·3 degrees Réaumur, at the beginning of January, and 3·5 degrees, Réaumur, in March. Crops were greatly injured by cold. Part of the wheat was destroyed and the rest much damaged.

M. Sismondi forgets to say anything of the torrential rains which commonly fall in the autumn, sometimes for two months without intermission, and which render a weather-tight house very desirable. These facts are sufficient to show how little M. Sismondi (who possessed a house in the Val di Nievole, which he described) was justified in attributing to the mildness of the climate deficiencies which he ought rather to have considered as an indication of the indigence and wretchedness of his model rustics. The object of his essay seems to be to demonstrate that the system of "mezzeria" insures to the labourer in Tuscany a degree of well-being unattainable by labourers in England and elsewhere who are paid daily wages in money; and it may not, therefore,

be irrelevant to observe that, in the south of England, where, all things considered, shelter is hardly more needed than in Tuscany, a labourer's cottage with unglazed windows would not, even in so remote an age as 1837, have been looked upon as a model habitation, and described as a sweet image of industry amply rewarded—of abundance and peace.

It may be well to contrast some serious statements taken from the best Tuscan sources with the idyl that has just been looked at.

Going back to the year 1832 I find in the highly esteemed periodical called the "Giornale Agrario" a paper headed "Considerazioni sulla Povertà del Contado Toscano," by Signor Landucci, an author of repute. It points out the great difference between the relatively comfortable conditions of the well-fed and well-clothed peasant who lives in the environs of a town, and the absolutely uncomfortable condition of the ragged and ill-fed peasant in a distant part of the country. It shows how greatly the ordinary labourer is distressed by the want of money, which is one of the features of the system, and which M. Sismondi considered as no inconvenience. M. Landucci justly observes that a peasant requires other things besides bread. He wants clothes, tools, utensils, &c., and "if he cannot pay for them he gets into debt, on what usurious conditions all persons well know who frequent the markets where the peasantry make their purchases. . . . Once in debt he has no longer any resource. The interest which he has to pay, a little at a time, destroys him, and the want of a few lire is the cause of his utter ruin. And what if his food fails him besides?" The author goes on to say that the laudable practice among landlords of supplying the immediate necessities of their labourers by way of advance frequently has the most injurious effect. For "the indigent peasant who is obliged to apply to his landlord for the means of satisfying his hunger, and that of his family, ceases to be a partner and becomes even less than a day-labourer. His share of the produce goes to the landlord, and the consequence is that, with the desire for economy, he loses the habit of industry from which he no longer derives any benefit. Having thus become like a slave who gets nothing but his bare food in return for his labour, he works little and badly, and the state of the fields gives evidence of his lost activity."

The volumes of the "Giornale Agrario" for 1838 and 1839 contain a series of articles by the same writer on M. Sismondi's essay. In one of them the reviewer, after expressing his regret that the distinguished author should have confined his observations to the peculiarly prosperous Val di Nievole, gives a woeful description of a farm and its wretched occupant in a less favoured district. The labourer gets little for the land, and the owner still less. The house he lives in is dilapidated. His whole nourishment, except on high days and holidays when he gets a little meat, consists of bread of the worst quality, and bean soup, without any wine. The moral condition of the "mezzainolo" is no better than his material condition. Unsoftened by religious instruction, untamed by social intercourse, never even going to fair or market, he remains in a state of almost savage rudeness and neither seeks nor desires to improve his condition. In places like this, says the reviewer, the lot of the "mezzainolo" is very different from that described by M. Sismondi, and he feels no such attachment to his holding as that which the author believes to be common to the whole class. On the contrary, he looks upon it with indifference, and is quite ready to leave it for a better one. He has no affection for either land or landlord, and cares little about an increase of productiveness being uncertain whether he will or will not remain in occupation beyond the year.

The reviewer, who is a warm advocate of the "mezzeria" system, although most of the facts adduced by him tell against it, mentions as one of its peculiar advantages the customary advance made by the landlord which, in another place as we have just seen, he declared to have the effect of reducing the labourer to a condition resembling that of a slave. He goes on, however, to observe that the practice, although useful to the nation is very burdensome to the landlords, and that it is partly the cause of the progressive decay of agriculture in some localities. For although in certain places this charge may, he says, be a stimulus to improvement, there are others where it can only be diminished by a decrease of the number of persons to be provided for, and landlords finding it unprofitable to support people for the sake of the cultivation of land which produces little, very often relieve themselves of the burden by reducing the number of their farms.

The next witness is that most distinguished agriculturist and eminently public-spirited man the late Marquis Cosmo Ridolfi, who, in a paper read to the Academy of Georgofili in 1834, said: "The peasant waters the land with his sweat and fertilizes it with his labour. He sows it with wheat and has vetches or millet for his food. He draws from it wine, and drinks "piquette" ("acquetta"). He extracts oil and seasons

his own black bread soup with rancid ham. He wears out his life without ever enjoying it, because the debt which oppresses him in spite of his incredible frugality deprives him even of the comfort of independence."

Twenty-one years afterwards he said to the same learned body that, except in certain privileged places where half the produce afforded the "mezzainoli" even too large a remuneration for their labour, they had for the most part been always in debt to their masters, and that if it had not been the custom at one time in great houses to absolve the peasants from the debts at the death of the landlord the amount would have made the most unobserving perceive the necessity of a reform of the system.

He deplored the adoption of the system of "mezzeria," with what is called "piccola cultura," in places unsuited to them and where the good results they might produce under more favourable circumstances were impossible. "Hence it comes," he said, "that there are farms which are always a loss to the landlord while their occupiers, are always in a state of misery, although continually receiving assistance and relief hence come discouragement, vice, and infinite ills under that very system which has been landed as the constant promoter of happiness and virtue."

In 1857 Marquis Ridolfi gave a course of lectures on agriculture at Empoli, and the last lecture of the series contained a passage to the following effect:—

"Thus we find this system succeeding admirably on a good soil with a favourable aspect where olives, grapes, mulberry leaves, wheat, Indian corn, and some materials for manufacturing purposes, besides the produce of the kitchen garden and orchard, can be easily obtained; and there we see the peasant as he has been depicted by Sismondi. But in less privileged places you see him worn out with toil in extracting the same products but of inferior quality or in such small quantities that they hardly suffice for his subsistence and sometimes fall short of what is necessary. Here he is miserable, rude, in debt, while the landlord gets no return for his capital and perhaps does not even obtain enough to cover the taxes."

A writer in the "Giornale Agrario" in 1842 gives an account of the working of the system from which the following remarks have been gleaned:—

A great many landlords leave the management of their farms entirely in the hands of the labourers under the supervision of agents or bailiffs who know no more of agriculture than what they learned as labourers themselves in their youth, and it frequently happens that a landlord who finds that he does not get the return he expected imposes new and more onerous conditions upon the occupier. The consequence is that the latter being unable to live by his labour becomes discouraged and careless and there is a diminution of produce. The same thing happens sometimes with the ordinary arrangement of equal division when the labourer's half is insufficient for the support of his family.

It has been found on examining the accounts of some landlords who adhere strictly to the system of equal partition that, in the course of twenty years, owing to advances made to labourers and never recovered, losses in live stock from neglect, and the deterioration of the land occasioned by the discouragement of the labourers, they have not only obtained no return from their property, but have actually been losers by their farms.

It is vain to suppose that a labourer who is suffering hunger and hears the groans of his family will follow the dictates of duty rather than obtain a momentary relief by appropriating more than his due share of produce, or by stealing wood, or by selling beasts and pretending that they are dead, &c.

Towards the conclusion of the history of agricultural legislation which has been already cited, the learned author tells us that the "mezzainoli" have made no progress (this was published in 1848); that they are always in debt and incapable of making the smallest saving; that they are immersed in the most crass ignorance, opposed to innovations and faithful to old traditions; prone to luxury and vice in the neighbourhood of towns; quarrelsome and addicted to stealing in rural districts, far removed from the centres of commerce and civilization; that they are industrious in places where, owing to the natural fertility of the soil or the abundance of some valuable product, they are able to obtain a fair remuneration for their labour; but where, by constant and hard work they can with difficulty procure the most scanty and miserable nourishment, they rarely show much diligence; that, as in former times, they supply their wants by small occupations unconnected with agriculture, and by "many occult modes of compensation" whereby their landlords lose much more than they would do by a fairer division 1859 of produce.

A letter from Count Cambray Digny inserted in the "Giornale Agrario" of contains a passage to the following effect:—

"We know that Tuscan 'mezzainoli,' in general, are in the habit of getting into

debt with their landlords, the amount of which debt continues to increase until at last it is either condoned or, at the termination of the occupancy, remains unsatisfied. This is in reality tantamount to a diminution of the landlord's share, and the practice appears to me to have only one signification: that, in the ordinary state of our production, the occupier's share is not sufficient for the remuneration of his labour."

In an article published in the same periodical in 1858 the late Professor Cuppari, (he died soon after the beginning of the present year, 1870) who was one of the very highest authorities on all matters relating to agriculture, affirmed that, in consequence of the inadequacy of their portion of produce for their sustenance, families occupying farms were overburdened with debts, either to their landlords or to strangers, and were very often driven to have recourse to fraudulent practices; that such a state of things had not been caused by the grape disease, which had merely intensified pre-existing evils, and that the prevailing distress was partly attributable to the dissipated, corrupt, and wasteful habits of the peasantry themselves.

That no considerable improvement has taken place since this article was written may be inferred from a remark made by Professor Cuppari in a work, a revised edition of which was published towards the end of 1869. The debts of the labourers so often alluded to, and for which indeed a regular phrase has been adopted ("il debito colonico"), just as men say the national debt, are there spoken of as the great chronic sore of the Tuscan "mezzeria."

Here is a mass of concurrent testimony (and much more could be brought forward to the same purport) extending over a period of thirty-seven years. It proves clearly that the ordinary condition of "mezzainoli" is one of privation and distress; that as a rule they cannot live upon what they are entitled to receive in exchange for their labour; that they depend for their subsistence upon the supplementary assistance given to them by their landlords; and that failing such aid they must beg, steal, or starve.

Let us see how the system works in times of unusual difficulty.

Wine is one of the peasant's principal resources. He looks to his share of it for the means of meeting his necessary expenses. The loss of this indispensable resource from the grape disease which, during some successive years, destroyed almost the entire produce of three-fourths of Tuscany, was most severely felt; and the calamity was terribly aggravated by the failure of the wheat crop here, as elsewhere, in 1853. These accumulated disasters caused great suffering; and very considerable sacrifices were imposed upon landlords by the necessity of supporting the destitute occupiers of their farms. In a Report from the Secretary to the Academy of Georgofili, the amount so advanced by them during the year 1853-54, in the four districts of Florence, Pisa, Arezzo, and Siena, was calculated at upwards of 20,000,000 Tuscan lire (666,666*l.*). But the assistance, given in the most praiseworthy manner, could only afford partial relief. Many landlords were unable to meet the extraordinary demands upon them at such a time; and in some places "mezzainoli" were reduced to such straits as to be obliged to beg their bread upon the road. The embarrassment occasioned by prolonged agricultural depression became so great, that to many persons it appeared impossible to go on any longer with the established system of farming. Marquis Ridolfi, then President of the Georgofili Academy, strongly urged the expediency of discontinuing, for a time at least, the "mezzeria" arrangement, where it was found not to succeed. He carried out his views on his own property, but his advice and example do not seem to have been followed.

At the beginning of one of his discourses on this subject (in 1855), the noble Marquis made some remarks, which are deserving of attention. He pointed out, that more than twenty years previously, in a period of excessively low prices, caused by a series of extraordinarily abundant vintages (near Pisa, 1,000 barrels of wine of the worst quality were sold for 100 scudi, being at the rate of 14 soldi, about 5½*d.*, for a barrel containing about 12 gallons, or one-seventh of the ordinary price), the same complaints of distress had been heard, and the same difficulty of going on with "mezzeria" experienced, as at the time when he was speaking, on account of the failure of the vine production.

From which we may gather, that this system can bear neither great plenty nor great scarcity, that any disturbance imperils its existence, and that it requires for its working a dead level, and a perfectly smooth groove; the least rise or fall, the slightest shock, throwing the machinery at once out of gear.

The utility of this method of conducting agricultural operations was, during many years, the constant subject of keen controversy. The transactions of the Academy of Georgofili, and the series of the "Giornale Agrario," are full of exhaustive disquisitions concerning its merits and demerits, which have also been discussed in various separate

treatises. Having, as I believe, read nearly all that has been, or perhaps could be, written on the question, I may be permitted to express my opinion; and I cannot think that any unprejudiced person would fail to arrive at the same conclusion, that with a balance of sentiment in its favour, there is a large balance of facts and arguments against the "mezzeria" system.

It has been advocated, chiefly on the ground that the relative stability which it gives to the position of the labourer, and the partial community of interests which it creates between him and his landlord, are securities for the maintenance of social order, and preservatives against the evils of pauperism and proletarianism. But to this it may be objected that, in the first place, very many "mezzainoli" being, as we have seen, unable to live without the relief which they habitually receive from their landlords, are in truth paupers; and that, secondly, what is called proletarianism, does as a matter of fact exist in Tuscany. By the side of the families of labourers in occupation of farms, there is, and there must necessarily be, a large floating rural population (the Census Returns give 113,763 as the number of agricultural day-labourers), which cannot be so placed. Obviously, there is not room for all; and what becomes of the outsiders? These people are true proletarians. They live merely from hand to mouth (and very often their hands have nothing to lift to their mouths), the organization of agricultural labour in the country prevents them, as a rule, from obtaining any regular and constant employment; and their existence is rendered precarious by that very system which we are told is a barrier against proletarianism. Except under special circumstances, the class of day-labourers ("giornalieri"—they are sometimes described as "pigionali," or lodgers), is by all accounts in a very wretched state.

While the existing mode of land occupation has been denounced as altogether faulty by some persons, others, adhering to the principle of partition of produce, have contended that the invariable rule of equal distribution ought to be laid aside, and that, in order to give the labourer a fair remuneration in all cases, the proportion to be assigned to him should be regulated by circumstances, as extent and productiveness of land, degree of labour required, &c. Others, again, without seeking to effect any essential alterations in the system, have exhibited its practical inconveniences, and urged the necessity of better management.

Whatever may be thought of the supposed moral advantages of the "mezzeria" method, it can hardly be doubted that it has the economical disadvantage of retarding agricultural improvement.

Marquis Ridolfi called it a conservative and a stationary system, and he said that it had imitation for its rule, and habit for its guide. On one occasion (in 1854) speaking of the "practical agriculturists, the peasants," he declared that the truth scarcely ever reached them, that no ray of light ever penetrated into their minds to dissipate the gloom of prejudice and error. He does not seem to have entertained a very high opinion of the state of agriculture in Tuscany, and the belief in its excellence he ascribed to the effusions of poets, and the mistaken admiration of deluded strangers. He affirmed that its progress had been very slow and partial in comparison with the progress of English, French, or German agriculture, and he scouted the notion that the soil could not be rendered much more productive by the application of improved methods. He told his brother-academicians that, having devoted himself entirely to rural pursuits, he had made every effort to turn the "mezzeria" system to account, and render it available for improvement; but that he had found very few exceptions indeed to the general apathy of the peasants. These and many other observations to a like purport are to be found scattered through his academical discourses.

Count Cambray Digny also, at a meeting of the Learned Society of Georgofili in 1855, said that the vaunted perfection of Tuscan agriculture was an illusion which it was high time to throw off.

The same distinguished personage, in a letter published in the "Giornale Agrario" in 1859, enumerated as follows the principal impediments placed by existing arrangements in the way of improvement.

In the first place he remarked that the labourer, who had as much right as the landlord to determine the mode in which the land should be cultivated, was naturally indisposed to consent to anything he believed to be dangerous to the undertaking. The peasant could not conceive the possibility of any other method of cultivation than that which he had always seen practised by his family and his neighbours; he mistrusted the teachings of his landlord and of all persons belonging to the wealthier classes whom he had been accustomed from his childhood to consider as entirely ignorant of his art; and he was opposed not only to hazardous novelties but also, and with equal obstinacy, to any change, however wise and beneficial.

But supposing that he could be convinced of the utility of innovations suggested by science, another and a more serious difficulty would arise from his position as a partner, because with the chance of being turned out of his holding from one year to another he would not be willing to incur expenses for manure, seed, &c. (besides giving additional labour), the return for which he might in that way be made to lose.

A third obstacle to improvement was to be found in the difficulty of providing the various machines required to render agriculture highly productive, the landlord by whom alone they could be provided being withheld by the consideration that his half of the produce would give him no adequate return for his increased outlay by which the labourer would be benefited.

To these impediments must be added the inconveniences arising from the usual mode of farming management by an agent or bailiff, generally a person raised from the condition of a peasant, ignorant, ill-paid, over-burthened with details, and neither able nor willing to look after the labourers.

The letter then goes on to suggest means of overcoming these difficulties.

Professor Cuppari expressed himself more strongly on the same subject.

In 1857 he wrote thus:—"What hope is there of great and rapid improvements to be effected by our poor 'mezzainoli' who are thrown into a fever at every change by the fear of losing their daily bread?"

"You will find the whole rural economy of Tuscany directed by a myriad of heads of labouring families ('capocci') excessively poor for the most part and all of them certainly unable to appreciate the effects of any reform."

"In Tuscany things followed their natural course; a flourishing and fruitful agriculture in the general infancy of the art; a mean and sterile agriculture in the present state of progress."

In an Article in the "Giornale Agrario" of 1858 the learned professor said—

"The improvement of a farm with the concurrence of the peasant is a matter of immense difficulty if it is to be effected speedily." And further, "At present the owner and the labourer are in a state of continual though covert strife. The latter for fear of not enjoying the fruits of his toil, of which he may be deprived suddenly by eviction, abstains from improvements which might notably increase the produce of the farm, and does not perceive that his dread of an uncertain loss makes him undergo a certain one. The landlord too, proceeds cautiously because he does not wish his capital to turn to the benefit of the labourer and is reluctant to adopt innovations which might be to the advantage of the latter, not considering that the increased prosperity of the occupier would, in the end be a gain to himself."

The habitual relations between the partners do not seem to have become more satisfactory, to judge from the following remarks from the same author at the beginning of the present year.

"Each of them endeavours to reduce the proportion of the capital he employs in the concern and to get a larger return for it. They pull different ways. Moreover, divided as large properties are into little farms cultivated and almost wholly managed by their labourers who occupy them, the bailiff has little or nothing to do with their direction. The management of the farm being thus left in the hands of the labourer, it is natural that, in this conflict of interests, he should draw the water to his mill, promoting only such improvements as conduce to his own benefit." Rapid progress was impossible when, first, the interested director was a manual labourer inclosed within the limits of his farm, as in a shell, who knew of nothing better out of it, and who rejected all improvements that might benefit the landlord at his own cost. Secondly, the landlord was unable to take any part in the management of his property and see what was really required, and when he also was obliged to refuse his consent to improvements to be effected by his capital for the benefit of the labourer. Thirdly, the intermediate person, the bailiff, incapable, and obnoxious to both parties, did not know how to make them agree; under such circumstances not only was rapid progress impossible, but even slow progress was greatly impeded."

The author adds, however, that, in spite of these obstacles, some gentle progress has been effected.

One of the most glaring inconveniences of the "mezzeria" system is, that the labourer and his family, being supposed to live upon the actual produce of the land they till, not unnaturally insist on making its cultivation directly subservient to their own immediate wants, the consequence being that everything has to be grown everywhere in little scraps and patches without reference to special conditions of climate, soil, position, or locality. Thus, as Professor Cuppari observes, on hill sides, which ought to be covered with vineyards, olives, &c., we find cereals, for which the nature of the

ground is not at all adapted, grown in streaks, divided by rows of vines just as they are in the plain. Some of his remarks on this practice, which is the evident negation of rational agriculture, have been quoted in another part of this Report, where allusion has also been made to his observations on the want of any proper rotation and the deficiency of green crops, the peasant being always intent on growing corn, whereby the soil, insufficiently manured, is at last exhausted.

Among the transactions of the Academy of Georgofili in the year 1854, there is a paper by Marquis Luigi Ridolfi, one of the Secretaries, on the progress of agriculture in Tuscany and in England.

The comparison is greatly to the advantage of the latter country.

The writer enters into elaborate calculations, from which he makes it appear that the average value of the produce of the soil in England proper is greater by four-fifths than that of an equal extent of land in Tuscany. Taking, for the purpose of comparison, the four districts of Florence, Pisa, Siena, and Arezzo (those of Lucca and the Maremma being excluded on account of their peculiarities), he estimates the value of the produce at 35 Tuscan lire per quadrato (30 lire equal 1*l.*, and 1 quadrato equal 4,072 square yards, fractions omitted), and he reckons the value of the produce of the same extent of land in England at 100 lire. But, making allowance for what he assumes to be the difference of prices in the two countries, he reduces the latter sum to 64 lire, and by the same process he gets 42 lire per quadrato as the reduced average for the whole of the United Kingdom. The proportions then stand thus:—Tuscany, 35; United Kingdom, 42; England proper, 64. He likewise offers the following estimate of the distribution of the produce in the two countries:—

	Tuscany.	England.
	Per cent.	Per cent.
Rent and profit	33	38
Taxes and annual expense of cultivation, keeping up, &c. ..	17	30
Labour	50	32
	100	100

As to the correctness of all these calculations I am unable to form an opinion. They seem, however, to have been carefully made, and their general conclusion, that the production of Tuscany is relatively inferior to the production of England, has been so frequently admitted that the fact may perhaps be considered as sufficiently established.

At the same time it must not be forgotten that the relative amount of manual labour employed in agriculture is vastly greater in Tuscany than in England, so that more produces less and less produces more.

It is also to be remembered that Tuscany possesses an incalculable advantage in the ripening power of a sun such as in England we hardly venture to dream of. But, on the other hand, in England, capital is not neutralized by association with indigence, knowledge is not obliged to give way to ignorance, skill and enterprise are not shackled by the absurd whims and fancies, the stale traditions, the stolid obstinacy, the prejudices, fears, and jealousies of untaught peasants.

Various modifications of the system I have been describing occur in different parts of Italy.

In the Province of Lucca the occupier takes the corn, paying as rent a certain quantity of wheat, generally at the rate of 1½ hectolitres per hectare (equivalent to about 1 bushel 5 gallons per acre), and the rest of the produce is divided equally between him and the landlord. A similar arrangement is common in parts of Lombardy, where, however, the amount of corn rent is much higher, being about 5 bushels 1 gallon per acre. The fullest details have already been given by Mr. Colnaghi, respecting the "mezzadria" agreement in Lombardy, and it is, therefore, unnecessary to say more on this subject.

From the Report of the Commission on the Disturbances in the Emilian Provinces, to which reference has already been made, it appears that in Parma, Reggio, and Modena the conditions of occupation have become much more onerous of late years than formerly they were. Thus, in the Province of Parma, the labourer's share of the produce has very often been reduced from one-half to one-third, and when that is the case he is called no longer a "mezzainolo" but a "terzainolo." The "mezzainolo" used to have to pay to his landlord, who took likewise a moiety of the produce, about 10 francs in money and poultry to the value of 3 francs for every hectare, besides sundry other small dues. He now pays 16 or 17 francs in money, and the value of

4 or 5 francs in kind. In the Provinces of Reggio and Modena similar payments, whether to the landlord or to a middleman, have in some cases risen from between 10 and 18 francs to 30 or 35 francs. The consequence has been that the amount of the debts of the peasants has been doubled within the last ten years, and we are told that, owing to distress, cultivation has been neglected, to the impoverishment of the landlords, the effect of which again has been the aggravation of the misery of the peasants. In the Province of Bologna, on the other hand, occupiers as well as landlords are said to enjoy greater prosperity than heretofore. The system of equal division is maintained. The dues, however, payable by the labourer, have increased from 15 to about 25 francs a hectare; but the augmented value of his share of produce, of hemp particularly, has more than made up for the difference.

I turn to Sicily, where, as before stated, temporary agreements for the cultivation of land on the partition principle, called in that island "metateria."

The conditions of this kind of agreement are so various and so strangely complicated that, without entering into the most elaborate details, it would be impossible to make them even partially intelligible.

An essay on Sicilian agriculture, published at Palermo at the beginning of the present year, and for which a medal was awarded to the author, Professor Caruso, by the Inter-Provincial Agrarian Association of Sicily, gives an account of five principal forms, with seventeen varieties, of this notable arrangement, including one form peculiar to the Province of Catania, called "retrometateria."

It may be sufficient to state the general results of an ordinary agreement as they are calculated in the treatise above-mentioned for a piece of land of the extent of 1 Sicilian salma, equivalent to about $4\frac{1}{2}$ acres.

The landlord does the ploughing and advances the seed (wheat). His expenses, together with interest on his capital, amount to 288 francs 15 centimes.

The average crop of wheat is 11 salmi of wheat ($1\frac{1}{8}$ salmi, equal to 1 quarter). From this quantity 6 salmi and 2 tumoli (16 tumoli make 1 salma) are first deducted for the landlord, leaving 4 salmi and 14 tumoli to be divided equally between him and the labourer. The landlord, therefore, receives in all 8 salmi and 9 tumoli, representing the average value of 436 francs 68 centimes, and his net profit, after deducting expenses, amounts to 148 francs 53 centimes.

The labourer's share in the division is 2 salmi and 7 tumoli, to which must be added 8 tumoli or $\frac{1}{2}$ salma remaining of the quantity ($1\frac{1}{2}$ salmi) advanced to him for sowing. This gives a total of 2 salmi and 15 tumoli, representing the value of 146 francs 62 centimes. On the other hand, the value of his labour is reckoned at 160 francs 64 centimes, or 14 francs 2 centimes more than he actually receives, and what he requires for his subsistence during the year is estimated at 601 francs 5 centimes.

To the not unreasonable question, How, then, does he live? the author replies, "He with difficulty earns his livelihood by sowing, hoeing, mowing, or reaping, and threshing elsewhere in the course of the year, and he is to be seen pining with hunger and a prey to the most dreadful despair when there is no such work to be done at the appointed seasons."

The following is the nature of the arrangement called "retrometateria."

The landlord undertakes all the work of ploughing and sowing and finds the seed. All the subsequent labour is at the charge of the "retrometatiere." After the harvest the landlord begins by taking the quantity of wheat sown with the addition of 25 per cent., and the remainder having been divided into four equal parts, he takes three, leaving one-fourth to the labourer.

The onerous conditions which the labourers are obliged to accept appear to be the consequence of their constant competition for bits of land to cultivate under one of these singular modes of agreement, or that called "terraggeria," which has been before alluded to. And yet, as I have mentioned in another place, the proportion of persons employed in agriculture to the total population is, according to the Census Returns, smaller in Sicily than in any other part of the Kingdom of Italy, while the density of the population of the island generally is below the average for the whole Kingdom, and is greatly exceeded in many parts of it, as in Piedmont, Lombardy, Romagna, the Marches, &c., and, moreover, of the 564,149 persons constituting the specifically agricultural population, no less than 255,534 are returned as living in towns of 6,000 inhabitants and upwards.

I now proceed to give replies to the queries under the head of tenants and sub-tenants under landlords, premising that they are not to be considered as applicable to the system of land occupation described above.

Tenure.

1. What quantity of land is usually held by each ?

In Piedmont from 100 to 300 hectares.

In Lombardy there are some farms as large as 500 hectares, and few smaller than 70 hectares. The most usual extent is from 100 to 250 hectares.

In the Emilian Provinces the size of farms varies from 10 to 100 hectares.

In Tuscany (Maremma) it is about 312 hectares.

In the Neapolitan Provinces Mr. Bonham says that the quantity of land usually held by a tenant varies from 2 acres to 200 or 300 acres, and that it is occasionally as much as 1,000 acres.

I am unable to state precisely what is the average extent of an estate let to a large tenant in Sicily. About 1,500 acres have been mentioned to me as the size of an ordinary "feudo," but such estates appear to be sometimes much larger. In a debate in the Senate I find 2,600 hectares, or about 6,424 acres spoken of as a not very uncommon extent.

Mr. Oates, Her Majesty's Vice-Consul at Girgenti states, that tenants in that district usually occupy small farms of from 30 to 50 acres.

2. All that relates to perpetual tenancies at a fixed rent, and leases for a number of generations but renewable, &c., will be treated separately, and no further allusion to tenures of this kind will be made under the present head.

Ordinary leases cannot be made for a term exceeding thirty years, except in the case of waste land to be reclaimed when the term of a lease may be extended to 100 years. The usual duration of the tenure varies from one part of the country to another.

Thus in Lombardy the term of a lease is never shorter than nine and seldom longer than eighteen years.

In different parts of the Emilian Provinces a lease is usually made for five, for nine, and for twelve years.

In the Neapolitan Provinces the usual term is four, six, and sometimes eight years.

In Sicily the duration of a lease to a large tenant is three, five, seven, or nine years. With regard to the small holdings alluded to in the reply to Query 1 Mr. Oates says, "The usual duration is three years, according to the rotation of crops; sometimes it is six years. It is, however, now considered not long enough as it does not encourage tenants to cultivate the land properly."

The following is the substance of the principal provisions of the Civil Code respecting the reciprocal obligations of landlords and tenants.

A lessor is bound to maintain the land, buildings, &c., in a fit state to be used for the purpose for which they were let, to secure to the lessee the peaceable enjoyment of the tenement during the whole term of the lease;* to consign it to the lessee in a good state of repair, and to execute subsequently all necessary repairs except such small repairs as by custom are at the charge of the tenant; to indemnify the lessee for injury caused by serious defects which deprive him of the use of the tenement. He cannot alter the form of the premises.

The total destruction of the property let puts an end to the lease. In the case of partial destruction the lessee is entitled to claim, according to circumstances, a reduction of rent or the termination of the agreement.

The tenant cannot prevent the execution of repairs for which there is an urgent necessity, although he may thereby be deprived of the use of part of the premises. If, however, such repairs occupy a period of more than twenty days a corresponding deduction must be made from the rent. If the repairs are of such a nature as to render uninhabitable that part of the premises which is required for the lodging of the tenant and his family, that may be a ground for putting an end to the lease.

The principal objections of the tenant are the two following:—

1. To take proper care of the property let to him, and to make use of it for the purposes determined by the agreement, or, in the absence of any covenant, for what may be presumed to be the purposes for which it was let.

2. To pay the rent when due.

He is further bound to deliver up the premises at the expiration of his tenancy in the state in which they were when he took possession of them, with the exception of

* This guarantee, however, is not applicable to the case of violent disturbance unconnected with claims upon the property.

what has decayed through age, or has been injured from unavoidable causes. It is his duty to give notice to the landlord of any encroachments by third parties.

He is liable for damages to the property unless he can prove that they were not occasioned by any fault of his, and such liability also exists where damages have been caused by any members of his family, or by his sub-tenants.

In the case of fire, unless he can prove that it was accidental, or caused by unavoidable circumstances ("forza maggiore"), or that it was occasioned by defective construction, or that due precautions had been taken, or that the fire spread from some neighbouring house or premises, he is liable for the loss.

Farm produce must be deposited in the places specified in the lease.

In the case of the accidental loss of the whole, or not less than half of the crop of a year, the tenant, if he has a lease for several years, is entitled to claim a reduction of rent unless the loss has been compensated by an excess of previous crops. If not, the amount of reduction is settled at the expiration of the lease; and in the meantime the tenant may, by order of a Court of Law, be temporarily relieved from the payment of a portion of his rent.

A tenant for a single year who sustains such a loss obtains a reduction of rent in proportion to it.

The tenancy ceases *de jure* at the expiration of the term for which it was created, without the necessity of a notice to quit. But if the tenant is allowed afterwards to remain in possession, the tenancy is considered as renewed for the term prescribed by the Civil Code in cases where no term is specified by agreement. (See answer to Query 3.)

The death either of the lessor or of the lessee does not put an end to a lease.

On the sale of the property the purchaser is bound by the lease, if proved to have been made previously to the sale, unless the right to terminate the lease in the event of such sale was reserved by a special covenant. In the latter case, however, notice must be given to the tenant, according to the custom of the country, and if he occupies land he must receive at least a year's notice.

A tenant evicted by a purchaser when there is no written lease having a certain date, can recover damages from the former landlord.

An outgoing tenant must let his successor have the use of necessary buildings, &c., and the latter must allow the former a similar convenience for hay remaining in store or crops to be got in, &c., such matters to be regulated by the custom of the country.

The outgoing tenant must leave the straw and manure produced in the course of the year if he received them on taking possession of the farm; if not, the landlord may keep them at a valuation.

In the absence of any express covenant to the contrary, sub-tenancies are assignable by the tenant, and the consent of the landlord to such assignment is not required. The former, however, remains always personally responsible to the latter. Article 1,573 of the Civil Code declares that the tenant has the right of sub-letting and of assigning his lease to another if he has not been prohibited from doing so. Such prohibition may be absolute or partial, but it has no effect without a special covenant.

The liability of the sub-tenant towards the original lessor does not extend beyond the amount of the rent stipulated in the sub-lease, and which he may owe at the time when the demand is made upon him (1,574).

3. If for a term of less than nine years, the tenancy may be created either by parol or by written agreement. For a longer term a written agreement is necessary.

The Civil Code provides that where no term is specified, the tenancy of a farm shall be considered as having been created for the time necessary to enable the tenant to gather all the produce of the soil. If the land is divided into portions to be cultivated alternately, the tenancy is presumed to have a duration of as many years as there are portions of land.

4. Written agreements must be registered at the proper registry office in the manner described in the reply to Query 3A. A registration duty of 25 centimes for every 100 francs of rent is payable thereon.

Every lease for a term exceeding nine years must further be transcribed in the register of the Keeper of Mortgages ("Conservatore delle Ipoteche").

5. There is no law or custom whereunder a tenant is considered as having a right to remain in occupation of his holding after the expiration of the agreement.

6. What the law declares respecting sub-letting and the assignment of a lease has been already shown in answer to Query 2. I cannot discover anything else that is applicable to the question as to the right of a tenant to sell his interest in his farm.

Rent.

1. As I have already explained in different places in this Report, payments to proprietors are made in every conceivable manner. There are fixed payments in money and fixed payments in kind. There is contribution of labour and combinations of these modes of payment, one or more or all of which may also be found in conjunction with a share of the produce. Even in the case of large farms, the principal rent is paid in money, extra dues in poultry, butter, eggs, flax, &c., as well as sundry services, as of horses, carts, &c., are frequently agreed upon, besides stipulations for the division of firewood, sometimes equally and sometimes in the proportion of two-thirds to the landlord and one-third to the tenant.

In addition to the various systems which have been before alluded to, a rude arrangement, called "terratico" (the general signification of the word is "rent"), which is practised in some places, may be mentioned. A bit of land to be sown with wheat is let for a year, the landlord receiving a quantity equal to that sown. In Sicily, where this kind of agreement is known by the name of "terragio," or "terrageria," it is somewhat different, and the quantity of wheat or other produce payable after harvest appears to be much greater.

2. The rent is regulated between the parties themselves. There is nothing to interfere with their freedom of contract.

Rent is sometimes payable yearly, but more frequently half-yearly, and there is, so far as I can learn, no hanging gale.

3. The landlord has an unlimited power of raising the rent at the expiration of a lease. He has not an unlimited power of eviction in case of non-payment of rent or breach of covenant or otherwise. He must obtain the judgment or order of a Court of Law.

4. The respective rights of proprietors and tenants for recovery of rents and other claims are enforced by the action of the ordinary tribunals. When such claims do not exceed the amount of 1,500 francs, they are decided by the magistrate, called "Pretore."

In other cases the ordinary procedure of the Civil Tribunal is followed, unless the President should authorize the trial by what is called the summary procedure.

The law confers upon the landlord an exceptional privilege over other creditors for the amount of the rent of the current year, of the previous year, and of the ensuing years, if the date of the lease is certain; or, if not, for the rent of the current year and year following. The same privilege exists for claims on account of dilapidation, of repairs, which the tenant is bound to execute, and of all that relates to the fulfilment of the agreement.

This privilege extends over the crops of the year, the produce of the farm in the buildings belonging to it, everything that is used in its cultivation, and the movables on the farm, furniture of the house, &c., not only when they belong to the tenant or sub-tenant, but even if they are the property of any other person, provided they be not lost or stolen goods, or that the landlord did not know such movables to be the property of strangers at the time when they were placed on the premises.

The goods of a sub-tenant are affected by this privilege only to the extent of what he owes to the landlord.

Evictions.

1. In answering the questions under this head, it is necessary to distinguish between eviction on the expiration of a lease, and eviction consequent on the forfeiture of a lease, by reason of non-fulfilment of obligations.

The right of the tenant to remain in occupation ceases absolutely at the expiration of the term for which the tenancy was created by the agreement, or for which, when not specified, the law presumes it to have been created. (See Tenure 3.)

If he is allowed to remain undisturbed, a tacit renewal for the period prescribed by law (see Tenure 2 and 3) is thereby effected. But such tacit renewal cannot be alleged by him, even though he may have actually continued his occupation, if he has received notice to quit. Such notice is served upon him by the officer called "Usciere," or it may be conveyed by a letter.

Legal proceedings, when necessary, are instituted before the "Pretore," and, in the event of non-compliance with the sentence of eviction, the landlord is put in possession of his property in the manner prescribed by the Code of Civil Procedure.

With regard to evictions on other grounds, it is provided by the Civil Code that, if the tenant fails to pay the rent when due, or to furnish the live stock or implements

which are necessary for the cultivation of the farm, if he abandons its cultivation, or does not cultivate it with proper care, if he devotes the property to uses for which it was not intended, or generally if he does not execute the covenants of the lease, and thereby causes injury to the landlord, the lease may be cancelled at the instance of the latter. This can only take place, however, by virtue of a judicial sentence, and the Court may, according to circumstances, grant the defendant a delay for the fulfilment of his obligations. (See Civil Code, Articles 1,583, 1,591, 1,592, 1,593, 1,595 and 1,165, 1,615; and Code of Civil Procedure, Articles 82, 741, 745 to 749.)

2. Evictions for non-payment of rent are not unfrequent in some parts of the Kingdom; but for breach of covenant in other respects they seem to be rare. It is very difficult, however, to give a general answer to this question.

Improvements.

1, 2, 3, and 4. In some places they are executed by the landlord. In others the landlord does everything in the way of building, the improvement of the land being left to the tenant, who, in the absence of any special covenant, has no security.

In Lombardy it is usual for the tenant to pay a yearly interest on the sums spent by the landlord in building improvements. On the other hand, he receives from his landlord at the expiration of the lease either the reimbursement of his outlay in the improvement of the land, or the real value of such improvement as estimated by experts, but always the smaller amount. If by a large outlay the tenant has effected a small improvement, he gets what that improvement is really worth; if, on the contrary, the improvement is considerable, while the outlay was comparatively insignificant, he merely recovers that outlay. The tenant is frequently prohibited by a clause in the lease from any undertaking any improvement without the written consent of his landlord, which alone can give a claim for compensation. A tenant who has a long lease, however, sometimes finds it convenient to undertake costly works even without any prospect of compensation.

That portion of the Civil Code which treats of the relations between landlords and tenants contains no express provision respecting improvements. The landlord is bound to execute all important repairs, and the tenant is bound to deliver up the property let to him in the state in which it was when he took possession of it. That is all.

It seems to be inferred, however, from what is laid down in other parts of the Code an outgoing tenant is obliged to leave all additions that he has made to the property, and which cannot be removed without detriment to it, the tenant in such case having no claim for compensation; that, if the additions made by the tenant, although capable being removed without injury to the property, are of a permanent nature, the landlord has a right to retain them, paying their value, and that in all other cases the tenant is at liberty to carry them away.

5. Tenants have no means of raising loans specially for improvement of their holdings either from Government or special public companies, or public companies or banks. As I have already explained, however, in reply to Query 4A, a system of agricultural credit in general has recently been established.

Miscellaneous.

1. The relations between landlord and tenant are said to be very friendly in some places, while in others they are declared to be quite the reverse. There are certain districts where they are described as being neither friendly nor unfriendly, the tenant being generally respectful to the landlord, with whom, however, he comes little in contact. There are parts of the country, again, where I am told that, with a great outward show of deference, the tenant really entertains feelings of bitter animosity towards his landlord.

2. I have nothing to add to what I have already said on the subject of agriculture in different parts of Italy. As regards cultivation of their farms, employment of labour, mode and standard of living, solvency, independence, and general circumstances, there is much variety among tenants, that it is impossible to find a common standard for comparison with small proprietors. The difference is infinite between the relatively wealthy tenants, who, in the plain of Lombardy or Piedmont, employ a large number of labourers in cultivating some of the richest land in Europe; and the tenant-farmer in Venetia, who are described by the honourable Deputy for Padua, M. Morpurgo, in his statistical work already cited, as being poor beyond expression ("il nostro fitainolo è povero e non dire"), and of whom a large proportion never employ any hired labourers.

As I have already stated, many of these Venetian tenant-farmers are likewise small proprietors. This is also, I believe, the case sometimes among the farmers of Lombardy, with this difference, however, that whereas the former are themselves the tillers of their own land as well as of that which they rent, the latter employ hired labour upon both. As to the peasant proprietor who, in the mountainous region of Lombardy, owns and cultivates one or two acres of land, there can be no resemblance between his circumstances and those of the farmer of 1,000 acres in the irrigated plain. It is obvious, that in Sicily, the position of the small peasant proprietor is in no respect similar to that of the "gabbelloto," who rents an estate, sometimes of considerable extent, and who must be possessed of a certain capital. In the Emilian provinces, where a comparison may more reasonably be drawn, I gather from various accounts that the condition of the tenant-farmer is superior to that of the small proprietor. The contrary would seem to be generally the case in the Neapolitan provinces, so far as the tenants of small holdings are concerned. (See Mr. Bonham's Report.)

3. The annual rate of increase in the population among tenants, as compared with that of small proprietors, is not known.

4. There does not seem to be any emigration among tenants, or their children; but, as I have before observed, the statistics relating to this subject are so defective, that it is hazardous to make any positive assertion.

5. To speak of the public opinion prevalent in Italy as to the advantages or disadvantages of the above system, would be an abuse of language.

In order to be able to answer this question, it would be necessary to know the public opinion, if it exists, of every district as to the particular system or systems practised there.

6, 7, 8. Neither the creation of freeholds or tenancies by proprietors, nor the granting of leases, has ever been enforced by the legislature.

9. The answers to be given to the queries headed "copyhold," will show that laws have at different times been made for the creation, on the one hand, of perpetual or renewable tenancies; and, on the other hand, to facilitate their enfranchisement and conversion into freehold estates.

No other steps have been taken by Government or legislature to create or increase the number of owners or freeholders.

10. Tenants do not receive any assistance by law, public credit, or otherwise, in their endeavours to become proprietors of their own holdings, or of other farms. Such endeavours, however, are not unfrequently made with success.

11. The laws in force tend greatly to prevent the accumulation of land, and to favour its dispersion.

REPORTS from Her Majesty's Representatives respecting the Tenure of Land in the several Countries of Europe.

(In continuation of Papers laid before Parliament, March 29 and April 5, 1870, and March 27, 1871.)

Presented to both Houses of Parliament by Command of Her Majesty. 1871.

LONDON:
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PART V.

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Memorandum by Mr. Lionel Moore on Land Tenure in Egypt.

(In continuation of Papers laid before Parliament, March 29 and April 5, 1870, and March 27 and August 8, 1871.)

EGYPT PROPER possesses an area 5,100,000 acres of arable land, of which 3,800,000 are considered State property, called "Eterieh," occupied by tenants, who enjoy its produce, and pay an annual tax, averaging 30s. per acre, on all lands situated in the Delta, and 8s. per acre on lands in Upper Egypt.

Of all Mohammedan countries, Egypt is, perhaps, the only one possessing this system of taxation on "Eterieh" lands. It was towards the latter part of the government of Mohammed Ali Pasha that the Fellaheen in the occupation of "Eterieh" lands succeeded in obtaining the privilege of bequeathing them to their heirs, which privilege has been confirmed by successive Governments. Though these tenants had acquired certain rights over these lands, yet they could lay no claim to compensation for any portions of them which might have been appropriated for the construction of railways, canals, &c.

According to the new project, therefore, the tenant, on the payment of six year's taxation, will henceforth, in a way, purchase the land he now occupies, with all the advantages attaching to a freehold, without, however, its being called "Mulk," which would otherwise, it is said, confer on the holder the right of converting it into "Wakf," or Church land, which is susceptible of being entailed.

1,100,000 acres comprise that portion of the land called "Abadieh," or "Ushurich," formerly waste lands bestowed by Mohammed Ali Pasha on his followers, on the understanding that they should be cultivated. These lands are freeholds ("Mulk"), and enjoyed exemption from taxation, as stipulated in the title-deeds by which they were conferred. Said Pasha, however, obtained the sanction of the Porte to levy tithes on them, which tithes were commuted into a tax, varying from 2s. to 4s. per acre, according to the fertility of the soil. This same tax was subsequently increased to 13s. in Lower Egypt, and 10s. per acre in Upper Egypt.

This breach of faith bore its fruit by shaking all confidence in the Egyptian Government, and tended to affect the value of land.

"Abadiehs" being already freehold property, it can hardly be said that they derive any advantage from the new project.

The remaining portion of the land, namely, 200,000 acres, may again be divided into waste lands and "Onessieh." The former are now being brought under cultivation, and are free from taxation for periods varying from three to fifteen years.

It is optional with the proprietors of these lands to conform to this new project.

The "Onessieh" consist of lands bestowed by Mohammed Ali Pasha on a few families whom he had deprived of certain privileges. These lands, at the expiration of a given time, will revert to the State; they are, however, of no great value.

One of the great advantages of this new project is said to offer to the owners of "Eterieh" and "Abadieh" lands, consists in the removal of that sense of insecurity regarding the rights conferred by preceding Viceroys, the withdrawal of which could be justified by the "Shéri-Shereef," but which now, by the same law, are irrevocably confirmed.

It is, moreover, evident that the Fellah who cultivates land on his own account will derive a greater benefit from the operation of the project than would the landowner who farms out his land at a fixed rent. In Egypt, it is the landowner and not the tenant who pays the taxes.

The experiment which the Egyptian Government is now making, if it succeeds,

must tend to ameliorate the system of land tenure in Egypt; from being considered State property, each man's field will become his freehold; and it will be singular if such a change should take place in an Eastern country when in Europe the abolition of private ownership in land is being advocated.

(Signed) L. MOORE.

Alexandria, September 26, 1871.
