

THE INDIAN RYOT, LAND TAX, PERMANENT SETTLEMENT, AND THE FAMINE.

CHIEFLY COMPILED BY
ABHAY CHARAN DAS.

661 pages. Price. Four rupees.

OPINIONS OF THE PRESS.

“The object of this work is to shew up the evils of the Permanent Settlement, as also the thousand and one forms of oppression practised by the zemindar upon the ryot. It reproduces the substance of almost all the fiscal measures, that have been in force in this country since the days of the Permanent Settlement. The writer's views on the arbitrary exactions of rampant zemindars, and on the destitute condition of the down-trodden ryots, have been supported by quotations and extracts from Administration Reports, Parliamentary Blue-books, Official Minutes, Newspaper and Magazine articles, and from the writings of thoughtful statesmen, who have thoroughly studied the land question. Comparisons have also been drawn between the Indian ryot and the peasants of Europe and America, and no pains seem to have been spared to point out the evil effects of the present land laws upon the poor tenant in as clear a light as possible.” *The Indian Mirror, October, 1881.*

“We have to acknowledge the receipt of a voluminous disquisition on the law of landlord and tenant in Bengal by Abhay Charan Das, a ryot. The position maintained by the writer is the extreme one, that the ryots were the real proprietors of the soil, and the zemindars the tax-gatherers; that the Permanent Settlement was a gross wrong, which has spread ruin and desolation throughout the land, and which, if not demolished, will, at no distant future, reduce the state itself to bankruptcy; that the land-tax, a consequence of the Permanent Settlement, combined with the extortion of the money-lender, also a result of the same cause, is the source of all the ryot's wretchedness;

and that this is so great that a general agrarian uprising is only question of time. He would repeal this iniquitous settlement in spite of the breach of faith such a course would involve, and though he does not dispute the right of the zemindar to some compensation, he deprecates its being granted at the cost of the people. Where it is to come from he does not say ; but he urges that those who are responsible for the settlement, that is, the Government, should suffer.

Barring such crudities as this, the work is written with considerable ability, and may be fairly said to set forth exhaustively all that can be brought forward, in the way of either argument or authority, in favour of the writer's views." *The Englishman, February 4, 1882.*

There are abundant advocates of zemindars, who are also themselves well-fitted by their education, position, and wealth, to represent their cause. But unfortunately there are few in this country, who have the courage, the ability, and the heart, to advocate the ryot's cause. We, therefore, welcome "The Indian Ryot" by a ryot, as an attempt to depict the actual condition of the ryot. The book is a very useful compilation containing as it does a vast mass of facts valuable and interesting.....The extracts from different sources—Newspapers, Magazines, Reports, Speeches, Despatches—are copious and interesting.....Before we conclude, we repeat that we would not have devoted so much space for the review of this book, had it not contained much valuable information." *The Brahma Public Opinion, January 12, 1882.*

"We have now had for sometime lying on our table a very useful work by Babu Abhay Charan Das called. "The Indian Ryot." It is a compilation. It does not profess to be anything more than a compilation, but as such it is highly valuable, and places within a moderate compass a vast body of useful information collected from sources, which are in some cases unknown to the ordinary reader. Babu Abhay Charan Das calls himself a ryot. He has done a great service to his brother-ryots by the publication of his compilation. Now and then the book contains observations, which are worthy of attentive consideration " *The Bengalee, January 28, 1882.*

THE INDIAN RYOT,
LAND TAX, PERMANENT
SETTLEMENT, AND
the famine.

CHIEFLY COMPILED

BY

ABHAY CHARAN DAS,

A RYOT.

“The Permanent Settlement has produced” more distress and beggary, and a greater change in the landed property of Bengal, than has, perhaps, happened in the same space of time, in any age or country, by the mere effect of internal regulations.” *The Fifth Report, 1812.*

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PUBLISHED BY ABHAY CHARAN DAS

TO
BABU SURENDRA NATH BANERJEE
THIS VOLUME IS DEDICATED AS A TOKEN
OF
RESPECT AND ADMIRATION
FOR SYMPATHY WITH THE RYOTS
BY
THE COMPILER,

He most firmly believes, that the assumption of the title of Empress of India by Her Most Gracious Majesty would be the fore-runner of the emancipation of "millions on millions living and millions on millions unborn" from the grasping slavery of the zemindars, and of her reigning in their hearts for ever. His belief is certainly not unfounded, when their care and protection are entrusted in the hands of the kind-hearted and noble-minded Lords Hartington and Ripon. The book was compiled in the year 1877, but there were serious obstacles to its earlier publication. In conclusion, the compiler begs to state, that he will deem himself amply rewarded, if this volume secures their ease and happiness.

HOWRAH
The 5th August, 1881. }

ABHAY CHARAN DAS,
 THE COMPILER.

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THE INDIAN RYOT, LAND TAX, PERMANENT SETTLEMENT

AND THE FAMINE.

The Fiscal Divisions of Bengal, Behar, and Orissa, including Assam.

DIVISION OR COMMISSIONERSHIP.	DISTRICTS.	DIVISION OR COMMISSIONERSHIP.	DISTRICTS.
Burdwan Division.	1 Burdwan.	Dacca Division.	20 Backergunge.
	2 Bankura.		21 Mymensing.
	3 Beerbhoom.		22 Sylhet with Jynteah plains.
	4 Midnapur.		
	5 Hughli with Howrah.		
Presidency Division.	6 24 Pergunnahs.	Chittagong Division.	23 Chittagong. Chitg. Hills.
	7 Nuddea.		24 Noakolly.
	8 Jessore with Soonderbms.		25 Tipperah. Hill Tipperah (portion of)
Rajshahi Division.	9 Moorshedabad.	Patna Division.	26 Patna.
	10 Dinajpur.		27 Gya.
	11 Maldah.		28 Shahabad.
	12 Rajshahi.		29 Tirhut.
	13 Rungpur.		30 Sarun.
Cooch Behar Division.	14 Bograh.	Bhaugulpur Dn.	31 Chumparun.
	15 Pubna.		32 Monghyr.
	16 Darjeeling.		33 Bhaugulpur.
Dacca Division.	17 Julpieguri Cooch Behar State.	Bhaugulpur Dn.	34 Purneah.
	18 Dacca.		35 Sonthal Pergunnahs.
	19 Furreedpur.		

*The Fiscal Divisions of Bengal, Behar, and Orissa,
including Assam— (Continued).*

DIVISION OR COMMISSIONERSHIP.	DISTRICTS.	DIVISION OR COMMISSIONERSHIP.	DISTRICTS.
Orissa Division.	36 Cuttack. 37 Puri. 38 Balasore. Cuttack Tributary Mehals.	Chota Nagpur Dn.	Tributary Mehal of Chota Nagpur.
Chota Nagpur Division.	39 Hazareebaugh. 40 Sub-division Palamow, &c., Pergunnah of Tree of Loharduggah. 41 Shingboom. 42 Manbhoom.	Assam and adjacent Hills.	43 Goalpara. 44 Kamroop. 45 Durrung. 46 Nowgong. 47 Sebsagor. 48 Luckimpur. 49 Naga Hills. 50 Khalsa Jynteah Hills. 51 Garrow Hill.

The Definition of Ryot.

“Messrs. Anderson, Croft, and Boyle, the Commissioners appointed in 1776 to collect materials for a revenue settlement, define Ryot as the immediate occupant of the soil, whether he be considered as proprietor or tenant.” ‘The word Ryot,’ they continue, ‘in its most extensive signification, means a subject; but it is usually applied to the numerous and inferior class of people, who hold and cultivate small plots of land on their own account, and might, perhaps, properly be denominated *terre tenants*,’ in their Report dated 25th March, 1778.

Lord William Bentinck says: ‘the term Ryot comprises the whole agricultural community.’ Minute, dated 29th September, 1832. para. 18. The name of Khoodeasht Ryot is given to those ryots, who are inhabitants of the village, to which the lands they cultivate belong. The Pycasht Ryot, on the contrary, rents land not belonging to his own village.” Babu Sunjeeb Chunder Chatterjee’s Bengal Ryots. p. 1.

The word ‘Zemindar’ has always been used to denote not only Zemindar, but also Talookdar, Putnidar, Durputuidar, Dur-durputnidar, Seputnidar, &c.

The Ryots were the Real Proprietors of the Soil, and the Zemindars the Tax-gatherers.

During the reign of the Hindoos and the Mahomedans, the people held land directly from their sovereigns, and were, in fact, the real proprietors of the soil. It is a well-known fact, that during the reign of Akbar, his great financier, Rajah Todar Mull, settled the land revenue of Bengal directly with the cultivators, and appointed agents for the collection of the same. However, in course of time, our Mahomedan rulers grew effeminate and voluptuous, and entirely left the management of their kingdom in the hands of their subordinates, who were better known by their titles of Nawab, Subadar, &c., receiving annually from them a certain fixed sum large enough for defraying the expenses of the luxuries of their courts. These subordinates exercised supreme authority over their respective territories, and were virtually kings. The officers whom they appointed for the collection of land revenue, received only ten per cent. of the collections for supporting themselves and their families. When any one of them failed to pay the stipulated sum he was ousted, and the lands were given to any one, whom they might choose to appoint for the collection of revenue. These men, who were designated by several distinguished writers as the contractors of revenue, paid away all the sums they collected from the cultivators to the Nawab, deducting only ten per cent. for their support. It was only by fraud, that they could retain one anna

wife of king Prithu : and thus they pronounce cultivated land to be the property of him, who cut away the wood, or who cleared and tilled it, and the antelope of the first hunter, who mortally wounded it." *Manu Smrita. Chap. IX. Shlok 44.*

"The right so acquired might be sold, given, bequeathed, or otherwise alienated, at the discretion of the individual." Quoted in *A Memoir on Land Tenure and Principles of Taxation. p. 1.*

"The Committee of Revenue, in their letter, dated 27th March, 1786, are unanimously of opinion, that 'the Zemindars had neither proprietary nor heretable rights to the lands they held under the Mogul rule, but that their tenures were merely temporary and official : that he (Zemindar) was originally, with few exceptions, the mere hereditary Steward, Representative, or Officer of the Government, and his undeniable hereditary property in the Land Revenue was totally distinct from property in the land itself,' which he owned like other ryots.

Mr. J. Grant maintains, that 'the sovereign is the sole, universal, proprietary lord of the land, and that Ryots hold directly of the prince by immemorial usage as perpetual tenants in *capite*, subject to the annual payment of a certain fixed portion of the gross produce of the soil, in money or kind, to be collected, through the intermediate agency of *farmers general* or temporary Commissioned Officers of the crown.' By *farmers general* he means *Zemindars*, whom he calls also contractors of the annual rent of Government, with certain specific allotments of landed property called *nancur* or means of sustenance.

Mr. Shore, afterwards Lord Teignmouth, says : 'though the Zemindar's tenure was hereditary, it was nevertheless conditional, and the Zemindar was liable to dispossession either for a failure in the payment of his rents, or for delinquency'.

The Court of Directors in their despatch of the 15th September, 1792, observe, that 'on the fullest consideration, we are inclined to think, that whatever doubts may exist with respect to their original character, whether as proprietors of land or collectors of Revenue, or with respect to the changes, which may in process of time have taken in their situation, there can be at least little difference of opinion as to the actual condition of the Zemindar under the Mogul Government. Custom generally gave them a certain species of hereditary occupancy, but the sovereign nowhere appears to have bound himself by any law or compact not to deprive them of it, and the rents to be paid by them remained always to be fixed by his arbitrary will and pleasure, which were constantly exercised upon this subject. If considered, therefore, as a right of property, it was very imperfect and very precarious, having not all, or but in a very small degree, those qualities, that confer independence and value upon the landed property of Europe.'

Mr. A. D. Campbell in his paper on the Land Revenue of India prepared at the request of the Select Committee of 1832, says that 'the fields which he held in his distinct capacity, as a cultivator, were never in the slightest degree confounded by the native governments with his official contract or Zemindari tenure.' Appendix. No. 6 of their Report. Part. III. Revenue. page. 13.

This distinction between the rights of the cultivators in the soil, and the rights of the Zemindar to the receipt of the land revenue from the cultivator, is, in Mr. Campbell's opinion, of the greatest importance. 'For' he adds 'it is the want of a clear perception of these two very distinct rights, which has given rise to the chief errors committed at the period of the Zemindari settlement.

The Government of N. W. Provinces in their Direction to Revenue Officers remarked, that, 'the inferior rights have been in abeyance, not lost, their existence admitted, and their recognition promised and deferred by no fault of the owners, but by the neglect of the ruling power.' Para. 108 of Direction to Revenue Officers of N. W. Provinces." Babu Sunjeeb Chunder Chatterjee's Bengal Ryots.

"The Zemindars, who, it is abundantly shewn in the evidence laid before a Committee of the House of Commons in 1772, were merely the agents (see appendix A) through whom the revenues were realized, and not the proprietors of the soil. Unfortunately the just claims of the ryots were altogether forgotten in settling the question of proprietary right; and strange to say—without evidence—without proof—without investigation, the British legislature have delivered over, as tenants-at-will, millions of free proprietors, to the tender mercies of a race of tax-gatherers and speculators, who, though not possessing a foot of land, have been, by a stroke of the pen, converted into exclusive proprietors and seigniorial lords of the Bengal Provinces. So far from the permanent settlement being the work of the Company's officers, it is well known, that it originated with certain members of the administration in England; the Code prescribing the course of the fiscal management to be adopted, was drafted in England, and brought out by Lord Cornwallis in Bengal. *By the provisions of this code, the rights, privileges, and interests, of the whole agricultural community of the Bengal Provinces were annihilated, while the Company's judicial officers, who were all sworn to decide according to its dictates, were compelled to apply the whole force and power of the courts of law in aid of the work.*" Preface to A Memoir on the Land Tenure and Principles of Taxation.

"The possessions of the Ryots either individually or by villages, were hereditary possessions. So long as they continued to pay to Government the due proportion of the produce, they could not lawfully be dispossessed. They not only transmitted

their possessions by descent, but had the power of alienation, and could either sell them or give them away." Mill's History of the British India. Vol. 3. p. 273.

"The tendency of the Indian system of castes and laws of inheritance," says Sir Thomas Munro in his letter to Mr. Petrie, dated the 26th August, 1805, "always has been, and must be, to keep land divided into small portions among the Ryots, and to make the same person labourer, farmer, and landlord. Why then attempt to subvert an ancient system, which places the great body of the Ryots above want, renders them industrious, frugal, and comfortable, and preserves the simplicity of their manners and their respect for public authority. There is no people on earth, among whom there is greater subordination than among the Hindoos, who never saw proprietary zemindars, until they were created by the Company's Government." Quoted in Principles and Policy of British India. p. 12.

"In the Bengal Provinces they (the zemindars) were created by the Government; they were not lords paramount before the Permanent Settlement." David Hill. Esq. Answer to question 1333. Minutes of Evidence. Revenue. Commons. 1832.

"On what basis do you think that the right of the ryot is fixed?—On this point I looked into the nature of the Mahomedan law, as applied to India.....In the Mahomedan law the cultivator is called Rubool Uruz, which means 'master or owner of the soil,' and the property described to be in the cultivator, under the term Malik, meaning the most indefeasible right of property. The Emaum, or governor, in his instructions to his agents for settling with the cultivators for the khiraj or revenue (for no third claimant to the produce of the soil is ever mentioned) directs, that he, the cultivator, shall retain of his produce enough for the subsistence of himself and family, till the next harvest, with seed to sow again." Thomas. Fortesque. Esq. Ibid. 2306. Ibid.

"The regulations and the practice of the country from time immemorial gave him (zemindar) authority to collect the Government share of the produce, but always allowing the cultivator or *owner of the soil* to reserve there of, in the first instance, that portion I have already described as requisite for his comfortable support and that of his family." Ibid. Ibid. 2315. Ibid.

"I do not consider, that the Government gave him (zemindar) any right, or implied any right, in him to justify his dispossessing a ryot, who yielded up that portion of his produce, which was over and above what I have described. The zemindar could not doubt render himself liable for what he pledged to Government; but *can it therefore be said, that he became armed by law to desolate the country, by visiting his bad bargain, or senseless cupidity, on the ancient proprietors of the soil?*" Ibid. Ibid. 2316. Ibid.

“When I was last before the Committee, having urged in my statement respecting the land revenue system of India the great importance of particular attention as well as to its principles. As to its effects I could wish, with permission, to say a few words in addition to my former evidence on this subject.

The matters requiring most attention, as regards the revenue systems, may be classed under the following heads :—First, our revenue systems owe their origin to laws and principles peculiar to our predecessor, the Musulmans, according to which the ruling power assumes the right of being acknowledged sole proprietor of all the lands in his dominions ; secondly, as a merciful consideration for saving the lives and granting freedom to conquered subjects, the Musulmans also enacted, that one-half the gross produce of the soil should be the share of the sovereign, in the enforcement of which law and revenue came to be confounded, and the whole class of landed proprietors, properly so called, annihilated or reduced to beggary, or to become cultivating tenants or laborers on the soil ; thirdly, that the Company's Government adopted the system of succeeding to the Dewanny in Bengal in 1765, and in the other provinces of India, which have since been annexed to the British Empire, without however attaching to them the consequences of personal freedom ; fourthly, that the gross produce of the soil of extensive dominions being almost impossible of ascertainment, the imposition of such a rate as a land tax could never be otherwise than unequal in the extreme and the collection of it arbitrary and vexatious ; fifthly, that the extreme pressure of this exorbitant revenue has for ages kept down, and still keeps down, the great mass of the native inhabitants in the lowest stages of poverty and ignorance ; sixthly, that hosts of native servants in subordinate situation and low salaries, are necessarily employed to collect this most oppressive and unequal tax, whose acts no vigilance on the part of Collectors or Judges has hitherto been able to control, and whose extortions on private account, in addition to the public revenue, add irremediably to the wretchedness and poverty of the people ; seventhly, that besides the excessive pressure of this tax, Government, in the exercise of its

sovereign proprietary right, has transferred, by free grant in some instances, and by sale in others, vast tracts of country from its ancient hereditary possessors to persons called Zemindars, *i. e.* Collectors, and to absolute strangers, which the ousted lawful proprietors consider, in their present stage of habitual poverty, to be a greater calamity even than the tax itself.

Of these facts abundant proofs are now extant in various authentic writings, and more especially in four folio volumes of Revenue and Judicial Selections from Indian Records printed by the Court of Directors, and liberally circulated for the use of their servants abroad ; and were I to quote what these volumes contain in evidence on the subjects adverted to, it would only be to fill another. I shall, therefore, confine myself to a short remark on the last head as connected with other parts of my former examination. When the zemindari settlement was introduced into Bengal, the lands were made over in full proprietary right to zemindars, hereditary collectors under the Mahomedan administration, from our being then ignorant that actual proprietors existed, called in Bengal, village zemindars, cultivating zemindars, village proprietors, &c. Subsequent enquiries, however, have brought to light, that those proprietors under the operation of the revenue system were reduced in 1793, they were overlooked, and their lands transferred in perpetuity to others. My Lord Hastings, then Lord Moira, on a tour of inspection through the inner provinces, expresses himself on this head in the following terms :—‘ Within the circle of the perpetual settlement, the situation of this unfortunate class is yet more desperate ; and though their cries for redress may have been stifled in many districts by their perceiving that uniform indisposition to attempt relieving them, which results from the difficulty of the operation, their sufferings have not on that account been the less acute. In Burdwan, in Behar, in Cawnpur, and indeed wherever there may have existed extensive landed property at the mercy of individuals (whether in farm, or jaghir, or talook, or zemindari,) of the higher class, complaints of the village zemindars have crowded in upon me without number ; and I had only the mortification of finding that the existing system established by the

legislature left me without the means of pointing out to the complainants any mode in which they might hope to obtain redress. In all these tenures, from what I could observe, the class of village proprietors appeared to be in a train of annihilation, and unless a remedy is speedily applied, the class will be soon extinct. Indeed, I fear, that any remedy that could be proposed would even now come too late to be of any effect in the estates of Bengal; for the license of twenty years, which has been left to zemindars of that province, will have given them the power, and they have never wanted the inclination, to extinguish the rights of this class, so that no remnants of them will be soon discoverable. In like manner, the Commissioners of the Ceded and Conquered Provinces, speaking of those persons, remark: 'The whole of this valuable class of landholders may be considered to be extinct in the Lower Provinces, in consequence of the interpretation put on the title of general zemindar, who was considered, by the terms of the Permanent Settlement, as the universal proprietor of the soil, and the fountain from which alone any other person could derive a property. *Bengal Revenue Selections*, vol. I, p. 361 and 371.

It is, no doubt, known to several noble Lords of this Committee, that village communities and other associations exist among the natives to which particular rights and privileges attach. Among others, the lands belonging to villages are either a joint-property or divided into separate estates. These proprietors in the Upper Provinces of Bengal are called Malguzars. In the settlements for the revenue, the headman of the village or Sudder Malguzar is treated with and made responsible for the whole demand. These joint or village properties have consequently been treated in many instances as one estate, and in the event of a Sudder Malguzar failing in his payment, the whole village is sold to make good arrears; all the joint or minor proprietors, the innocent and the defaulters, suffer together: their ancient hereditary properties are lost to them, and made over, for a price, generally to a stranger, by whom the real landlords are then considered in no better light than mere tenants-at-will. Now my Lords, it is impossible, that acts of this kind could have occurred, and they have unhappily been but

too frequent, had we been better acquainted with native usages, institutions, and rights,—had our intercourse with the natives been more intimate,—or had natives of respectability and character occupied situations to enable them, either by conveying information, or in the exercise of their official functions, to check such proceedings. But these matters, with many others of a like import, have strongly impressed on my mind the necessity of native co-operation and aid, if we really mean to improve the state of India and the condition of its people. At all events, the experiment may be worth trying, since all other means devised by the ablest of our European public servants have hitherto proved unsuccessful.” *Richards, Esq. Ibid. 3961. Minutes of Evidence, Select Committee of the House of Lords, 1830.*

“About this time (1784-5) Mr. James Grant, junior, had been employed as ambassador at the Court of Hyderabad, and had written a very laborious statistical account of the districts lying between Masulipatam and Ganjam, which had long been in the possession of the British Government, but whose history was a great desideratum. Mr. Grant also wrote an analysis of the Mahomedan revenue system in Bengal and Behar, wherein he entered very fully into the nature of landed tenures generally, and took great pains to show the real position of the Zemindar, who, from the nature of his condition in Bengal, had been mistaken, as we have before seen, to be the real proprietor of the lands, the revenues of which he collected for the State.” *Briggs' Land Tax in India, p. 157.*

“Sir John Macpherson, in a Minute dated 4th July 1786, expressly states: ‘After an attentive perusal of Mr. Grant’s Analysis, I have not, for my own part, a doubt that the genuine ancient revenue accounts of these provinces have been either mutilated or kept back from the knowledge of our Agents, from the time of our acquisition of Dewanny.’”

It is much to discover with certainty the real position of the great revenue system, and we can collect and take up the links of ancient history, which is certain, nothing was more complete, more systematic, and more systematic than the ancient revenue system. It was

formed so as to protect the people who paid it from oppression, and secure to the sovereign his full and legal rights.

The accounts of every village are kept, on the part of the ryots, by an accountant of their own free election, called a *Mocuddum* or *Potall*, which accountant settles the just dues of Government with officer on the part of Government called *Putwarries*. After adjusting their accounts respectively, they both repair, or send deputies at stated periods, to the principal town of the district with their accounts and collections, to be rendered to their respective principals, *viz.*, the Zemindar and the "Canungoe." *Ibid.*, p. p. 157-58.

We now come to his (Mr. Grant's) opinion with regard to Zemindars. 'It is to be regretted, that some palpably erroneous and dangerous doctrines, subversive of one of the first most essential and best ascertained principles of Eastern legislation, by which the proprietary right of the soil is constitutional (constitutionally) and solely vested in the sovereign ruler, should of late have gone forth and received—not only the sanction of speculative writers misled by the misrepresentations of ignorant travellers, or by partial analogous reasoning, from an imperfect understanding of fact and local circumstances, but also be adopted and strenuously urged by men of influence and experimental knowledge, equally eminent for ability and integrity.' The erroneous doctrines he explains in another part of his report, to consist in supposing the Zemindars to be the proprietors of their estates. 'The proposition is so palpably absurd and erroneous in principle, that it seems impossible to express it in any terms of language, which do not at the same time convey a self-refutation, and expose the fallacy both of the premises and the conclusion.' In this instance Mr. Grant's opinion is borne out by the most conclusive evidence and the experience of fifty years. In another place he observes 'with respect to the natives of Hindoostan, *it would be a most dangerous innovation* (diametrically opposite to the letter and spirit of all oriental legislation, ancient and modern, devised by conquerors) *to admit, either in theory or practice, the doctrine of private individual landed property by inheritance, free or feudal*

tenures extending beyond the period of a single life; but above all, seeing that the great law of society (public expediency) requires the full aid of established financial resources (justly proportioned to the gross annual produce of the soil) and *equitably moderate* with respect to the natural wants or ability of the peasantry, and only barely sufficient, on the most economical scale, to supply the absolute exigencies of the lenient protecting sovereign state, under the dominion of which such rare advantages are enjoined, amidst the despotism, tyranny, and oppression, common to almost all the other countries of Asia'." *Ibid.*, p. p. 163-64.

"When the Mogul Government substituted itself throughout the greater part of India for the Hindoo rulers, it proceeded on a different principle. A minute survey was made of the land, and upon that survey an assesment was founded, fixing the specific payment due to the Government from each field. If this assesment had never been exceeded, the ryots would have been in a comparatively advantageous position of peasant proprietors, subject to a heavy, but a fixed quitrent. The absence, however, of any real protection against illegal extortions, rendered this improvement in their condition rather nominal than real; and except during the occasional accident of a humane and vigorous local administrator, the exactions had no practical limit but the inability of the ryot to pay more.

It was to this state of things, that the English rulers of India succeeded; and they were, at an early period, struck with the importance of putting an end to this arbitrary character of the land revenue, and imposing a fixed limit to the Government demand. They did not attempt to go back to the Mogul valuation. It has been in general the very rational practice of the English Government in India, to pay little regard to what was paid down as the theory of the native institutions, but to enquire into the rights which existed and were respected in practice, and to protect and enlarge those. For a long time, however, it blundered grievously about matters of fact, and grossly misunderstood the usages and rights which it found existing. Its mistakes arose from the inability of ordinary minds to imagine a state of social relations

fundamentally different from those with which they are practically familiar. England being accustomed to great estates and great landlords, the English rulers took it for granted, that India must possess the like ; and looking round for some set of people, who might be taken for the objects of their search, they pitched upon a sort of tax-gatherers called Zemindars. 'Zemindar', says the philosophical historian of India, 'had some of the attributes which belong to a land-owner ; he collected the rents of a particular district, he governed the cultivators of that district, lived in a comparative splendour, and his son succeeded him when he died. The Zemindars, therefore, it was inferred without delay, were the proprietors of the soil, the landed nobility and gentry of India. It was not considered that the Zemindars, though they collected the rents, did not keep them, but paid them all away with a small deduction to the Government. It was not considered that, if they governed the ryots, and in many respects exercised over them despotic power, they did not govern them as tenants of their holding their lands either at will or by contract under them. The possession of the ryot was an hereditary possession, from which it was unlawful for the Zemindar to displace him : for every farthing which the Zemindar drew from the ryot, he was bound to account ; and it was only by fraud, if, out of all that he collected, he retained an anna more than the small portion, which as pay for collection, he was permitted to receive.' *Mill's History of British India*, vol. VI, p. 392.

The essential principle of property being to assure to all persons what they have produced by their labour and accumulated by their abstinence, this principle cannot apply to what is not the produce of labour, the raw material of the earth. If the land derived its productive power wholly from nature, and not at all from industry, or if there were any means of discriminating what is derived from each source, it not only would not be necessary, but it would be the height of injustice, to let the gift of nature be engrossed by a few. The use of the land in agriculture must, indeed, for the time being, be of utmost necessity exclusive : the same person who has ploughed and sown must be permitted to

reap: but the land might be occupied for one season only, as among the ancient Germans, or might be periodically re-divided as population increased; or the State might be the universal landlord, and the cultivators tenants under it, either on lease or at will." *Mill's Political Economy*, vol. I, p. p. 280-81.

"When the 'sacredness of property' is talked of, it should always be remembered, that this sacredness does not belong in the same degree to landed property. No man made the land. It is the original inheritance of the whole species. Public reasons exist for its being appropriated. But if those reasons lost their force, the thing would be unjust. It is no hardship to any one to be excluded from what others have produced. They were not bound to produce it for his use, and he loses nothing by not sharing in what otherwise would not have existed at all. But it is some hardship to be born into the world, and to find all nature's gifts previously engrossed, and no place left for the new comer. To reconcile people to this, after they have once admitted into their minds the idea, that any moral rights belong to them as human beings, it will always be necessary to convince them, that the exclusive appropriation is good for mankind on the whole, themselves included. But this is what no human being could be persuaded of, if the relation between the land-owner and the cultivator were the same everywhere, as it is in Ireland.

Landed property is felt, even by those most tenacious of its rights, to be a different thing from other property; and where the bulk of the community have been disinherited of their share of it, and it has become the exclusive attribute of a small minority, men have generally tried to reconcile it, at least in theory, to their sense of justice, by endeavouring to attach duties to it, and erecting it into a sort of magistracy, either moral or legal. But if the State is at liberty to treat the possessors of land as public functionaries, it is only going one step further to say, that it is at liberty to discard them. The claim of the land-owners to the land is altogether subordinate to the general policy of the State. The principle of property gives them no right to the land, but only a right to compensation for whatever portion of their interest in the land it

may be the policy of the State to deprive them of.....But subject to this proviso, the State is at liberty to deal with landed property as the general interests of the community may require, even to the extent, if it so happen, of doing with the whole, what is done with a part whenever a bill is passed for a railroad or a new street..... The community has too much at stake in the proper cultivation of the land, and in the conditions annexed to the occupancy of it, to leave these things to the discretion of a class of persons called landlords, when they have shown themselves unfit for the trust. The legislature, if it pleased, might convert the whole body of landlords into fund-holders or pensioners, and raise the tenants into proprietors." *Ibid.*, p.p. 284-86.

"It will be found, if we examine the subject more closely, that our notions of private property in land are altogether peculiar. The alienation of the public territory to individual proprietors is a modern invention. The bare idea of alienation is repugnant to three-fourths of the human race. To the American Indian, North and South, to the New Zealander, the South Sea Islander, the aborigines of Africa and Australia, the idea is altogether incomprehensible. To their unsophisticated notions the land appears to be as necessary to their existence as the air they breathe. The idea of its absolute permanent alienation never entered their minds, as they cannot conceive of the existence of the tribe or nation apart from the soil. Individual ownership of the soil is as repugnant to the civilized mind as to the savage—to the semi-barbarous nationalities of the west, as to the luxurious civilization of the east. Thus in Mexico, we are told the people held the lands in common, and alienation was unknown. (*Prescot's History of the Conquest of Mexico*, p. 13). In ancient Egypt the soil belonged exclusively to the sovereign. Herodotus tells us, that Sesostris 'made a division of the soil of Egypt among the inhabitants, assigning square plots of ground of equal size to all, and obtaining his chief revenue from the rent, which the holders were required to pay him every year. If the river carried away any portion of a man's lot, he appeared before the king, and related what had happened, upon which the king sent persons to determine by measurement

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"The Committee of the House of Commons observe that 'it was the opinion of some intelligent servants of the Company, that rather than make any more revenue settlements by contracts in the gross, it would be better to revert to the system of former Governments.'" *Ibid.*, p. 175.

"The various reports, which now (at the time of making the settlement permanent) poured in from all quarters, tended to shake the opinions of those, who had been foremost in declaring the zemindars to be the land proprietors, and Mr. Shore entered a strong minute on the council records against hastily confirming, or rather conferring, rights in perpetuity, which were at all events new, and might be found to belong to others." *Ibid.*, p. 173.

Our readers will find several other passages elsewhere, which, though for the sake for convenience placed under different heads, will yet serve to strengthen our views on this subject. With these remarks, we now place before them a few examples of the fact, that the ryots were the real proprietors of the soil.

"In Bengal, on the other hand, the zemindar, in the cases alluded to, was invariably a cultivator, and had been nothing else, until the Permanent Settlement made him a zemindar or contractor for the revenue also. Mr. Tucker, the Commissioner in Sylhet, mentions a fact strongly elucidating this. He states that new village zemindars, whom he terms 'Meerassidars,' as at Madras, on being required to exchange engagements with their cultivators, 'when summoned by the Collector, urged that they had no ryots; that the whole of their lands were *nij jote* cultivated by themselves or their hired servants, and that, therefore, they had no pottahs to grant; that they were themselves the ryots, and the State the zemindar, under which character they were willing to receive pottahs from the Collector, and execute cabuleuts in return.'" *A. D. Campbell. Papers laid before the Select Committee of the House of Commons, 1832.*

"The Collector of Shahabad writes:—'The *Babás* (new contracting proprietors) have come here, but the men whose talooks

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(small estates) were included in the *Babús'* district of 874 villages, *now claim to be proprietors*, and deny that the *Babús* are possessed of any deeds, which can justly deprive them of their rights. In like manner the heads of several of the villages composing such talooks make the same affirmation, till at length they absolutely refused to enter into any agreement but as maliks (proprietors), declaring they would rather lose their lives than acquiesce in yielding what they consider their hereditary rights.' " *Briggs' Land Tax in India*, p.p. 173-74.

"The Chief or Deputy Governor of the district of Dacca, in reply to an order requiring him to send an estimate of the ~~waste~~ land of which the Government intended to dispose to the new created proprietors, writes as follows:—'I believe, there is no district in the three Provinces of Bengal, Behar, and Orissa, that has more jungle and waste land in it than Dacca, but the whole is claimed as the property of individuals, who, though they receive no profit from it, and are too indolent themselves to make it productive of any, will not suffer others to bring it into a state of cultivation without some recompense; and so very tenacious are they of it, that even in the suburbs of the city, (which for three or four miles is almost impenetrable jungle infested by wild ferocious animals), a man cutting down a single tree will be sued by the proprietor for damages.' It never occurred to the Deputy Governor, that any other reason for abandoning this private land existed *than mere indolence*, whereas the least consideration ought to have pointed out other causes—either want of capital, or excess of taxation, which did not admit of its being cultivated so as to repay the expense of clearing it." *Ibid.*, p. 174.

"The Collector of Sarun, in a letter of the 23rd July 1789, gives the following true definition of a zemindari:—'It is a portion of land consisting of sundry farms paying revenue to Government, belonging to *numberless proprietors*, managing their own lands either themselves or through their agents, but acting in general under a *nominal proprietor*, called zemindar (with whom they engage for their revenue), he having a real property, perhaps, a *fiftieth part* of the zemindari.' In another place, the same

must be excepted some, who had penetrated more deeply, and who had employed themselves in researches, which though comparatively superficial were sufficient to convince them, that much lay hidden beneath the surface, which a more minute local scrutiny would bring to light. Among others, who were most distinguished on this occasion, was the Acting Collector of Bhaugulpur, whose reports had shaken the opinion of the Governor-General himself, as to the fact of the zemindars being the proprietors, instead of being the public functionaries of their districts; and with these persons it was resolved to contract for the land tax. The proposed settlement of Marquis Cornwallis only embraced in the first place a period of ten years, which if approved by the Court of Directors was to be declared permanent, and to limit for ever the public demand of Government on each district. The districts were henceforth to be deemed private estates conferred in perpetuity on the revenue contractors. He was impatient of the delay attending further investigations, and of the vexatious state of ignorance in which he felt himself, and he cut the GORDIAN KNOT." Thus he, by a stroke of his pen, reduced the vast mass of people of Bengal, Behar, and Orissa, from their position of allodial proprietors to that of mere tenants-at-will; thus he handed them over in the gross to the tender mercies of a few cruel and rapacious zemindars; thus he raised the monument of terrible British injustice, which has spread ruin and desolation throughout the land, and which, if not demolished, will, at no distant future, reduce the State itself to bankruptcy. "Instead of simply confirming to the zemindars their hereditary property, he tendered to them the sole proprietorship of the districts they managed as the servants of Government, for the consideration of receiving from them a fixed sum for ever equal to the average of that, which has been paid within the last ten or twenty years." *Briggs' Land Tax in India*, p. 165.

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General Rules. "Whenever the whole or a portion of the lands of any zemindar, independent talookdar, or other actual

proprietor of land, shall be disposed of at public sale for the discharge of arrears of the public assessment, all engagements, which such proprietor shall have contracted with dependent talookdars, whose talooks may be situated in the lands sold, as also are leases to under-farmers, and pottahs to ryots, for the cultivation of the whole or any part of such lands, (with the exception of the engagements, pottahs, and leases, specified in Sections VII. and VIII.), shall stand cancelled from the day of sale, and the purchaser or purchasers of the lands shall be at liberty to collect from such dependent talookdars, and from the ryots or cultivators of the lands let in farm and the not farmed, whatever the former proprietor would have been entitled to demand according to the established usages and rates of the pergunnah or district in which such lands may be situated, had the engagements so cancelled never existed." *Reg. XLIV., 1793, sec. 5.*

"Nothing contained in this Regulation shall be construed to prohibit any zemindar, independent talookdar, or other actual proprietor of land, selling, giving, or otherwise disposing of any part of his lands as a dependent talook." *Sec. 6.*

"The rules (regarding the rates of rent) in the preceding Section are to be considered applicable not only to the pottahs, which the ryots are entitled to demand in the first instance under Regulation VIII., 1793, but also to the renewal of pottahs, which may expire or become cancelled under Regulation XLIV., 1793. And to remove all doubt regarding the rates at which the ryots shall be entitled to have such pottahs renewed, it is declared, that no proprietor, or farmer of land, or any other person, shall require ryots, whose pottahs may expire or become cancelled under the last mentioned Regulation, to take out new pottahs at higher rates than the established rates of the Pergunnah for lands of the same quality and description, but that ryots shall be entitled to have such pottahs renewed at the established rates, upon making application for that purpose to the person by whom their pottahs are to be granted, in the same manner as they are entitled to demand pottahs in the first instance, by Regulation VIII., 1793." *Reg. IV., 1794, sec. 7.*

“If at a public sale for arrears, the Collector shall see reason to believe, that the highest bidder, or the person with whom he is about to conclude a sale, is purchasing for the defaulter, or has given in a fictitious name, concealing that of the true purchaser or purchasers, or has stated as the purchaser the name of a person other than the party or parties with whose money, at whose risk, and for whose benefit, the purchase may have been made, or has concealed the name of any such party, it shall be competent to him to refuse to conclude the same. In every such case, however, he shall hold a proceeding in the Persian language, stating distinctly the grounds of his belief, and the reason of his setting aside the individual, and disallowing the purchase. Provided also, that in such cases the party so bidding shall be liable to a fine equal in amount to the deposit, which would have been paid, had the sale been concluded at the price bid, or to such other fine not exceeding that amount, as the Board may, on the report of the Collector, see fit to impose; all such fines adjusted by the Board shall be recoverable by the process in use for the recovery of arrears of revenue from sudder farmers and their sureties.” *Reg. XI., 1822, sec. 15.*

All these Regulations were treated by the zemindars as not worth the paper on which they were written. The frauds perpetrated by them by wilfully neglecting to meet the demands of the Government, and re-purchasing the estates sold in satisfaction of those demands in fictitious names, and their conduct towards their under-tenants for raising the rents stipulated in the pottahs, which stood cancelled from the day of sale, were productive of serious consequences—often involved them and the under-tenants in ruinous litigation, which only ended in the submission of the latter to the demands of the former however exorbitant they were, and which proved a serious obstacle to the improved agriculture. We need not dwell much upon this subject; the following quotations will fully elucidate the facts.

“In regard to the practice mentioned by the Presidency Sudder Board of Revenue, of defaulting zemindars allowing their estates to be brought to sale for arrears of revenue and purchasing

the estates themselves in a fictitious name, it is resorted to, I believe, only by zemindars, who have recently acquired, and consequently possess a large proprietary interest in their estates. The main object of the practice is to get rid of existing leases, and to obtain an immediate increase of rental by a fraudulent application of the Regulation, which annuls the leases of the zemindars, when their estates are sold for arrears of revenue; a Regulation, the existence of which not only operates perniciously by inducing the practice adverted to, but opposes a complete bar to agricultural improvement, by depriving lease-holders of all security in the stability of their leases." *Extracts from a Minute by Mr. Ross, Member of Council, on a new Sale Law proposed by the Sudder Board of Revenue, dated 10th August 1833. Papers Regarding the Consequences to Under-tenures of the Sale of an Estate for Arrears of Revenue.*

"Nor can it be the interest of the Government to lend its willing aid to the depreciation of landed property, or to the more frequent occurrence of sales, and the changing of hands in the proprietorship of estates, by the opening thus given to all the fraudulent alienations, which any proprietor, having his eye to an approaching sale, may make in the name of his relations and dependents, without fear of the consequences, or any of detection." *C. W. Smith, Esq. Ibid., p. 71.*

"Sale for arrears of revenue is a great evil, though an unavoidable one. It is our duty to make the evil no greater than is absolutely necessary for the purpose for which sales are provided. Perhaps the greatest of all evils belonging to sales is the insecurity, which they bring upon under-tenants of all descriptions, and the mischievous power of annoyance, interference, and extortion, which they give to a new auction-purchaser over his under-tenants." *Sir F. J. Halliday. Ibid., p. 28.*

"There is no question, His Honor in Council observes, but that the enhancement of the rent of under-holdings created, perhaps, forty or fifty years back, and held for all that time in good faith, without default on the part of the holder, merely because of the

fault of his superior, which he has no means either to prevent or remedy, is a severe hardship to the individual, and must operate injuriously on the interests of agriculture generally, by the uncertainty which it creates.....It must be presumed, that under the present law, any loss to an under-tenant, who had given a valuable consideration for his tenure, arising from the sale of the zemindari owing to the default of the zemindar, is recoverable by the under-tenant from the defaulting zemindar by a civil suit; for the zemindar has sold the same thing twice, once to the under-tenant, and again to the auction-purchaser. But it would be better to prevent, if possible, the necessity of such a suit, and to provide against the risk of the zemindar's insolvency attending it." *J. P. Grant. Ibid., p. 37.*

"I suspect the Supreme Government will not listen to the proposal of the one definite section, declaring every tenant, who cannot prove possession at the period of the Decennial Settlement to be a mere tenant-at-will: and this is the (Landholders') Society, that takes up the cudgels against the resumption laws and their enforcement!

I consider the exception made in favour of *bonâfide* farms to be equitable, and highly desirable for the interests of agriculture. The case put by the Landholders' Society is a very extreme and unlike one, and laws are not framed for such, but for 999 cases in the 1,000.

I will put another case, far more common:—A proprietor offers a farm upon a long lease, and induces the farmer to pay down a heavy sum, as an advance, or there is but a small portion of the lands in actual cultivation, and the farmer, in confidence of his long lease, lays down a considerable sum of money, and in the course of a few years, the lands are made highly productive. In either of these cases, the proprietor sees his advantage in getting rid of the farmer, which he manages with little difficulty, by allowing the estate to be sold for an arrear of revenue, and purchasing it in the name of one of his dependents." *C. W. Smith, Esq., Junior Member of the Sudler Board of Revenue. Ibid., p. 65.*

“It seems a course incompatible with that inducement to improvement and encouragement of agricultural prosperity, which every good Government is bound by suitable institutions to hold out, that a *bond-fide* purchaser occupied in making the most of his purchase by the outlay of capital and skill, and promoting the public prosperity, while laudably seeking his own, should not only be suddenly stopped, but totally ruined by the wilful fraud of the seller. Yet such, as Mr. Halliday so forcibly points out, is, and must be, the result of the present law.” *H. M. Elliot, Esq., Secretary to the Sudder Board of Revenue. Ibid., p. 72.*

“The consequence is, that on a sale taking place, ~~affairs~~ and litigation cannot but ensue. There must always, in every case, be years of enmity between the new landlord and his tenantry. There being no record of the protected tenures, he assumes that none are protected, while the tenants set up groundless claims to protection oftentimes supported by the late zemindar. I can imagine no condition more pitiable than that of inhabitants of a zemindari transferred by a sale for arrears.

Though the purchaser may be a man of good character, his agent may be a tyrant. All the tenures of all classes are open to revision; each inhabitant can see before him only the feeling of *peadahs* and *ameens, salami* to the new owner, weary journeying to the sudder stations, and at last re-adjustment of rent—‘Re-adjustment of Rent!’ We may talk of it, and write of it with indifference, but to the tenants of an estate, a sale is as the spring of a wild beast into the fold, the bursting of a shell in the square. It is the disturbance of all they had supposed stable. The consequence must be a recasting of their lot in life, with the odds greatly against them.” *H. Ricketts, Esq., Member of the Sudder Board of Revenue. Ibid., p. 90.*

“As the law stands, a talookdar or lease-holder paying his rent regularly is practically a tenant-at-will. The zemindar of whom he holds may, at any moment, break his agreement, oust his tenant, and absorb the price for which the lease was given. He has only to suffer the rent to fall into arrear, and then buy in.

the estate under a false name, with every encumbrance removed. If his tenant is prosperous, has laid out capital on the land, has commenced a new cultivation, or has drained a marsh, the zemindar has every temptation to commit this fraud. He obtains the price of improvements, for which he did not pay. Even when a regard to his own credit or some lingering feeling of honesty may induce him to abstain, the power may be converted into a terrible engine of coercion. The sale of an estate is ruin to the talookdar, and the zemindar can sell the estate at any moment without injury to himself. The tenant must, therefore, obey his zemindar. Moreover, the unfortunate tenant may be injured not only by his landlord's fraud, but also by his landlord's follies. His fondness for expenditure and show is as dangerous as his villainy. His trust in a favourite may be as injurious as his avarice. In either case, the estate may be brought to the hammer, and the under-tenant deprived of the rights he has bought and paid for. In Bengal, the tenant, though a holder-at-will, in practice has paid in hard cash for the protection he does not receive. He spends his money on the faith, that he has obtained a permanent lease. Of course, under such a system, improvement is almost impossible. So long as the returns can be obtained within the year, there will be plenty of tenants. But no one will risk an expenditure for a future return, which he is almost certain never to obtain." *The Friend of India, January 10, 1856.*

An Example. "The vast increase of the operations in coal, during the last twenty years, and the indispensable necessity of this article to all improvements either in steam navigation, or in manufactures, sufficiently attest the importance of our Collieries. We, therefore, offer no apology for at once appealing to Government for that protection, which is now denied to them. By the celebrated Sub-letting Act of Bengal, Reg. VIII. of 1819, all sub-tenures are cancelled, whenever the proprietor of the superior tenure subjects his land to sale, by allowing his rent to fall into arrears. The Collieries are unfortunately established upon such under-tenures of land called in this country Putnee Talooks. The large establishment of buildings, engines, and works, which

they comprise, are thus at the mercy of any knavish zemindar, who, after having collected all he can squeeze from his tenants, chooses to embezzle the amount, and turn defaulter. If the estate be sold, the lease of the Colliery becomes void; and the new purchaser has it in his power to subject the proprietors of them *to all the abominations of eastern extortion*, before he will consent to renew their lease. Their only remedy against such extortion, is to pay up all the defaulter's dues, and become mortgagees of his estate; but to this plan there is the double objection, that it locks up a large amount of capital, and involves those, who require their whole time for their mines, in all the intricacies and vexations of a native zemindari. We are not drawing a picture of ~~imaginary~~ disaster. Twice a year, within the last three years, have the proprietors been obliged to prepare themselves to protect the property invested in Collieries valued at several lakhs of rupees, by resorting to the Collector's Court to purchase a reprieve at any cost; and we speak within the mark, when we say, that this defective state of the law has subjected the mines to an additional expense of twenty thousand rupees. But what is still worse, it checks the spirit of enterprise, and interferes materially with the prosperity of the country. The mines now worked cannot supply the increasing demand for coal. New mines must be opened without delay; and to this the attention of the proprietors is naturally turned; but owing to the present state of the law, instead of being at liberty to select those sites, which are most favourable for their operations by the vicinity of water-carriage, they are constrained to avoid taking up a position on land, that happens to be within the limits of an under-tenure, however advantageous its natural situation, and content themselves with inferior localities, where they will be free from risk and molestation. This must eventually enhance the price of coal to the consumers. This state of things demands the early interference of Government. Public interests of such magnitude should be especially protected. At the time when the Sub-letting Act of 1819 was enacted, Collieries were scarcely known; but as the law has not been subsequently amended to meet the progress of circumstances, they are subject to the inconvenience of being brought

within the range of a Regulation, which was never intended to apply to them. The welfare and improvement of this part of India demand, that mineral leases shall not be liable to sale, except when the rent attached to them is withheld." *Ibid.*, September 14, 1840.

The Huptum and Pancham Regulations.

Extravagance, recklessness, mismanagement, and dishonesty of the zemindars on the one hand, and grand frauds of their underlings on the other, began, soon after the Permanent Settlement had been made, to manifest themselves in their inability or wilful neglect in meeting the demands of the Government, and, as a consequence thereof, most of their estates were sold to the highest bidders. Thus, within a few years, the intention of Lord Cornwallis to create great landlords of the farmers of revenue was frustrated. However they succeeded in inducing our rulers to believe, that their inability to pay the revenue arose not from any fault of theirs, but from the stupidity and rascality of the ryots in not paying the rents due to them, and that it was extremely necessary for the safety of the Government revenue to invest them with summary powers for the realization of their rents from the cultivators. The vast millions, for whose happiness and well-being the Permanent Settlement was made, but who had no one to properly represent their grievances, were made the scapegoat in the eyes of our rulers. They thought that the rascality of the ryots was the true cause of the inability of the zemindars to pay the Government revenue, and that it was necessary for the safety of the empire—for the realization of the revenue—to subject the persons and the property of the former to the tender mercies of the latter. It has been said before, that the zemindars wilfully neglected to meet the demands of the Government. The reason for their wilful neglect was, that they might be able to purchase the estates in fictitious names, and to raise the rents of their under-tenants. For "if a sale of the proprietor's estate, in satisfaction for arrears of revenue, took place, the sale cancelled all previous obligations between him and the ryot."

Lord Wellesley, who succeeded Sir John Shore (afterwards Lord Teignmouth) as Governor-General a few years after the Permanent Settlement, and who was too aristocratic to pay heed to the cries of the poor, in order to enable the zemindars to meet the Government demands with punctuality, passed the Distraint Act, which is generally known to the public as the *Huftum* (seventh) Regulation. By it, the ryots were "rendered liable to personal arrest and imprisonment—their doors to be forced open by the Police, and their houses entered, in search of distrainable property; in the event of their being endamaged by the decision passed after the issue of summary process, they could obtain redress ~~only~~ by instituting a civil action." The zemindars, naturally cruel and rapacious, armed with the formidable powers conferred upon them by this infamous Act, so cruelly oppressed the ryots, that within a very few years the Courts of Justice were overwhelmed with suits; and the Government as if to mock the misfortunes of the peasantry—to close the doors of justice and redress—enacted, "that if any ryot should wantonly, and, without due cause, summon, or cause to be summoned, before the Courts of Justice, the chief or subordinate officers of the zemindars employed in collecting the rents as witnesses, he should be liable to an action for damages with costs; and that all ryots, who should prefer litigious or groundless complaints against the zemindar, should be punished by fine and imprisonment." Thus one vicious Act was followed by another. The effect of this enactment was, as might be expected, that the zemindars thought themselves omnipotent, and practised horrible oppressions upon the ryots with perfect impunity; and that the latter bore them all with patience and submission, and cursed the former in return for the injuries they had suffered at their hands. At least half the calamities, that have befallen Bengal, have proceeded from this vicious and one-sided measure. And wonderful it is, that it was allowed to ruin the poor unfortunate millions, till Lord Canning repealed it in 1859, after a sad and painful trial of sixty years. Indeed we doubt very much, whether any civilized Government, professing to make laws and regulations for the well-being and happiness of its subjects,

ever invested a few irresponsible private individuals with such formidable powers, as were vested in the zemindars by this infamous Act. Another Act (Act V.) most injurious to the interests of the ryots was passed in the year 1812. It is generally known to the public as the *Punchum* (fifth) Regulation. The zemindars made such a horrible abuse of them, that though they have long since been repealed, yet they are still fresh in the mind of every villager as by-words of tyranny and oppression. They thought, and still think, that they have a right, which they can justly and innocently exercise to squeeze the utmost farthing from the ryots in order to enrich themselves. This idea has been acted upon in this country to an extent involving extreme cruelty and oppression, the grinding down the most defenceless of our species to the lowest wants of subsistence. With these remarks we place before our readers the following extracts, which will throw much light upon the subject.

“Can you state, whether it was from the improvidence or dishonesty of zemindars, that in general the sales have been produced?—I have always heard that the Permanent Settlement was made at a very moderate assessment, and therefore, conclude, it must have been from the improvidence or dishonesty of the zemindars, when such sales were made; but never having been employed in that particular branch of the service, I cannot speak with minute knowledge to the question.” *Lieut. Colonel Sir J. Malcolm. Minutes of Evidence taken before the Honourable House of Commons, 1813, p. 116.*

“A little tyranny over tenants and dependents is always agreeable to the thoughtless and conscienceless, particularly when it promotes their gains. Unmindful of the grace with which in its late enactment, Government has abolished all levy of interest upon arrears of revenue, the landholders complain of the hardship of full payment on a given day, as if punctuality was an evil, and have made it the pretext for increasing their exactions from the ryots. The previous exactions of the British Government issued in the flush of Decennial Settlement, which quadrupled the revenue assessed on land by the Mahomedan administration, show

every possible anxiety for the realization of the revenue, and are remarkable for the spirit, in which the means of coercing the tenantry by the landholders are multiplied and legalized. A system, such as this country never beheld, was established, by which in the same ratio, that Government secured the realization of its own revenue; it enabled its farmers and revenue-payers to squeeze the last pice from their under-tenants. These means—the power of personal arrest and distraint, and sale of goods and chattles of the ryots—always abused—have now begun to be availed of to the greatest injury of that useful community. Crafts and legal ingenuity have widened the excessive powers granted by laws sufficiently lax for the purposes of the evil-doer, while the promise in the Code of 1793 to enact laws from time to time for the well-being and security of the great body of the agriculturists, remains, to this date, a dead letter maugre all the benevolent efforts of a Holt McKenzie, and forms a sad and significant memento of the avidity of our rulers after matters of revenue, and their indifference to the hardships, cruelty, and oppression, by which its realization is enforced.” *The Bengal Spectator*, 1842, p. 125.

“The former laws (Regulations VII. of 1799 and V. of 1812) were very much in favour of zemindars. Under them, zemindars could not only oust the defaulting ryot from his holding without aid of Courts of Justice, but could, with the aid of such Courts, cause the person of the ryot to be arrested and kept in custody, until the arrear was paid. Many provisions were made to protect ryots from the oppression of their zemindars, but they proved ineffectual.” *Babu Parbatti Charan Roy's Rent Question*, p. 31.

“The Huftum and Puchum Regulations are the laws, which give the zemindars the power of summary distraint, when their tenants delay the payment of their rent. That they place a terrific power in the hands of the landlords, that they are made the instruments of the most deplorable oppression, and that they have done more to crush the spirit, to depress the condition, and destroy the prospects of the ryot than any other enactment in our Code, will be readily admitted by every one, who has heard the cries of the poor.” *The Friend of India*, January 23, 1847.

“The object of enacting Regulations VII. of 1799 and V. of 1812, commonly called Huftum and PUNCHUM Regulations, is to enable the zemindar to realize his rents from the defaulting ryots in a summary way, that he may sustain no inconvenience in the payment of his malguzari to Government. But like everything else, they have their abuses, and have been rendered instruments of great oppression to the peasantry. The abuses arise in great measure from the character of the zemindars and the indigo-planters, who take putnees and ijarahs, and the machinery employed for enforcing the Regulations in question.” *The Calcutta Review*, vol. VI., p. 341.

“I further think that the power of summoning tenants has been so grossly abused, that Government should forego that aid, rather than revive the old law.” *J. H. Reily. Answer to question 2601. The Indigo Commission Report, 1860.*

“The power of the Zemindar in matters of distraint has been reduced from what it was formerly; but the powers under the old law was so liable to be abused by Zemindars, Talookdars, and Jotedars, that a change was necessary for the poorer classes.” *Babu——. Ibid. 3776. Ibid.*

“Lord Cornwallis was succeeded by Lord Wellesley as the Governor-General of India, and as if to mock the misfortunes of the peasantry, he passed coercive measures to subject the persons and property of the peasantry to the tender mercy of the zemindar! It is impossible even in the present day—after the lapse of best half of a century—to turn to the first fruits of English legislation in Bengal, without a feeling of sadness and shame at the unfortunate manner, in which the interests of the millions of Bengal were regarded and served by those to whom alone they could look up for protection.” *Babu Romesh Chunder Dutt's Peasantry of Bengal.*

“And how destructive that course (Distraint Act) was, may be gathered from the evidence of Mr. Rees, the Collector of Purneah, who speaks of ‘repeated instances of families, nay whole villages, reduced to penury and distress by their (zemindars’ agents’) oppressive use of that power of distraint, which is vested in them

with equal authority as in the actual proprietor of the soil." *The Calcutta Review*, vol. XIII., p. 423.

"The inference," observe the Court of Directors, "seems unavoidable, that the persons with whom the Permanent Settlement was made, and those who, by inheritance or purchase, may succeed them, are authorized by the existing laws to oust even the hereditary ryots from possession of their lands, when the latter refuse to accede to any terms of rent which may be demanded of them, however exorbitant." *Revenue Letter to Bengal, dated the 15th January 1819, para. 53*, quoted in *Babu Sunjeeb Chunder Chatterjee's Bengal Ryots*, p. 46.

"Mr. James Mill observes in his *Observations on the Land Revenue of India*, dated 15th August 1832, that 'a zemindar engages to pay a certain annual sum to Government, which he is to make up by sums collected from the several cultivators within the district for which his engagement is made, the more he can collect from the cultivators beyond the sum, which he has to pay to Government, the more he has for himself. It is his interest, therefore, to carry his exactions to the greatest possible extent; and whenever the demand upon the ryot is not defined, and security taken against its being exceeded, everything is pretty sure to be taken from him, which does not deprive him of the means of barely continuing his cultivation.'" *Ibid.*

"Ever since the establishment of the British power in this country, zemindari exactions loudly call for legislative interference; yet nothing important was done to check the evil." *Ibid.*

"The Permanent Zemindari Settlement, whilst it shut the public treasury against any increased receipt from the land, by commuting the zemindar's variable payment, as the hereditary contractor for the Land Revenue, into a fixed jumma determined irrevocably, entirely neglected to fix the amount payable by the cultivator to this hereditary contractor." *A. D. Campbell. Appendix to Report, Revenue, Commons, 1832*, p. 16.

"He (zemindar) has the right to rent derivable not only from the ordinary occupations of agriculturists over the cultivated area of his estate, but to all additions in the shape of *julkar, bankar*,

palkar and talkar: that is, to fish from the marsh, wood from the jungle, fruits from the garden, and droppings from the trees, or waifs and strays in general. He has the enjoyment of all the rents of profitable *Huts* or open markets, and of bazars, and all the privileges of establishing new ones to his own advantage, and to the detriment of his rival. He asks the permission of no party, if he desires to transfer his rights, and he expects that those subordinate to him shall require his permission or concurrence before they transfer their own. All the above rights and privileges are recognized not only by the statute law, but by the common law and custom of the county as expressed in mortgages, sales, leases, agreements, and the like. Not a lease is given by him without a stipulation, that the lessee shall maintain the boundaries, shall make no excuses on account of drought or inundation, deaths or absconding, and shall not cut down the trees. If a railway station is to be established, or a road opened in a new tract of country, the permission of the zemindar must be secured privately, or obtained by legal method. If a tank is to be dug, at which the inhabitants of four villages shall draw water, he may lawfully put in his objection, because so much area of cultivated land as shall be swallowed up in the reservoir tends to deprive him of so much of his rent. All these acknowledged rights are enhanced by the influence, which his position has conferred. The legislation looks to him by express declaration for the postal service on all cross lines in the district, for the detection of the crimes by which he occasionally benefits, and for the aid of the executive which he constantly opposes, for the prevention of the cultivation of the poppy, or of the illicit manufacture of salt, and, as ruled by the highest Court in the country, for the nomination at his pleasure of the village watch. If these last provisions impose certain duties, they also bring with them an increase of influence and weight in the country. The position is naturally improved by the talents of the occupant, and he rises or sinks in proportion as he attends to his zemindari management. Under an energetic zemindar the lands are carefully measured, perhaps, a dozen times in the course of a generation, and no excess can escape detection: if a lease or

incumbrance is created on the estate, a considerable bonus is first paid down to him : not a ryot will grow a beegha of indigo without the permission of the magnate : not a domestic feast at the 'big house' is celebrated, neither the marriage of the son, nor the wearing of the first child, without the levy of benevolence : to few lawsuits or fines do the tenants not contribute their quotas : and few local events of any importance are ever withheld from the knowledge of the working zemindar. Take these rights to collect and to assess rents, to measure lands, to dispose of them in part or entirety, to provide places where the necessaries and even luxuries of life shall be collected and exposed for sale, take, we say, the obligations to maintain the laws, and to assist the authorities, which can be enforced by penalties, and add to them the influence which arises from increasing wealth, from knowledge of legal high roads and by-paths, and from the power to maintain a host of dependents and retainers : take all this, and what more is wanting to constitute that absolute ownership in estates, which we are all so familiar with in the squirearchy of Great Britain, or which we have read of in the nobles of the Russian Empire ?

On the other hand, any such unqualified and absolute ownership in every thing is not to be found in any statute law. On the contrary, the language of the Regulations from 1793 downwards expressly speaks of rights or ownership in land as inherent in other parties, and of zemindari rights however defined and to be respected as not incompatible with other claims to ownership in the soil. There is express mention of the *khamar*, *nijjote*, or *nancur* lands, which are termed 'private lands,' and which are evidently distinct from those where the ownership is *ownership in the mere rent*. We hold that though, by the wording of the Regulations of 1793, the property in the soil was held to be vested in the landholders, the language of the Code did not, and could not, annihilate, the rights of others, nor create a proprietorship or a permanence in any rights other than those enjoyed by the zemindars previous to that settlement. The collectors of revenue and receivers of rent, from being temporary, became proprietors of rent in permanence, like hereditary State Pensioners and nothing more... What Joseph did

on a wide scale for a kingdom, is now practised, according to his opportunities and abilities, by every Bengalli zemindar." *The Calcutta Review*, vol. XXXII., p.p. 321-25.

"Owing to the overwhelming power and influence of the zemindars—to the imperfect machinery of our Courts—to the facility of obtaining corrupt witnesses, which is the source of nine-tenths of the miseries of India—and to the broken-hearted submissiveness of the ryots, these tenant rights are becoming gradually absorbed in the zemindar's right to demand whatever rent he chooses from the tenant, and to crush him by the fearful power of ~~distrain~~, if he refuses to pay it, and even to oust him from his lands. Although the father of the Permanent Settlement declared in his minute, that whoever cultivates the land, the zemindar 'can receive no more than the established rent,' yet the result of the settlement has been to deliver the ryot over bound hand and foot to his zemindar, who exacts the last farthing of rent he can extract from him, and turns him out of house and home, if he be not paid." *The Friend of India*, January 21, 1847.

"What has all our experience in Bengal taught us but the impossibility of protecting those, who are penniless and abject from oppression? Lord Cornwallis said in 1790: 'Whoever cultivates the land, the zemindar can receive no more than the established rate; but he has received and continues to receive more than this rate, and there is no power in the country to protect him. The Permanent Settlement fixed the rate which the resident cultivator, the Khud-custa Ryot, should pay; it gave them a tenant-right to a hereditary enjoyment of their lands at an established rent. How many of these tenures exist at the end of half a centry? In how many instances has a successful resistance been made to the zemindar's demands of more rent? Our Regulations fixed the rate of interest at twelve per cent.; how many ryots can borrow money at that rate; how many can obtain any accommodation under three times the amount? The zemindar, who is wealthy, and powerful, and unscrupulous, and has a hundred ways of annoying the ryot, will use every exertion to increase the rent; the ryot will resort to the Courts; but he will find the influence of his landlord far too power-

ful for him. If one ryot refuses to pay the enhanced rate, there will always be others ready to take the land on the zemindar's own terms; and while this competition for land continues, no plan which our wisdom or experience may devise, will be effectual in preventing the increase of assessment; and all our endeavours to improve the condition of the ryot will, we fear, end in disappointment." *Ibid, January 28, 1847.*

"The amount demandable by the latter (zemindars) has been left unsettled, the ryots of the Lower Provinces are left just as if the Permanent Settlement had never taken place, if not in a worse condition." *Right Hon'ble Holt Mackenzie. Answer to Question 2670. Minutes of Evidence, Revenue, Commons, 1832.*

"The ryot has now outgrown his baby cloths. He must, in other words, have all to which he is entitled as a full-grown freeman. We have here several objections urged against the practicability of this Bill (Act X. of 1859). Was there ever any reform initiated against which the whole force of class interests and prejudices was not brought to bear? The zemindar has every assistance afforded him by the law to realize his rents from his ryots, only he must treat the ryot as a freeman, and not as his slave; only he must not drag the poor unfortunate ryot to his *Gurram Kutcherry*. And who that knows aught of the atrocities committed in such places, would dare to restore to the zemindar a privilege he so grossly abused?" *The Calcutta Review*, vol. XXXIV., p. 247.

"'I have frequently had occasion to state to the Board,' says Mr. Grant, Collector of Midnapur, in answer to the interrogatories referred to by Mr. Mill, 'that as far as my experience goes, I have found, that the common ryots, or the lowest tenants, who are the cultivators of the soil, pay their revenues with great punctuality... They are much more apt to submit tamely to exaction, than to hazard a contest with a zemindar; and they pay a *kist* or two in advance much oftener than they fall in arrear.'

Mr. Ricketts of Tirhut replied that 'the Regulations are well

adapted for the purposes (for collecting rents from the ryots by the zemindars) intended.'

Mr. Elphinstone of Sarun says: 'The Regulations are very well calculated for the purposes intended.'

Mr. Cowell of Birbhum makes answer, that 'the existing Regulations are most favourable for realizing rents from the under-farmers and ryots, and in general are acknowledged to be so by the zemindars and other description of landholders.'

Mr. Smith of Dinagepur curtly answers, 'I believe that they are.'

Mr. Wright of Rungpur says: 'The Regulations, which have been issued for the benefit of the landholders, have answered the purposes intended.'

Mr. Seton of Krishnagar replies: 'The powers vested by the Regulations in the zemindars and other proprietors and farmers, holding lands immediately of Government, are fully adequate to enable them to collect their rents from their under-farmers and ryots.'

Mr. LeGros of Mymensingh answers in almost the same words: 'The existing Regulations are perfectly well calculated for enabling zemindars and other proprietors and farmers of land holding their farms immediately of Government, to realize their rents from their under-farmers and ryots.'

Mr. Hayes of Murshedabad emphatically declares, that 'the zemindars and other descriptions of landholders are unanimous in acknowledging, that the existing Regulations for enabling them to realize their rents from the under-farmers and the ryots, are well calculated for the purposes intended.'

The Collector of Midnapur commences a long able minute with the words 'I am of opinion, that since the Regulation VII. of 1799 has been generally known and enforced in the Mofussil, the zemindars have been very well able to realize their rents.' *Ibid.*, vol. XIII., p.p. 419-23.

“I consider the zemindari power in the Mofussil to be omnipotent, and when once the planter is zemindar, nothing can oppose him.”

“Is the exercise of this power also extended to ryots holding at an invariable rent? Yes.” *Mr. Reilly. Answers to questions 2561 and 2565. The Indigo Commission Report, 1860.*

The Commissioner of Orissa writes:—“As regards the working of the rent laws, the figures given in my review of the district returns will show, that comparatively little resort is had to Act X. for the realization of rent. This by no means indicates satisfactory relations between landlord and tenant. In Orissa, the tenant is generally yielding and ignorant, and eminently oppressive, totally unacquainted with his rights, and falls an easy prey to an unscrupulous landlord. I need only refer to the illegal cess correspondence in illustration of this. A ryot is ground down or ousted, and seldom makes a struggle; if he does, it takes the form of a criminal action for trespass or mischief at sowing time, or trespass and theft at harvest. I fear it is too much the custom to refer cases regarding possession to the Civil Courts. The zemindar or lessee seldom appears in such cases, or if he does, he denies possession of the former tenant: there are seldom any documents, and the strongest or richest has the advantage in the purchase of oral evidence; and no doubt, the ryot has found by sad experience, that he cannot cope with his landlord. When it comes to hard swearing and preponderance of lies, which goes by the name of legal evidence, victory generally goes to the largest purse, whether in a rent suit or in a criminal action.

I understand that many landholders have in their road cess returns entered the lands of Pahee Ryots as their *khamar* or *nijjote* lands—the object being as much to keep the ryots under their power as to understate receipts. I have shewn in my illegal cess report, that so far as the ryot is concerned, any protection afforded him by our settlement has been for the most part obliterated; and I am constantly in receipt of further information, which shews that the power exercised by the zemindar is most arbitrary, not only in the exaction of rent, but in the distribution of the lands held by

his tenants. The only remedy I can suggest is a survey and a record of rights." *The Land Revenue Administration Report of the Lower Provinces for the year 1872-73*, p. 20.

The Sub-letting System.

General Rules. "By the rules of the Perpetual Settlement, the proprietors of estates paying revenue to Government, that is, the individuals answerable to Government for the revenue then assessed on the different muhals, were declared to be entitled to make any arrangements for the leasing of their lands in talook or otherwise, that they might deem most conducive to their interests. By the Rules of Regulation XLIV., 1793, however all such arrangements were subjected to two limitations; first that the jumma or rent should not be fixed exceeding ten years; and secondly, that in case of a sale for Government arrears, such leases or arrangements should stand cancelled from the day of sale. The provisions of Section 2, Regulation XLIV., 1793, by which the period of all fixed engagements for rent was limited to ten years, have been rescinded by Section 2, Regulation V., 1812; and in Regulation XVIII. of the same year, it is more distinctly declared, that zemindars are at liberty to grant talooks or other leases of their lands, fixing the rent in perpetuity at their discretion; subject, however, to the liability of being dissolved on sale of the grantor's estate for arrears of the Government revenue, in the same manner as heretofore.—In practice the grant of talooks and other leases at a rent fixed in perpetuity has been common with the zemindars of Bengal for sometime before the passing of the two Regulations last mentioned; but notwithstanding the abrogation of the rule, which declared such arrangements null and void, and the abandonment of all intention or desire to have it enforced as a security to the Government revenue in the manner originally contemplated, it was omitted to declare in the Rules of Regulations V. and XVIII., 1812, or in any other Regulation, whether tenures at the time in existence and held under covenants or engagements entered into by the parties in violation of the Rule of Section 2, Regulation XLIV., 1793, should, if called in question, be deemed invalid

and void as heretofore—This point it has been deemed necessary to set at rest by a general declaration of the validity of such tenures, that may be now in existence, notwithstanding that they have been granted at a rent fixed in perpetuity, for a longer term than ten years, while the rule fixing this limitation to the term of all such engagements, and declaring null and void any granted in contravention thereto, was in force. Further more, in the exercise of the privilege thus conceded to zemindars under direct engagements with Government, there has been created a tenure, which had its origin on the estates of the Rajah of——, but has since been extended to other zemindaries,—the character of which tenure is, that it is a talook created by the zemindar, to be held at a rent fixed in perpetuity by the lessee and his heirs for ever: the tenant is called upon to furnish collateral security for the rent, and for his conduct generally, or he is excused from this obligation at the zemindar's discretion; but even if the original tenant be excused, still in case of sale for arrears or other operation leading to the introduction of another tenant, such new incumbent has always in practice been liable to be so called upon at the option of the zemindar: by the terms also of the engagements interchanged, it is amongst other stipulations provided, that in case of an arrear occurring, the tenure may be brought to sale by the zemindar, and if the sale do not yield a sufficient amount to make good the balance of rent at the time due, the remaining property of the defaulter shall be further answerable for the demand. These tenures have been usually denominated putnee talooks, and it has been a common practice of the holders of them to underlet on precisely similar terms to other persons, who on taking such leases went by the name of Dur-putnee Talookdars, and the conditions of all the title-deeds vary in nothing material from the original engagements executed by the first holder. In these engagements, however, it is not stipulated, whether the sale thus reserved to himself by the grantor is for his own benefit, or for that of the tenant; that is, whether in case the proceeds of sale should exceed the zemindar's demand of rent, the tenant would be entitled to

such excess: neither is the manner of sale specified, nor do the usages of the country, nor the Regulations of Government, afford any distinct rules by the application of which to the specific cases, the defects above alluded to could be supplied, or the points of doubt and difficulty involved in the omission be brought to determination in a consistent and uniform manner. The tenures in question have extended through several zillahs of Bengal, and the mischiefs, which have arisen from the want of a consistent rule of action for the guidance of the Courts of Civil Judicature in regard to them, have been productive of such confusion as to demand the interference of the legislature; it has accordingly been deemed necessary to regulate and define the nature of the property given and acquired on the creation of a putnee talook as above described, also to declare the legality of the practice of under-letting in the manner, in which it has been exercised by Putneedars and others, establishing at the same time such provisions, as have appeared calculated to protect the under-lessee from any collusion of his immediate superior with the zemindar or others for his ruin as well as to secure the just rights of the zemindar on the sale of any tenure under the stipulations of the original engagements entered into with them.—It has further been deemed indispensable to fix the process, by which the said tenures are to be brought to sale, and the form and manner of conducting such sale;—and whereas the estates of zemindars under engagements with Government are liable to be brought to sale at any time for an arrear in the revenue payable by monthly kists to Government, it has been deemed just to allow any zemindar, who may have granted tenures with a stipulation of the right to sell for arrears, the opportunity of availing himself of this means of realizing his dues in the middle of the year as well as at the close, instead of only at the end of the Bengal year, as heretofore allowed by the Regulations in force:—it has further been deemed equitable to extend this rule to all cases, in which the right of sale may have been reserved, even though in conformity with the Regulations heretofore in force, that stipulation for sale contained in the engagements interchanged, may have restricted such sale to the case of a demand of rent

remaining unpaid at the close of the Bengal year. It has been likewise deemed advisable to explain and modify some of the existing Rules for the collection of rents, with a view to render them more efficacious than at present, as well as to provide against sundry means of evasion now resorted to by defaulters. The following rules have accordingly been enacted by His Excellency the Most Noble the Governor-General in Council, to take effect from the date of their promulgation throughout the several districts of the Province of Bengal including Midnapur." *Reg. VIII., 1819, sec. 1.*

"It is hereby declared, that any leases or engagements for the fixing of rent now in existence, that may have been granted or concluded for a term of years or in perpetuity by a proprietor under engagements with Government, or other person competent to grant the same, shall be deemed good and valid tenures according to the terms of the covenants or engagements interchanged, notwithstanding that the same may have been executed before the passing of Regulation V., 1812, and while the Rule of Section 2, Regulation XLIV., 1793, which limited the period for which it was lawful to grant such engagements to ten years, and declared all that might be entered into for a longer term to be null and void, was in full force and effect; and notwithstanding that the stipulations of the said leases may be in violation of the Rule in question:— provided, however, that nothing herein contained shall be held to exempt any tenures held under engagements from proprietors of estates paying revenue to Government, from the liability to be cancelled on sale of the said estates for arrears of the said revenue, under the Rule of Section 5, Regulation XLIV., 1793, unless especially exempted from such liability by the Rule in question, or by any other specific Rule of the Regulations in force." *Reg. VIII., 1819, sec. 2.*

"The tenures known by the name of putnee talooks as described in the Preamble to this Regulation, shall be deemed to be valid in perpetuity according to the terms of the engagements under which they are held. They are heritable by their conditions; and it is hereby further declared, that they are capable of

being transferred by sale, gift, or otherwise, at the discretion of the holder, as well as answerable for his personal debts, and subject to the process of the Courts of Judicature, in the same manner as other real property." *Reg. VIII., 1819, sec. 3. Marshman's Guide to Revenue Regulations, vol. I., p.p. 323-26.*

It would appear on perusal of the General Rules, that the sub-letting system has, strictly speaking, its origin from the very Permanent Settlement itself. The zemindars, naturally indolent and fond of luxury, in order to get rid of the troubles and anxieties consequent on the management of the estates, immediately took advantage of its terms to let them out either in whole or in parts, as best suited their interests, even in violation of the Rules. Thus within a few years many zemindars let out their estates to Putneedars, these again to Dur-putneedars, and so on, thereby reducing themselves to the position of annuitants. There being no particular Act for the guidance of the Judicial Officers in dealing with matters of dispute, which must have been, and will ever be, inseparable from such a system, a few large zemindars, especially the Rajah of——, were so involved in complications arising out of it, that it was very difficult for them to extricate themselves from the consequences of their own folly without the aid of legislature. Our rulers, who have all along proved themselves to be the agents of the zemindars, and not the guardians of the people, stepped in to their aid, and passed the famous Sub-letting Act of 1819. Thus for extricating one man from the consequences of his own folly, they sacrificed the interests of a whole nation, never thinking for a moment, what would be its consequences to them for protection of whose interests they pretended and still pretend to be in India at all. The evil effect of this sub-letting system has been so very great, that no pen or tongue can fully describe a tenth part of the poverty and wretchedness, that have befallen the unfortunate millions of Bengal during the last eighty-four years. We need not make any further remarks; we have only to place before our readers the following extracts, which will throw much light upon the subject.

"The evil effects of the Bengal land system are not to be measured merely by the prospective revenue, which the Government

voluntarily surrendered at the time of making the Permanent Settlement; perhaps a worse feature in the case is the excessive sub-division and sub-infeudation of tenures, which has been engrafted thereon. To quote from a recent State-paper of some importance, 'In Lower Bengal, the Zemindar has long ago made arrangements, which reduce him to the position of an annuitant on the estate. He has created perpetual tenures at fixed rents, which effectually deprive him of all further participation in any increase of profits from the estate. Nor does the alienation of profits end here. The holder of the tenure of the first degree has generally in the same way created subordinate tenures of the second degree; and the holder of the tenure of the second degree has created tenures of the third degree. The effect of every such transaction is to secure in perpetuity to the lessor of each degree a certain profit after deducting the rent, which he has bound himself to pay in perpetuity for his tenure; and, while freeing him from all risks and uncertainties, to debar him from all participation in future increase of profits. Hence, instead of reaching the Zemindar, the increase of profits which has accrued since the Permanent Settlement was made between the State and Zemindar, is now often found to be divided among a class of sub-tenants, who are known as Putneedars, Dur-putneedars, Se-putneedars, Talookdars, Ausut-talookdars, and by many other names, until the cultivating tenant is reached, who has some beneficial interest in his holding.' " *The Calcutta Review*, vol. LI., p. p. 71-72.

"It is simply a sub-division of the beneficiary interest arising out of the land—a distribution of rent. The cultivation of the soil and the condition of the cultivator remain precisely what they were. Only with the rise of prices and the enhancement of rent, new interests are created, and a new class of dependent talookdars step in to snatch up the increase and absorb it in an unprofitable and mischievous subsistence...And this sub-infeudation of the land in Bengal is still going on at a rate of which the authorities seem to be wholly unaware...The evils attending this excessive sub-infeudation of landed property are so enormous, that we have no hesitation whatever in calling

attention to the gigantic proportions, which it is assuming in Bengal. It fritters both the labour and the capital of a nation. It creates a host of indolent drones to be supported without any exertion on their part, out of the rent of the soil, which ought to go towards augmenting the wealth of the country. In a word, it conduces to apathy, indolence and sloth; it is opposed to the progress of industry, wealth, and civilization.

“All improvement of the soil has to be effected by the ryot—a miserable man to whom is reserved scarce enough to carry on the ordinary cultivation. For this same system of sub-infeudation tends throughout to depress the ryot and to reduce his profits to a minimum. Amid the competition for sub-tenures, the ryot must suffer. It is by no means uncommon for sub-tenures to be granted at the full rental of the estate, the holder being left to realize his profits on the transaction by rack-renting and such exactions as he can succeed in carrying out. And such zemindari business is said to be one of the most profitable trades in the country. And look at the present condition of the cultivator in consequence. Is it at the expiry of a century of British rule one whit better than it was in the days of the most grasping and despotic Native Government? With all our boasted civilization have we succeeded in making the Bengal Ryot less miserable and less destitute than he was under the most rigorous of the Moguls? Call him from his field and ask himself. Is he richer or better off? You may see his hut—a mud hovel in the corner there; its furniture, a rude *charpoy*, and a few *ghurrahs* and *lotahs*. His clothing even in mid winter—and curious as it may sound, the Native of Bengal does feel the cold in winter—is probably restricted to a narrow strip of cotton cloth round his loins, and another narrow strip with which he vainly tries to cover his shivering frame...Is such a man, we ask, to be called happy and well-to-do? The cultivator of five or six acres at the outside for which he is rack-rented by every farmer in succession, bound hand and foot to the village banker (money-lender) from whom he must procure even the seed, which he requires for his land, living a life of daily drudgery from which his pipe and tobacco form his only relaxation;

destitute alike of the sympathy of others and of all hope in himself, the Bengal Ryot is an infinitely more wretched being than the English farm-labourer or the Russian serf. We very much doubt, indeed, whether the misguided legislation of 1859 has not placed him in a worse position than before. To look upon the great body of ryots in Bengal as in any sense peasant proprietors, would be a great mistake, that argued a very superficial knowledge of the country and of the working of Act X. of 1859. The above is no sensational picture of the average Bengal Ryot. The archetype may be seen in every village on any day in the year. Our description will be endorsed by every zemindar, who knows anything of the Mofussil. And yet it is the agricultural classes, that compose the people of Bengal, and it is as much for the good of these classes, as for that of any others, that we profess to be in India at all. What then have we done for their elevation physically, morally, or intellectually. Are they richer, wiser, or more contented, than they were before we ever set foot in the country." *Ibid.*, p.p. 75-76.

"The whole system (of sub-letting) was, to quote the words of William Blunt, 'profit upon profits.' Mr. Butterworth Bailey, when Magistrate of Burdwan, says:—'I have met with more than one instance of a village being held in portions by six or eight individuals as a dur-dur-dur-putnee talook;' and the consequence was, that the ryots were several degrees removed from the zemindar, to whose care they had been committed by the Permanent Settlement. There was a regular ferreting and squeezing out of their earnings, and they had to feel the whole onus of imposition, in consequence of the different grades of farmers making the most of each other. The inconvenience, insecurity, and oppression, caused by this system of sub-letting were serious. It is one of the principal causes of his impoverishment; agriculture can never prosper, while the peasantry are so much harassed and crushed down 'Even a bad sovereign,' says Dr. Smith 'feels more compassion for his people, than can be expected from the farmers of his revenue.' Depopulation and the increase of crime are, and must be, inseparable from the cruelties practised upon the ryots by the

farmers and under-farmers. 'All these under-land-holders,' says Mr. A. Fraser Tytler, (who held the Office of Assistant Judge in the 24 Pergunnahs) 'independent of the high rent demanded, have various means of oppressing the ryots and making the best of their lands.....Their devices for making money are innumerable.'” *Ibid.*, vol. VI. Art. *The Zemindar and the Ryot.*

“Mr. W. Dampier, the Superintendent of Police, in his Report for 1843, says :—‘The sub-letting system, which relieves the zemindars from all connection with their estates or ryots, and places these in the hands of middlemen and speculators, is striking its roots all over the country, and is grinding the poorer classes to nothing but a bare subsistence, if it leaves them that.’ In another part of the Report, he refers ‘to the sub-letting system, which, leaving the ryots very little subsistence (the rents being higher, and the price of labour lower than in other districts,) exposes them to the temptation of robbing when they are in penury, and also the minor Talookdars and Sub-holders, who receive themselves but little from the soil, countenancing and protecting the gangs.’” *Ibid. Ibid.*

“The bane of the landed interest in India, that is, of all those who are primarily interested in the land, the land-holders on the one part and the actual cultivators on the other, is the creation of sub-tenures for the benefit of those, who seek to lease rents, not lands; who speculate upon the opportunity they may be enabled to command of realizing extortionate rents; and who, being neither landlords or cultivators, are permitted to absorb such an amount of the profits of the land as is calculated to paralyze the efficient operations of those with whose prosperity, the prosperity of the entire country is most nearly identified.” *A. Sconce, Esq. Papers Regarding the Consequences to Under-tenures of the Sale of an Estate for Arrears of Revenue*, p. 140.

“The wretchedness of the ryot was consummated by the system of sub-letting, which came in with the Permanent Settlement. The sub-letting often descended to the fourth grade. The accumulated demand was extorted from the cultivators by

every ingenuity of oppression." *Marshman's History of India*, part II.

"All the profits of these middlemen (Zemindars, Putneedars, Dur-putneedars, &c.) are squeezed out of the unfortunate cultivators." *Hugh Stark, Esq. Answer to question 222. Minutes of Evidence, Revenue, Commons, 1832.*

"The indigence of the peasantry appears not one of the least of the causes, which contribute to the frequency of crime in this, and the adjacent districts, arising in no small degree from the system of farming lands, that obtains in those districts. Those unacquainted with the landed tenures of Bengal will at once understand the train of evils attending the system of letting in putneedars. These tenures are created by the zemindar, letting his lands to an individual who is termed a Putneedar, he lets it to a Dur-putneedar, he again to a Se-putneedar, and he not unfrequently to a Dur-se-putneedar. The Putneedar, in acquiring his tenure, is obliged to pay for it in proportion to the profits it may yield; that, if the rent is Rs. 10,000, and the profits only Rs. 1,000, he pays Rs. 10,000 for the tenure, which is the market price of land yielding a clear profit of a thousand rupees. The zemindar expects for his money is twenty-four per cent., the rate of interest paid for money in the Mofussil; and in sub-letting to the Dur-putneedar, he adds the interest Rs. 2,400 to the rent, making the rent payable by the lessee Rs. 12,400, which not only absorbs the profits, that the estate yielded to the Putneedar, but leaves a balance of Rs. 1,400 to be realized in excess of that sum;— whence is this sum to be realized, but from exactions in the shape of mathots and abwabs, or by an enhanced assessment of the ryots' rents? The Dur-putneedar also pays for his right to the estate, if not for a profit shown to exist in the actual or probable avails of the estate, at least for the proprietary right which is transferred to him. The transfer into the hands of the Se-putneedar, and then into those of the Dur-se-putneedar, all add to the amount, which it is intended shall be collected from the lands. Every intermediate lessee exacts a certain profit over the rent at which

the zemindar parts with his lands, till the rental swells into a sum far exceeding the existing assets, and induces the necessity of enhancing the rent of the ryot. The attempt to realize this sum entails a series of litigation, which sometimes ends in the abandonment by the Talookdar of his lease; but more frequently in the total ruin of the tenant, who had in vain contended for the permanency of his holding, but which, he finds, extends only to the mere right of occupancy, so long as he pays a certain rent, and that rent is not below the pergunnah rate. I have not leisure nor space to describe *all the misery, wretchedness, and suffering*, which this system has induced. It has ruined the peasantry, and rendered them almost *a nation of paupers*. Were it not for the *Ayama* tenures (lands assessed at a moderate rent at the Decennial Settlement under peculiar circumstances) and for the rent-free tenures, which are still preserved to the country, the people must from dire necessity, have more generally resorted to violent means for a livelihood. Add to this, the absence of all education among the lower classes, and the consequent low state of their morals; and can it be doubted, that it is the extreme indigence of the people, that occasions many of the dacoities, that take place in this and the adjacent districts!

This mode of letting lands commenced with the Rajah of ———, whose principality from its size, rendered it impossible to be managed except by dividing the proprietary right with others. But the almost inextricable perplexities and embarrassments into which the Rajah's affairs had fallen, induced the interference of Government; and Regulation VIII. of 1819 was enacted to enable him to retrieve his affairs. That Regulation introduced order and system into his mode of collecting the revenue; but the protection it afforded to the interest of the intermediate holders converted the system into a means of speculation, and eventually into a curse against the people: The same system, under another name, obtains in districts remote from B——; but from the Regulation not having been expressly extended to their cases, they have escaped the withering effects

of its baneful influences." *A Correspondent of the Englishman, July 4, 1848*, quoted in the *Friend of India, July 27, 1848*.

"There is another great evil, that has been increasing of late years, and is being carried to a ruinous extent as far as it affects the ryots. I allude to the sub-letting system. The evils attending it have been brought to the notice of Government, who ought to take some measures to rescue the ryots from abject poverty. The law again steps in, in this case, to aid the oppressor, the poor ryot being helpless. A single instance will suffice. A Zemindar lets a mehal in Putnee, the Putneedar again relets it in Dur-putnee, now as a profit is to be made by all these parties, not to mention the payment of *salamee*, &c., it stands to reason the greater the number of hands the mehal goes through, the more will the ryots be squeezed; the Dur-putneedar, finding under these circumstances a difficulty in realizing the rents, applies to the Collectory for assistance by means of Regulation VII. The Collector is helpless, and issues the dustuks, and some few poor devils are apprehended, on seeing which the other ryots already harassed past bearing, rise and rescue the unfortunates, in doing which, a life is, perhaps, lost and a few limbs are broken. The Magistrate is called in, who, although sympathizing with the poor ryots at their hard lot, must bring them to punishment for their having taken law into their own hands, although it would be difficult to say what other law they could have taken." *A Correspondent of the Friend of India, June 4, 1846*.

"The system of sub-infeudation and sub-division of joint-interests accompanied by severalty of right, prevails universally throughout Bengal. One result of this is a condition of perplexity of landed interests, which is probably without a parallel elsewhere. And a still more serious consequence is, that the so-called owner of the land has the least possible motive for doing anything to benefit it. It will be seen, that the rent paid by the cultivator for the use of the soil does not go to one person bearing the character of an English landlord, but is distributed among a series of owners, namely, the middle tenure-holders with the revenue-paying zemindar at their head, each independent of the others,

and each probably, consisting of several persons with independent rights among themselves. Why should one shareholder out of this lot advance money for improvement, the advantage of which, if any, will be shared in by many others, over whom he has no control or influence, to a greater extent than by himself." *The Calcutta Review*, vol. LIX., p. 368.

"Was it from the Zemindar they (Planters) took the lease?—The Zemindar may rent his land to three or four people. The Zemindar lets it to what is called an Izardar or farmer; the Izardar again to what is called a Dur-izardar or under-farmer; and each gets a considerable property on the lands, and the Natives are in consequence very much oppressed." *Hon'ble Andrew Ramsay. Answer to question 3505. Minutes of Evidence, Select Committee of the House of Lords, 1830.*

"Do you think, that a Zemindar would be induced to give a longer lease than for 21 years?—I never knew them give a lease of that period." *G. Harris, Esq. Ibid. 4309. Ibid.*

"Is it usual for the Zemindars to let their lands to Izardars and Dur-izardars? Yes; it sometimes happens many Zemindars keep the lands in their own hands, and collect their own rents, and do not farm them out." *Ibid. Ibid. 4318. Ibid.*

"Does each of those classes of persons demand an increased rent from the class immediately below them?—Yes; there is an increase put on by each individual; one takes it from the Zemindar on purpose to make a little bonus by it, and he lets it to another man." *Ibid. Ibid. 4319. Ibid.*

"What power has he to make him pay an increased rent? There is no power for it; but he is told: 'I have been obliged to pay the Zemindar so much more than the rent of the village; you must make good some of it.'" *Ibid. Ibid. 4321. Ibid.*

"Indolence, inexperience, and indebtedness, make Native Zemindars prefer the system of putnees and ijarahs, because it saves trouble, and brings money to meet their immediate wants." *Babu————. Ibid. 3764. The Indigo Commission Report, 1860.*

The Zemindar.

When the zemindar is five or six years old, he is sent to school always with a servant or in a carriage. His servants having called him Maharaja all along from his infancy, he thinks so he is. However as it is impossible for him to elude the vigilance of his parents, and that of his private tutor at so early an age, so he regularly attends his school, and pays attention to his books. But his ardour decreases as he advances in years. With the advance of his age, he loses his taste of books, and acquires that for pleasures. Not being in want of money, which he always gets from his parents, or saves from his tiffin allowances, he buys dogs ; after a year or two he drives away the poor creatures, and brings, in their place, pigeons and kites. Now he does not regularly attend his school. He now and then bribes his servant, who is sent with him to the school. The poor fellow being thus satisfied informs his parents, that his Babu has attended the school ; and they take no more notice of him. In the meantime the Babu, to satisfy his curiosity, goes, accompanied by several others, to visit the Asiatic Museum and the Fort William. So far it is good. But alas ! he often goes out of school to smoke and chat at adjacent shops, or school tiffin rooms. Having thus beguiled the school hours, he returns home at regular time as if from school. Thus he wastes away the most valuable years of his life, and deceives himself and his parents for ever. Keeping aside his books, and hastily taking his food, he madly indulges himself in the pursuit of his pleasures. In the evening the poor unfortunate private tutor comes to teach him ; but his pupil being engaged in kite-flying, pigeon-feeding, card-playing, and so forth, he must have to wait for at least quarter of an hour with occasional calls, before he sees him in the reading room. As soon as he comes there, he begins to talk of his great skill in kite-flying, card-playing, and so forth. And if he is fond of pigeons, he begins to talk of them : how he has fed or made them fly, how he has stolen a good one, or whence and at what price he has bought it, that such a one has laid eggs, or hatched its young ones, and so forth. The poor tutor urges him at intervals

to attend to his lesson, but who hears him? If he is foolish enough to say or do anything unpleasant to his pupil, he is almost sure to be insulted or dismissed from his service: a charge of neglect or ignorance is almost sure to be brought against him. His father, in most cases, without making any enquiry whatever into the grounds of his complaint, sharply warns or dismisses him as best suits the whims of his worthy son. Those who have served for some time in the capacity of a private tutor, know very well, that their services hang upon a hair—upon the whims of their pupils. So they shape their course as best suits their interests. In this way the Babu beguiles his time in conversation on various subjects he is fond of, as occasion gives rise to them. After an hour or two, his tutor gets up, thinking in his mind, that his pupil would be a good-for-nothing fellow, that he is not to blame for that, and that as soon as he would be in a better position, he would resign his service. We leave it to our readers to judge of the education, which our zemindar receives in this way. As soon as he arrives at the age of fifteen or sixteen, he begins to kill himself by debauchery. He dares not at once leave his school from fear of his parents. But he pays so little attention to his books, and attends his school so irregularly, that it is the same thing, whether his name is on the roll or not. As it is impossible to check him any longer, so his parents entirely leave him to his fate. Taking his food at the regular time, he goes out. Where? Not to his school, but to———. In this way he passes a year or two, and then leaves his school, and, with it, all study for ever. Such is the education and training of our Cornwallis aristocrats, on whose will depends the happiness and well-being of the vast millions.

Now freed from all the troubles and anxieties consequent on attending the school, our zemindar keeps aside his pigeons, dogs, and other childish things, and acquires taste for pleasures in driving the most sumptuous equipages in the streets of Calcutta, seeing theatrical performances, in garden parties, and other luxuries too numerous to be mentioned here. Many sycophants, who are generally known by the name of *Moshaheds*, begin to surround

him, and, within a short time, turn his bosom-friends. The sole object of these men is nothing but to lay traps to catch our lord of the soil: to induce him to spend money like water in visiting most beautiful prostitutes, in feasts, garden parties, and so forth. It is here needless to remind our readers, that the education and moral training of our zemindar are not good enough to resist the charming influences of vice, by which his *moshahabs* always try to kill him. Mistaking his real enemies for his friends, he enters into the world with a vast annual income varying from tens of thousands to lakhs. It is a fact, the truth of which no one can deny, that those who acquire wealth by their own exertions, are acquainted with hard labours, troubles, and anxieties, consequent on its acquisition, and consequently are very frugal in its expenditure, while those, who inherit large properties, and know nothing of worldly troubles and anxieties, spend money like water. Our zemindar, who belongs to the latter class, is consequently not a man to shrink from extravagant expenditure in pursuit of his pleasures. Thus the object of the *moshahabs* to rob their master is gained: he buries himself in debauchery. He is too ignorant to know anything of the conditions of the Permanent Settlement; nay, we doubt very much, whether he knows the very name of the father of that settlement. Indeed he knows nothing but that his forefathers have bequeathed him zemindari with an annual income of so much. He looks upon his estates as the goose giving him golden eggs every day to meet the demands of his extravagance and luxury whenever he is in need of them. And for all this, he has nothing to do but to order his Naibs and Gomastahs, that he is in need of such a sum of money, and that he wants them to exact it from his tenants. He is too great and luxurious to take upon his shoulders the troubles and anxieties consequent on the proper management of his estates, so he entirely leaves it to the care of his agents. Though very extravagant he is in other respects, he is very sordid—nay he is the last man in the world to adequately remunerate them for their labours: so they are paid less than even the peons of the Government Offices. As a consequence thereof, those who have conscience to bite them

for exacting money by foul means, care very little to be the agents of the zemindar—to be our “village tyrants.” Those only who are devoid of conscience—always ready to sacrifice it before the altar of Plutus, and who have no fear either of God in heaven, or of man in this world to brand them with infamy, seek, like hungry vultures, after the services under him. He so madly indulges himself in his sensual pleasures and other luxuries, that we doubt very much, whether he ever dreams of making enquiries into the means, which his agents employ for exacting his illegal demands, or into the feelings and the wretched condition of his tenantry, or of making improvements of his estates for bettering it. His sole object is nothing but to exact money, by fair means or foul, that matters little. It has been said before, that his agents are not adequately remunerated; most of them recoup themselves by exacting much in excess of the demands, that are made upon them by him, reserving the surplus to themselves. Besides there are many illegal cesses, which are peculiar to the nature of their duties, and in which their master does not take any share whatever.

It seems from a close observation of the life of the zemindar, that God has created him that he should enjoy only its luxuries. He rises from his bed at nine or ten o'clock in the morning, and spends an hour or two in bathing and taking his food. Then he lays down his huge body upon his bed, chewing his *pan*, and smoking his *albala*. After half an hour or so, sleep comes on and fascinates him for three or four hours. He then awakes from his slumber, takes some food, chews his *pan*, smokes his *albala*, and chats till five or six P. M. Just before evening, he, accompanied by his bosom-friends, drives his most sumptuous equipage, stops here and there, and at last returns home in a state of drunkenness at eleven or twelve o'clock in the night. In this way several zemindars notwithstanding the vast annual income bequeathed them by their forefathers, incur debts, which it is very difficult for them to liquidate; while their underlings in the *mofussil* apparently raise themselves to the position of zemindars, exact the utmost farthing from the ryots, and, within a few years,

acquire wealth. At last some of them are even obliged to sell some of their estates in order to liquidate their debts, and to save the rest from passing into other hands. Far from visiting the estates to enquire into the condition of his ryots, if any one of them comes to him, and presents a petition with *nazarana* to settle anything, he is looked upon as too mean or troublesome to approach the sacred precincts of his grand parlour, or to vex him with his little interests, and is invariably referred to his *Dewan*, who shapes his course as best suits his interests. It also happens, that a ryot coming for settling anything must have to wait for several days, and to bribe his servants, before he could be able to see his lord. Such is the interest, which our zemindar takes in the welfare and happiness of his ryots. Those zemindars, who are obliged to sell some of their estates for liquidating their debts, try their head and heart to make up the loss by enhancing the rents of the cultivators already reduced to extreme poverty and wretchedness by their agents; while love of wealth and senseless cupidity disturb the slumbers of most of their brother-zemindars by visions of squeezing the life-blood out of their tenants. If they are wise enough to tamely submit to their demands, however extravagant they are, so much the better for them; otherwise they are sure to take upon their head the terrible vengeance of their masters on the very first opportunity. As it is out of the acknowledged principles of human nature to submit to such demands without making any struggle, so the ryots naturally resist them, and, as a consequence thereof, litigation ensues. Forcibly cutting the crops, plundering the houses, arson, and illegal confinement, are often resorted to as means for frightening them to submission, while suits upon suits, charges upon charges, are heaped upon those, who lead the opposition, till they, harassed by thousand ways, submit to pay the increased rents together with the expenses of litigation. Having thus appropriated by far the greater part of the wealth arising out of increased cultivation, our Cornwallis aristocrats next hanker after titles—to be Roy Bahadurs, Khan Bahadurs, Rajahs, and Maharajahs. As it is impossible to have them conferred upon them without the strong recommendation of

collectors. They are fond of ease, and not at all times accessible to their ryots. If petitions, complaining of, or praying for, anything, be presented with *nazarana*, they are not seldom referred to the *Dewan*, the head officer of the house, who participates in the gains of the *Naib*, and disposes the matter as he feels influenced." *The Calcutta Review*, vol. VI. Art. *The Zemindar and the Ryot*.

"Without an iota of education, or public spirit, or desire to do good to the people, the typical village zemindar considers it the aim and object of his life to extort the last penny from the impoverished ryot. In this calamitous year (1874) when the Government of India and the Government of Bengal tried head and heart to save millions from starvation. What did our zemindars do? A few enlightened zemindars remitted or promised to remit a portion of the rent due. Self-seeking and selfishness, a cruel disregard for the sufferings of the ryots, a most startling unconsciousness of the moral duty imposed on every one at this terrible season—These characterize the mass of the zemindars." *Babu Romesh Chunder Dutt's Peasantry of Bengal*.

"The majority of Bengal zemindars had no love for the cares and troubles of management; many of them had never seen their estates. Their great object was to derive as large an income as possible with the least risk and trouble." *The Administration Report of Bengal, 1872-73*, p. 36.

"The zemindars are very sweeping in their claims." *H. Stark, Esq. Answer to question 199. Minutes of Evidence. Revenue, Commons, 1832*.

"The practice of showing (by the zemindars) false accounts to the Collectors is very general." *Henry Newnham, Esq. Ibid 2758. Ibid*.

"Do they (zemindars) indulge in European luxuries and European mode of life? —Some few do; and I have understood (it is a matter of mere heresay) that they consume a considerable quantity of wine and cherry-brandy. They do so secretly of course." *R. D. Mangles, Esq. Ibid 606. Minutes of Evidence. The Select Committee of the House of Lords, 1830*.

“There are natives of very great wealth.” *Ibid. Ibid 617. Ibid.*

“They are generally the large landed proprietors; almost every rich native in Calcutta is a landed proprietor.” *Ibid. Ibid 618. Ibid.*

“They are fond of large bodies of retainers and fellows running after them.” *Ibid. Ibid 659. Ibid.*

“The zemindars were men quite unfit for the place into which they were put; they were not men of business, nor men of agricultural knowledge in any respect.” *Ibid. Ibid 751. Ibid.*

“The landlords will not surrender their correct rent-roll; and we, in consequence, had recourse to conjectural estimates, which is rather a clumsy contrivance.” *Hugh George Christian, Esq. Ibid 863. Ibid.*

“Various frauds practised in the process of sale, collusive transfers take place; and frauds have been practised both in the sale and purchase.” *Ibid. Ibid 903. Ibid.*

“They (zemindars) were becoming much more extravagant.” *W. M. Fleming, Esq. Ibid 1155. Ibid.*

“If we carefully examine the general pursuits and habits of the wealthy zemindars, and the manner in which they are brought up to manage their extensive concerns, we would assured be convinced that, very few amongst them are duly qualified for the important task imposed upon them by virtue of hereditary rights and possessions. Though the British have restored them to their original station in society, (for under Jaffer Khan all the principal landholders were dispossessed of their lands) and established on a firm and permanent footing their proprietary right in the soil, yet they are generally so inattentive and unequal to the efficient discharge of the important functions of their situation, that the grossest abuses are practised with impunity by their confidential servants, to the great detriment of the poor ryots, and the general agricultural prosperity of the country.

The Landholders' Society is composed of men, who are possessed of vast zemindaries in the different districts of Bengal, but if any of them be asked, what is the actual produce of his estates,

what are the rules for fixing the rent in his district, what is the assessment of a particular pergunnah, how much the cultivation has progressed or declined, what is the moral and intellectual condition of the agriculturists, what is the population of his zemindari, how is the Police administration conducted, and, in short, what are the internal details of business in the mofussil, his replies, if he can give any without consulting his *subjanta* (all knowing) Dewan, would betray such a degree of ignorance, as if he had never entered his zemindari. Accustomed to spend his time in pampered ease, and habituated to indulge in the voluptuous enjoyments of an oriental, all his thoughts are absorbed by the single consideration of where he shall find wherewithal to support his expensive establishment, and keep up his extravagant style of living. Subterfuges and evasions are resorted to for the purpose of obtaining a remission of Government demand, but no plans are devised to improve and augment the resources of the land.

Almost all the affairs of a zemindar are managed by his confidential servants, who, taking advantage of their master's ignorance and inattention to business, often rise from a state of poverty to that of affluence. A Gomastah receiving a salary of from 3 to 16 rupees a month, always finds means by his nefarious practices to accumulate a fortune after a service of ten or twelve years. The ryots have seldom access to the liege-lords of the soil. They may force an intrusion with petitions, but they are dismissed instantly with a reference to the superintending Dewan, who is the only important personage, that disposes of, after the most summary process imaginable, the complaints of the ryots. He often sits in secret conclave with the purse-proud zemindar, and concert means how to obtain an abatement of the sudder jumma, by pleading to Government his inability to pay it, on the score of the decline of cultivation and other frivolous excuses. Living at a great distance from his zemindari, and indifferent to what is passing around him, or at the seat of Government, the zemindar has seldom any opportunity of ascertaining, by personal observations, the actual condition of the poor cultivators of the soil, and the grievances under which they labour. For information on

this point, he is entirely dependent on his accredited Nails or Gomastahs on the spot, who, as their interests dictate, often deceive their master by garbled statements. The one is a perfect automaton, moving, as he is moved by, the other, a proficient adept in chicanery, duplicity, and fraud, capable of making the white black and the black white. A zemindar may be virtuous, benevolent, and upright, but what will these good qualities avail, if he is wanting in a knowledge of his own affairs, and has no inclination to be engaged in the active pursuits of life. He must have studied human nature to little purpose, who does not know, that the best qualities sometimes remain as 'silent unproductive virtues' for want of due application and proper exertion. We have heard of——— Babu, whom the Hindoos are almost apt to deify for his great virtues, but what monument of piety did he leave behind him, except his dedicating a few temples in Benares to the service of the Hindoo deities and their pampered priests, the Brahmins. He was possessed of vast zemindaries in the several districts of Bengal, but is his name linked with any great improvement—solid permanent improvement—that he had introduced into his estate? Did he raise any work of public utility, whereby his estimable character and venerated name would be remembered with thankfulness by posterity? And how can we account for the deficiency in the character of an individual, who is said to have devoted his life to the cause of piety and virtue? Simply by bearing in mind the truth, that his good qualities were never brought into active play, either for want of sufficient discernment or practical application." *A Native Correspondent of the Calcutta Courier, May 18, 1848*, quoted in the *Friend of India, May 21, 1848*.

"What would a beegha of early or of late rice give in a year?—I could not tell without asking my servants." *Babu———, Zemindar of———, Pubna. The Indigo Commission Report, 1860, p. 151.*

"Rent Free Tenures. We have been requested by the writer to publish the following letter addressed by him to the Private Secretary of the Governor-General:—

To

Thomas Pakenham, Esq.,

Private Secretary to the Governor-General.

Sir,—The subject of this letter will, I trust, plead a sufficient excuse in requesting you to do me the favour to lay the accompanying copies of correspondence before the Right Honourable the Governor-General for his Lordship's perusal and retention; and should his Lordship deem the perusal in the least worthy of his attention and consideration, it will afford me unfeigned pleasure in laying before his Lordship, in as concise a manner as possible, the best and surest mode to be adopted in bringing to light the first great exposure of the names of unassessed villages so fraudulently kept out of Lord Cornwallis's settlement for these past thirty years, by the forefathers and others of these very Talookdars and Zemindars, who are now, and have been for some time, calling out so loudly and vehemently to the British nation, through their agent,———, and others, against a violation of what they call common justice, and a breach of faith by the Supreme Government of India, with the native inhabitants since 1828. Nothing, Sir, can be more monstrously absurd than the false and most wicked calumnious aspertions of these hired vilifiers against the Government of India; and for such temerity, I trust, the period is not distant when every and all of such unassessed villages will not only be resumed by Government, but to a village will be transferred to more honest men, in which case, it will be necessary to give a permanent nerik, or quantity of land per Rupee, throughout Bengal, Behar, and Orissa, to the poor ryots, who have been beggared to the veriest degree by the long and studious oppression of these very Talookdars and Zemindars, particularly since the renewal of the Honourable Company's Charter in 1813, and re-appointment of the Cannongoes in 1814, in direct violation of Lord Cornwallis's settlement; consequently there can be no breach of faith in Government now resuming all and every one of such unassessed villages, and either retaining them under their own Collectors, or placing the whole under the direction of others; for by so doing, it would not only be an act of justice, but

the greatest blessing Government could bestow upon the cultivators of the soil, independently of the additional Land Revenue Government would derive; and such revenue Government has been fraudulently, and, for the worst purposes, most systematically deprived of, for such a lengthened period. Strange it is in these times when so much has been said and written, and in the daily papers about Land Revenue, Perpetual Settlement, Resumptions of *Lakhrāj* and *Chur* lands, &c., I am not a little surprised, that not one amongst the many writers has written one word about the grand fraud in Government Land Revenue, *viz.*, the unassessed villages throughout my Lord Cornwallis's settlement. I humbly presume (when well understood) it was granted, in a great measure, for the express protection of the ryots against the then Talookdars and Zemindars, or perhaps more properly speaking, designate them the mere Government 'Tesildars.'" *The Friend of India, April 12, 1838.*

"By a loathsome revolution, which we shall attempt to describe in the following pages, their (real proprietors') places have been gradually filled up by adventurers, who desolate the land, as bears and tigers are seen to prowl amid the ruins of fair marble palaces and scenes once instinct with the healthful life and activity of happy multitudes.

The occupation of landed property by evil adventurers, whose relations to the peasantry are, in principle, destitute of the protective elements of patriarchy, and in practice, notoriously infamous for cruelty, violence, fraud, and every crime. This vitiated and disordered state of the mutual relations between landholder and peasant it is, which is the distinguishing feature of the condition of the Indian multitudes. Unutterable are the horrors of which it is the parent, for India is a land of peasant tribes, not of manufacturers. The children of the soil live, wholly and solely, by the fruits of the soil. Whatever destroys agricultural efforts, threatens life, and brutalizes the condition. The character of a landholder is, therefore, to the Indian peasant, not a matter of curious speculation, but a concernment of life and death—a vital condition of comparative ease and content, or all that life

his brother———. They were not instigated by a desire of plunder, but of revenge for the oppression and exaction practised on them by this zemindar, and if a tenth part of what they, after their conviction, stated to me in a petition extenuating their conduct, were true, I am only surprised, that much more serious and general disturbance did not occur. I directed the Magistrate to inquire into the facts alleged, but after the disturbance, the people named by the prisoners as witnesses of the truth of their statements, declined saying much for fear of being thought implicated in that offence. I have no doubt, however, of the general truth of the statements, and the zemindars appear to have done everything, that could degrade these men, their religion, and their females. The Magistrate arrested 117 on this charge, and made over subsequent to the half-year 106 for trial before the Sessions, of whom 22 were sentenced to seven years' imprisonment with labour in irons. In such a tumult at night, it is almost impossible to recognize distinctly the parties engaged. This outrage shows the combination existing among this sect:—they assembled from all quarters most suddenly and secretly, and after the attack, dispersed in the same manner. The Magistrate must keep a strict watch not only over these people, but also over their zemindars, particularly if Hindoos, as the latter are very apt to resent the non-payment of these men of pooja expenses, &c., which they consider encouraging idolatry by a very gross ill-treatment. In fact, the Ferazees consider the payment of rent at all, especially to an infidel, as opposed to the word of God; and where a zemindar cares not for his ryots, or for anything beyond extorting all he can from them by any means, a re-action on the part of a fanatical and ill-treated body of men must be expected. In the other case 27 persons were arrested, 2 released, and 25 awaiting a reference to the Nizamut.'

Ignorance is the first symptom to be combated—ignorance not in the obscure recesses of village life; but ignorance in high places—ignorance not among the poor and the oppressed, whose cause we are now articulately pleading; but ignorance among the rulers of the land, to whom these helpless sufferers turn

imploringly but hopelessly for redress. If we can, with earnest endeavour and after much toil, clear away but some small portion of this vast jungle of ignorance, we shall, let the cost what it may, in due season, reap our reward." *The Calcutta Review*, vol. I., p.p. 189-217.

"The wealth of the district of _____ may be said to centre in the _____ of _____, whose net income is estimated by the Collector to amount to about £ 100,000. The _____ is the proprietor of the greater portion of the land in the district, and also owns extensive estates in other parts of Bengal. The under-tenure-holders, such as, Putneedars, Dur-putneedars, who hold their lands under a perpetual lease and without liability to enhancement of rent, are, as a body, far wealthier than their superior landlords, the zemindars. All the _____'s estates are let out in putnee, and many are again sub-let in dur-putnee, se-putnee, and chaharam putnee." *Dr. Hunter's Statistical Account of Bengal*, vol. IV., p.p. 67-68.

A Correspondent of the *Shulara Shamachara* of Jaisto 24, 1278, says:—Sir,—“Many of your readers know very well the great audacity and the virtues of the zemindars, speaking generally, whose belly is so full of them. Whatever be said in their presence, else the people bless them in such a manner, that if it were the age of the ancient *Munis* and *Rishis*, great dangers would have befallen them. However to-day I will inform your readers of one great-minded, the words of whose virtues, if heard, will open the eyes of many zemindars; and our mind too will derive much satisfaction.

He is one of the zemindars of _____. His name is Babu_____.” The correspondent then gives a somewhat long description, which fully proves the Babu's noble mind. He concludes thus:—“Sir, a zemindar of his stamp is very rare. The people of the village have been subdued by his virtues. Those who have obtained the bestowment of their lives, and are still obtaining, are now trying to raise subscriptions for offering him a watch. Though it is a trifling matter to him, yet he will not refuse it, being the sign of gratitude of the hearts of all.

Now we pray, that many zemindars would imitate their humble and patriotic brother."

"The *Shulava Shamachara* is consecrated not for writing amusing tales. One of our chief aims is to do good to the poor, especially to the poor ryots of this country. We know that this undertaking will make us unpopular to the rich, especially to the zemindars, and that they will not cease to find fault with us. Indeed in this world, a friend of the poor is sure to be an opponent of the great men. We can distinctly and sincerely say, that we are not engaged to attack and abuse the rich, especially the zemindars, being vexed with some one of them. Let no one think, that some particular person has fallen in our poison-sight, and that we will not drink water without proclaiming his fault. Our mind is specious like the field surrounding the Fort William. We love all, the king and the subject, the rich and the poor. We use severe language when necessary, but on the very sight of the zemindar, we do not say "murder murder," nor do we grumble, and give vent to our anger at the very scent of the Government. But if we find fault, how can we, in our senses, conceal it with affection. We do not respect any body whoever he be, be he king or vizier, *Burra Lat*, or *Chota Lat*, or *Jhanghi Lat*. Whoever is in fault, whether he be white or black, rich or poor, our little pen will be like a sharp sword for cutting and correcting their faults. *It is not un-true, that the zemindars of this country oppress the ryots in the cruelest manner, whenever they find the slightest opportunity. Their oppressions have been proved not only in the Courts of Justice, but also they have been written in the blood of thousands of helpless widows and orphans.* We are not men, if our hearts are not moved with pity on hearing the cries of the poor ryots. We are worthless, if we, on hearing them, do not endeavour to remove them. We will consider ourselves successful, if we can, by writing, effect a little good of our poor brothers. We will never shrink from undertaking this great work. We will, undaunted, do our duty, so long as the *Shulava* will last." *The Shulava Shamachara, Assin 16, 1279 Hegira.*

“The zemindars and their subordinates, under the cover of obligations, which they had been deprived the power of fulfilling uprightly, were soon found to be the perpetrators or abettors of half the crime in Bengal. The Government were left without a practical alternative. By the proclamation of December 7th 1792 re-enacted by Regulation XII. of 1793, it took the Police of the country directly into its own hands, and deprived the landholders by law of all the authority, which had been attached to them as Officers of the State.” *The Calcutta Review*, vol. LVI., p.p. 89-90.

“The connivance and collusion of the Police, and the assistance and protection afforded by the Naibs and Gomastahs of the zemindars enabled the dacoits to pursue their nefarious avocations with impunity. Not only the zemindari Amlah but several petty landholders were receivers of stolen property; and as they were in the habit of melting down gold and silver ornaments as soon as they came into possession of the same, it was difficult to identify the articles. Several families in———and other villages in Rajshahi accumulated wealth by receiving stolen property.” *Ibid.*, p. 19.

“The voice of history is, we believe, with us. Aristocracies have been, as a rule, selfish always tending to maintain a monopoly of power and knowledge, and to use it for controlling the masses. How long should we have waited ere the polished educated slaveholders of America voluntarily renounced their ill-gotten gains in human flesh. Even the noblest aristocracy in the world, the English, only conceded the Reform Bill, when they saw the alternative was reform or revolution, and that to delay the concession might imperil the existence of their order. Or select the more recent case—the abolition of serfdom in Russia. When the policy had long been in Russia to filter down to the mass through an educated *noblesse*, the nobles were polished and refined, but what was the case of the serfs?—they continued degraded, debased, the victims of their masters’ luxury and profligacy. No stir consequently was made in the stagnancy of Russian aristocratic life, until the present Czar Alexander, the Liberator, as he is styled

by his own countrymen, took the matter into his own hands by initiating, in spite of the violent hostility of the educated nobles, the great and glorious measure of serf-emancipation, which has placed the Russian peasant in a far higher political position than that of the Indian peasant...They (zemindars) have set themselves in deadly array having inscribed on their banners—hostility to popular education.” *Ibid.*, vol. II., p. 109.

“The zemindars in those days (during the latter part of the eighteenth century) were invested by Government, unfortunately for the country and people, with Police jurisdiction, but they harboured dacoits, sent them on expeditions, and got one-third of the spoil for their share. One of these worthies used to assemble men under the pretence of apprehending dacoits, and let them loose on his own ryots. Another, when any of his zemindari was put to sale, ordered the *Chuars* to plunder those inclined to purchase; whenever he failed in lawsuit, he made the ryots pay the costs, sometimes amounting to Rs. 4,000.” *Ibid.*, p. 113.

“I have invariably found the zemindars of Bengal, as a class, hostile to any movement, which would secure either knowledge, freedom of thought, or freedom of action for the ryots.” *Rev. James Long. The Indigo Commission Report, 1860*, p. 159.

Who is Greater, Zemindar or Lât Sahab.

“No one, on observing the habits of the zemindars of our country, can think, that *Lât Sahab* is greater than they. Their pomp of bathing, wearing cloths, and sleeping, is of the zemindari manner, which even his forefathers never saw. When the servants smear them with oil, their neighbours come to the knowledge of it; they are so shameless, that it is not proper for any gentleman to stand by them at that time. No one can supply them with thin cloths, unless he gets orders beforehand. At the time of wearing the cloth, such outrages are committed, that the servants cannot tuck the lower garment, unless they run behind them with it in their hands for four miles. Making provisions for meal is only for sleeping. The more they pant with their body, which has grown as huge with milk and clarified butter as the heap of earth, the more they derive pleasure. The more the

belly grows large, the larger are the pillows made. When a zemindar snorts after laying his huge body upon the huge pillow, the house totters with the horrible noise."

Then the editor maintains the great superiority of the Governor-General over the zemindars, and advises them to imitate his noble virtues, and to do their duty towards their tenants. He concludes thus:—"Do not neglect your own interest in thoughts of smearing oil, wearing thin cloths, and enlarging the belly; let not your object be the tears of the poor ryots." *The Shulara Shamachara, Pous 4, 1279 Hegira.*

With the permission of our readers, we quote again the following lines from the *Friend of India, August 14, 1873*:—"Woe, especially to the peasantry of large absentee zemindars, who are killing themselves by debauchery in Calcutta, as the native papers so often lament, while their unjust stewards lord it over the tenantry, and there is no human ear, that will hear the cry of the poor."

"Surely it cannot be the interest of Government to confer legality upon all the wild, waste, and spendthrift acts of a debauched proprietor, or to give such additional encouragement to his vice and extravagance, and superadded facilities to effect his own ruin and that of his family, by removing every obstacle to his obtaining large loans." *C. W. Smith, Esq. Papers Regarding the Consequences to Under-tenures of the Sale of an Estate for Arrears of Revenue, p. 71.*

"A remarkable pamphlet on the relation between the zemindar and the ryot has come to our hands. It is entitled 'zemindar and ryot,' and is the substance of a speech delivered before the National Society by Babu Nil Comul Mookerjee. The author is a member of the Jorasanko Tagore family, an enlightened man himself, who has spent some years in studying the zemindari system as it exists in the mofussil. More than half the value of the book is derived from the air of dispassionateness, which characterizes it. Though a zemindar himself, he has none of that partisanship, which makes the ryot a scapegoat of all the calamities that befall Bengal. He had adjudged the relative

blame and deficiencies of both the parties, and we are glad to say, he has accomplished his task honestly and fearlessly. At the present moment, when the Pubna riots are still fresh in our mind, it may be well to take a glimpse of the actual zemindari system in that district.

The first part of the pamphlet laments the degeneracy of the present generation of zemindars. It will be remembered, when we speak of degenerate zemindars, that we do not refer to all of that class. Far from it...With these remarks we think it safe to follow our author. 'It is high time,' says he, 'that the zemindars should shake off their indolence, and introduce into their estates such improvements in agriculture, as the progress of society, makes eminently necessary. As at present seems, most of the zemindars are indolent; they do not like the trouble to enquire into their concerns, but entrust their whole affairs into the hands of agents, as ignorant as, if not more tyrannical than, themselves.' The great curse of the present system, as we gather from the pamphlet, is ignorance; and from it proceed those evils of absentee landlordism, which have brought disgrace on the system itself. Babu Nil Comul is expressively eloquent, when he exhorts his brethren to remove this disgrace. It is evident that their intelligence is not sufficient to induce them to study the laws of Government; hence it is that they rely for everything on their agents, whose tyrannical disposition they altogether overlook, money being their sole object. 'These agents,' says the author, 'throw the ryots into such unbearable troubles as melt even the most stone-hearted. It is impossible to calculate the stratagems, which they employ to oppress the ryots. Who does not know, that a ryot's trees and fruits, &c., are not safe against the avarice of tyrannical landlords and their men? Those zemindars who do personally inspect their estates, look only to the return of their income, and never turn their eyes to the improvement of the ryots or their country.' Another great curse to the ryot is the avarice of the Mahajans, from whom he borrows money. These men supply money at rates of interest, which vary from 25 to 30 per cent., and sometimes more. The author says that these

rapacious men ought to be at once divested of their fangs, and the zemindars should do the duty of the Mahajan, only with greater mercy. We believe the author is right; only we fear lest it supplies another illustration of the proverb—From the frying pan to the fire. It is, indeed, extremely desirable, that this benevolent function should be taken up by the zemindars. But the time, when this consummation will take place, is yet distant, when we look to the formidable list of illegal cesses described by the author, which they extort from the ryots." *The Indian Mirror, August 9, 1873.*

It is needless to tell our readers, that Babu Nil Comul Mookerjee is a most honourable exception to the rule. •

The Bengal Villages and the Underlings of the Zemindars.

Having placed before our readers the picture of the zemindar, we now proceed to give them one of his agents. We have already said, that those only who are devoid of sense and conscience, and have no fear of God in heaven, or of man in this world, to brand them with infamy, accept services under him. Almost all of them are trained not in schools, but in *patshalas*. We doubt very much, whether they ever touch a single book on literature, and they have not the power to do so. Their education consists only of reading and writing *pottahs, kabulcuts*, receipts, and letters, on subjects familiar to them. Such is the education and training of the men, who really rule the destinies of the vast millions of Bengal, Behar, and Orissa. And mean as is their education, so also is their remuneration: even the menial servants of the Government Offices are better paid than our village lordlings. It seems from a close observation of their conduct towards the poor cultivators, that God forgot to implant in their hearts the sense of virtue, kindness, and other noble attributes of human nature, when He created them. It is impossible to calculate all the stratagems, which they employ to squeeze the life-blood out of the ryot. Our 'village-tyrant,' the Gomastah, knows very well, that it is impossible for a poor and simple ryot to make a bold stand against his demands, however unjust and extravagant

they are, when he has in his back the village headman, whom it is almost always his wise policy to propitiate by giving him a little share in his plunder. If the ryot is foolish enough to refuse them, he is sure to get a sound beating, and to see his rice cut, or his house plundered. If he again dares resist him, our lordling, as if to give a finishing stroke of his inhumanity, brings a charge of theft against him in the Police! With a command of formidable power over the unfortunate tenantry, and the village chowkedar at his heels, it is not difficult for him to prove it. He drags a few of them to his Cutchery in order to suborn them in support of the charge he has brought against his victim. Who dares speak a single word unpleasant to the man of dignity? If any one does, he is also made to feel the consequences of his rashness. In this way he not unoften succeeds in putting him into jail. Such is the punishment, which an ordinary peasant meets at the hands of his zemindar's underlings whenever he refuses their demands. We will give a few illustrations on this head. A poor ryot has incurred the displeasure of the Gomastah, and he is fined five rupees. If he evades the payment, which he seldom does, the man of dignity resorts to ingenious tricks. The poor fellow comes to pay his rent, say ten rupees, due by him to his zemindar. The Gomastah first takes it, and gives a receipt of only five rupees, crediting the remainder in the fine books of the Cutchery. The ryot asks for a receipt of ten rupees, but is reminded of disobeying his orders by not paying the fine of five rupees imposed on him in such a month. He is quite at a loss what to do. He has no influential man in his back to strongly demand the receipt of ten rupees; so he shapes his course in the humblest way possible. He, with his *Gamcha* (scarf) thrown round his neck, and with folded hands, implores his lord in the most glorious terms: that he is the incarnation of justice, that he is his *ma bap*, that he can kill or save him at his pleasure, and so forth. But who hears him? When the poor fellow learns to his great misfortune, that it is impossible for him to make straight his wry mouth, he returns home highly dissatisfied cursing his lot and the Gomastah. Such

is the way in which the innumerable illegal cesses are exacted, and, in course of time, the ryots have been accustomed to look upon them as legal rights of the zemindar and his underlings. However there are two or three respectable ryots almost in every village, who are generally known by the name of village *munduls*, whom, as we have already said, it is the wise policy of the Gomastah to propitiate in order to back him in carrying on his exactions. If, at an evil moment, a dispute arises between these men and the Gomastah, it is thought unwise to punish them in the ordinary way. Forged documents too ingeniously got up to be detected are often resorted to as means for making them feel the consequences of quarrelling with him. He begins to instigate his master, that the ryots have combined not to pay rents, that it is impossible to collect them so long as these headmen lead the combination, and that there is no other means of punishing them than that of forging documents. The zemindar, who almost always places implicit confidence in his worthy agent, and is too ignorant and luxurious to take the trouble of enquiring into the real state of things, gives his consent, and the fate of the men is sealed: certain ruin is to befall them at no distant future. And if he is virtuous enough to shrink from giving his consent to such a forgery, suits upon suits for arrears of rent are unnecessarily instituted against them in the Courts of Justice, the real object of which is not so much to realize the rents, as to ruin them by the expenses of litigation. Poor cultivators! what great sin you committed in your former births, as to deserve such punishments at the hands of the zemindars and their agents. We shall try our best to place before our readers in proper place the innumerable pretexts resorted to by our village-tyrants in order to enrich themselves and their masters. We must here admit, that there are a few noble exceptions. We need not make any further remarks; we have only to quote the following passages in support of them.

“To one who has never been out of town, the prospect of the open country must be striking and pleasant. We do not see here the undulating hills and vales, the green pasture-lands with

sheep and kine grazing on them, and the beautiful hedge-rows and clusters of cheerful-looking cottages strewn about here and there, that greet the eye of the traveller in England; but in their stead, we see, on both sides of the main road, extensive paddy fields spreading their sea-like expanse as far as the eye can reach, with waving corn shining under the golden tints of the morning Indian sun—the scene being hardly checkered by a single tree or hut. Far off the view is bounded by a line of thick vegetation and tangled woods and trees of various kinds covered with luxuriant foliage. Concealed in the thick shade of this beautiful green canopy of nature, our poor and simple villagers have their clusters of neat though humble dwelling houses. Let us then leave the main road; we cross a number of paddy fields, and in about half an hour reach one of the shady villages. It is impossible to describe the calmness and tranquility, that reign in this rural scene. The thick canopy of branches and leaves ward off the rays and heat of the sun; solitary foot-paths meander among clusters of neat and low-built villages; and here and there a stagnant pool covered with green plants, or full of beautiful lotuses proudly lifting up their heads, attract the attention of the visitor. The only sound audible is the continual rustling of the leaves, and the no less continual voices of birds of various kinds and of rich plumage issuing from bush and tree like the flood of cheerful music. A spot so secluded seems devoted to peace and rural happiness:—alas! it is the hotbed of oppression and the home of poverty and suffering.

We cannot help reflecting with pain, that the little interest, which our zemindars take in the country, has not only prevented the improvement of the condition of our villagers, but has also deprived the mass of the people of that privilege of representation, which is, to a certain extent, enjoyed by the educated classes. The village *patshahas* and the village municipalities will, we feel confident, help our villagers to resist the extortions of the village-tyrants—the Gomastah and the tax-gatherer. None, who has not an intimate acquaintance with villages, is sufficiently aware of the extent to which the tax-gatherer, when he has oppor-

tunity as well as the zemindar, or rather his underlings, carry on oppression and extortion among the villagers. The Gomastah is a lordling in the villages from which he collects rents, and rules his kingdom with an iron sceptre. Employed by his master, the zemindar, to collect rent from the villagers, he would ill-discharge his duties, if he had any degree of kindness or humanity in his nature; and be it said to his credit that, an efficient officer that he is, he does not entertain any such weakness in his heart: as a rule, he succeeds in collecting a great deal more than he is required to do—the surplus he, of course, considers as a legitimate reward for his efficiency. It almost exceeds the power of arithmetic to enumerate the ways in which a Gomastah receives his perquisites. Is a villager guilty of any offence or indiscretion? He must be taken to the Thanah, unless he pays something to the Gomastah. Is a market to be held in the village? Each shop-keeper must pay something to the Gomastah. Refuse to comply with these modest demands of the man of power and dignity, and you get a sound beating, and there is brought a charge of theft against you in the Police? For our worthy Gomastah, be it remembered, is not an unfrequent visitor of the Courts, and is perfectly aware of their ins and outs. He knows the Courts too well to appear himself as the prosecutor or the plaintiff; in most cases a third party is instigated by the Gomastah to bring a complaint against the man, who may have incurred his displeasure,—and a Gomastah's instigation is often tantamount to compulsion; and few are aware of what a large proportion of the criminal cases, that come to our Courts, are got up by the instigation of our worthy Gomastah. And yet it is only in extreme cases, that he proceeds to Court. Generally speaking, to drag the villager to the Gomastah's house or Cutchery, and to beat him or confine him till he complies with the Gomastah's orders, are the means adopted by him; and this practice is so common, that the villagers, in course of time, have come to consider, that the Gomastah, in doing so, only exercises his legal right. Nor can we quite exculpate the zemindar from all blame. He sometimes practises the same things in his own vicinity, and

generally connives at the doings of his Gomastah ; in fact, it is his interest to do so, because the more the Gomastah is dreaded, the more certain will be the due payment of rents by the villagers. Poor cultivators ! Who will save you from the tyranny of the zemindar's Gomastah ? Who will bring to light the thousand and one ways, in which you are robbed to enrich the Gomastah ? We need not go into the extortions of the tax-gatherer. We may lay it down as a rule, that a direct tax is seldom levied from the villages of Bengal without almost necessitating cruel extortions." *The Bengal Magazine*, No. 4, p. 150.

"The zemindar keeps a Naib at the same pay that he gives to a gate-keeper ; the Gomastah's pay is somewhat less than that of a menial servant. They support themselves by resorting to illegal cesses." *The Bungo Dursana*, quoted in *Babu Romesh Chunder Dutt's Peasantry of Bengal*.

"The zemindars keep Naib and Gomastah, but they do not enquire into their character. They can appoint any man on security. But in too many cases, their name is stained owing to their fault. They, thinking themselves zemindar's men, exercise great authority, and, therefore, never shrink, in the least degree, from relinquishing their sense of virtue. Any one, who speaks against their opinion, incurs their enmity. If incurred, there is no rescue. The Naib and the Gomastah begin to make the zemindar's ear heavy (to instigate him) against such a man. The zemindar placing implicit confidence in his Amlahs' words gets angry without any consideration at all. If he gets angry, complete ruin is sure to befall him. Here the man, who has incurred the zemindar's displeasure, is always anxious, on what day what danger will befall him. They no more take his rent. The adversary is entreating them to receive it. Who hears him ? There will be arrears of rent. The Gomastah informs the zemindar, that such a man is not paying rent. There is no other means than that of instituting suits for recovering it. The zemindar, who knows nothing, of course, gives his consent to the proposal. Thus the ryot is ruined by suits for arrears of rent, and by other oppressions. We know several instances, in which the ryots, on

refusal of the Gomastah to receive their rents, went to the zemindar's house to pay them, but did not succeed. At that time he ought to have considered that, when the ryots came to his house to pay their rents, his Amlahs must have been in fault. Therefore, in such cases, if the zemindars write their Amlahs to receive rents, and enquire into them, they may blot out a part of their stain. The reason of using the word 'stain' is, that there are very few unstained zemindars in Bengal." *A Correspondent of the Education Gazette, Choitra 12, 1282 Hegira.*

"*Shomeprokash* advises the zemindars to reform their officers and introduce men of principle and education to manage their affairs. "Most of the men they have now are harpies devoid of sense and conscience. It is a pretext to say, that educated men do not understand zemindari business. If they have proved efficient Deputy Magistrates and Deputy Collectors, Munsiffs and Sub-judges, surely they will also be good zemindari managers. Most zemindars far from visiting their zemindaries, do not know even what number of ryots they have, their condition, and circumstances'" *The Hindoo Patriot, December 18, 1876.*

"These agents," says Babu Nil Comul Mookerjee, "throw the ryots into such unbearable troubles as melt even the most stone-hearted. It is impossible to calculate the stratagems, which they employ to oppress the ryots."

The Destitution of Education.

"Mr. Adam appointed by Lord William Bentinck in 1835, as Government Commissioner, to conduct enquiries into the state of native education, thus impressively sums up the results of his enquiries at Nator in the district of Rajshahi:—"The conclusions to which I have come on the state of ignorance both of the male and female, the adult and the juvenile population of this district, require only to be distinctly apprehended in order to impress the mind with their importance. No declamation is required for that purpose. We cannot, however, expect that the reading of the report should convey the impressions, which we have received from daily witnessing the mere animal life to which

ignorance consigns its victims, unconscious of any wants or enjoyments beyond those, which they participate with the beasts of the fields, unconscious of any of the higher purposes for which existence has been bestowed—society has been constituted and government is exercised. We are not acquainted with any facts, which permit us to suppose, that in any other country subject to an enlightened Government, and brought into direct and immediate contact with European civilization, in an equal population there is an equal amount of ignorance with that, which has been shewn to exist in this district.' And Rajshahi was not a backward or an exceptionally illiterate district. It was and is occupied by an industrious and intelligent population; it boasts of several influential Rajahs and large zemindars, and is the seat of an extensive trade in silk and cereals.

The Rajshahi of Mr. Adam is only an average specimen of all the districts of Bengal. Similar enquiries in the other localities selected by him led to nearly similar results exhibiting a vast and nearly illimitable intellectual waste." *The Calcutta Review*, vol. LVI., p. 32.

"Mr. Arbuthnot, Director of Public Instruction at Madras, states on this subject:—'I cannot but think it, therefore, almost certain, that the only result of a system, which educates a few highly and leaves the rest of the population without any elementary instruction, is to render all the superior acquirements of that few made moreover at an enormous cost to the State, barren and fruitless as to any general influence upon society.'" *Ibid.*, vol. XXX., p. 5.

"In spirited language, Indophilus, referring to the Sepoy outbreak, thus remarks:—'What decisive evidence have we in all this, of the slow progress, that has been made during a whole half century, in enlightening and elevating the sunken masses of the people. With what resistless force ought the cry of 'educate, educate, and educate them, diffuse amongst them the seeds of high intelligence and moral virtue'—to bring in the ears of our rulers and all the real lovers of India's welfare! A profoundly ignorant people, like the ocean in a calm, may proudly bear upon

its bosom the vessel of State; but like the ocean in a storm, the same people moved by some sudden gust or hurricane of senseless delusion may, in blindfold fury, dash the noble vessel to pieces, amid the surging billows, that strew themselves along with it, like shattered wrecks upon the shore'." *Ibid.*, p. 6.

"Indeed the ryots are universally uneducated and ignorant, and in an extreme degree susceptible to the influence of authority. The relation between them and the zemindar is eminently feudal in its character. He is their superior lord, and they are his subjects (ryots) both by habit and by feeling." *Ibid.*, vol. LIX., p. 199.

The Evil Effect of the Educational Destitution.

"In 1851 a school was established at Nator by the Deputy Magistrate of that Sub-division. It was afterwards amalgamated with Prasanna Nath Academy, which was inaugurated on the 24th January 1852. There was a large gathering of the European and native gentry of the district on the occasion. The Deputy Magistrate having been voted to the chair rose and said:—'Gentlemen, I thank you for the honor you have done me in voting me to the chair, and though I could wish you had selected an abler person to fill it, yet I must not shrink from the duty you have imposed on me. I welcome you, gentlemen, a right-hearted welcome to this hall, in the name of the enlightened proprietor of the institution, whose inauguration we are assembled to celebrate, in the name of the pupils, who have this day been admitted here, and in the name of the great cause of education. I conceive it is the duty of every person interested in the welfare of the country, especially of every native, to endeavour his best to promote that cause. The happiness and prosperity of the people are intimately connected with it. I do not pretend to believe, that education is the panacea for all the evils with which they are afflicted, for the disease of India is a complicated disease, and requires both moral and physical remedies. I know also, that climate and centuries of Mahomedan oppression have largely contributed to produce her degradation, but I am strongly persuaded, that ignorance and

superstition have had more to do with it than anything else. Why was it, that the people are oppressed by the zemindars, fleeced by the mahajans, and victimized by the Police. Why does the appearance of a *chappras* frighten the whole village, and enable its holder to extort money with impunity? Why is the Thanah Burkundaz so much dreaded in the mofussil, that when he is deputed to investigate a death by snake-bite or drowning, his threat to report it as murder, and *shallan* the villagers to the *huzur* as implicated in its commission and concealment, elicits a bribe from them. Why but because the people are ignorant of their rights. Teach them their rights, and they will assert them manfully: Give them knowledge, and they will realize the Baconian aphorism. Educate them and they will cease to be oppressed and trampled down." *The Calcutta Review*, vol. LVI, p. 33.

The Necessity of Imparting Education to the Mass of the People.

The education of the mass of the people is one of the most important subjects, that can ever engage the attention of a ruler, who has really the good of the country in his heart. On their education depends the scientific and improved agriculture, on ~~im~~proved agriculture depends the improved commerce, and on ~~im~~proved commerce the prosperity of a country. But alas! ~~not~~ withstanding this supreme importance of the education of the people, our rulers seem to have never seriously taken it into their consideration. More than hundred years passed away, and nothing whatever was done. It is no exaggeration to say, that much of the oppressions and the horrible outrages perpetrated by the zemindars, their underlings, and the myrmidons of the Police, may be laid at the door of ignorance, in which the people have hitherto been kept. At last Sir George Campbell, one of the few rulers, who had really the good of the country in heart, stepped in to their aid, and provided a grant of three or four lakhs of rupees a year for their education. Though we are really grateful to His Honor for the benefit, which he has thereby conferred upon them, yet we cannot help thinking, that it is almost nothing, when we seriously compare it with the 66 millions

minus the upper ten thousand: that it is a drop to the ocean: that it has reached only one out of twenty or twenty-five villages. The aid of two to three rupees granted to each patshala, with two or three more paid by the pupils, is too small to attract men, who are really worthy of the name of teachers, while the education imparted to them does not at all deserve its name, and is little better than what was imparted to our forefathers. Thus our rulers may justly be charged with having done a very little for the education and moral training of the vast millions, for whose happiness and well-being they pretend to be in India at all. We, therefore, in the name of God and of the vast millions, whom he has placed under their care and protection, humbly request them to take effectual measures for their education worthy of its name. We here mean 'by education worthy of its name,' that Government should establish vernacular schools, which should teach the people: that it should teach them literature, history, geography, arithmetic, and agriculture.

"To render education productive of all the utility, that may be derived from it, the poor ought, in addition to the elementary instruction now communicated to them, to be made acquainted with the duties enjoined by morality and with the circumstances, which occasion that degradation of ranks and inequality of fortunes that usually exist. And they should, above all, be impressed from their earliest years with a conviction of the important and undoubted truth, that they are really the arbiters of their own fortune—that what others can do for them is but as the dust of the balance compared with what they can do for themselves—and that the most tolerant and liberal Government and the best institutions cannot possibly shield them from poverty and degradation without the exercise of a proper degree of prudence, fore-thought, frugality, and good conduct on their part. That the ultimate effect of such a system of education would be most advantageous, there can be no doubt; though it would be unreasonable to expect, that it should produce any very immediate effect on the habits of the multitude. If, however, there is but little room for the formation of sanguine hopes of early improvement, there is none for

despondency. The harvest of sound education may be late, but in the end it will be most luxuriant, and will amply reward the patriotic efforts of those, who are not discouraged in their attempts to make education embrace objects of real utility by the difficulties they may expect to encounter at the commencement and during the progress of their labours.

Mr. Sumner has excellently observed, in reference to the diffusion of education, that 'of all obstacles to improvement, ignorance is the most formidable, because the only secret of assisting the poor is to make them agents in bettering their own condition, and to supply them not with a temporary stimulus, but with a permanent energy. As fast as the standard of intelligence is raised, the poor become more and more able to co-operate in any plan proposed for their advantage, more likely to listen to any reasonable suggestion, more able to understand, and, therefore, more willing to pursue it. Hence it follows, that when gross ignorance is once removed, and right principles are introduced, a great advantage has been already gained against squalid poverty. Many avenues to an improved condition are opened to one, whose faculties are enlarged and exercised; he sees his own interest more clearly, he pursues it more steadily, he does not study immediate gratification at the expense of bitter and late repentance, or mortgage the labour of his future life without an adequate return. Indigence, therefore, will rarely be found in company with good education.'" *McCulloch's Principles of Political Economy*, p.p., 360—61.

Let no one think, that in advocating the cause of education of the vast millions, we deprecate the noble efforts, which our rulers have all along been making to impart high education to the upper and middle classes. Indeed, we shall be very sorry to see them abolish a college or high school. Here we cannot help making a few observations. Thousands of young men, who come out yearly from our colleges and schools, are growing very discontented for not being able to gain a decent livelihood, which they had all along cherished in their minds. Their discontent has increased so much of late years, that it is not uncommon to hear

our speakers as well as high Government Officers address them in public meetings insisting upon them the necessity of having recourse to agriculture as one of the best means for gaining a decent livelihood. But have they ever succeeded in the least degree in their attempts to persuade them to listen to their advice? Certainly not. And the reason is not far to seek. One of the greatest objections to their having recourse to agriculture, is the exorbitant rate of land-rent, which the zemindars are exacting from the cultivators. They see with their eyes wide open, that this exorbitant land-rent has handed over the vast millions to the tender mercies of the money-lenders, and reduced them to extreme poverty and wretchedness. The average income of a ryot is fixed by the highest authorities at sixty rupees per annum, with which he supports himself, his wife, and three children, and for which he is forced to labour hard from morning to sunset. Perhaps the best proof of small profits from the cultivation of land is the proverb, that 'the Banians do not cultivate land calculating its expenses and profits.' And this is very true! The speakers may for a time impress the minds of their audience with the importance of agriculture, but as soon as they come out of the lecture-halls, and seriously think of having recourse to it, the miserable condition of the ryots frightens them from a distance, and they shrink back from it. We do not think that any educated young man ever seriously thinks of cultivating the land at all. The English education has certainly freed his mind from the trammels of superstition, which engrossed the minds of his forefathers. He does not think the cultivation of land beneath his dignity, nay, he looks upon it as an honourable profession. But the wretched condition of the ryot stands in his way as the insurmountable barrier of his having recourse to it. It is absurd to think, that he will condescend to drudge from sunrise to sunset for the paltry sum of sixty rupees per annum. We do not hereby mean to say, that agriculture is a mean profession. Far from it. We are here only giving the reasons, which act powerfully upon the minds of our educated young men, whenever they seriously think of driving the plough with their own hands, or of superintending

the cultivation of their lands. We firmly believe that if the condition of the ryots were like that of the peasant proprietors of Europe, they would little care for a clerkship of fifteen or twenty rupees per mensem, and would gladly cultivate lands for gaining a decent livelihood; and what is far more important, agriculture would improve. The noble efforts of our Government to educate the mass of people will never be attended with complete success, unless their condition is first improved. They do not send their sons to schools, not that they are unwilling to give them proper education, but that they cannot afford to pay for it. In their present miserable circumstances, they would gladly prefer the little assistance rendered them by their little children, however detrimental it may be to their future prospects, to sending them to patshalas or schools. For present want knows no futurity. Therefore if our rulers are really anxious for the prosperity of the country—for bettering the condition of the people, giving them good education, and removing the growing discontent of thousands of educated young men, who come out yearly from our schools and colleges—let them reduce the land-tax by rooting out the zemindari system, the greatest obstacle, that stands in its way. All other measures will prove abortive. In support of the remarks we have made, we quote the following lines from the *Administration Report of Bengal, 1876-77*, p. 340:—

“In the whole number of schools aided from the primary fund, there are above 338,000 pupils, of whom it is estimated that two-thirds or 225,000 are in the lowest stage of instruction; 110,000 are able to read, write, and understand, easy sentences out of a book, while at least 3,000 have reached a higher stage than this.

In the indigenous schools existing all over the country, upon which the system introduced in 1872 by Sir George Campbell was founded, instruction of an almost fixed and constant type had for generations been imparted. It was not a liberal, but a special and technical education: indeed it was not education at all in the proper sense of the word, but rather instruction in some of the most necessary arts of life.”

The Ryots are Unable to Protect Their Rights Through The Courts of Justice.

There are several causes of the inability of the ryot to protect his rights through the Courts of Justice. The first cause is his ignorance, the second his poverty, the third the great distance of the Courts of Justice from his house, the fourth the delay of decision, the fifth the very great difficulty of getting witnesses, and the sixth and last the terrible vengeance of his zemindar. Here it ought to be remarked, that the Courts of Justice are nothing but a plaything in the hands of the rich. The zemindar and his agents are thoroughly acquainted with their ins and outs. Besides he has his muktyar and pleader in the Court to plead his cause, while the poor ryot has neither the knowledge of it, nor the means to advocate his cause. First of all, he must have to pay for a stamp paper; then he will have to pay to get his petition written out. The power of the zemindar in the mooussil being omnipotent, there must be not only very great difficulty in inducing witnesses to give evidence, but also he will have to pay them at least double the usual fee. As he gains his livelihood solely from the cultivation of his land, so he cannot spend several weeks or months, which must elapse before the decision of a case, in attending the Court, without doing great injury to his crops. He will have to defray the lodging expenses not only of himself, but also of his witnesses in addition to their fee. Moreover he cannot expect success without bribing the Amlahs of the Court. In this way the expenses of a lawsuit, the loss of time, and the troubles and anxieties consequent thereon, are too great to be borne by a poor and simple ryot. And for all this he is not at all sure, that he will gain the case. Suppose that 'by some extraordinary chance' he gains it. But what will be its consequence? He will be marked out by his zemindar as a victim of his terrible vengeance, which is sure to be wreaked on him on the very first opportunity. During the absence from his house, his rice is almost sure to be cut, his cattle driven, or his house plundered. As if these are not sufficient to allay his passion, civil and criminal suits, which had existence nowhere except in the fertile brains and forged documents of his zemindar

and his agents, will be heaped upon him, till the poor fellow is forced to leave the village as a consequence of his rashness in contesting the demands of his master. Or if he dares not punish him in this way, the latitude of appeal allowed by the Civil Code is resorted to by him as a legal means for making him feel the consequences of incurring his displeasure, till the poor fellow, reduced to beggary by the expenses of litigation, is forced of his own accord to do whatever his master bids him. The ryots know very well, that such is the consequence of contesting the claims of the zemindar however sweeping they are. The only case to which they are very unwilling to submit, and which they resist at least in fifty cases out of every hundred, but very often without success, is the wholesale raising of rents (we lay stress upon the word *wholesale*). In remaining fifty, the very name of the zemindar often frightens them to submission. In other comparatively trifling matters, in nine hundred ninety-nine cases out of every thousand, they meekly submit to his demands without questioning their legality or otherwise. In support of our remarks, we quote the following passages:—

“If the rights and interests of the agriculturists had been previously ascertained, and means taken for their maintenance by a summary enforcement of penalty at the instance of a public prosecutor, the practical adoption of the principle of limiting the demands of the State would have realized many of the advantages held out by the theory. But it is easy to legislate in the closet; and in the formation of the Revenue Code, the adoption of the principles of English Common Law interposed an almost insuperable barrier to the participation by the ryots of any of the benefits, which it was undoubtedly the intention of the legislator to extend to them, by leaving them to seek redress by a civil action for any injuries or infractions of the Regulations, or for encroachments on their vested rights and ancient privileges, which they might experience at the hands of newly created aristocracy. The prosecution of a suit at law involves expenditure of money and time, neither of which could well be spared by the agriculturists, while the latitude of appeal allowed by the Civil Code enabled

the richer party to protract the ultimate decision of the case to an unlimited period:—in fact, to refer the cultivators to the Courts at law for a remedy against the zemindar was tantamount to a denial of justice." *A Memoir on the Land Tenure and Principles of Taxation*, p. 93.

"It is vain to say," observe the Court of Directors, "that the ryots are protected against harassing and vexatious proceedings by the Courts of Justice, for the loss of time, the expense incident to a legal process, and delay of decision, will, in nine instances out of ten, prevent the ryots from appealing to the Courts." *Revenue Selections*, vol. I., p. 638, quoted in *An Inquiry into the Alleged Proneness to Litigation of the Natives of India*, p. 22.

"On opening the Courts under the new judicial system, complaints without end, were preferred, and many thousands redressed, and, I suppose, many hundred thousands unredressed." *Sir H. Strachey. Ibid.*, p. 23.

"With regard to the effects of increasing the institution fee and other law charges, it seems highly probable that, if litigious suits have been somewhat checked, a greater number of just complaints have been kept from the inability of some of the lower classes of the people to defray those charges, without greater sacrifices than they have found it worth their while to make." *T. H. Ernst, Esq. Ibid.*, p. 29.

"I think the expenses of prosecuting ought to be diminished, and the number of efficient tribunals ought to be increased." *Sir H. Strachey. Ibid.*, p. 55.

"Regarding the expense of suitors, I am of opinion, that it should be reduced. To restrain litigation by imposing expense is in fact to encourage injustice and oppression by rendering redress inaccessible. The law charges are felt with peculiar severity by the ryots and other poorer classes of the community." *J. D. Erskine. Ibid.*, p. 89.

"Some of the Judges, in their answers to Lord Wellesley's queries, have stated, that the process of the Courts is not too expensive; but what they call trifling costs is not trifling to the

native. The average of the rent paid to Government by the whole body of the ryots does not amount to five pounds sterling for each individual. If we say that the rent is only one-third of the produce, his income cannot exceed ten pounds. It is easy to conceive how heavy the costs and delays of laws must press on such men. When a ryot has a suit, he sets out taking with him the few rupees he has in ready money. They are probably exhausted in charges to the Vakeels and Officers of the Court before his trial comes on; he is ashamed to plead poverty, and he returns home ruined as a farmer." *Colonel Munro. Ibid.*, p. 119.

"Our judicial system has failed in the most important object of all law, the securing the great body of the people from oppression. It may truly be said, by the heavy expense attending it, to put them legally out of the protection of the law. The great mass of the ryots, who are the people most exposed to wrong, must suffer in silence, because they cannot afford to complain. Under every Native Government, though occasionally subject to the most tyrannical exactions, they could in general obtain redress free of expense; it is only under a new Judicial Code framed expressly for their benefit, that they are utterly excluded from justice." *Ibid.*

"I conceive that the Government did not place sufficient confidence and authority in their judicial servants. The Regulations are too full of distrust with a desire to guard against what are called erroneous decisions. The gradations of Courts of Appeal, and the openings for reference to higher authorities, tend to clog the administration of justice." *G. Reid Esq. Ibid.*, p. 122.

"And when the multiplicity of the forms and processes of those Courts, the expensive barrier of fees, stamp duties, and other charges, through which justice is to be approached, as well as the fact, that the complaints of the great body of people are under ten pagodas value (many hundreds of them not half so much) are also considered, it is not surprising that, being unable to spare the time and money necessary to encounter those barriers, the natives should complain, as they do, that they have only a mere semblance of justice.

To render justice as speedy and easily accessible as possible to these people, is equally essential to the security and permanency of the public revenue; for almost every individual contributes to it directly, more or less; and in proportion as they are unprotected in their little rights and privileges, so will the finances of the State fall short, and the realization of even a diminished revenue be precarious. It should never be forgotten, likewise, that while at least 50 per cent. of the gross produce of land is taken as the customary tax of Government, it is the more incumbent on the State to secure the remaining fifty to the people, which, God knows, is little enough, if enough, even in a country where wants are so few and so cheap, to provide for the common maintenance of a large family, which most have, and to meet the expenses of agriculture." *J. G. Ravenshaw, Esq. Ibid., p. 132.*

The Committee of the House of Commons observe: "We are certainly most desirous not only to see the ryots duly protected in their rights, but also to see them thrive and prosper, for upon this more than anything else depends the welfare and improvement of the country.

It is well-known (and even if it were questionable, the practices which have more lately fallen under our dominion, would set the doubt at rest) that the cultivating zemindars were, by a custom more ancient than all law, entitled to a certain share of the produce of lands, and that the rest, whether collected by pergunnah zemindars, or by the Officers of Government, was collected as the *huk* of the Sircar. This indefeasible right of the cultivating proprietors to a fixed share of the produce was annihilated by our directing, that pottahs should be executed for a money payment, in which all the claims of the zemindars should be consolidated. The under-proprietor was thus left to the mercy of the zemindar, to whose demands there were no prescribed limits. The zemindar offered a pottah on his own terms (*vide* Report of the Acting Judge of Burdwan). If the under-proprietor refused it, he was ejected, and the Courts supported the ejection. If the under-proprietor conceived that he could contest at law the procedure, a regular suit, under all the disadvan-

tages to which he is known to be exposed, was his only resource ; but when after years of anxiety and of expense, the case was at last brought to a hearing, he lost his case, it was proved, that the pottah was offered and refused, and there was no criterion to which he could refer as a means of proving, that the rate was exorbitant." *Appendix to Report from the Select Committee of the House of Commons, Revenue*, p. 130.

"It is well-known, that the great body of the ryots will submit to extra assessments as long as they can pay them, rather than seek redress from the Courts. There cannot be a stronger proof in support of this observation than the occurrences in Coimbatore for some years past ; where though at least 30,000 ryots have paid extra assessments, and numbers have been compelled to part with their sheep and cattle without compensation, very few of all this number, probably not twenty, have ever sought redress from the Zillah Court, though the Judge is acknowledged to be a most active and zealous public servant. It is, therefore, impossible to resist the conclusion, that our institutions are inefficient, and that the same abuses, to a great or less extent, must prevail in every province under the Government." *Sir Thomas Munro. Ibid.*, p. 589.

"Do you think, that a ryot can contend fairly with a planter," we may add, or with a zemindar, "for his just rights in the Fouzdery Court or in any other Court?—Never, never; it is a hopeless case, because the planter or the zeminder has his Muktyar in the Court. The ryot has not the means of employing a Muktyar to plead his cause. At the same time, it must be remembered, how difficult it is for a ryot to bring any case into Court. He has first of all to pay for a stamp paper, then to get the petition written out, for which he has to pay; he has, besides, to deposit six or seven rupees for the witnesses, and if he does not bribe all the Amlahs in the Court over to his side, there is no chance of his obtaining satisfaction. But suppose that by some extraordinary chance he gains the case, the man is marked, and cannot live any longer in the village, because he will be persecuted by the planter or the zemindar.

“As an instance of this, I would mention what a Magistrate of Krishnagur, who had been full three years full Magistrate there, mentioned to me one day, saying that he could look back with satisfaction to only one case which he decided, when he was an Assistant Magistrate. He went to the spot where an outrage had been committed, and having fully satisfied himself of the merits of the case, he gave his decision, which was afterwards appealed to the Judge, and the Judge reversed the order. At last an appeal was made to the Sudder Court, and then the Magistrate's order was upheld, simply because he had been to the spot, and satisfied himself about the case there.” *Rev. C. H. Blumhardt. The Indigo Commission Report, 1860, p.p. 121-22.*

The gentleman had an experience of twenty-one years in the Mofussil.

“The zemindars and their agents own such a formidable armory of weapons for the oppression and harassment of ryots in so many ways, that it would be simple infatuation in a poor ryot of a peaceable disposition to incur the risk of his zemindar's anger, even for the certainty of exemption from the payment of any illegal cess or cesses.” *The Indian Mirror, October 23, 1875.*

“A very intelligent Officer of Government, Mr. E. A. Samuells, in giving his opinion on the Bill (which was introduced by Mr. Currie in 1857, and passed into Act X. of 1859) remarked: ‘We have had abundant experience of the provision, which enables the ryot to sue his zemindar for a pottah; and we know that the privilege is nearly valueless. Men who are powerful enough to sue their zemindar for pottahs, are not the people for whose protection this Bill is intended to provide. The want of a pottah is an uncertain evil. To incur the enmity of a zemindar is a positive one. *Ninety-nine ryots out of one hundred will choose the lesser evil of the two.* Besides why encourage litigation? You think it is right, that there should be an interchange of Pottahs and Kabuleuts. Then why not take the simplest and most obvious method of securing the object by refusing to entertain any suit not founded on a Kabuleut, or in which the

absence of the Kabuleut cannot be satisfactorily accounted for
Babu Sunjeeb Chunder Chatterjee's Bengal Ryots.

The Ryots are Mere Tenants-at-will.

We have proved, perhaps, to the satisfaction of our readers, that the ryots are unable to protect their rights through the Courts of Justice. Consequently they are, as a matter of necessity, forced of their own accord to submit to the demands of their masters. And if they think them beyond their means, the only course left to them is to quietly leave their dear homes only to be sold by the zemindars to glut their cupidity. We have nothing more to say on this subject, but to quote the following passages in support of our views.

“The report made on the subject in 1814 by Mr. Cornish, the 4th Judge of the Court of Circuit, is very relevant and pertinent. He declares:—‘The assertion may appear extraordinary, but it is nevertheless certain, that the rights of the ryots remain to this day unexplained and undefended. It is true, that there is something like a provision for preventing the rents of the lands of the Khudkasht ryots from being raised, unless the zemindar can prove, that they have paid less for them for the last three years, than the nerik of the pergunnahs. But what is this nerik, or how to be ascertained? It is a mere name and of no kind of use in securing the rights of the ryots. The Paikasht ryots are altogether left to mercy of the zemindars. Was this intended? If so, what can possibly be the objection to its being declared by a Regulation, that the ryot is a mere cultivator and tenant-at-will, and that, if he refuse to take a pottah, he may be ousted by summary process, and that further, on the expiration of his engagement, the zemindar may demand whatever rent he thinks proper to ask.’”
The Calcutta Review, vol. VI. Art. *The Zemindar and the Ryot.*

Mr. Mill in his evidence before the Select Committee of 1830 said: “The ryots are mere tenants-at-will of the zemindars in the permanently settled provinces.” Quoted in *Ibid.*

“The usual opinion is that I last stated, that the ryot is the mere tenant of the zemindar, and he may do as he pleases.”

John Sullivan, Esq. Answer to Question 101. Minutes of Evidence, Revenue, Commons, 1832.

“They (ryots) have, in a great measure, become tenants-at-will.” *Hugh Stark, Esq. Ibid. 436. Ibid.*

“I think they (ryots) may be considered, practically, almost as tenants-at-will.”

“The zemindar frequently exercises an influence over his ryots; and sometimes an European, like any other man, probably has a ryot in his debt, and he teases and threatens to prosecute him, and thereby endeavours to force his cultivation in the way he desires.” *R. Davidson, Esq. Ibid 3788 and 3835. The Select Committee of the House of Lords, 1830.* •

“Dacca. The husbandmen seldom change their holdings, and the same land generally descends from father to son; so that most of the cultivators may be said to have a sort of right of occupancy, although when a dispute occurs with the superior landlord, the cultivator generally loses the case. The number of husbandmen who are acknowledged to hold their lands with a right of occupancy, and as such registered in the Courts, is only 214. The cultivators of the *chur* or alluvial lands have no right of occupancy, as they frequently change their place of abode. None of the husbandmen have been acknowledged as possessing a right to hold their lands in perpetuity without enhancement of rent... They, as a rule, are in debt.” *Dr. Hunter's Statistical Account of Bengal, vol. V., p.p. 92-3.*

“Sunderbuns. Very few of the husbandmen hold their lands on a permanent tenure, or without being liable to enhancement of rent. No class of small proprietors is found in the Sunderbuns, who own, occupy, and cultivate, hereditary lands, without either a zemindar or superior landholder above them, or a sub-holder or *krishan* or day-labourer under them.” *Ibid., vol. I., p. 337.*

“Midnapur. Very few husbandmen, however, hold their lands free of liability to enhancement of rent.” *Ibid., vol. III., p. 83.*

“Hughli. The Collector is of opinion, that about four per cent. of the cultivators in Hughli district hold their lands in perpetuity, and without liability to enhancement of rent.” *Ibid., p. 343.*

“Bancura. The peasants almost invariably in debt. Very few cases occur of small proprietors, who own, occupy, and cultivate, their hereditary lands without either a superior landlord above, or a sub-tenant or labourer below, them. Up to 1871 only 38 husbandmen have been acknowledged by the Courts as entitled to hold their lands in perpetuity without liability to enhancement of rent.” *Ibid.*, vol. IV., p. 248.

“The object of the zemindar is frequently to collect as much as he can.”

“Practically are the ryots in Bengal tenants-at-will? No doubt, they are practically.” *F. L. Beaufort, Esq. Answers to Questions 191 and 231. The Indigo Commission Report, 1860.*

Security of Property.

“Security of property is the first and most indispensable requisite to the production of wealth. Its utility in this respect is, indeed, so obvious and striking, that it has been more or less respected in every country, and in the earliest and rudest periods of society. All have been impressed with the reasonableness of the maxim, which teaches that those who sow ought to be permitted to reap—that the labour of a man's body and the work of his hands are to be considered as exclusively his own. No savage horde has ever been discovered, in which the principle of *meum* and *tuum* are not recognized. Nothing, it is plain, could ever tempt any one to engage in any laborious engagement—he would neither domesticate wild animals, nor clear and cultivate the ground, if, after months and years of toil, when his flocks have become numerous, and his harvest were ripening for the sickle, a stranger were to be allowed to rob him of the produce of his industry. No wonder, therefore, that the utility of some general regulations, which should secure to every individual the peaceable enjoyment of the produce of his labour, and of the ground he had cultivated and improved, was suggested to the first legislators. The author of the book of Proverbs places those, who removed their neighbour's landmarks, at the top of his list of wicked men; and some of the earliest profane legislators subjected those, who were guilty of

this offence, to a capital punishment." *McCulloch's Principles of Political Economy*, p. 74.

"The finest soil, the finest climate, and the finest intellectual powers, can prevent no people from becoming barbarous, poor, and miserable, if they have the misfortune to be subjected to a Government, which does not respect and maintain the right of property. This is the greatest of all calamities. The ravages of civil war, of pestilence, and of famine, may be repaired; but nothing can enable a nation to contend against the deadly influence of an established system of violence and rapine." *Ibid.*, p.p. 77-8.

"It is the security of property," to use the just and forcible expressions of an able writer (Bentham), "that has overcome the natural aversion of man from labour, that has given him the empire of the earth, that has given him a fixed and permanent residence, that has implanted in his breast the love of his country and of posterity. To enjoy immediately—to enjoy without labour is the natural inclination of every man. This inclination must be restrained; for its obvious tendency is to arm all those, who have nothing against those who have something. The law which restrains this inclination, and which secures to the humblest individual the quiet enjoyment of the fruits of his industry, is the most splendid achievement of legislative wisdom—the noblest triumph of which humanity has to boast." *Ibid.*, p. 84.

"Security of property, freedom of industry, diffusion of sound information, and moderation in the public expenditure, are the only, as they are the certain, means by which the various powers and resources of human talent and ingenuity can be called into action, and society made continually to advance in the career of wealth and civilization. Every increase of security, freedom, and intelligence, is a benefit, as every diminution, whether of one or the other, is an evil. It is by the spontaneous and unconstrained, but well protected efforts of individuals to improve their condition, and to rise in the world, and by these efforts only, that nations become rich and powerful. The labour and the savings of individuals are at once the source and the measure of national

opulence and public prosperity. They may be compared to the drops of dew, which invigorate and mature all vegetable nature. None of them has singly any perceptible influence; but we owe the foliage of summer and the fruits of autumn to their combined action." *Ibid.*, p. 418.

"Among the secondary causes, which determine the productiveness of productive agents, the most important is security. By security I mean the completeness of the protection, which it affords to its members. This consists of protection by the Government and the protection against the Government. The latter is the most important. Where a person known to possess anything worth taking away, can expect nothing but to have it torn from him with every circumstance of every tyrannical violence by the agents of a rapacious Government, it is not likely, that many will exert themselves for much more than necessaries. This is the acknowledged explanation of the poverty of many fertile tracts of Asia, which were once prosperous and populous. From this to the degree of security enjoyed in the best governed parts of Europe, there are numerous gradations." *Mill's Political Economy*, vol. I., p.p. 137-38.

It would appear on perusal of the foregoing extracts, that security of property is not only the foundation of society, but also the source of all prosperity of a country. It excites all men of all professions to make utmost endeavours for improving their own circumstances. It excites the cultivator to cultivate his lands in the best way within his means, because he knows full well, that he alone will enjoy the fruits of his own labour. It excites the merchant to defy the huge waves of the ocean, because he is sure, that the profits from the sale of his commodities will go to his own pocket. The lawyer tries his best to bid down the brethren of his profession being fully assured, that there is no body else to share in his fees. In this way security of property excites every man to make utmost endeavours for bettering his own condition. But it will be our painful duty to prove hereafter, that this security of property the Bengal ryot has not,

and that as a consequence thereof, he has reached the utmost limit of his poverty and wretchedness.

“Has not the East India Company made repeated and anxious exertions to improve the state of the ryots? The Governments of India have been most anxious upon that subject, as well as the Court of Directors in this country. The orders of the Court of Directors abound with able and humane instructions to their Government abroad for a just administration of their territories committed to their charge. Many of these very able letters are now in print, and do great credit to the Directors of the East India Company. I particularly refer in this place to those which treat of ‘Protection to the Ryots.’ But the circumstances which I have mentioned—the oppressive nature of the land tax—the numerous host of subordinate public servants necessarily employed to realize and collect it—the total impossibility of controlling those servants by the authority of the European Collector, and the exactions and fraudulent impositions and oppressions committed by those persons on the ryots, have hitherto presented an insuperable bar to the benevolent wishes of the Court of Directors and the local authorities in that country being carried into effect.” *R. Richards, Esq. Answer to Question 3961. Minutes of Evidence. The Select Committee of the House of Lords, 1830.*

“I consider myself the security of the ryot to be indispensable to the general prosperity of the country.” *Henry Newnham, Esq. Answer to Question 2738. Minutes of Evidence, Commons, 1832.*

“I should say decidedly, that the hand of Government must be active in the protection of the cultivating classes, arguing from the mode of Government of the Mussulmans, and that at one time was very effectual.” *Ibid. Ibid. 2776. Ibid.*

The Police.

The duty of protecting the persons and the property of the people devolves upon the Police. The organization of this department has no other object in view than that of detecting and

punishing the bad characters, and thereby securing the persons and the property of the people from the violence with which they are always liable to be threatened. But that it has lamentably failed in fulfilling the objects for which it was organized, is a notorious fact. It exercises its authority for the sole object of making the best use of it in filling its pockets. Almost all the subordinate officers from the Darogah down to the lowest village Chowkeedar, who really come in contact with the people, are nothing but an instrument of oppression in the hands of those who pay them best. Their education and moral training as well as salaries are not good enough to enable them to look with contempt upon the bribes, which they can easily extort, and which are not unoften thrust upon them by the persons, who feel it their interest to do so, while the overwhelming power of the zemindar in the mofussil often frightens them to do whatever they are commanded. They think, and perhaps rightly too, that it is impossible to exercise their authority to their best advantage without the co-operation of the zemindar and his agents. Indeed most of them, especially the Chowkeedars, are looked upon by the people as their slaves. The latter are so completely at their mercy, that they never dare report a single case without first consulting them; and they shape their course as best suits their interests. The visit of a Darogah on an investigation into a case of theft is really considered by them as a greater calamity than the visit of a thief; so by far the greater number of crimes remains unreported. We can positively state from our own personal knowledge, that almost all criminal cases, except those of murder, death by drowning or snake-bite, dacoity, and others of a serious nature, are hushed up; the zemindar, his agents, headman, Faridar, and the Chowkeedar, all extort bribes from the persons guilty or supposed to be guilty of them, and divide them among themselves according to their respective ranks in society, the zemindar always getting the lion's share. We shall try our best to give in proper place minute details of a few cases, as we have got them from their very victims. So the failure of Police may safely be laid at the door of the zemindars. With these remarks we leave

it to our readers to judge of the security of property from the following extracts, which will throw much light upon the subject.

The Mofussil Police. Babu Dwarka Nath Tagore called in and examined by the Police Committee.

“ Have you ever resided in the Mofussil? Yes, in various places, such as, Commercolly, Pubna, Rampur, Bauleah, Dacca, and other districts.

You have had then many opportunities of observing the condition of the Police—state what do you think of it?—I think that from the Darogah to the lowest peon, the whole of them are a corrupt set of people—a single case could not be got out of their hands without paying money—the wealthy always get advantage over the poor. In quarrels between zemindars and indigo-planters, large sums are expended to bribe these people—when any report is called for by the Magistrate from the Darogahs, even in a true case, that report could not be obtained without paying a large sum of money, and should the case be between two rich parties, the richest or he who pays the highest, would get the report in his favour. If a Jemadar or peon is sent to a village for an enquiry, there is immediately a tax levied by them on all the ryots of the village through the Gomastah of the zemindar, and this mode of extortion has so long prevailed, as almost to give it the character of a just demand:—so much so that not a single ryot will ever make an objection to pay it. Indeed they look upon it as an authorized tax. If a dacoity takes place in any neighbourhood, the Darogah and all his people will go about the villages, and indiscriminately seize the inhabitants, innocent and the culpable, and it often happens, that persons so taken, although of the most suspicious character in the particular transaction, are released on some money inducement being given to the officers. Besides the levy of the tax above mentioned, formerly in every petty theft the same process was observed, but since (by Regulation II. of 1832) that local enquiry is done away with, their perquisites are a little reduced in that quarter. In short, nothing can be done without

paying for it whenever they are called upon to interfere." Quoted in the *Friend of India*, April 26, 1838.

"It is the true estimate and instinct of this calamity by the people, that enables such incredible sums to be raised by the villainous native agents in charge of the different Police stations within a district. The slightest threat by these ruffians of sending in a man to the Magistrate will not unfrequently induce him to sell all he is worth, and even to borrow at 75 per cent. to raise money to bribe himself off. The following descriptive passage, which appeared in the *Friend of India*, shows the manner in which evidence is collected:—'As soon as any heavy crimes have been reported, the Darogah repairs to the spot, and his advent is as if the regent of death had come up from his own place in search of his victims. The Darogah makes the most careful enquiry into the matter of the burglary, or assault, or robbery, or murder; and having also ascertained who are possessed of money in the village, declares, that the matter must go up to the presence (*huzoor*) thirty, fifty, seventy miles off, and that the most substantial house-holders must go with it as witnesses. Then commences the bargaining. Every man, who can satisfy him—in native phrase—who can make his 'wry mouth straight' is let off, and when the field has been sufficiently reaped, a report is made of the inquest, and some of the poorest wretches are sent up, as accomplices or witnesses, to vindicate the Darogah's public spirit. That which robbers have spared, the Darogah gleans. Hence there are few objects more dreaded than a visit from this personage; and the inhabitants of the village exercise all their ingenuity to protect themselves from such a visitation. Examine his situation if he refuses—he is subjected to every indignity in the first place, to which caste, custom, and social prejudices, can render him vulnerable. Time and space would fail, were we to enumerate half the horrors to which the atrocious and unchecked cruelties of the native Police subject the population. But laying all these aside, the victim is threatened with the destruction of his crops and a thousand losses, which nothing but personal superintendence at his home can avert. He has to travel in, under

charge of a Police myrmidon, who, unless he is paid, will not allow him to perform the necessities of nature. The distance from his home may be sixty or seventy miles, which he must travel at his own expense, plundered, as he proceeds, by the Policeman in charge—arrived at the Magistrate's station, days and weeks may elapse before his case be brought up for hearing. Before even this first stage in his case's progress, he has either been plundered by the native Officers of the Magistrate's Court, or else subjected to every hardship and indignity, which secret cruelty, impossible to prove, legally can inflict. As a class, the Police agents are infamous for every crime. And it is from these agents alone, that nine-tenths of the evidence is derived.

Fearlessly and honestly analyzed, it will be found, that in no civilized country of the earth, or dependency of any such country, does there exist a spirit of such utter disregard to the rights and happiness of such stupendous masses of our fellow-men, as that which marks the principles and process of the present Government of India. Exposure of evil is the prevailing terror of the Anglo-Indian Government—if by such name the crazy mass of delusions can be called, over which an inexperienced Governor and his secret Council preside, under circumstances subversive of all means of which Government, properly so called, is the end.” *The Calcutta Review*, vol. I., p.p. 197-203.

“As regards the alleged inefficiency and corruption of the native Police, we will make some extracts from the Police Report in order as we find them; and the first we have marked relates to the district of Shahabad. It is a mere ordinary case of corrupt concealment of crime by native Police Officials; such cases are plenty as blackberries. The Superintendent of Police says:—‘I do not think the returns satisfactory, as regards the murders the Police seem to have failed in very many cases in tracing out the perpetrators of the crime where they might, I think, with care and vigilance, have succeeded, and, in one instance, the accused parties escaped solely owing to the corrupt misconduct of a Jemadar acting directly under the orders of the Magistrate who

reported, that the girl murdered had fallen into a well, when subsequent examination proved, that she had been strangled.'

Next we have from Tirhut another foul case of corruption—a number of Police Burkundazes clearly proved, in a case of inhuman murder, to have been accessories after the fact. The Superintendent sets down, in general terms, bringing forward this particular case in illustration, that for a small sum of money, the subordinate Officers of Police will actively engage in the work of concealing the most horrible crimes:—'In the murders 9 persons were said to have been concerned, and seven were arrested—in one case the party had been convicted by the Nizamut Adalat, two were awaiting their trial before the Sessions Court, and the investigations as respected four were yet pending before the Magistrate. The Sessions Judge had since referred the proceedings regarding the two committed to the Superior Court for sentence, and the four, who were before the Magistrate, have been released from the want of evidence, the failure to convict them having been entirely owing to the misconduct of three Police Burkundazes, who were charged as accessories after the fact. Suspicion of some foul play fell on the defendants in consequence of their having, without any reason, filled up a well, which they had just dug for the irrigation of their fields, and the Police Officers were sent with orders to dig out the well, which they reported as giving no cause for suspicion. The Moherer, however, having gone on the same day to a village near, learnt that a woman, who appearing to be travelling, had stopped for the night at the prisoners' cattle shed, and that they had murdered her for the sake of her ornaments and thrown the corpse into a well, which they had then filled up. He immediately proceeded to the spot, and had the well dug out to the bottom. The effluvia left no doubt as to the corpse having been deposited there, and a quantity of long hair was also found, but the body had been removed, and no trace of it could be discovered, nor could all the subsequent endeavours of the Magistrate procure any clue to the identity of the woman. I have mentioned this to show how the subordinate Officers of the Police, being without proper control,

will, in the most serious cases, allow their duty to be set aside for a small sum of money.'

The following extract, though at first sight it may appear to contain no very great atrocity, is worthy to be pondered on, as illustrative of the enormous power of the Police, and the awe with which they are regarded by the villagers. There is nothing, which a Police Official may not wring from these unhappy industrial classes. The abject peasant knows well enough that to resist the tyranny and extortion of the Police in these little matters, is to bring upon himself tyranny and extortion far more difficult to endure. It is better to pay a small tribute of fish or other petty commodity than to be dragged before the Magistrate as a witness, or peradventure, as a criminal, in a case of which he knows nothing:— 'One Moherer had been dismissed for demanding from a vendor of fish a considerable quantity of fish without payment. This practice of levying contribution from all vendors of food, who may have occasion to expose their commodities for sale, or to pass near to the Thanahs, is very prevalent, and this was accidentally brought to notice from the fisherman having got drunk and abused the Moherer publicly. Rewards had been bestowed on one Thanadar and three Burkundazes for activity in particular cases.'

The payment of small tribute to Police Officers is found ever to be the safest plan. See what the result of refusal may be. A murder is committed, the real offender is, perhaps, well-known; but he has murdered to some purpose, and out of the proceeds of the spoil, he can afford to pay his hushmoney down. The offence must be charged upon somebody, and evidence must be got up. There are, doubtless, some obnoxious parties at hand—some who, peradventure, have resisted the extortionate demands of these Police harpies, on whom to charge the offence, and from whom to extort evidence. The thing is as easy as lying; an unfortunate budlee is marked out to expiate the offences of a real offender, who, in the meantime, is quietly making himself scarce, or perhaps actually sheltered beneath the protective wings of the Police. We have now before us a letter from an intelligent and zealous Magistrate, one of the few really honest

men engaged in this disheartening work of counteracting, as far as in them lies, the atrocious rascality of the native Police, in which the writer says:—‘ I have reported my jail as being full of budlees; and I believe, that every jail in the country is alike.’

But anonymous testimony it is no part of our intention to give; else might we produce a mass of it—anonymous testimony, we mean, as far as the public is concerned; for in our repositories this evidence bears names, which, were we at liberty to use them, would carry as much weight of officiality, even as that of the doughty ‘Superintendent’ himself. Yet what need to resort to any evidence, which unbelieving men might question, when we have published official documents before us.

Let this case, briefly recorded, under the head of Rajshahi, be pondered on:—‘Two Darogahs and one Moherer had been dismissed by my orders in cases, which occurred during the previous six months, one for extorting confessions in a case of murder implicating an innocent person, another for falsifying a report in a case of dacoity, and the third for neglecting to investigate a charge of murder.’

With one more case from the report of the Superintendent, we must close our string of official evidence against the Police. The case is one of unexampled monstrosity notorious enough in Bengal, but of so convincing a character, that we desire it should be read in all parts of the world. The horrid event occurred in the Murshedabad district, and is thus officially narrated by the Superintendent of Police. Comment need it none from us:—‘One of the cases here entered is that dreadful case of torture by———, Darogah, and others, the Police Officers of Thanah ——, to extort a confession from one——— of a dacoity, which had never been committed, in which from the consequences of the horrid treatment, which he received and the subsequent detention at the Thanah to evade detection, the toes and fingers of the poor victim rotted off, and he is left a cripple and a pensioner on the bounty of Government for life. The fingers and toes of the man were first tied together, and wedges being

driven between them to the greatest extent of tension, he was laid out on his back in the sun; this not producing the desired effect, his hands and feet were dipped into boiling water, the ligatures were unloosened and bandages dipped in oil, tied round the fingers of both hands and the toes of the left foot; and this not forcing him to confess, he was, as if to prevent any hope of his recovery, detained several days at the *Thana*, without any remedies being applied, and when brought in by the orders of the Magistrate to whose knowledge the case had been brought, his hands and feet were in a state of mortification, and ultimately his fingers and toes rotted off.

This is, perhaps, an extreme case of torture, and I am happy to say, that all the Police Officers, though not the others concerned, have been severely punished; but acts of torture by *Bansdollah* and other brutal and indecent means are of frequent, too frequent, occurrence by the Police; and what can be said of that system of total want of check and control, which could admit of a *Darogah* with the other Police Officers adopting such measures towards a party falsely charged to his knowledge of being engaged in a dacoity with any hope of non-detection and escape? Before the poor victim was sent in, he was compelled to sign a paper stating that his hands and feet had been injured by severe binding without the knowledge of the *Darogah*." *Ibid.*, p.p. 209-11.

"Under its operation, however, the great majority of crimes against property remain unreported and uninvestigated; and our Police Returns afford no criterion of the actual amount of crime in the Lower Provinces. For activity and intelligence, they can scarcely be matched by any similar body of men in the world; it is in the quality of honesty, that they entirely fail. With very few exceptions, they are notoriously venal and utterly indifferent to the means by which their avarice is gratified. They are always understood to be at the command of the highest bidder. They would allow the most notorious offender to escape for a sufficient *douceur*. In local investigations they make, their object is to discover not the real offenders, but the most substantial

men of the village or town, whom they fleece without mercy by the threat of sending them as witnesses to the Magistrate's Court, where they are likely to be detained without indemnification for a long and inconvenient period. The Darogahs are the great terror of the native community, who regard a visit from them with far more dread than a visit from the robber.

Besides the Regular Police establishment of Government, the strength of which, including Darogahs and their subordinates and the Constables, may be estimated at 8,200 men, there is a large body of village Chowkeedars, whose numbers have been estimated at one hundred and seventy thousand; and we cannot better describe their functions, their character, and their utility, than by quoting the strong, but perfectly sober and correct language of the Minute written by Mr. Halliday in 1838, and printed among the Police documents. 'Theoretically, these Chowkeedars are appointed, paid, removed, and controlled by the village communities, subject at the same time to an incompatible control by the Government Police, and through them by the Magistrates. Practically, they are sometimes controlled by the Thanah Officers, oftener by the villages, frequently by neither. For all practical purposes of Police properly so called, they are absolutely useless. Here we have a force of about a hundred and seventy thousand men taken by a custom, which so long as the name of village Chowkeedar exists, will be immutable from the lowest and vilest and most despised classes; drawing annually from the people in legitimate ways, not to mention irregular modes of taxation, upwards of sixty lakhs of rupees; under no practical control but that of irresponsible and ignorant communities, of whom they are by turns the petty tyrants and the slaves, thieves by caste and habit and connections; totally disconnected from the general system of Police; unorganized, depraved, worse than useless.' *Ibid*, vol. III., p.p. 183-89.

"It is from the Chowkeedars," says Lord Hastings "it is from the Chowkeedars that all information of the character of individuals, of the haunts and intentions of robbers, and of everything necessary to forward the objects of Police, must ordinarily

be obtained; they are the watch and patrol to which the community looks for its immediate protection, and on the occurrence of a crime, the Darogah's only mode of proceeding is to collect the watchmen of all neighbouring villages, and to question them as to all the circumstances, with a view to get from them that information which they only can afford. The village Chowkeedars are the foundation of all possible Police in this country, and upon their renovation, improvement, and stability, depends the ultimate success of all our measures for the benefit of the country in the prevention, detection, and punishment of crime." Quoted in *Ibid.*, vol. LVI, p.p. 94-95.

We now quote the following passages from the Reports of the District Magistrates:—

“ Behar. The watch has been shamefully neglected, having almost fallen into disuse, though generally useful and good servants, when the means of maintenance in their own villages are confirmed to them.

Shahabad. They are most inefficient, nothing occurs in the village without their knowledge, but being the creatures of the headmen, reports are only made conformably to their wishes.

Sarun. No department requires a more thorough reform, they are sadly neglected, seldom remunerated, and never incited to an useful degree of activity, unrewarded too for faithful service, they often league with the most notorious thieves and vagabonds, not unfrequently being themselves ring-leaders and participators in the crimes they are appointed to prevent.

Chumparun. They were in the worst possible state compelled for a livelihood to become thieves.

Bhaugulpur. The state of the village watch is by no means good, they are badly and irregularly paid.

Dinajpur. They are often thieves from necessity, and the good they do is very problematical.

Malda. The character and situation of the village watch is anomalous; they are inefficient, and are able to suppress many things in their reports to the Darogahs, which they turn to account, inadequately remunerated as they are.

Murshedabad. Inefficient.

Birbhum. The Chowkeedars are parties to almost every robbery that takes place.

Mynensingh. The state of the village watch is bad.

Dacca. All the honest men among them would gladly relinquish their employment.

Sylhet. The watch in Sylhet is very imperfect.

Noakolly. The present system is a total failure, there is hardly a theft committed, or a crime perpetrated, in which a Chowkeedar is not concerned, besides concealing crimes for a consideration to a large extent.

Nuddlea. The Chowkeedars having to collect the sum allowed them, the full amount fixed is rarely obtained.

Midnapur. The watch is far from being on an efficient or sound footing.

From the Returns of District Magistrates, it appears that their nominal pay was and still is three rupees per mensem, but they can only realize from $1\frac{1}{2}$ to 2 rupees per mensem." *The Criminal Statistics of Bengal, 1847.*

"That the Police in India has lamentably failed in accomplishing the ends for which it was established, is a notorious fact; that it is all but useless for the prevention, and sadly inefficient for the detection of crime, is generally admitted. Unable to check crime, it is with rare exceptions unscrupulous as to its mode of wielding the authority with which it is armed for the functions which it fails to fulfil, and has a very general character for corruption and oppression. There is, moreover, a want of general organization; the force attached to each division is too much localized and isolated, and the notion of combination between any separate parts of it, with a view of accomplishing the great objects of a body of Police, is seldom entertained.' This was the unfavourable verdict passed upon the old Police establishments of India by the Court of Directors in 1856. It is hardly less applicable to the present condition of this traditionally unsatisfactory department." *The Calcutta Review*, vol. LVI., p. 87.

“The corruption of the Police is often complained of, but few are aware of the extent to which it prevails in this country. Few have realized to themselves the astounding fact, that not one per cent. of the constables and head constables are above corruption, and that even among inspectors and sub-inspectors an honest man is an exception.” *Babu Romesh Chunder Dutt's Peasantry of Bengal.*

The *Hindoo Patriot*, January 14, 1878, in commenting upon the Bengal Police Report of 1876, says:—“Since the celebrated Police Minute of Sir Frederic Halliday, we have not had the good fortune of coming across any document of the Bengal Government, which tells the truth about the Police so frankly and uncompromisingly as the Resolution of Mr. (now Sir) Ashley-Eden on the last Police Administration Report does... In noticing the Municipal Police the Lieutenant-Governor remarks that ‘no force can possibly be efficient if it be renewed every two or three years, and that there must be something radically wrong in the organization of a body, of which the members desert or resign in this wholesale manner.’ With regard to the Rural Police His Honor observes:—‘Only 182 village Policemen were rewarded during the year, while the number punished was very much greater. In the Burdwan district alone, as many as 950 were punished for various derelictions of duty. This is very unsatisfactory, and appears to point to the infliction of either capricious or petty and insufficient punishments... Mr. Eden fears that very many of the persons convicted were really innocent, and an examination of some cases, which have come before him, quite confirms him in the belief, that a vast amount of bitter wrong and oppression has been wrought upon the people.’”

“Mr. Eden finds in the bare figures of the present Report (Police Report of 1876) abundant proof, that a lamentable amount of suffering and wrong has been caused; and looking to the vast number of false cases of different kinds instituted all over Bengal, he is determined that this fearful engine of oppression shall not be left uncontrolled in the hands of the Police, but shall only be used under most effectual safeguards... Instances have repeatedly come to the notice of Government, in which cases have failed

through sheer force of dishonesty, where genuine evidence has been twisted and distorted, and the progress of the enquiry misrepresented, until the whole case for the prosecution has been discredited, and lamentable failures of justice have ensued. Numberless instances in which the subordinate Police over-reach themselves would probably never occur, if the investigating officer knew, that the prompt submission of his diary would be insisted upon, and that it would be carefully scrutinized by his superior." *The Bengal Police Report, 1876. The Government Resolution*, p.p. 11-13.

The Zemindari System, the True Cause of the Failure of Police.

"We at once see that the Police is inefficient to afford that protection to life and property, which the inhabitants of Bengal have a right to expect, and is incapable after the perpetration of crimes of collecting evidence sufficient to ensure the conviction of criminals...*If a crime occur and the perpetrator be unknown, and the landholder have a quarrel against any one, the whole village is bent by promises or intimidation to bring the crime home to him.* The zemindar, perhaps, himself gives notice of the crime at the Thanah, the superior Officers of the Police arrive, perjury and forgery are put in force by him, and the Police Officers being totally misled, innocently forward a report to the Magistrate in accordance with his wishes. If, on the other hand, the zemindar is baffled by the superior penetration of the Police, and his plot is discovered, or if before their arrival the delinquent is able to appease him, the engines of perjury and forgery are turned upon the Police, and they are sacrificed by some false but well authenticated story of oppression on their part in his stead. A crime has been reported, and a victim must be found. This is no overdrawn picture, but one of every day occurrence." *The Calcutta Review*, vol. III., p.p. 147-52.

"No one," says Colonel Pughe, "has so many means of hearing of the commission of a crime as a landholder, nor possesses more influence than he does as regards the persecution of crime and tracking of criminals." *Ibid.*, vol. LVI., p. 96.

We now quote the following passages from the Reports of the District Magistrates :—

“ Patna. The Mofussil Chowkeedars are represented as very inefficient, and little dependence can be placed on them, as they are at disposal of the highest bidder, besides which they are more looked upon as slaves of the zemindars than servants of the Police.

Purneah. The tax being collected by the Chowkeedars themselves, or by the munduls or putwarries, is a very bad system, as the Acting Magistrate fears, that the Chowkeedars thus seldom receive their pay, and are consequently driven to thieving, &c., for a livelihood. To the same source also is owing the undue influence of the zemindars and their people over the Chowkeedars.

Tirhut. The Chowkeedars are nominated by the zemindars at the rate of fifty houses to each Chowkeedar, a reform is urgently called for, as the present Chowkeedars are generally *dosads, dhunnaees*, and other low castemen, often themselves thieves.

Rajshahi. Very inefficient and scarcely worthy the name of a watch, most of them being employed all day by the zemindars, or in agricultural pursuits, are unable to perform their duty as watchmen at night, they are also entirely under the control of the zemindars, headmen of the village, &c., without whose sanction they do not report anything.

Pubna. There can be nothing more inefficient than the village watch ever since the abolition of corporal punishment. The Chowkeedars are believed to be concerned in almost all the heinous crimes which are perpetrated. The system is altogether a bad one; the honestest Chowkeedars are obliged for subsistence to weary themselves by labour in the field, and thus incapacitate themselves for their duty, whilst the less scrupulous league with robbers. They are moreover under the control of the zemindars; nothing can, however, be worse than it is at present.

Furreedpur. The village watch are in the last stage of inefficiency, but the greatest present evil is their dependence on the heads of villages and zemindars.

Backergunge. The state of the watch is unquestionably bad, and its improvement will be a work of time, yet without a com-

plete change in the nature of the watch, the Chowkeedars can never be an efficient body, they are at present the servants of the zemindars and talookdars by whom they are appointed, and the Magistrate has sometimes found the houses over which they watch scattered in different villages and a large extent of country, because the estates of the individuals who appointed them are so situated. They are the chief actors in affrays, and bring to light or conceal crimes according to the wish of their principals. They are often thieves, receivers of stolen property, or bought over to silence.

Tipperah. The village watch is efficient as it is possible to make it under present circumstances. They are under the control of the zemindars, and look to them in the first instance for order.

Hughli. The Chowkeedar is generally the concealer or active instrument of crime at the dictate of the zemindar, whose rents he fatigues himself in collecting, rendering himself unfit for the duty of watching.

24 Perguanahs. Very inefficient, but under an improved system, the Chowkeedars might afford a good material for forming an efficient arm of the Police. They are at present undoubtedly too much under the influence of the zemindar and his Amlah.

Jessore. Very inefficient, they do not always get paid, and consequently they neglect their duty, whilst from the zemindar they dare not report the commission of crimes.

After receiving the lands appropriated in olden times for support of the Chowkeedars, they (zemindars) have done nothing, as appears from the amended Code of Regulations approved by the Governor-General in Council on the 23rd November, 1791: Section 37. The Chakran lands, or lands held by public officers and private servants in lieu of wages, are also not meant to be included in the exception contained in the 23rd article. The whole of these lands in each province are to be annexed to the Malguzari lands, and declared responsible for the public revenue assessed on the zemindars and talooks in which they are included, in common with all other Malguzari lands therein; and consequently equally liable to the village allotment of the land tax directed in the 43rd article of these Regulations. And further from the Circular

Order of the Board of Revenue, dated 13th October 1790, declaring that 'it is not intended by this annexation to increase the public revenue,' the zemindars appear to have entirely neglected to fulfil the conditions of this annexation of the Chakran lands; and instead of supporting the village watch, or in any way contributing to their remuneration, for which they enjoy this equivalent, have thrown the whole cost and expense of maintaining them on the villagers themselves; and this depends not for proof on any speculative assertions, but is evident from the Reports of the Magistrates before quoted, by whom it is sanctioned and authorized; the condition which should make the support of this body claimable from the zemindar alone, having been, for a series of years, entirely overlooked by the authorities, and thus made a source of oppression and extortion so dreaded by rulers of the last century, opened and sanctioned by this. But the error goes even yet further, and allows to the zemindars the employment of these very Chowkeedars as private servants in the collection of their rents as appears also by the Reports... This much is certain, that the zemindars although pledged to their (Chowkeedars') support, and receiving an allowance from Government in making settlements for that purpose, entirely neglect such provision, as far as they themselves are concerned, and while employing the Chowkeedars on their revenue collections and other private affairs, throw them entirely on the people for support; at the same time under the present system, the Magistrate seldom or never interests himself about their remuneration or organization in any way; often quietly acquiescing in their (as he believes) receiving less than two rupees a month, although he must be fully aware, that such a paltry stipend must be utterly unequal to the support of a man and his family, unless increased by illegal profit derivable from abuse of power, or from the fruits of positive crime." *The Criminal Statistics of Bengal, 1847.*

"The Report (Police Report of the Lower Provinces for 1845) affords lamentable proof, that the non-success of our Police arrangements is occasioned not only by the want of all co-operation on the part of the people, but in many instances by their active

opposition. In some cases the wealthy natives themselves are the greatest obstacles to a good Police. Much of the inefficiency of the Police also arises from the protection afforded to dacoits by persons of apparent respectability among the natives. We are told that in the Maldah district, A, who is a notorious receiver of stolen goods, is supposed to be connected with a large gang under the protection of a man of considerable property, which carries on its depredations in Bhaugulpur, Murshedabad, and Maldah. The exertions of Mr. Yule in the Joint Magistracy of Bogoorah furnish another corroboration of this fact. He endeavoured to seize the leader of a gang of dacoits, but his zemindar gave him a certificate, that there was nothing against him, the Gomastah swore that he was a most worthy man, and the tenantry were obliged in their evidence to follow the lead of their masters. Mr. Yule, however, kept his eye on the movements of the gang, and seized them soon after, as they were returning from one of their depredations laden with booty; and they and the Gomastah were sentenced to imprisonment in banishment. Mr. Yule punished the zemindar under Regulation VI. of 1810 for harbouring dacoits, but the man appealed, and the Sudder Court let him off. 'He is one', says the Report, 'of a common class, who began life as a zemindar's Moherer—or accountant—got one village, and then by harbouring dacoits, protecting thieves, receiving stolen property, and screwing his ryots, has managed to amass wealth and acquire property. There have been no less than twenty-nine dacoities in the Thanahs adjacent to the residences of this gang in 1840, and in the greater part of them it is almost certain they were concerned.' The difficulties which the Police experience in the discharge of their duties from the violence of powerful zemindars is again exemplified in Mr. Dampier's notice of the B———district, where we are told that two most violent men B and C have a regular jail in their house in D. They have persons watching the movements of the Magistrates and Police; and although the fact is notorious, no Magistrate has yet succeeded in detecting them." *The Friend of India*, October 8, 1846.

“ Who can say for a certainty, that a resident zemindar is ever ignorant of the commission of crime near him, or that he is not in nine cases out of ten a sleeping partner in the spoil...It (the failure of Police) is because the zemindars bribe them into a taste for bribery, or frighten them into an hereditary and chronic dread of zemindari vengeance. It is because the Indian zemindar is the very reverse of the English landholder, has a fellow-feeling for every rascally thief, and receiver of stolen goods; and urged by this fellow-feeling, and perhaps too a share in the plunder, as well as by an innate dislike to all fairness or consideration for the public weal, does his best to screen offenders from justice, and to prevent the State from arresting crime. It is not because our Police are inherently and naturally more corrupt than Police elsewhere,—for they are not, and if not so bold, are far more clever and cunning; but it is because the zemindar and his ryots combine to pay him as little as they can, and to prosecute him and all that belong to him, should he annoy them by performing his duty.” *A Correspondent of the Friend of India, December 10, 1846.*

“ On this subject (Police) the remarks of Mr. McNeile are admirable and exhaustive. ‘The great radical evil,’ he writes, ‘which has hitherto so greatly weakened the arm of the executive in dealing with crime, is one much wider in its character than the under-payment of village watchmen. It is the utter inability of the public authorities to secure the co-operation of the people in the administration of the law. This want of co-operation may, no doubt, be partly ascribed, as it has been often ascribed, to the fear existing among the people of the exactions of the regular Police, and to their aversion from all the other annoyances of a criminal investigation and trial. But it is in great part owing to the operation of a power, which is established throughout the land with a far firmer root in the minds and habits of the people than the whole authority of Government. This is the power of the landholders and their local agents, whose reign, silently acquiesced in, extends to every home in every village in the country, and whose influence is used in support of, or in antagonism to, the

law, just as may appear to be most advantageous to their interests. There are two ways in dealing with this *imperium in imperio*: one is to subvert it, the other is to recognize, confirm, and work through it. Hitherto we have been paradoxically working in both directions.'” *The Calcutta Review*, vol. LVI., p.p. 99-100.

“The responsibilities imposed on the landholders by our law still attach to them in their integrity. The power of discharging these responsibilities has, however, been very seriously impaired, and in fact necessarily diminishes, though almost imperceptibly, through the growth of public opinion in the Mofussil year by year. It is still very great. It is, indeed, all too powerful. For it is undeniable, that such influence as remains is more usually exercised in opposing and thwarting the Police than in assisting their endeavours. Our Magistrates, moreover, have not the practical means of insisting upon a due discharge from landholders of their responsibilities. It may have been suggested to restore to the zemindars their old authority as public officers under Government. But such a measure is now obviously out of the question. Only one course is before us, and that is to sweep away the whole body of this anomalous legislation, which imposes burdens, which it is undesirable that any subject should have strength to bear.” *Ibid.*, p.p. 100-101.

Mr. Monro, the Inspector-General of Police, in his Report for the Year 1877, p. 38, says:—“It is with reference to this crime (rioting and unlawful assembly) that the culpability of those classes, who ought to aid the Police in preserving order, and who do not so assist, is conspicuous, and equally conspicuous with their culpability is the impunity with which they continue to commit crime. So long as the zemindars can abet and instigate such crimes without being punished in their persons for so doing, so long it will be extremely difficult for the Police to put a stop to them; but although much assistance can be given by Magistrates acting vigorously under Chapter XXXVII. against landholders and their Amlah, such measures of repression are not taken to the extent, which is required for the preservation of peace... These results (of Sessions trials) are very unsatisfactory. It must be remembered,

however, that in such riot cases connected with land, it is extremely difficult to get the evidence of unbiassed witnesses; witnesses even when procured are easily tampered with and bought over to deny what they said before the Police or before the Magistrate; those who do adhere to the statements are subjected to most stringent cross-examination from barristers and vakeels, whom the landholders, the parties generally interested in such cases, invariably employ (and Bengali witnesses, as a rule, stand severe cross-examination badly); and the whole influence of the zemindars is brought over to bear in every way against the successful prosecution of such cases, whether by intimidation, bribery, or corruption. With such powerful adverse influences to contend against, success in prosecuting riot cases at the Sessions is not easy of attainment."

The Commissioner of Chota Nagpur Division says:—
 "When the zemindars profit so far by their education as to cease being bribe-givers, the educated Police will cease being bribe-takers; when zemindari Amlah cease to look upon oppression as a legitimate concomitant of power, our Police Amlah will cease to think harshness to villagers and abuse of their authority excusable; when zemindari peons, Post Office peadahs, Civil Court process-servers, and Chaprassies, cease exacting *douceurs* in the shape of *khoraki talabana*, or *salami*, our Constables will cease demanding from the people anything in excess of their wages. I do not defend such malpractices: I condemn them, and would punish those who commit them with unsparing severity. But such malpractices as I have referred to above exist as a custom of the country; and the Police, like other natives of the country, commit them, and they will continue to commit them, in my opinion to some extent, in spite of the restraints of discipline and the vigilance of their superior officers, as long as the commission of such offences is customary amongst natives of the country, who are not in the Police."
The Bengal Police Report, p. 123.

The Insecurity of Property.

“In the time of Maharajah Ram Krishna (of Rajshahi) crime was very rife, there was little or no security of life and property. Thefts, burglary, and dacoity, were very prevalent...The connivance and collusion of the Police, and the assistance and protection afforded by the Naibs and Gomastahs of the zemindars, enabled the dacoits to pursue their nefarious avocations with impunity. Not only the zemindari Amlah but several petty landholders were receivers of stolen property; and as they were in the habit of melting down gold and silver ornaments as soon as they came into possession of the same, it was difficult to identify the articles. Several families in——— and other villages in Rajshahi accumulated wealth by receiving stolen property. The ignorance and the negligence of the Magistrate as well as his utter want of experience of the manners and customs of the people, was another cause of the insecurity enjoyed by the dacoits and murderers. The Sheristadar was often the *de facto* Magistrate, and his master was a tool in his hands. He could not only ‘decree and dismiss’ in civil cases, but acquit prisoners charged with the gravest offence.

Mr. E. Strachey thus reports to Sudder Court the prevalence of crime in Rajshahi:—

1. ‘It is with much diffidence that I address the Nizamut Adalat on the present occasion, for I have to propose measures, the nature of which they are, I know, generally averse to.

2. As the Nizamut Adalat, the Government, and the people of the country, look to the Judges of Circuit as well as to the Magistrates for the establishment of an efficient Police, I consider it to be my duty to call the attention of the Sudder Court to this subject.

3. I do not wait till the end of the circuit, when, in the course of official routine, I should have to make a report to the Court; because the evil, which I complain of, is great and increasing, and every instant of delay serves only to furnish new victims to the atrocities, which are daily practised.

4. That dacoity is very prevalent in Rajshahi, has been often stated; but if its vast extent were known, if the scenes of horror, the murders, the burnings, the excessive cruelties, which are continually perpetrated here, were properly represented to Government, I am confident, that some measures would be adopted to remedy the evil; certainly there is not an individual belonging to the Government, who does not anxiously wish to save the people from robbery and massacre, yet the situation of the people is not sufficiently attended to. It cannot be denied that, in point of fact, there is no protection for persons or property; and that the present wretched, mechanical, inefficient system of Police is a mere mockery.

5. The Dacoits know much better than we know how to preserve their power; they have with great success established a respect for their order by speedy, certain, and severe punishments, and by judicious arrangements for removing obstacles and for facilitating the execution of their plans.

6. Such is the state of things, which prevails in most of the Zillahs in Bengal; but in this it is much worse than in any other I have seen. I am fully persuaded, that no civilized country ever had so bad a Police, as that which Rajshahi has at present.

This Report is dated Nator, 13th June 1808, and addressed to Mr. William Butterworth Bayley, the then Registrar of the Sudder Court." *The Calcutta Review*, vol. LVI., p. 19.

"Speaking generally, there has been great disregard of rights in Bengal." *William Henry Trant, Esq. Answer to Question 2080. Minutes of Evidence, Revenue, Commons, 1832.*

"Are the Committee to conclude from your answer, that you think that the cultivators in the older provinces (Bengal, Behar, and Orissa,) where the Permanent Settlement prevails, are so completely under the jurisdiction of the zemindars, that they have little or no security in the property which they cultivate?—Certainly; I think that the operation of the Regulations (Permanent Settlement Regulations) has been such as to render the situation of the ryots generally in Bengal very insecure in the enjoyment of their land." *Thomas Fortesque, Esq. Ibid. 2274. Ibid.*

“By the Regulations of the zemindari settlement, the zemindars were exempted from the maintenance of the Police, which gave them a plea for seizing on the lands appropriated to that purpose. I conceive that much of the dacoity we hear of, owed its origin to the dispossession of the proprietors of their lands. Thus dispossessed they collected in bands, and made war on the villages wherein their rights were taken away. I draw this conclusion from what I have read, and from the conversations I have had with persons from Bengal, such as, Mr. Fortesque and others. Such appears to me to have been the origin of that peculiar system of gang-robbery, and that much of it arose out of the zemindari settlement.” *Colonel J. Briggs. Ibid 4157. Minutes of Evidence. Select Committee of the House of Lords, 1830.*

“During the era of Mahomedan rule, these scum and offscourings (dacoits) of village society were prevented from consolidation into the pestilential and dangerous embodiments, to which the *fosterment and patronage of the modern landholders have raised them*. In those days banditti were to be found, doubtless, in vast numbers, and terrible was their scourge. But then, depredation was the law of the land, and the reprisals against them were proportionately severe. They were constantly slaughtered, mutilated, and impaled alive, by thousands and tens of thousands, and the landholder, on whose estates they were found, seized and executed. In those days, they were never allowed to remain unmolested in the tranquil bosom of village life to spread terror and demoralization around. Every true man’s hand was against them—their abode was in impenetrable forests and impregnable forts, and a spirit of resistance amongst the peasantry made their trade one of danger and uncertainty.

It now remains for us to shew, in this respect of this portion of our task, *viz*, the setting forth the real relations between the modern landholders and the peasantry, the great secret of the absolute impunity enjoyed by these bad men—an impunity which not only screens from the vengeance of the law proper, were there such a thing in India, but arms them with an irresistible power to multiply and direct every element of crime to their own profit

and the gratification of that illimitable capacity inherent in adventurers divorced from every human tie, which can inflict remorse.

In the first place it will be found, that the landholders in every district of Bengal have established a reign of terror not very remotely analogous to that of the Rohespierrian era of the French Revolution. Its foundations are the same, *viz*, an unlimited command of false witnesses, and a tribunal from which is practically banished every check, which can distinguish a Court of Law from a butcher's shambles. Against the combined treachery of every agent, by whom he is surrounded, what can avail the most angelic character of a solitary English youth of five and twenty, isolated in a vast district as large as the three Ridings of Yorkshire." *The Calcutta Review*, vol. I., p.p. 194-96.

"I shall mention what I consider to be some of the chief causes of the immense number of dacoities now taking place.

The wretched putnee system. So much has been written on this subject, that it is hardly necessary to say more. I need only state that I do not know of any populous country with a subletting system, wherein misery and crime do not exist in abundance. Hughli and Burdwan, the head quarters of the putnee system, are the head quarters of dacoiti, and it will be found, that a large portion of the Dacoits in these districts reside in small putnee tenures. These facts ought to settle the doubts of all parties.

Almost every native with any money forthwith starts a pawnbroker's shop, and thus property acquired by dacoity can be disposed of without trouble. The Sirdar Dacoits make arrangements with the receiver, who is ready to take the property, and dispose of it on its arrival immediately after the robbery. I have heard of a receiver, who was such a 'top sawyer' in his profession, that he used to fix on a spot, to which he sent a *podder* and cooly to meet the gang and bring in the stolen goods. This man's character has been well-known for a long time; but he is still at large, for no evidence can be found against him.

The utter inefficiency of the Police taken as a body. There are a very few excellent individual Police Officers in Bengal, but what

can they do? Each Thanah has on an average a Darogah, a Moharer, a Jemadar, and 15 or 20 Burkundazes to take care of 1,00,000 people, and a precious mess they make of it. The numerous Chowkeedars paid with land in lieu of wages, born and bred in the villages, where they are employed, would, if honestly and properly paid, make splendid Policemen, for they must know of all the movements of bad characters, but from their land they receive a wretched pittance, and as they cannot be both good cultivators as well as good watchmen, they generally prefer trying to be the former as it best suits their interests. Almost all Chowkeedars are connected with gangs of Dacoits, and information regarding houses where good booty is to be had, is generally given by them." *A Correspondent of the Friend of India, April 5, 1849.*

"The Head Executive Officer is the Divisional Commissioner, who, in consideration of the power and extent of territory he is in charge of, might be called a territorial bureaucratist under certain restrictions of a civilized Government. Under him are the District Magistrates of his Division with their subordinates, through whom he is to receive every information of the people in the Mofussil committed to his care, and whose interests he is at all events to look for, which if he could not, for the pressure of routine business, do himself, he might with little condescension do of the well-to-do men of his district, who, if invited from time to time after the model of the plan of His Honor, the Lieutenant-Governor of Bengal, would gladly impart to him the state of the much neglected people and their wants. The information thus collected, he might see whether it would tally with the report of the Magistrate. What shall I say of the people in the Mofussil when even their lives and property are not secure? Such is the slackness in the administration of justice. Security in what one earns by the sweat of his brow, is the backbone of the whole social fabric, because security no individual can do without, being the most indispensable of all necessaries. And this security we have not in the Mofussil. The territorial aristocrats of Cornwallis are the soul-holders of the people in the Mofussil.

The Magistrate, indeed, although he is not exempt from the pressure of routine business, serves him as his informant, because he is seen once in every year in winter to come out on an excursion through the district over which he presides. But what has been seen of him in his winter tour, I am in a position to say that he is in a sad dereliction of duty, because he lacked duty, which forbids side-leaning. Although there is no identity of interests between him and the people over whom he presides, and who always look up to him as the guardian of their temporal interests, he should, considering the moral responsibility and the pay he receives at all events, see the interest of all alike, and not of those only who can court his favour, and have an easy access to him. The result of his winter tour as has been seen, produces no other visible effect than an interview with the zemindar, at whose garden-house he resides, and a flying visit to the winter crops of the country. When he intends to pay a visit to the Mofussil, the zemindars are informed, who, as a matter of course, make every arrangement for his reception. They adorn their garden-houses, where he would reside, keep the roads clean, and send order to Wilson to supply his table with delicacies. The expenses thus incurred for the reception and to give *bukshis* (rewards) to his servants, would all go on the head of the poor ryot, being included in the miscellaneous tax called *Mathut*. He comes and the zemindar is at his heels, and after a day or two he packs himself off with the golden opinion, that all is right in the Mofussil.

Will the people go to him or he to the people? The first part of the question must be answered negatively. The people down-trodden, being under the despotic sway of the territorial aristocrats are too timid to approach the white faces with their grievances. Besides the zemindar is a terror to them, who on the least suspicion of their being moved in that direction, would bring ruin on their head. Indeed, many families have been ruined for having gone to Court. Say, Mr. Editor, that you will give me space, I would give you hundreds of instances to draw tears from your eyes. Besides distance and dearness of law, ignorance is not a less co-operator.

Now if the people are intellectually dull and timid to come up to the Magistrate with their grievances, it would be the duty of the Magistrate to come up to them and ask—‘How they are under the British Government?’ Colonel Dalton should be a model to all Magistrates. He was a friend to the Coles and loved them sincerely. He was seen in their cottages enjoying mirth in their home-bred ale. If the Magistrates had condescended to converse with the ryots in their hovels, and educate them in their political rights, their condition would long before have been improved. The gap between them and the ryot should be narrowed to the possible extent.” *A Correspondent of the Indian Mirror, January 30, 1877.*

The Operation of Lord Cornwallis's Code as it Affected the Ryots.

“To enable the proprietors to fulfil their engagements with the Government, it was, likewise, deemed expedient to vest them with certain extra judicial powers of great extent over their under-farmers and tenants (for the ryots, under the operation of the Code, can be considered in no other light than as tenants-at-will) by which they were authorized to attach their crops and all personal property (tools and materials of manufacture, cattle, seed-corn, and implements of husbandry excepted) without reference to the Courts of Law, and to cause the same to be sold by the ‘kazee’ or other person appointed for the purpose in liquidation of the arrears. It was supposed, that no undue or improper exercise of those powers would be resorted to in consequence of the severity of the penalties provided; but as these penalties could be enforced only on proof being given in a Judicial Court, an injured ryot, with neither time or money to spare, is ill able to bear the expense of both, which the institution of a suit and the necessary attendance involve; the chances of impunity are very much in favour of the oppressor, and those chances are enhanced by the denunciation of punishment for unfounded complaints, while the Code itself opposed an almost insuperable obstacle to the production of proof, by rendering it difficult, if not impossible, for the ryot to summon the zemindari Amilah to

substantiate his plaint. On the other hand, the severity of the penalties for resistance of attachment and for the removal or fraudulent transfer of the property, with intent to evade it, together with the certainty of their being enforced by summary process, rendered opposition hopeless. The ryots were subsequently subjected to further severities, and were rendered liable to personal arrest and imprisonment—their doors to be forced open by the Police, and their houses entered, in search of distrainable property; in the event of their being endamaged by the decision passed after the issue of summary process, they could obtain redress only by instituting a civil action, the expense and delays attendant on which (arising out of the latitude of appeals in a great measure) opposed obstacles, which, to a poor man, may be as insurmountable. If a sale of the proprietor's estate, in satisfaction for arrears of revenue, took place, the sale cancelled all previous obligations between him and the ryot, and the zemindars took frequent advantage of this claim by forcing a sale, solely to enable them to re-purchase, under a fictitious name, and to raise the rents fixed under former stipulations at a lower rate.

The necessity for these hard measures is said to have been indicated by defalcations of the revenue by the zemindars and other newly created exclusive proprietors, which they ascribed to the extreme difficulty alleged to have been experienced by them in realizing their rents from their under-farmers and tenantry. The preambles to the Regulations would induce the belief, that their complaints were well-grounded; there are, however, strong reasons for supposing, that much of the mischief arose from their own oppressive conduct and mismanagement. For instance, the newly created proprietors are known to have taken every advantage of the privilege conferred upon them of letting out their estates; their farmers re-let their farms in small portions to others; and as the object of all parties was to make the best of their bargains, and as the gains of each were drawn from the cultivating classes, the means of these last became insufficient to answer the heavy demands

made upon them; they fell in arrears to the middlemen, these again to the farmers, who could not fulfil their engagements with the zemindars, and a defalcation of the Government revenue was the necessary result. In many instances, the zemindars gave large portions of land at a quitrent to their immediate relations, and raised the rates upon the other ryots to cover the deficiency, a piece of oppression which they were authorized to inflict, as the latter were in a great measure placed out of the protection of the law, in consequence of their being unwilling to accept the leases, which the zemindars were directed to grant to them, with the *usul jumma* and arbitrary cesses consolidated into one sum, under the well-founded conviction, that in subscribing such engagements they would be resigning rights, which they had hitherto deemed, and, on the most substantial grounds, to be strictly allodial.

It had been, in the first instance, declared, that Regulations for the protection and welfare of the ryots and other cultivators would be enacted, but none have ever been effectually passed restoring them to any of their rights; even the single stipulation (VIII. 1793, cl. 2, sec. 69, LI. 1795, sec 10) most in their favour, which was intended to prevent the zemindar from raising the rents of *khoudcasht* ryots, was so worded, that it gave every zemindar the means of enhancing his demands at pleasure.

In the pottah prescribed by the Code, the illegal cesses were consolidated with the *usul* or authorized and prescriptive rates; the ryots did not acknowledge the existence of a right to levy anything in addition to the regular established rate—the *abwabs* were exactions, which were submitted to of necessity, but which, as they were not sanctioned by the law, as it formerly stood, could not, according to their notions, be enforced by legal means, unless they acquiesced in the demand.

Supposing the ryot to have subscribed to the record of his future vassalage, he obtained no permanent benefit by his submission; the rate of average standard of rents paid in the Pergunnah might, at any time, be easily raised by compelling several of the inferior cultivators to take *khamar* or waste land at enhanced rates, and thus to raise the average of the village rates (this

was, and is, the common practice of the zemindars in Bengal), and after the expiration of three years, the oldest ryot might be compelled, by an action at law, to pay the same.

Proof of collusion would be assumed from an excess of land above the quantity specified in the pottah, or from the insertion of lower rates than are usually levied from lands capable of bearing the superior species of agricultural produce, though the one might have resulted from careless measurement, and the latter from the improvement of superior land, originally incapable of producing the more valuable descriptions of produce, by the more assiduous, or a scientific cultivation of the occupant; it has been said, that many zemindars purposely inserted low rates and smaller quantities of land than were actually held, in order to forward their own view, a procedure which is not improbable.

The lease afforded no protection against the consequences of a general Pergunnah measurement by any manœuvres of the description given, a real or fictitious enhancement of rents had been established, or, after a public sale of the grantee's interest and title in satisfaction for arrears of revenue. (The Cornwallis's Code limited the period of a lease by a proprietor to the ryot, to ten years; this limitation was subsequently abolished).

A zemindar could only be compelled to abide by the tenor of the pottah by a civil action, which might be kept pending by the usual course of legal artifice for a period co-extensive with the unexpired term of the lease itself, and the ryot would, in the meantime, starve for his presumption in venturing to assert what even the Code admits to be his just rights and privileges. In point of law and fact, the ryot can claim under the provisions of Lord Cornwallis's Code no rights at all; for the few privileges he may enjoy, he is indebted entirely to the forbearance, or to the fears of his taskmaster, the zemindar.

It is a most extraordinary circumstance, that averse as the people have shown themselves to any innovation, the utter annihilation of the rights and interests of by far the larger portion of the community, should not have been followed by a reaction at once destructive of the Code.

Did the effeminate timidity of the Bengalee character preclude all idea of resistance? Or was the letter and spirit of the Code misunderstood? The latter was, in all probability, the case; for the insurrections in Mymensingh and Rajshahi prove, that Bengalees will resist oppression. In the course of no very lengthened period, the Courts were overwhelmed by the petitions of the ryots against the zemindars, and of the complaints of the latter against the former; the zemindars, anxious to avail themselves of any subterfuge, to account for their failure to fulfil their engagements, would seem to have succeeded in inducing a belief, that their embarrassments were mainly attributable to the attendance of themselves and their agents at the Courts to answer the groundless or malicious complaints made against them by the ryots; for it was subsequently enacted, 'that if any ryot should wantonly, and without due cause, summon, or cause to be summoned, before the Courts of Justice, the chief or subordinate officers of the zemindars employed in collecting the rents, as witnesses, he should be liable to an action for damages with costs; and that all ryots, who should prefer litigious or groundless complaints against the zemindars, should be punished by fine and imprisonment?' This law, there is reason to believe, has prevented many complaints on the part of the ryots from reaching the ears of the Judicial Officers, or of the Government; the most competent witnesses, in support of charges of undue exactions and oppressions, were the very agents of the zemindars, whom the law made it dangerous to summon; and as the law declared the plaintiff obnoxious to punishment for an unfounded charge, the ryots seem to have considered themselves precluded from obtaining justice for any minor act of oppression.

'The extreme propensity evinced by the natives to litigation,' has often been quoted—oftener urged in excuse for the measures of severity resorted to with a view of preventing what appears to be an evil of unlimited extent; one of the least reprehensible is the Stamp Regulations, which prescribe, that all complaints must be prepared on stamp paper of a prescribed value. Perhaps the native character is not sufficiently understood:—may not the

overwhelming accumulation of civil causes be, with greater justice, attributed to the effects of a Code ill-adapted to the genius and prejudices of the people than to their love of legal strife? That an increase of criminality in Bengal, especially where the result of the operation of the Code has been more severely felt, may be ascribed to it, no one, who has had opportunity of seeing its effects upon the minor orders of the agricultural community, will deny.

Practical experience of its merits fully proves, that it has failed to gain for the Government the love of the most quiet and submissive portion of its subjects, while the influence possessed by the very powerful class of exclusive proprietors created by the Code, has more frequently been exerted to counteract the views of the ruling power than to support its interests. Much might be said upon this branch of the subject; it is by no means clear, that the transfer of the rights of the ancient allodial proprietors to a race of hereditary tax-gatherers and clerks to British houses of agency, and sircars and moonshees from the Writers' Buildings, has been productive of either advantage or reputation to the British name." *A Memoir on the Land Revenue and Principles of Taxation*, p.p. 99-101.

The Disadvantages of Lord Cornwallis's Code.

"The system of assessment prescribed by the Code in the first and eighth Regulations of 1793; is opposed to every principle of efficient fiscal management. It prohibited all reference to the detailed accounts of assessable assets in each estate, which had formed the basis of all previous assessments. By prohibiting measurements, it prevented the revenue authorities from obtaining information as to the actual extent and boundaries of the estates conferred upon the members of the landed aristocracy. By fixing in perpetuity, as the revenue of each estate, the Government share of the rental of cultivated land only, the claims of the State to any revenue on the vast tracts of uncultivated and waste land within the limits of estates in the permanently assessed provinces, are barred for ever. And as the limits of these estates bordering upon forests, were not correctly defined at the period

of the formation of the settlement, opportunities have been afforded to their proprietors of asserting titles to very large portions of land, which equitably belonged to the State.

It entailed upon the Government the whole expense of providing for the protection of the increased population, which the culture of the waste land has induced, while it has alienated the source of re-imbusement.

It has legalized an enhancement of the revenue upon the cultivating classes, though the State is precluded from deriving any advantage from the additional burden imposed upon the most interesting class of its subjects.

The landed aristocracy very early took advantage of their privileges of creating under-tenures, talooks, at low rates of rent, in favour of their relatives, connections, and dependents, and even in their own names. This procedure materially affected the value of an estate, if it were put up to sale in satisfaction of arrears.

A vast field for fraud and chicanery was opened to designing persons under the provisions of the earlier Regulations regarding partition, and the door is not yet closed against deception and trick by the later enactments in modification of them.

It was, and ever has been, easy to bribe the native deputies appointed for measuring the portions, as the salaries allowed to them have never been so high as to obviate all pretext for corruption; and some of the later Regulations have added to the evil by rendering it illegal to grant them, in remuneration of their services, anything in excess of a fixed percentage, *not on the value*, or even on the rental of the estate to be divided, but on the *jumma* or Government revenue, which, especially in those lands where fraud is most likely to be attempted, is frequently not one-hundredth of the value, or 120th of the rental of the property to be divided!

Availing themselves of the privilege granted by the Code of selecting their own portions, and of making their own partitions, the proprietors were and are in the constant practice of combining to burthen the unproductive parts of the divided estate with the heaviest portion of the revenue, by which means the smallest

amount of revenue became leviabie from the most productive shares of the property; and then by arranging among themselves for the payment of the whole revenue for ten years, the **parceners** nominally separated can, after that period, give up to sale the unproductive part of the property burdened with the heaviest portion of revenue, and re-unite as owners in common of the richer share with least revenue. The worthless portion is put up for sale at the jumma recorded, and if no one purchases it, it falls on the hands of Government, and its revenue is lost for ever! The extent of the unproductive land originally forming parts of estates fraudulently sub-divided, and intentionally burthened with the greater portion of the permanent revenue of the whole, and left purposely in balance, to enable the proprietors to get rid of them, and to retain possession of the more valuable portions at a trifling quitrent, is truly alarming! It is all left upon the hands of the Government, and the revenue of it lost for ever! Vast tracts of waste and forest land not originally belonging to the estates of the proprietors, who have, by availing themselves of the opportunities tendered by the Code, got into possession of them, have, in like manner, been lost for ever to the State.

The greatest portion of the *nijjote* and *chakran* lands merged in the jurisdictions acquired by the landed aristocracy under the Perpetual Settlement without being accounted for, and are held by them absolutely without payment, they having ejected the public servants (Police, &c.) who formerly held them, and who having no other means of subsistence, became robbers. (Reg. VIII., 1793, secs. 39, 40, and 41.)

There existed no reason whatsoever for sanctioning, as the Code does, the irregular and illegal alienations of the revenue by the revenue contractors and local officers: the amount of revenue lost for ever by the alienations in one district alone, (Burdwan), exceeded £30,000 per annum.

Under the ancient regime, there was an office of account in each village held by a functionary denominated *putwarree*: this person was appointed by the *Malguzars* with the consent of the

inhabitants of the place ; it was his duty to keep open accounts with every individual cultivator or tax-payer in the village setting forth the stock, live or dead, in his possession ; the quantity of land he held, and the several qualities of the soil, and the course of crops ; the several descriptions of produce raised upon it each year ; the amount of tax payable ; the amount of cesses, ordinary or extraordinary, levied on the ryots ; the sums contributed, and the statement of the balances due ; these details were entered in 4 books, each being a check upon the other ; the whole was entered in abstract in a 5th or ledger, from which the *hustobood* statement or details of past and present assets, and the *wasil bakee* or account of payments made and the arrears due, on account of the revenue and cesses, were computed at the close of the year ; these details were recorded in the Pergunnah canongo's office after copies had been taken for the zemindar's use ; these documents, if properly kept, afforded a faithful record of agricultural and fiscal management and details, which could not be easily altered or changed without discovery. By the provision of the Code, the canongo establishment was abolished as useless :—the check upon the putwaree papers was thus destroyed.

The Code demands, that the landed aristocracy shall keep the putwarees under a heavy penalty ; but it did not provide means for compelling the new proprietors to employ these officers, even to permit them to have access to the true village accounts ; the landed aristocracy thought proper to appoint their own Gomastahs or accountants to whom the recording of all facts regarding village management was entrusted, and delivered to the putwarees for production before the Law Courts and Revenue Cutcherics such spurious accounts as best suited their own views. As the putwarees were allowed to have no others, these are the only detailed statements of fiscal management obtainable in Bengal. They are worse than useless to the Law Courts, because they misled the judicial authorities, and they are equally mischievous as revenue records, as tending to false inferences and unfair estimates, and are ruinous to the interest of the ryots, who

can scarcely ever have the means of refuting their fallacies and mis-statements.

The putwarees are, indeed, declared punishable for giving in false returns, and may be compelled to swear to the validity of those they produce; but although required to furnish faithful accounts of the statements of land and its produce, having neither access to, or the means of procuring, the real detailed statements, which the zemindars withhold, they can only swear that the papers contain such accounts as the landholders have caused their Gomastahs to make over to them; the putwarees throughout Bengal are the creatures of the zemindar, and though paid by the cultivating classes, are mostly opposed to their interests." *A Memoir on the Land Revenue and Principles of Taxation*, p.p. 112-23.

"There are lands to a great extent held by persons claiming the free enjoyment of the Government revenue under charters of special exemption or assignment, of which no complete record has ever been made; there is also much land held by zemindars in excess of what appears in the records of the settlement, in some cases, many entire villages." *Holt Mackenzie. Answer to Question 2638. Minutes of Evidence, Revenue, Commons, 1832.*

A Few Examples of Oppressions of the Ryots by the Zemindars.

"Meahjaun was the inhabitant of a certain village, the property of a Talookdar of Hughli. He was a poor man, and except the land whereon stood his humble cottage, he had not a single beegha for cultivation. He was the son of a Moonshce, and supported himself by teaching children to read and write, and chanting the Koran during the festivals of Edyn and Ranzan. His Talookdar had newly come into possession by purchase at auction, and was anxious by screwing up the rents of all classes of the tenantry to indemnify himself in a short time for the money he laid out in the purchase. With this view, he served notices upon all his ryots calling upon them to enter upon new engagements, or on failure thereof, threatening them with ejection or increased rents, and their realization by summary arrest of

their persons, and the distraint and sale of their goods and chattels.

Meahjaun, who thought himself secure in the prescriptive exemption of his *kudemee* tenure from all chances of increase, was rather surprised that the Talookdar should have thought proper thus to have annoyed him, more especially as he was a popular man, and few had any cause of quarrel and disagreement with him. Curious to know the nature of the requisition, Meahjaun looked into the notice served on him, and was surprised to find, that the demand made upon him consisted of rents for cultivatable land, not a crunt of which was in his occupancy. He lost no time to repair to the Talookdar to remonstrate against the false demand. The Talookdar received him coldly, and told him to settle and enter into engagements with him. For what shall I settle with you, asked Meahjaun, I have only a beegha in my occupancy, and for that I pay the stipulated rent, which has known no change for more than twenty years. You must give me an increased jungma for your land, or else you must expect to be annoyed. My tenure is old and *kudemee*, replied M, and by the laws and usages of the country, you cannot increase my rents. Whether I can or not, you will soon find to your cost, unless you come to a settlement, replied the Talookdar. I have paid Rs. 5,000 for my talook, and if through inability to pay my revenue, it is put to auction, my property is lost for ever. One, two, three, says the Collector, and the hammer knocks down our property, and knocks us down indeed. Observe further, while my own collections are not above 30 per cent., the Government calls on me for a kist of 50. Unless, you, my ryots, enable me to meet the demands of the State, where do I go? Qurrrel not therefore, but recognizing the urgency of my case, agree to a re-settlement of your jungma, or else you know how the law will take its course. I am fully aware of the liability under which the new law places every landholder, but surely you cannot, for that reason, enhance my rents. Your rents must be enhanced, replied the Talookdar, or else I cannot keep my property from sale. I cannot consent to it, returned Meahjaun. You will find it the safest course you

can adopt, reiterated the Talookdar. You received my notice, you have the alternative before you of either consenting to my proposal or quitting my ground. I shall do neither, retorted Meahjaun. You may try what the law will do for you. Saying this, Meahjaun went away.

For a week or ten days, nothing took place to shew the direction, in which the vengeance of the Talookdar was likely to explode. But he had not been idle. One fine morning as Meahjaun was sitting at his own door, the Gomastah of the Talookdar made his appearance, and asked him for arrears of rents. Before he could reply, a badged peon of the Collectorate entered into the scene. This is my *assamee*, said the Gomastah, take him into custody. And the brawny arms of the Chaprassee were upon the body of poor Meahjaun, grasping his waist-cloth in a moment. Secured from flight, Meahjaun was subjected to a long course of abuse and violence, and dragged to the Cutchery of the Talookdar with his hands bound behind him with a string.

Meahjaun was for the whole day confined in the Cutchery. In the evening the Talookdar made his appearance, and with him his myrmidons and the Chaprassee aforesaid. Meahjaun, said the latter, you are my prisoner, and I ask you whether you consent to enter into engagements with the Talookdar, or to go a prisoner with me to the station jail. You have had a little taste to-day of what you are to expect from contumacy, and you had better consult your own good by timely concessions. Do you agree? And as he said this, he accompanied it with a violent push by way of emphasis. Meahjaun fell on his face against the floor, and sobbing rose up again.

Another repetition of the Talookdar's proposal was again met with a refusal. Chaprassee, now do your duty, said the Talookdar, and the Chaprassee forthwith tightened the strings, which bound poor Meahjaun's hands, and the strain upon his arms became more painful. Lay him on his back, continued the same commanding voice, and Meahjaun was laid upon the ground. Now let one of you ply him with the shoe, while the stone does its task

upon his chest. Meahjaun began to groan, as he underwent this discipline. He essayed to cry aloud, but his mouth was gagged with cloth, and his friends were far out of hearing and reach.

That night passed sleepless to Meahjaun. Without food, and with ill-treatments, a prisoner and apart from home, where he had left his wife and young children, how could sleep wink in his eye, and bring rest to his body? Perhaps his oppressor had lighted with fury on his helpless family in his absence, and by seizure, proposing plunder of his few chattels and movables, made his domicile deny its shelter to their heads, who had none else to protect them from the sun and rain.

The morning dawned, but to see the wretched Meahjaun, on his way as a felon to the Sudder Station under the escort of the Chaprassee. At the close of evening, he reached town and was lodged in the house of the Talookdar's agent. Here again the scene enacted at the Cutchery was played over *de novo*, though in a miniature style, his mind being more plied with threats of what may be done in his absence towards his family, than his back was with blows, of which there was much diminution. Come to a settlement, Meahjaun,—the foil is but a few pice from you,—and once there, unless you bend, months will pass over your head. If you don't pay the full amount of our demand, I have instructions to accept a compromise. Yield but an increase, and I will let you go. Your bad example works on the minds of the rest of the ryots, and if you give us but a nominal increase, and on your return to the village, make a favorable report among them to the effect, that the demands of the Talookdar have been decreased by the cultivator, I will put in a *rajeenamoh*, and the case will be immediately dropped against you. I shall do no such thing, replied the firm Meahjaun. Then expect the worst we can inflict upon you.

By 10 A. M. Meahjaun was taken before the Revenue Officer. Do you contest the demand made against you? I do. Can you lay down the amount, or will you give security, till a decision is

passed in the case? I can do neither. Then take him to jail, said the Collector. And the Chaprassee willingly obeyed.

Meahjaun had now been twelve days a resident of the jail, during which time he was only once tampered with by the agents of his oppressor. He continued to resist their proposals, and thought it misbecame him to yield after having been brought to the last resort, and so near a judicial settlement of the differences upon which he was at issue with them. His fellow-prisoners would sometimes dissuade him from his resolution by a representation of the unrequited hardships to be gone through, even though at last the case upon which a man is confined should be proved to be false, for said they, the law awards no satisfaction for unjust arrest, and for forcible detention in jail as a felon, and withdrawal from all occupation, the last often attended with considerable loss to the ryot, and sometimes his irretrievable ruin. I have been an inmate of this house for defaulters for nearly six months, said one, on the complaint of a person, whom I never knew as my landlord, but had a quarrel with about the payment of a sum of money which I owed him. He fabricated a Kabulent, and suing me before the Collector, had an exparte decree against me, while in the first instance neither my arrest was tried, nor the usual notice was served in my house or neighbourhood; and the Nazir's myrmidons gave in a receipt of the notice signed by certain people misnamed as the munduls of my mehal, who, being in the landholder's interest never let me know of the process taken out against me. In due course, the engagement was proved, and my silence, no wonder, being taken for consent, a decree was given against me for a demand, the first knowledge of which was drubbed through my backs by the peon, who arrested me in execution of the got-up decree. O Justice! said I, hast thou fled this earth, that I am held in durance vile at the fiat of the Hakim, who is bound to do justly. But my case admitted of no remedy—for the helling cunning, which had contrived the decree, had also made a part of the plan not to execute within the time allowed for appeal. Thus I am debarred flying from the injustice of one Court to take shelter in another, the time of representation having

passed away in blind ignorance. Thus the bolt fell suddenly against me when the summary decree had obtained the force of an incontestible decision, and the Courts were unable to hear my cries for its non-execution, unless I paid up the amount, or took my lodgings in the jail. Therefore I say to you, Meahjaun, contend not with the landlord, for the law has been made for his convenience and for our coercion. This recital was followed by another of his companions in adversity who declared—how many are forced to meet unjust demands, or to execute whatever their oppressors want them to do in the shape of Kabuleuts for land, bonds for money, &c. To tell you the truth, Meahjaun, I am convinced after a long course of experience, that the laws by which we suffer in common, not only assist the landlord in the realization of whatever he is pleased to call his just dues from his ryots, but they also most effectually serve him in ruling them with a rod of iron. By these laws, the new purchaser of land brings its poor occupants authoritatively into his grasp and enhances their rents; the wicked and powerful coerce their debtor, or glut their revenge, arresting the helpless poor under pretence of revenue demands. The next day it was about 11 A. M., as he was cooking his solitary meal, his release came unexpectedly upon him. The bearer of good news is always welcome. Acting on this well-known truth, one of the Burkundazes of the jail, whose swaggering insolence towards its inmates is always indicative of the love of office perquisites and *bukshees*, came with an officious air to our hero and said: Halloo! You are Meahjaun, are you? Said the Burkundaz. I am a poor man, replied M., and God knows. I have but little to give. Come you, you have this day's *khora-lee* to spend, suppose you go away a free man within half an hour, would you give me your allowance for the evening? On the condition stated, said Meahjaun, you are welcome to your *bukshees* (reward). At this the Burkundaz was highly pleased. I am your friend, said he, come along with me. Meahjaun, then putting up his pot, has led by the Burkundaz to the gateway of the jail, when to his surprise, he saw the Naib of the Talookdar J——, with whom and Meah's landlord, there was a long standing dispute

about some patches of boundary land. And what can have brought you here, my good Naib, said M. to his visitor. Why your ownself, said the latter, I am come to see you, and if possible, to take you from this place.

Meahjaun, with ecstasy and gratitude at this speech, enquired. And pray, how do you to effect my freedom? That shall be as you shall see fit, replied the Naib. I have my master's orders, to stand as security, and I have already paved the way by a *Mulakat* with the Nazir, and he has agreed to take me for a *matabbar*. You know there is a dispute between my master and your Talookdar? Meahjaun said yes. You know also that your Talookdar has been screwing up the rents, and has already overhauled several of your neighbours to whom we claim as our ryots. Meahjaun nodded assent. The Naib proceeded to say that these had been arrested and brought to the station on demands of revenue to live on prisoner's fair in the jail, but that, at his master's orders, he had taken them off on security. What we want you to do, said the Naib, is this: that you declare for my master as those have done, and then we shall for ever rescue you from the oppressions of the Nilamdar. The present is a particularly good opportunity, continued he, as he (the Nilamdar) is but recently come into possession, and will be but ill-able to substantiate his claim. To all this and the like persuasion, Meahjaun yielded his full concurrence, and expressed an impertinent desire to know the state of his own affairs. They are not in the best state, I may assure you, you shall hear all. In the meantime, let me go and bring the perwanna, which will give you release from custody. The Naib departed, and Meahjaun reluctantly returned to his ward to complete his last meal at the expense of his oppressor.

In the course of half an hour, the Naib returned with the perwanna to the address of the Jail Darogah commanding him to release Meahjaun immediately from confinement. The prisoner had instant notice of the advent of this 'open sesame' from the faithful Burkundaz of whom notice has already been taken, and who, with outstretched hand demanded the completion on the

part of Meah of the covenant, he had entered into before. Meah, true to his word, forced out the half-anna, that was to have provided for his evening meal, and joyfully took leave of the prison walls in the company of his friend and patron, the Naib.

On gaining the road, his eager enquiry was 'what news of my home.' 'No longer yours. The thatches and other movables are attached and advertised for sale.' Meah staggered under the information. How are my family and children? Your family are pretty safe in your house, but your eldest son and his uncle are now quartered at the Darogah's under a charge of theft. 'A charge of theft,' cried out Meah as if thunderstruck, 'worse and worse still, now tell me at whose suit.' Are my movables attached and my boy charged with theft at whose?

'The Gomastah has done the first under a jumma wasil bakee, and the Talockdar's old servant has brought forward the other. The Darogah has reported the case, and it awaits the orders of the Magistrate. The Darogah deep in the obligation and interest of the Talookdar, has of course lent his hand to the got-up case. You must be up and doing, Meahjaun, the combination against you is strong, and time not to be lost is wasting by moments.'

What is to be done? Instruct me, Naib Saheb, I know nothing of the ways of Courts, said Meahjaun.

You have now three suits to defend, you must remember. The first is the one for which you were confined, the second of the same kind, for which your goods are under attachment, and the third is the fouzdary case. Allah Akbar! God is great! said Meahjaun. I think my oppressor has let go his whole quiver against me, person, property, and reputation,—all—all are attacked and if he is not met with submission to his demands, I am in a fair way of biting the dust.

Fear not my poor friend, replied his patron, I am up to this kind of warfare, and if you can muster up patience for a time, I yet hope to set you free from the coils of the law.

Talking in this manner with his patron, Meahjaun walked up before a thatched dwelling house, which the other declared was his master's Sudder Cutchery, and they entered together.

Meahjaun was led by his patron into the presence of the Talookdar already alluded to, who was very glad to see him, and to whom he expressed his great obligations in having interfered in his case, and given him his countenance in the hour of difficulty.

Many of your neighbours are in a similar predicament with yourself, Meahjaun, said Shaik J——, the Talookdar, but they had not had to go so far as the jail. I saved them from that path by offering their security. You shall soon see them here. As you love your own good, Meahjaun, I wish you will do as I tell you on this occasion.

I am at your disposal, Hakim, and you have but to say the word to ensure my perfect compliance with your pleasure.

At this the Talookdar called his Naib aside, and whispering into his ear for a few minutes, told him aloud to send for the Muktyar.

This worthy and a parcel of ragged ryots soon made their appearance in the room with three low *salaams*, each time touching the earth and their foreheads with the right hand in token of humble obeisance to the Talookdar.

Meahjaun immediately recognized in these ryots his neighbours of his village.

Well Muktyar, said the Talookdar, how speed my *sursory* cases? 'Sir they are pending decision. I have prepared drafts of the replies and counter-petitions to be filed, which await your inspection. The ryots plead that they do not hold land of the plaintiff, but are your ryots, and have paid up their rents. We claim them as our ryots, and acknowledge receipt of their rents.' Then turning to his clients, the ryots, he continued: 'Is not that the case? You were never the ryots of the Nilamdar, nor of his predecessor from whom he derives his right? You are the ryots of the Khan Saheb, and he acknowledges to have received your rents.

You are Hakim, you are *ma bap* (mother and father), roared the ryots at once. If you let us live in the home where we have been born at the jumma we have been always used to pay, we are content to be your ryots, and foreswear the Nilamdar.

That's it, that's it, said the Khan Saheb, I promise to take you under my protection, and to defend you from all aggressions present and to come. The ryots again expressed their clamorous acquiescence. Very good, very good, responded the Talookdar, do not fear, encouraging the ryots. Muktyar, he continued, I approve the drafts you have made, copy them out clean, and file them without delay.

The Muktyar signified his humble *bokoot khoob* to his master. But there is one thing, said he to the ryots, for you to do, your engagements must be filed with the *jawab*. You had better execute them immediately. Rajib! Rajib! he called out aloud to Moherer, who was busy writing cross-legged in a side room, here take the usual engagements from the ryots, mind they are ryots of long standing, and we have no balance against them.

At this speech which was understood by all parties, Rajib came forward with a bundle of blank old papers, and drew out in a trice the instruments, by which the ryot binds himself to pay rent to the landholder. One by one the victims of revenue oppression put their sign manual, the mark of the harrow to the papers handed to them by the faithful Rajib; a couple of attestors or witnesses were then called in from among the servants attending without, and in the presence and with the signified understanding of the several 'contracting powers', they gave their finishing strokes to the engagements by putting their marks thereupon in proper form. One witness with much simplicity declared himself unable to accomplish this feat, and as in such cases ruled and established, he touched the writing reed in Rajib's hand by way of making him his proxy, who drew out the cross-mark in a raw style to suit his principal. This done, the necessary *dakhilahs* were prepared, and exhibited for the satisfaction of Meah and his companions now legal ryots of J——, Talookdar.

It is all right, my friends, at last broke out the self-same Talookdar. You may depend upon safety. Now go your way. When in a low tone to his Naib, he said, see that they are fed

and lodged in my compound, and kept out of the side of the Nilamdar's men, and of all opportunity for tampering or repentance, till matters are brought to an end.

Quick at the word of order, the ryots rose and crouched out of the room with many humble *salaams*. Meahjaun stepped behind, and with looks of distress reminded the Naib, that there were still two other suits hanging over his head, for which no measures were taken.

The Naib replied, true, true, and whispering in the ear of the Talookdar, wrote out a letter to the Gomastah at the talook, and handed over to the suppliant Meah. Take this, said he, and go home as quick as you can. The Gomastah will help you with the Amlah who has distrained your house, who will give you the necessary ticket of postponement of sale, when you must come back here without delay, and contest the attachment. Meah took the letter, and making his low acknowledgment as he did so, still lingered to say, 'and what is to become of my son and brother, who, you say, are now under the clutches of the Police Darogah.' That has been taken care of' in the letter, answered the Naib. Besides that I shall see what can be done at the Fouzdary Peshkar's. Meah then after many genuflections withdrew." *A Correspondent of the Bengal Spectator, Noeember 1, 1842.*

Heads of the People—The Ryot.

" Was it for you to call arrears a debt,
To sell goods, houses, all that you can get,

* * *

Because they pay not what they cannot pay.'

India. By a B. C. S.

'Should you succeed in securing to the ryots those rights, which it was assuredly the intention of the Permanent Settlement Arrangements to preserve and maintain; and should you, in all cases, where the nature and extent of those rights cannot be satisfactorily ascertained and fixed, provide such a limit to the demand upon the ryots as fully to leave to them the cultivator's

profits under leases of considerable length, we should hope that the interests of that great body of the agricultural community may be satisfactorily secured.' *Letter from the Court of Directors, November 10, 1824.*

Within the embowering shade of a number of mango trees occupying about two beegahs of ground, and fronting a tank, there stood a cluster of thatched buildings neatly built round three sides of a square, which from their decent and comfortable appearance, seemed to be the mansions of the Village Chowdry. There were numbers of half-clothed peasantry sitting cross-legged under the trees; many were smoking out of tobacco pipes, and some had laid themselves down on the ground. Standing apart with their backs against a tree, were a couple of strong-made men, whose red turbands, tight waist cloths, and iron-headed clubs showed that they were the peadah servitors of the House, aids and assistants of the Tuhsil Dufter, employed in summoning the tenants, coercing the unpunctual or refractory, and attaching the goods and chattels of the arrant ryot 'prepared to abscond.' They were evidently placed as sentries over their companions.

There were altogether about two dozens of squalid ryots under the trees. Some of them were conversing in low whispers among themselves and sometimes looking listlessly towards the door of the front cottage, from whence sounds as of men in high talk proceeded occasionally. They all seemed anxious, as if waiting the result of some event about to happen to them. Two or three of them had the air of superiors, and they were watched by the rest. 'We shall yield to no increase of rent,' said one. 'Not a cowry,' echoed another. 'We stick fast by the old *jurip nerik* (measurement and assessment rates) of 1230,' murmured a third. Words to this effect were exchanged between them in half-suppressed whispers, and the sentiment was instantaneously communicated to the whole body by the silent operation of the eyes.

The scene above described was one of a series, which commenced with Meahjaun's apprehension, torture, and transmission

to jail, on account of pretended arrears of revenue, the place and the principal actors still the same. The landholder, who had paid a high price as his purchase money for the sacrifice of all the uncared-for helpless peasantry, was determined to exert his prerogative to the utmost. Systematically following his object, he was taking them up in detail, after having experienced the failure of his expectation, that they voluntarily yield to his demands, and they themselves down on the altar.

The ryots, on the other hand, seeing him bent on exacting increased rents and enhancing the rates of assessments by main force, had naturally found, that union was necessary to resist encroachment on their means of support, and being driven out of their homes and dispossessed of their lands, exposed to oppression from time immemorial, it would have been strange indeed, had not their union received the form of a custom, and been impressed with a character of binding sanctity. The heads of the peasantry had accordingly met and deliberated; and having set up the *Dhurmo Ghot*, the emblem of Divine presence, pledged themselves to all the ryots, that they would abide by each other, and resist demand of increased rents.

But what avails the peaceful opposition of a heart-broken and trampled class, to protect whom from oppression has been deemed inconsistent with the security of revenue, to the measures of the landholder to increase his profits and facilitate his payments to the State? That State has established for his convenience a machinery of mighty efficacy to coerce that helpless class.

He was not idle.

It was evident, that some such compact existed among the ryots whom we have noticed, and that their assemblage and the scenes that were going on, were the result of a counter-irritation on the part of the Nilamdar.

While those poor specimens of humanity were thus strengthening and reiterating their determination among themselves on, sudden cries and howls, as of men under ill-treatment, were heard, and the threatening voice of command and abuse to yield

or suffer more followed in quick succession. It is not necessary to describe what took place there. Its name is cruelty. A few minutes after, the Gomastah issued out of the room saying 'They had not been enough. Bring them out, and confine them yonder. I shall see what an attachment of their property will do.' Two Peadahs, as have been sketched above, came out leading five ryots with their hands bound tight behind their backs, and their bodies covered with dust. They were led before their village comrades under the trees, and from thence to another part of the house intended as a place of confinement. It was now nearly evening, the Gomastah, accompanied by his two Peadahs, went out to execute his threat of attachment upon the goods and chattels of the poor wretches, whom he had under his clutches, having directed the other two Peadahs erst reclining against the trees, to let go their *assamee* for the day, and bring up next morning with their respective rents, or prepare them, on failure of payment, to undergo his pleasure.

On the way the Gomastah was attended by the Mundul and Outghurria of the village. My town readers will hardly understand what these offices are, and what position their holder has in the social and political economy of the rural community.

The two offices exist from ancient usage. What functions appertained to them of old I cannot say, but it is well-known, that whenever a public underling in office happens to cross the village, the Mundul or Outghurria must supply him with a lodge, cater for his provisions, and procure coolies to carry his baggages, and get for reward, 'more kicks and half pence.' This, however, is the worst part of his business. He is generally the favourite ryot of the landholder, and plays into his hand as the instrument of his oppression. Though not always possessed, of records and generally illiterate, he is the depository of all information in regard to the boundaries of the village, of the *Mal* and *Lakhrāj* lands, and of all particulars of the kind. When a new proprietor comes into possession, he is the man to give all the information, and play the spy upon his neighbours, for which he has his reward in the shape of light assessment upon his plots of land. At feasts

on account of marriage or worship, he is a sort of distinguished guest, and is honoured with the largest plantain leaf to eat upon. He is the general intelligencer of the Darogah in case of theft or other criminal offence being committed within his ward. He is also the general giver of receipts of the execution of various kinds of Court processes, sticking up *istahars* (advertisements), giving possession, catching defaulters of revenue, culprits, &c. If such a character may have sought his protection, and managed to conceal himself for a while, he will give his certificate to the Peadah, who may have come in search of the party, that he is gone away, unheard of, or dead, as the case may be. If a suitor in Court wish to have an *exparte* decree, he will certify by the day and hour, that whereas the defendant was not forthcoming, the process (summons or *illanamah*) was hung up on his outer door in the presence of &c.; and on occasions of attachment of the goods of revenue defaulters, he must be in attendance to certify process and receive charge of the goods, &c. Sharp practice this! such as an attorney would never be ashamed to avow to himself. He is also the general witness in all important transactions, that pass on paper, or are concluded hand to hand in the neighbourhood, either between the landholder and ryot or other persons. He has no *Chakran* land, but perhaps his perquisites are not enough for him. To the fair lineaments of this picture, shall I add, that he sometimes levies contributions on thieves, and sometimes on easy-minded females (rather scarce in villages) for whom he finds protection. In almost all his dealings, his coadjutor is the Chowkcedar, like whom his appointment is the joint result of the landholder and the Darogah's choice.

The Gomastah had now reached a cluster of huts. Besides the persons who accompanied him, there now joined him four persons habited as Pykes, and one whose square badge, with a large P in the centre, marked him as the Thanah Burkundaz. By the law of the land, this class of persons are bound to be present on occasions of attachment, whenever the landholder or his agent may depose before the Darogah, that he apprehends a

serious resistance. The law, however, is not always stuck to, and a Burkundaz may be had on paying a price for its violation.

The five victims whose goods were to be attached, lived in the same neighbourhood at the back of the Gomastah's: the four Pykes entered four of their houses, and closing the door-way, stationed themselves so as to prevent both egress and regress and the removal of the goods. At the sight of these men, whose errand they well knew, the females and children set up a piercing cry, the neighbours startled, rushed out to see what was the matter, and congregated, burning, yet fearing, to strike their oppressors. The fifth house was entered into by the Gomastah himself followed by the Mundul and Burkundaz. Thither the people bundled together, and viewed with sympathizing eyes the cattle one by one led out, the hay and corn in the stacks proclaimed to be attached, unremovable, unsalable; the females all in tears turned out into the road, and the house completely gutted of torn mat, brass pot, greasy bed pillow, *daw bonte*, and the *dhenkee*. Nor were the spade, the hoes, the seed-corn, and the male cattle, that draw the plough and harrow, said to be unattachable by law, spared by the insatiable Gomastah. The doors were about to be torn from their hinges, and even the cooking pots flung from their places in the *chutney* of unresisting tyranny, but the old head of the house begged, and the females implored crying louder and louder: the deprecatory acts remained undone.

It would be tiresome to detail the rest of the proceedings. When the five ryots' houses had been fully searched and sacked, and the contents attached, and the easily removable goods removed, and the heavy ones left in charge of the Mundul, the Gomastah repaired to the fields cultivated by them, and attached the standing corn unripe.

Thus a whirlwind as it were passed over the village doing more damage and creating more consternation than an army in the ancient haleyon days of India, when cultivators and their fields of corn, females and all men unbred to the use of arms, were special objects of safety, sacred, and never touched by hos-

tile foe. What a contrast between that age and the present, when a more oppressed class of people is not to be found than they who bear the ryots' name." *Ibid.*, August 16, 1843.

"Those who are acquainted with the state of things in the mofussil know, that the misery and destitution to which the ryot is wedded, is the work not only of our enlightened Government, but of that class of natives, whom the revenue system of that Government has created, *viz.*, the zemindars. That it is impossible to calculate on the evils inseparable from the operations of the summary powers with which they are vested, is indisputable. That these evils are often computed by an unwarrantable exercise of those powers, is equally beyond doubt. The following simple and short story connected with the zemindari of Babu———may help to convey to those of your readers, who have the honor to be cockneys, idea of the evils in question.

In the village of———, let me call it L———, there stood, some three years ago, a cottage, not like one of your English neat, comfortable, decent looking cottages, having its walls mantled with the leaves of honey-suckle or sweet briar, and fronting an orchard cultivated with gay parterres of flowers. Oh! no. It was a dingy hut constructed of clay, and rudely roofed with thatch. It was situated immediately beneath an old *Osut* tree, which waved its branches over it day and night. Indeed the incessant rustling occasioned by the fall of its withered leaves, added to the solitude of the place. For it was not one of those parts of the village, which are studded with clusters of cottages, but resembled a common or heath, which bore no marks of vegetation except a few *baggoon* (brinjal), *mull* (radish), and other plants, which grow behind the cottage, and ministered, no doubt, to the supply of the culinary wants of its inmates. It was owned by Lochun Dhara, a Pycasht ryot of Babu———. His bread depended on 51 beeghahs of *salce* land, which he cultivated with rice. His family consisted of his wife and three children. The eldest, a daughter of 12 years, assisted her mother in the discharge of the household duties. The other two were sons, the

elder being five, and the younger three years old. Shymma Shundoree had been lately married to Rutton, the youngest son of the Mundal of the village. Lochun had been most punctual in the payment of his rents. He was not heard to grumble when a new abwab was imposed. Poor man! what would his grumbling have availed him. It was said that on the last occasion of the marriage of his daughter, he pleaded his utter incapacity to comply with the enormous demands, that were made upon him, as a matter of course, by the myrmidons of the zemindar. But when hard pressed by them, who would not, he knew, hear of any excuse, he borrowed money from a mahajaun (money-lender) at the interest of 30 per cent. and paid the *marcha*.

The scene of his daily labour was a field, a mile and half distant from his house, and a tank in which he fished. As a *Taor* (fisherman) his resources were derived more from the resources of the latter than that of the former. Those resources, though scanty and wrung from hard and unmitigated toil, were adequate to the supply of the necessaries of a ryot's life. His children did not starve. He himself did not want a rag to cover him. He used to rise with the dawn, and go to work. It was generally passed noontide when he returned home, his face and body all bathed in perspiration, and as greeted by his little innocents, who clung to his neck and asked him a thousand unmeaning questions. When he was thus caressed by his children and cheered by the hearty welcome of his good lady busily occupied with the manifold duties of her household, and saw the thin blue smoke rising from his thatched roof, and curling upward along the branches of the *Osut* tree, he forgot his toil and felt himself happy.

Thus had Lochun Dhara lived for several years in the zemindari of Babu———— in the quiet enjoyment of domestic happiness. The unvaried and monotonous round of toil to which he was doomed, did not render his life miserable. Habituated to drudge 'from morn to noon, and from noon to dewy eve,' he did not feel his spirit crushed down by the drudgery. The idea of supporting his wife and children nerved his arm and sweetened his labours.

It was a raw cold December morning, and the rich red tints, which herald the advent of the sun, struggled into his room through the apertures of its dilapidated roof, when Lochun Dhara was startled from his slumbers by loud cries of 'Break open the door, break open the door.'

To rise from his bed, to clothe him in his foul and tattered linen, to awake though not without some difficulty his helpmate, was the work of a moment. He then stole into one of the corners of his room, and saw, through a chink in the wall, a crowd collected round his house evidently with no friendly intention. What could be the cause of this violence? What could have brought the Gomastah, and at so unusual an hour, to his house? Why was a Chaprassee talking with the Gomastah in whispers? These were the questions which Lochun asked himself. At last a thought flashed upon him. Two months' rent was due from him! The heavy rate of interest at which he borrowed the money in order to gratify the demand made upon him by the zemindar in consequence of his daughter's marriage, having eaten up his income, he has been obliged to fall into arrears of rent.

Lochun hit upon the truth.

Ere Lochun could fully comprehend the magnitude of his danger, the door was burst open, and he was dragged by the Chaprassee from the corner of his room in which he had ensconced himself. 'Will you pay us the arrears,' questioned the Gomastah. 'I wish I could,' replied the ryot, trembling through fear. 'You know the evils, which the strong arm of law inflicts on the defaulter?' 'I do, but O Gomastah Mohashya' cried the poor old man falling prostrate before the Gomastah, 'my case is entitled to your kind consideration. I have been most punctual in the payment of my *kist* (instalment), and I would not have defaulted even on this occasion, had I not been obliged to pay a heavy rate of interest to Neemchund, the mahajaun, for the money I borrowed from him in order to meet your demands on my daughter's marriage.

'It cannot be helped,' was the laconic answer of the functionary, on whose mercy he had thrown himself. His house then

underwent the process of looting. Every thing that it contained was seized, not exempting a plough, a pair of *kodals* (spades), a *hathan*, &c., which the Regulation XVII, 1793, sec. 9, and Regulation V, 1842, sec. 14, distinctly and emphatically exempt from being distrained for arrears. Deprived of all his little all, Lochun caught the courage of desperation and began to remonstrate to the Gomastah against his forcible entering into his zenana. ‘Your zenana,’ sneered the Gomastah with sovereign contempt. ‘Here Peadah, drag the fellow into the Cutcherry, while I go to attach his crops and fish.’ Need I tell you what followed? It would be only to repeat twice told tale. Lochun was bound in hands and carried to the Cutcherry by the Chaprassce, who in the way administered to him a few dozens of blows and slaps. He was there soundly thrashed by one of the zemindar’s peons for having dared to insinuate, that the Gomastah had broken into his zenana. He was imprisoned for several days. A kabuleut was manufactured in his name. He was taken to the Collector’s Court. A summary decree was obtained against him. His property was sold: He was thrown into jail. And his family but I would not to describe their suffering.” *Ibid.*, November, 18, 1843.

“The reader is aware of the infamous conduct of A (a wealthy zemindar), who, in open day, assaulted the editor of a public journal in the streets of Calcutta, and carried him off by violence to his own residence at B, a few miles to the south-west of the metropolis, where he had been subjected not only to imprisonment, but, as it is affirmed, to torture. An application was made to the Supreme Court for a Writ of *Habeas Corpus* ordering the offender to produce the person of the victim. He had the audacity to return, that he was not subject to the jurisdiction of the Court. The Court immediately decided, that it was a bad return, and directed an attachment to be issued; but to this day, the unfortunate editor had not been released. It speaks volumes against the inefficiency of our Police, that a native like A is able so completely to set it at defiance, and to retain an individual whom he had illegally seized, for a period of more than

ten days, within two hours' journey of the Metropolis. What opinion must the native community form of our laws, when no redress can be obtained in so heinous a case of wrong during so protracted a period? When A is caught, we trust, he will be treated as he deserves, and that the Governor-General will mark his sense of the enormity of such conduct by forbidding him again to enter the Government House." *The Friend of India, January 23, 1840.*

Judgment. Sir E. Ryan, Chief Justice. "A, it now remains for the Court to express the opinion, which it has formed of the contempt of which you are confessedly guilty. In doing so, it will be necessary also to observe shortly on some parts of what has been said by counsel in your behalf, that you have committed a contempt has never been denied—it admitted of no doubt, but it was necessary to make certain enquiries, which the law prescribes before we come to judgment upon the offence. That enquiry has taken place, and the result of the enquiry—the interrogatories put and the answers you have given—are all before the Court—and they confirm the opinion, which from the first we entertained. The fact stands unaltered as it did when brought originally to our notice. You seized, by the aid of your servants, the body of D, and after the process of this Court was served upon you, you persisted in detaining him. You did not obey our Writ.... With regard to the contempt committed, we shall certainly lean to the side of mercy, because that contempt proceeds no higher than to a contempt of the process of this Court; yet there are attendant matters, which cannot be passed over without consideration. Your answers do not deny the unjustifiable seizure of D; you do not deny the detention of your captive after the receipt of the attachment we issued; you do not deny his mal-treatment; and the jurisdiction of this Court remains uncontroverted. The offence then remains unaltered, and it now only remains for the Court to apportion the punishment. You have already been a long time imprisoned—but though your confinement has been unusually protracted, it has been in consequence primarily of your own errors. We have taken, however, this length of imprison-

ment into consideration, and shall not add to it, but think the process of this Court will be sufficiently vindicated by imposing upon you a fine of 1,000 rupees to the Queen, until which is paid, you must continue in prison." Quoted in the *Friend of India*, March 26, 1840.

Some Passages in the Life of a Bengalee Ryot told by Himself.

"Meanwhile our old zemindar died, and his son, a young man, who knew English and drank spirits, began to rule over us. He was not content with the moderate rate of rent like his father, and the very first thing he did to have all our lands measured, and the result was, that our rents were increased by about one-half, while the old *khurcha* and *abwabs* were kept on as well. There were great disturbances in the next village to ours, all the ryots turned out, and beat the Ameens, but the next day about 40 Burkundazes, with an elephant, on which was the zemindar's Naib, came down, and punished the whole village by plundering their houses, and keying a contribution from them, and some of the chief men were taken to the zemindar's Cutcherry, where they were all beaten and imprisoned for a week. Some of them complained to the Magistrate, but the zemindar gave the Police 1,000 rupees to hush up the matter, and nothing came of it. We did not rise in our village, but about this time, the Magistrate came; he had with him tents and horses and elephants and hundreds of servants, and we thought that such a great man would be able to protect us from the zemindar, so we all went to him, and told him about it. He spoke to us kindly and said, that the land belonged to the zemindar, and that he could raise the rent if he liked. We could not understand this, for we and our fathers had held the land long before the zemindar's people came there, and we then told him about the *khurcha* and *abwabs*, and he told us, that the zemindar had no right to take them, and we need not pay unless we liked; and if the zemindar took them by force, we were to complain to him. After hearing this, we did not pay for a long time, and the zemindar's people refused to give us receipts, unless we paid *khurcha* as well as rent. However he

did not dare to attack us openly because of the Magistrate, so he did a worse piece of villainy; he sent one of his Amlahs down to our village, who slept there, and in the morning complained at the Thanah, that a dacoity had been committed by us on the cart in which he was travelling, and that he had been robbed of a great deal of money. The Darogah came down, and the Amlah pointed us out as Dacoits, our houses were searched, and our wives insulted, and 19 of us were tied together and taken to the Magistrate. We were nearly two months in prison, and then the Magistrate let us go, and said the case was false. After this, as you may suppose, we paid whatever was asked for; it was better to pay a little more than to be shut up in prison for two months. Some time after the zemindar wished to curry favour with the Magistrate, so he determined to make a dispensary at his house so we all had to work at it by turns, and bring the bamboos and straw for it. The zemindar was very much disappointed, because, he did not get the title of Rai Bahadur for building it, &c." *A Correspondent of the Indian Observer, May 31, 1873.*

“A village had been sold in execution of a decree, and a stranger had purchased it. This new zemindar very soon took measures for enhancing the rents of his ryots. He was successful in obtaining *kabuleuts* at increased rates from several ryots, but the headman of the village (Mundul), whose example was most influential, sturdily held out, and led the opposition. It was resolved, that he should be coerced; so at day-break one morning, a party of zemindar's peons and adherents armed with *latties* and guns started from the Cutcherry for the Mundul's homestead, with the view of capturing and carrying him off. This homestead fortunately was a substantial one, and the different huts were connected by pretty strong bamboo fencing. Thus the *bari* (house) admitted of being defended by a relatively small force. In the Mundul's, family were four or five grown up men, besides the women and children, and in addition to these, as it happened, two friends, come from a distance, had passed the previous night there. No one had left the *bari*, when the zemindar

dar's party arrived. The latter very largely out-numbering the men of the homestead, with threats of an abominable kind, called upon the Mundul to surrender; but these threats only nerved the Mundul and his friends to resistance in defence of the female apartment. For a time the attacking party seemed unable to do anything, until taunted by their leader, they at last made a rush, broke down the fence at one corner of the homestead, and fired a gun at the men inside, of whom two fell. The immediate effect, however, was not that, which might have been anticipated, for one of the remaining defenders promptly seized the gun, which had just been fired, knocked down its owner, two of his companions laid hold each of an opponent, and the zemindar's party forthwith decamped, leaving three of their number prisoners in the hands of the Mundul and his kinsmen. The cost of the victory was severe, for it was found, that one of the two men, who had been shot, was dead." *The Calcutta Review*, vol. LIX., p. 357.

"Notwithstanding all the efforts of Government to improve the relation between zemindars and ryots, no satisfactory result has been obtained as yet. The following case will illustrate what we mean:—A and B, the ryots of C, zemindar of D were called upon on the 2nd instant by E, the Barahill of the zemindar, to settle rent. The ryots punctually went to his place, but refused to pay the full amount demanded from them. An altercation having ensued, they prepared to leave the spot, on which F, G, and H, surrounded them, and began to attack them from all sides with *latties* and *garasas*. The poor men fell down, and one of them—A—died shortly after from the effects of wounds inflicted by the myrmidons of the landlord." *The Behar Herald*, quoted in the *Englishman*, May 10, 1878.

"We have to record another case of riot resulting in the death of a man A. In the village of B, $\frac{1}{2}$ a mile west of the C station, D, E, and A, had a joint crop-field. E was the proprietor of the village, and there had been frequent disputes

between the zemindar and the ryots. On the present occasion the ryots went to reap the crop, but were opposed by the zemindar's party. A scuffle ensued in which one of the ryots, A was killed." *Ibid, Ibid, June, 28, 1878.*

TO THE EDITOR OF THE FRIEND OF INDIA.

SIR,—The attention of our Committee has been directed to the outrages recently inflicted on the Native Christians in the district of Burrisal. The Rev. Mr. Page has put us in possession of the facts, and more recently my esteemed colleague, C. B. Underhill, Esq. has informed us of the present position of the affair. After deliberating on the statements laid before them, the Committee passed the following resolution:—‘That the account, which Mr. Underhill has given in his letter of November 22nd of the persecution of the Native Christians in Burrisal, has been heard by this Committee with deep sympathy and regret; that Mr. Underhill and his brethren in India be encouraged to prosecute the suit in defence of the oppressed Native Christians, by the most prudent and inexpensive, but by the most decided measures possible; and that from time to time, all such well-ascertained facts, as may facilitate a vigorous co-operation at home, be forwarded to the secretary for the guidance of the Committee.’

It seemed to me desirable, that this resolution should be made known in India, partly to encourage Native Christians by communicating to them, that their friends in England are not indifferent to their wrongs, and partly to strengthen the hands of the Missionaries by assuring them, that here as far as possible, we would assist them in resisting these aggressions on the person and property of members of their Churches. As this object will be best secured by the insertion of this letter in the *Friend of India*, I respectfully solicit that favour.

I am, Sir,

Your obedient servant,

(Sd.) Fred. Trestrial, *Secretary.*

Baptist Mission House, London.

February 25, 1856.

Remarks by the *Friend of India*. "Zemindars may remember, that Parliament once convinced will not be checked by the fears, which hamper the Legislative Council. The Perpetual Settlement, which is the zemindars' sheet anchor, protects them against any increase of assessment. But it does not prohibit Parliament from passing a law to make forfeiture of State, the penalty of oppression amounting to felony. They will find that there is not much mercy at home for idolatrous landholders, perverting the ill-gotten powers left them by a lax legislation to oppress converts to the true faith." *The Friend of India, April 10, 1856.*

"It is sufficient that *Shulava* runs not mad at the conduct of certain incarnations. It cannot cry only because of its stone-heart. We published in our issue of the 25th ultimo an instance of the most horrible oppression by A, son of B, perpetrated in D. We also published several other instances of oppression by them in our former issues. We have already informed our readers of the most horrible oppression (by B) of a widow named C. It remained only to draw a knife across the throat of one G. Six suits for enhancement of rent, thirty-two for arrears of rent, two for *chappi* and *khas khāmar*, altogether forty, have been hung round his neck; and the poor fellow is now gasping. The Munsiff of D is now deciding them. Twenty suits have been decided; out of these, only one for arrears of rent has been decided in favour of A, and that also on appeal. The suits having been decided against him by the Munsiff, A appealed in some of them to E. J. Birch, Judge of 24-Pergunnahs. We place before our readers the literal translation of his judgment in suit No. 278 of 1872. We do not know whether the blood of our readers, on reading it, will become hot like ours. A is an educated man; therefore Mr. Birch remarked, that he had no confidence in the light of education and civilization of this country."

Judgment. "The case is evidently a false one. If the Munsiff had committed A to the Magistrate, it is most pro-

bable, he would have been punished for his guilt. It is not proper to acquit those, who waste the time of the Judges by instituting evidently false suits, &c." *The Shujava Shamachar, Magh 9, 1279 Hegira.*

"Babu A, zemindar of S, within the jurisdiction of B Thanah, dragged a widowed daughter of C to his house on a charge of abortion. The Sub-deputy Babu H and the Jemadar of the Police station were present there at the time; they also ordered the woman to be arrested. The zemindar was at first unable to make the woman confess her guilt. Then they three took her into a room, and there examined her, whether milk flowed from her breast. Thus they extorted confession from her of her guilt. The Babus then confined her there for the night, and ordered a Chowkeedar, whose name was M, to guard her. On the following day, she was *challaned* or sent under guard to the Police, and thence to N, the Deputy Magistrate of R. He ordered her to be examined by a Doctor; the result of the examination was, that her pregnancy and abortion were entirely false; only there was no menstrual discharge for two months; that, also happened after a few days. Consequently there was an end of her oppression by the zemindar and the Jemadar.

The woman brought a suit before N for damages for insulting and unlawfully confining her. The case was tried on Wednesday, the 27th August. All the sons of the rich have been acquitted by the decision of N. The witness, who was thoroughly acquainted with all the facts from beginning to end, was not present; the widow insisted to issue warrants in his name, but the Deputy Magistrate turned a deaf ear. The evidence of only one witness was taken, and that also not in a good way. There were other witnesses present in the Court; they were not even called in. 'Keeping her in confinement and so forth' were proved 'by the words of the witness, whose evidence had been taken. From the report of the Jemadar, it was evident, that the woman was confined, and the milk of her breast examined.

We have briefly stated the facts, as we have got them. When N caused the woman to be examined by the Doctor, then it could not be denied, that the charge which had been brought against her was false. It cannot be said, that she sung the spot of her own character to be insulted by five hands; it must have been, that she was forced to bring the words of great sin into her tongue by threat of extortion. A and the Jemadar extorted the words from her mouth; consequently we are unable to understand on what ground N acquitted them. If the Deputy Babu acquitted them thinking they were gentlemen, then we should say, that if they committed such outrage, they were not worthy of the name of 'gentle,' and then again what was the difference between the gentle and the poor in the eye of law. We bring this to the notice of the Lieutenant-Governor, hoping there would be a special investigation into the case. We pray His Honor to maintain the honor of the poor widow." *Ibid.*, *Bhadra 25, 1280 Hegira.*

"The Deputy Magistrate at first dismissed the case, in which the zemindar of S was implicated. The Lieutenant-Governor ordered him to try it again; and he has sent the Head Constable and the Chowkeedar to jail. We asked, N himself dismissed the case, and, on the orders from the superior authority, found some of the defenders guilty. What is the meaning of this? We are glad to hear, that the Commissioner of the Nuddea Division has sent for explanation from N. However we doubt very much concerning this case. We cannot understand at all, why the zemindar has been acquitted. We hear if he is regularly and fairly tried, a certain Officer of Government will fall in great danger. We also hear, that several great men implicated in this case are trying to bribe the editors of some newspapers. However we cannot remain satisfied until the case is tried again by an able Judge." *Ibid.* *Pous 9, 1280 Hegira.*

Oppression by A.

"There any relation like that between the constable and the zemindars and us, that we should love

much to kill them? We have distinctly told the words of our mind, that to do good to the poor, especially to the ignorant ryots, is our chief aim. As the zemindars are now enjoying the unexampled prosperity by exacting the wealth of the ryots, so let them distribute a little among them, and look upon them like children, then they will find, that there is no friend of theirs like *Shulava*. Now as he is speaking on behalf of the ryots, so he will do on theirs. In short *Shulava* can say, that he loves the king and the subject, the rich and the poor. It is his earnest desire, that the wealth and respect of all be maintained; However the oppressions of the ryots by the zemindars have now become intolerable. No one can know when they secretly lay their hands on the lives of the poor. They being submerged have long since been drinking water. We hope that the gentlemen of the country would all unite in giving full publicity to their oppressions. It has now become necessary, that they should be insulted for their own conduct at least in the society of gentlemen. We have several times spoken of the oppressions of the ryots by B, son of———. This time we publish for the information of our readers the judgment delivered by the Joint Magistrate of Serampur on A.

R	...	...	...	<i>Plaintiff.</i>
A and others	...	...	...	<i>Defendants.</i>

Judgment.

‘A charge was brought against A and his two servants, that they had illegally confined and beaten R. For it has been said, that R rented a piece of land from A. There being no good terms between D and his son A, R sold it to D, father of A.

A’s questions and answers, whether true or false, are shameful to every human being, especially to a man of his position. He did not at all feel shame confess in a Court of Justice, that his father D had suborned the witnesses in a false suit.

The mal-treatment of R up to the time of his entering the house of A appears true to me. The last part of it—that he was thrown in a senseless state under a tamarind tree—has not been

fully proved, yet I have no doubt of the evidence first given in the case.

(Sd.) John Boxwell,
Joint Magistrate.

January 21, 1873.

The Court sees that A, I, and N, are guilty of the offence complained of in the application, that is, they illegally confined one R, and, for this reason, committed an offence under Section 342 of the Indian Penal Code. Therefore the Court fines A fifty rupees, and sentences N and I to fifteen days' rigorous imprisonment.

(Sd.) John Boxwell,
Joint Magistrate.

January 21, 1873." *Ibid.*, *Falgun 8, 1279 Hegira*,

This Time the Turn of Kurta Mohashaya.

"Reader! hear. Babu———of———, sometime ago, instituted suits against P of the above village for recovering the total sum of one rupee, one anna, and six caras, being the arrears of rent, and, getting four exparte decrees, executed them illegally and privately—sold by auction fourteen cottahs of *lakhraj* land, the value of which is about 500 rupees, and which is situated in the backdoor of P. He himself bought it at a very low price. Afterwards P came to the knowledge of it, and brought a suit in the Serampur Munsiff's Court for recovering his lost property. On 31st August 1871, the case was decided in favour of the plaintiff, and against the defendant Babu———. The latter made an appeal against the decision of the Munsiff's Court in the Court of Subordinate Judge of Hughli. On March 21, 1872, the appeal was dismissed, and the decision of the Munsiff's Court upheld. We give below the substance of the judgment. Our readers, on reading the following lines, will be able to understand at least the semblance of the means he had adopted for oppressing the people, and of the respect he has for justice, truth, kindness, and virtue.

The first part of the judgment on appeal is this:—‘ At the time Babu————executed four *exparte* decrees, did he deceitfully conceal the summons issued against the plaintiff? The plaintiff is a prosperous man; the demand for arrears of rent is only one rupee, one anna, and six caras. The Subordinate Judge can never believe, that the plaintiff, knowing the summons issued for executing the decrees, should have allowed his valuable *lakhrāj* land situated in his backdoor, to be sold by auction at such a trifling price, and for such a trifling demand. He has no doubt, that the peon sent to serve the summons, sided with the defendant, and concealed it. The evidence of both the parties has confirmed his belief.’ The judgment is a very long and elaborate one, so we stop here. The editor remarks: “————Babu! excuse us. We are defeated. However we have gained some legal knowledge by reading the decrees of the suits instituted by him in Courts of Justice. Now we, with cloths round our neck, and holding his two feet, humbly request him, that he would no more do such things. In old age pay attention to virtue. Cease from presenting the shoes by killing the cows. Do such things, as will secure the blessings of the people.” *Ibid.*, *Choitra 13, 1279 Hegira.*

Cruel A.

“ We have published from time to time a few examples of the oppressions of the ryots by A, the well-known zemindar of ———. Several Judges have made special mention of his cruel and unjust conduct in their judgments. Oppressing the ryots has now become his habit. It seems on looking at his disposition and actions, that he derives very deep, unearthly, and wonderful sort of pleasure from oppressing them. He is so fond of litigation, that if there were no other zemindaries in D, his suits alone would have been sufficient to defray the expenses of a Court of Justice. He will bring suits upon suits, and reduce the ryot for ever to utmost poverty and wretchedness, until the latter agrees to pay the rent demanded by him. To him there is no distinction between the gentlemen and the low people. If any gentleman be ever ready to pay his rent,

whenever a man is sent to him, he, instead of having recourse to that means, will institute a lawsuit against him, deprive him of two days' worldly pleasure, and then take the money from his hand. Wonderful it is, that his only means of recovering one, two, or four annas of rent is lawsuit. To make known his disposition, and compare him with other zemindars, we give below the table of rent-suits, which were instituted in the S———Munsiff's Court alone in three or four years, for recovering very trifling sums:—

	A.	B.	C.	Others.	Total.
Rent-suits for sums below one anna	21	8	...	...	29
Between one and two annas...	7	...	2	3	12
" two and three	20	8	10	4	42
" three and four	24	6	9	12	51
" four and five	24	9	10	7	50
For five annas	17	6	14	11	48
" six	16	10	11	16	53
" seven	13	6	8	19	46
" eight	8	8	9	14	39
Total ...	150	63	71	86	370

It will be seen from the above table, that A practises more oppressions upon the ryots than B and his son together. It may be distinctly said, that all these trifling sums might be easily realized. He gives so much trouble to the gentlemen and the low people only owing to his litigious habit. He will say, that he spends so much for charitable purposes, how he will meet it, unless he realizes annas and pie? Our advice is, that he should realize his dues by caras and gundas, but it is not proper for any man to adopt his means. We are sorry to see in the table the name of B. We knew him to be a good man. We hope that they will not unnecessarily oppress the ryots for such trifling sums." *Ibid.*, Pous 2, 1280 Hegira.

We wish to add something of our own. Reader! Have you ever heard of men, whose annual income exceeds lakh of rupees, drag the poor ryots, who were the very source of their prosperity and luxury, to Courts of Justice for such trifling sums. If these zemindars pretend, that they would spend them for charitable purposes, why they did not remit them. Was not the remission of rent one of them? Were not the poor ryots proper objects of charity? Further do you believe, that those who oppress the ryots for such trifling sums, should spend hundreds or thousands of rupees for charitable purposes. If they do so, it is only for concealing their oppressions, and thereby throwing dust in the eyes of the public and the Government. Wonderful it is, that notwithstanding the most horrible outrages often perpetrated by them in the mofussil, they are generally known to the Calcutta public as enlightened zemindars. If the enlightened zemindars do such things, what may we not expect from those, who are not so. The table indisputably proves their unexampled cupidity on the one hand, and the utmost wretchedness to which the ryots have been reduced on the other. • .

The Oppression of a Ryot by S, Zemindar of M.

“SIR,—Ere this my residence was in the village of M in the jurisdiction of the N Thanah. I owed something to a certain inhabitant of the above village. My condition was very wretched, and I passed my days in great distress. Great delay occurred in liquidating the debt; being without any means I humbly told my creditor that I would gradually repay him. But to my great misfortune, he did not hear my cries, and complained against me to S, our zemindar, for realizing his dues. I had a few pieces of cultivatable land, but my chief means of livelihood was the sale of my cow's milk. The zemindar, who was a second Serazdowlah, immediately sent for me by a Pyke who dragged me to the Cutcherry, used abusive language, and beat me. Being not content even with that, he gave orders to make me run like a horse for sometime by violently catching my ears. The orders were carried out. Sir, the recollection of that time makes me still

cry. It would have been better had he stopped here. He gravely said: 'You owe so much to such a one; don't you know, rascal, you shall have to part with your cow?' The cow was my most dear friend; I was never able to give my consent to the zemindar's proposal. She was the first and chief means of my livelihood. If I parted with her, how I would support myself and my family? Being thus insulted and oppressed, I left M in a kind of disgust and fear, with my cow, calf, and family, on the night of that very day; still I am living in fear and concealment. If you do not believe my words, make an enquiry, and they will be proved true by the gentlemen and the low people of M. I hear that the zemindar has cut away the roof of my house. I have given you the description of my misery, let me see, what you can do for me. If you cannot, I shall cry for ever in agony of mind." *A Correspondent of Ibid., Pous 9, 1280 Hegira,*

An Atrocious Case of Forcible Abduction and Rape.

"A most atrocious case, which lately took place, has been brought to our knowledge, the particulars of which may be depended upon as correct, having been related by the mother of the young lady. The case is as follows:—Mrs. M and her daughter, a young lady about fifteen or sixteen years of age, and of a very prepossessing appearance, have been living for sometime in the same house with the wife of an apothecary, named W, which apothecary is at present at Dinapur. This house is situated in the neighbourhood of the General Hospital. About a month and a half ago Miss M one evening at dusk was walking over unaccompanied by any one to the Insane Hospital to see a friend. She had not gone far, when a native servant came running after her with a *palki*, and told her, that her mother wanted her back immediately, and had sent the *palki* for her. Miss M unsuspectingly got into the palanquin. It being dark, Miss M apprehending nothing extraordinary, was not aware, that the palanquin, instead of proceeding towards the house, was being taken out of the way towards an unfrequented part of the road, where it was suddenly put down. She now perceived her situation, but before

she could make any enquiry, or, in fact, use efforts of any kind, she was rudely taken out of the palanquin, and forced into a carriage, which had been provided for the purpose, and which immediately drove off. She screamed out for help, but there was no one at hand to assist her, while she was violently kept inside the vehicle, and her cries stifled by a European, named L, and several natives, the former being a young man belonging to one of the livery stables. She was thus taken to the house of a well-known wealthy Mahomedan zemindar living in S (only 2 miles from the Government House at Calcutta), where the poor young woman was forcibly detained and abused for a period of month. Mrs. M in the meantime could find no trace of her daughter, whose extraordinary disappearance she could not at first account for or guess; but after a few days, from some adventitious circumstances, she learnt the atrocious fact of her daughter's abduction, and also learnt, that the apothecary's wife had connived with the zemindar in bringing about the ruin of the unfortunate Miss M, by having discovered two letters addressed by the apothecary's wife to the zemindar. In one letter she speaks of remuneration for her trouble, and the other appeared to have been written the same day on which the abduction was effected, and contains the information, that Miss M was that evening going to the Insane Hospital; adding that it would afford a fit opportunity for the zemindar to secure her.

Mrs. M came to the Police on Tuesday stating the above particulars and seeking for redress; but as the case occurred out of the jurisdiction of the Calcutta Police, the Chief Magistrate could not interfere in the matter. The case, no doubt, is now before the Magistrate of the Twenty-four Pergunnahs." *The Hurk*, July 17, 1840, quoted in the *Friend of India*, July 23, 1840.

The Oppression of the Invalids.

TO THE EDITOR OF THE FRIEND OF INDIA.

SIR,—It is with feelings of the deepest regret, that I have to request of you to insert the following in the columns of your journal:—

In Pergunnah S, zillah Behar, and on the banks of the Soane, extending from Daulnuggar to the new road, are six villages. These were formed in the heart of, a massy jungle by invalids and pensioners from the native army, and the land given to them was with the agreement, that they should bring it into cultivation, and enjoy it rent-free during their lives, and for five years after their death it should be held by their heirs, when only a nominal rent would be demanded from them from one to two annas, only for the sake of showing, that the lands belong to the Government. With these agreements, the pensioners settled, formed villages, dug wells, cleared the jungles, and cultivated the lands, and called many of them by the names of their old Commanding Officers. Things went on peaceably, the pensioners lived and blessed the Government for its kindness, and after their death, the heirs have been doing the same. There is a certain man of the name of J, who laid claims to the lands, and about seven years ago, attempted by force to obtain rent—an exorbitant rent—from the pensioners; but a complaint having been made to Mr. Neave, the Magistrate, a stop was immediately put to it; and further they were told, that no rent, not even the one anna or two annas per beeghah would be demanded of them, unless the Board ordered otherwise. There is a man of the name of Moonshee A, who is a Sheristadar in the district; he in conjunction with J and P, have laid claim to the villages, and the Sheristadar, in his capacity of Sheristadar, has seized upon them, turned out all the old inhabitants, sold their cattle, and confiscated all their goods. This he has done by force, and by the assistance of twenty Chaprassees he has done every thing that is violent; and he cares not for the consequence, neither for sex nor age. The houses are being daily pulled down, and the woods and other materials are being consumed for firewood for the use of these Chaprassees; each person in the villages was served with a writ for arrears of rent, and most exorbitant in its demand. Thus for twenty beeghahs of land, the jagheer of a Sepoy, no less a sum than 65 rupees was claimed. The poor creatures, thus turned out of home, and deprived of their last pice, and

even of the cloths on their backs, are now wandering about the country as beggars; and the very few, that have been induced to remain, pending the decision of the petition, which they have made to the Board, dare not even request of these Chaprassees to desist, or say to them, that they are destroying and depopulating the villages; they only receive blows and abuses in return, and are told, that the depopulation is what the Moonshee wants. How I became acquainted with all these circumstances is as follows: I was riding through the village, when a few old women called out to me '*Duaya Cumpanie Sahebka.*' I pulled up my horse and asked them what they wanted, and they told me, that they were the widows of Subadars, Havildars, and Sepoys, who were formerly in the Company's army, and begged of me to listen to what they had to say, for they had now no one to protect them. I did so—in a moment I was surrounded by some twenty or thirty more, the remnants of a fine and populous village, which contained but only a few days ago some two hundred inhabitants:—such misery and oppression it has not been my fate to witness, and one would hardly believe, that such things occurred in the Company's territories, and in lands too granted by the Company's liberality! They pointed out to me the several devastations, and with tears in their eyes, begged of me to bring it forward—on the walls of some of the huts, I saw placards fixed, the accompanying is one of them—all this cruelty is caused by this man A, who conceals his deeds under the authority of his being a Sheristadar. I rode on, the same scene was presented at the next and the next village; at the last but one, I met a party of Sepoys escorting stores to Hazareebagh. They stopped me and asked me, if I had observed the villages, and then said, is this the way to keep your promises? Are our wives, our children, to be thus turned out of their homes? Can you now expect us to do such gallant deeds, as the husbands and fathers of these creatures have done? And will we hereafter accept any jungle land to be brought into cultivation, when our labours are thus to be rewarded? We call upon you, in the name of the Government we serve, to bring these things forward. A short

time after my arrival at my tents, about a hundred of these villagers came up and refused to move, unless I would do something for them. I wish not to interfere with any of the arrangements entered into by the Government—such, indeed, is far from my intention, but being an Englishman, I am bound to bring this forward. So great is the apparent distress caused by the proceedings of this man A, that unless immediate relief be afforded, it will cause the total depopulation and ruin of six of the finest villages, which, on the whole, contained about 1,200 inhabitants, which used to be an honor to the Government, and in which it had the daily blessings of many hundreds of poor creatures.

The names of the six villages are as follows:—T, L, S, J, G, and B. S, the Moonshee has given out, he has purchased the farming of from M, and, therefore, as zemindar he claims the rent of the land, and as Sheristadar, he enforces the payment.

J adjoins a village called K, which belongs to the Moonshee, and because it does adjoin K, the Moonshee lays claim to it, and as Sheristadar enforces his right. At present, therefore, the greatest distress prevails in these two villages S and J. Thus this man A acts in the double capacity of a zemindar and a Government Officer, using the power of the latter to enforce the exactions of the former. Ought such things to be allowed? It is by people of this kind, that the greater part of the abuses charged on Government originate, and there should be a rule, that no zemindar or landholder of any sort should be allowed to be a Government Officer. And at present the proceedings of this man require to be questioned, and whilst such are being done, he should be suspended, or at all events, removed from the district—the cry against him is very great—he is now both Collector and landholder!!! And he appears to have such influence in the district, that whatever he says or proposes is adopted. P lays claim to B and G, because they adjoin the village called N, and which is in his estate. Really Mr. Editor, these things should be brought forward to the notice of Government. I have, of course, given but the account of one party, and am, therefore open to conviction: but what right have these people to the land granted

by the Government to the pensioners, and how can the man A be justified in his proceedings." *A Correspondent of the Friend of India, October 29, 1840.*

The Lattyal System.

Being possessed of vast wealth and unlimited power, which have been foolishly conferred upon them, the zemindars defied and still defy the authority of Government, and take the administration of justice into their own hands. Nothing shews their contempt of its authority more clearly and decidedly than the most horrible outrages perpetrated by them and their *lattyals* or clubmen in broad day-light. 'Without an iota of education, or public spirit, or desire to do good to the people,' the only use they have made of their vast wealth is to keep or hire scores and hundreds of *lattyals*, and to pick out quarrels with their brother zemindars, indigo-planters, and ryots. Well aware of the fact, that they can escape with perfect impunity from the daring outrages so long as they have money in their pockets, they order these men to fight their opponents, to plunder and burn villages, and to commit thousand other atrocities, which no pen or tongue can fully describe. Here it ought to be remarked, that these *lattyals*, who are generally the men of the lowest classes, and are almost always unable to support themselves and their families by their little earnings, which are due to the low price of labour, gladly take the opportunity of employing themselves in any capacity, however detrimental it may be to their future interests. In this way, thousands of them in hope of supporting themselves and their families by enlisting themselves under the banners of the zemindars, have met with violent death, and left their dear wives and children to cry about in the streets; while tens of thousands, having been severely wounded, made themselves useless for their lives, and a burden upon them; and God knows, how many more have been sentenced to rigorous imprisonments for breach of peace. But the zemindars—the cause of all these calamities—have escaped with perfect impunity. They have plundered in broad day-light thousands of

ryots of everything they possessed, and driven them from their dear homes. All these outrages have been, and are still being, perpetrated in a province, which has been the longest under the British rule, and not only in remote parts of it, but also in the very heart of the metropolis of British India. We firmly believe, that there is no civilized Government in the world except that of India, professing to make laws and regulations for the happiness and well-being of the people, which would allow such outrages to be perpetrated for more than hundred years, and in this enlightened nineteenth century among 66 millions of people, who are celebrated for their peaceful habits, and by a few voluptuous landlords, whose fate hangs upon a hair—upon a single stroke of pen of her Majesty's Secretary of State for India. It is enough to say, that if we consider the number of the victims of the zemindars' unbounded avarice and exactions, and the duration of the torments inflicted upon them during the last eighty-four years, their crimes only fall short of those of the Spaniards on their first colonization in the New World. The avaricious ferocity of great many zemindars cost humanity thousands of valuable lives. They were destroyed by torments much more atrocious, much more prolonged, they were sacrificed without provocation by the calm calculations of avarice. Thousands of inhabitants of these provinces have been condemned to hard labour in the fields; they have been forced upon exertions, which were beyond their strength, while they have not been allowed sufficient nourishment; they have been subjected to every ingenuity of oppression in spite of weakness, wounds, and sickness, and they were relieved from these horrible torments by death alone.

If one-tenth of the sum, which has thus not only been wasted, but also has spread ruin and desolation throughout the land, had been spent in making improvements of the estates, the condition of the ryots would have been much improved. We need not make any further remarks; we have only to request our readers to judge of their truth from the following quotations, which will throw much light upon the subject.

Disputes Concerning Land. "If a proprietor, or farmer of land, or a dependent talookdar, or an under-farmer, or a ryot, or other person, shall have a claim to any disputed land or crops in the possession of another, the claimant is prohibited from possessing or attempting to possess himself of the land or crops by force, but is to prefer his claim to the Dewanny Adawlut of the Zillah." *Reg. XLIX., 1793, sec. 2.*

"If any such claimant shall forcibly take possession of the disputed land or crops, the party dispossessed shall be at liberty to represent the circumstance to the Judge of the Dewanny Adawlut, who is immediately to take cognizance of the complaint, and upon the previous possession of the complainant being proved to his satisfaction, shall, without enquiring into the merits of the claim of the possessor, cause the disputed land or crops to be restored to the complainant, or the value of the crops to be paid to him, if they shall have been damaged, destroyed, or shall not be forthcoming, and award against the offender such costs and damages, as may appear to him equitable, leaving him to prefer his claim to the property in dispute to the Dewanny Adawlut." *Reg. XLIX., 1793, sec. 3.*

"If any such claimant or any persons accompanying him, in taking, or attempting to take, possession of the disputed land or crops by force, shall kill, or wound, or violently beat any person, the Judge, upon the complainant proving previous possession to his satisfaction, shall not only proceed against the offender, as directed in the case specified in Section 3, but his right to the disputed land or crops shall be adjudged forfeited to the complainant; and, whether the dispossession be proved to the satisfaction of the Judge or not, the offender and all persons aiding or assisting him in the act, shall be committed or held to bail (according to the circumstances of the case) to take their trial before the Court of Circuit." *Reg. XLIX., 1793, sec. 4.*

"If the agents, servants, or dependents, or any persons in the employ of a claimant to the disputed land or crops shall take, or attempt to take, possession thereof by force, and the actual claimant shall not be present, the Judge shall nevertheless restore

the disputed land or crops, or the value of the latter, to the person who had possession, if he shall have been dispossessed, and proceed against the parties actually present in the manner directed in Section 4, in the event of their having killed, wounded, or violently beaten any person, and if it shall be proved that the parties immediately concerned in taking, or attempting to take, possession of the disputed property, acted by the orders, or with the knowledge or connivance of the actual claimant, he shall forfeit his right to the disputed property to the person dispossessed, and be liable to be proceeded against in the Criminal Court, in the same manner as if he had been present." *Reg. XLIX., 1893, sec. 5.*

"This Regulation affording ready means of redress to all persons, who may be forcibly dispossessed of land or crops, proprietors and farmers of land, dependent talookdars, under-farmers, and ryots, and all other persons, are prohibited from arming themselves, or entertaining armed Pykes or other persons, for the purpose of keeping possession of, or guarding any disputed land or crops, and if any claimant to disputed land or crops shall go armed with a sword, stick, or other weapon, or give orders for, or connive at, any persons going so armed, to take possession of such land or crops, and the party in possession of the land or crops, or any person having a claim thereto, shall go armed, or give orders for, or connive at, the assembling of any armed men to prevent such, or armed persons on his part, taking possession of the land or crops, or to dispossess them by force, should they have taken possession of the property, and a fray should ensue, and any person be killed, wounded, or violently beaten on either side, the land or crops in dispute shall be adjudged forfeited to Government, and be disposed of as the Governor-General in Council may think proper, and both of the claimants to the property, and all persons present, and assisting, or concerned in the affray, shall be committed to prison or held to bail (according to the circumstances of the case) to take their trial before the Criminal Court." *Reg. XLIX., 1793, sec. 6.*

Let us see how far the zemindars have abided by the laws.

A writer in the *Calcutta Review* says:—"To the zemindars is due the invention of the *lattyal* system. We can affirm with the fullest confidence, that it was not the device of the planter—that, left to himself, and with the prospect of fair dealing and speedy justice, he would not have taken up arms in broad day-light. But at the same time, we are bound to state, that if he had no hand in its establishment at first, he showed no backwardness in availing himself of it, when once fairly started. Nay, our regard for truth compels us to declare, that in the use and application of these weapons, he fully maintained the superiority of the British character, and often far surpassed in execution what the boldest native landholder has ever ventured to conceive." Quoted in the *Friend of India*, May 20, 1847.

"The perpetual effort of the zemindar to prevent the intrusion, as he deemed it, of the planter, placed both parties in a state of mutual hostility.—'Many a factory could tell a tale of disasters encountered and as speedily avenged of crises, when the State seemed on the verge of destruction followed by victories rendered more brilliant by the previous loss, of long and obstinate struggles in which the natives yielded only to the concentrated and persevering energy of the European with ample resources.

'Out of some fifty and more concerns in several districts in Lower Bengal, we have been unable', says the Reviewer, 'to find a single one, about which in some time in the last thirty or forty years, affrays have not taken place attended with homicide or with severe woundings':—'not one', but 'hundred instances can be given of fair stand up fights, when two, three, or half a dozen lives were lost with a proportionate return of wounded; of battles when the up-country *brujobusee* fought with a determination, which would have done honor to the Company's ranks in any campaign; of hair-breadth escapes, when the planter, waylaid by a band of *Lattyals*, only saved himself by the fleetness of his good steed; of armed hosts attacking out-factories and levelling them with the ground.'

The affrays were so frequent and horrible, that Mr. Dampier proposed a very stringent law in order to eradicate them and es-

tablish the dominion of the law through Bengal. 'It was to the effect,' in the words of the Reviewer, 'that in every case of affray the proprietor of the concern, or the zemindar, for whose benefit the affray was undertaken, should undergo six months of imprisonment without any proof of his presence at the scene of action, without even distinct proof, that he had authorized the disturbance, but with the sole understanding, that he had benefited by it, and this too whether the zemindar had been smoking his *hookah* in his summer residence at——, or the planter had been at a different factory some thirty miles from the battle field.'" *The Friend of India, May 20, 1847.*

"A dispute regarding some lands existed between two landholders, M, the nephew and manager of that great zemindar N, and S. The lands were, it is said, decided by the Magistrate in favour of S. On Saturday last, the 15th instant, M proceeded with an armed force of three hundred clubmen to two of S's villages, and plundered them. Elated with his success, he ordered his men to proceed to S's factory, which they likewise plundered, and then set fire and burnt them.

In consequence of a dispute, which prevails between the talookdar of K and the zemindar of D, the latter, the most powerful of the two, lately providing himself with about 150 armed men, made an attack upon the former and upon the inhabitants of K, his tenants. The atrocities they committed were, indeed, horrible. They not only plundered them of their valuables, but burned down their houses also. Several of the employers or friends to the talookdar were wounded on the occasion, and one of them was so severely cut with a sword, that his life was at the time despaired of. The Darogah of the Shamsunge Thanah is now making an investigation on the matter, at the close of which, he will forward the offenders to the Magistrate.

We have learnt the following from a friend just arrived from Jessore. There live two zemindars at A in that zillah, named K and C, both of whom maintain a respectable character. They had a dispute with an indigo-planter, whose factory lies at R, regarding some lands, and they fought together several times in conse-

quence, yet the dispute remained in the same position as at first. The zemindars had at one time a great number of *lattyals* for the chastisement of their opponent, who getting frightened at this, proposed to enter into a treaty to restore peace among them. The zemindars, who had got tired of fighting, lost no time in accepting the offer; and seeing no necessity of incurring useless expense, dispensed with the services of the said *lattyals*. The indigo-planter, who still bore a grudge against the zemindars, embraced this opportunity, and privately employed a number of men preparatory to making an attack upon them. On the 16th of January, when his force was quite ready for the field—no less than 4 or 500 in number—the indigo-planter with them made an invasion upon the dwelling houses of the said zemindars. The men mal-treated the inmates without mercy, made free with everything they found there, consisting of money, jewellery, &c. This was not all, for a part of the premises of K and the houses of his tenants were set fire to, while some money, which was buried in the ground at the former place, was dug up and carried off.” *Ibid.*, February 27, 1840.

“The *Englishman* has published the following letter addressed to the Police Authorities, by order of the Governor-General, on first hearing of the engagement between two bodies of clubmen, in the vicinity of this town, three or four months back :

‘From the Secretary of the Government of Bengal to the Superintendent of Police, Fort William, 26th July 1848.

Sir,—I am directed by the Right Hon’ble the Governor of Bengal, to acknowledge the receipt of your letter No. 1665 of the 25th instant, reporting the occurrence of a serious affray in the neighbourhood of S——, in which two persons have been murdered, and which is supposed to have arisen out of the existing disputes between A and B, and to have been instigated and directed by these two parties respectively.

The Governor relies upon you to act in this case with the vigour and activity which is required by the occasion. His Lordship looks upon the case as one of serious importance, and he is anxious, that no exertions should be spared on the part of the

Police Authorities to punish not only the actors in the shameful outrage, but also the far more criminal authors and instigators of the crime.

You observe that you will not allow A's rank to interfere with criminal proceedings against him. It is the Governor's very confident expectation, that you will bear in mind, in all your measures arising out of this occurrence, that the law knows in its operation no distinction of rank, and if any difference is made by those whose duty it is to enforce the law against the evil-doers, the scale should rather turn against the man of rank, who, from better education and less temptations to crime, should be less inclined to commit it.

You will proceed, therefore, in this case with the utmost zeal and promptitude, and without respect to persons. If there be reason to suppose, that A or his rival have made themselves liable to be questioned at the bar of the Zillah Magistrate for their conduct in this case, you will take such measures, as the law will permit, for placing them personally at the Magistrate's bar, and for inflicting upon them the full measure of punishment, which their offences may have deserved.

The credit of your department is deeply involved in this, as in another case, upon which you have this day received instructions in searching out and convicting those, who have been guilty of barbarous and disgraceful outrage, and His Lordship's close interest and attention will be given in every step of your proceedings.

His Lordship observes, that no report of this case was submitted to Government until the 24th instant, though the occurrence took place in the vicinity of Calcutta on the 11th. This delay requires explanation, and it is His Lordship's desire, that as soon as you are yourself on the spot, to which, he cannot doubt, you will immediately have hastened, you will both use yourself, and express on the part of others a much more prompt and rapid system of report than seems to have been yet adopted.

You are required to furnish the local authorities with a copy of this letter, that they may become aware of the great interest,

which His Lordship takes in this case, and of the vigour and energy with which he expects it to be prosecuted.

(Sd.) F. J. Halliday,
Secy. to the Govt. of Bengal.

This communication is precisely that, which might have been expected to be issued by a Governor-General fresh from England, when he learnt that the landed gentry even in the neighbourhood of the metropolis, were in the habit of settling their disputes with each other, not by a resort to the Courts of Law, but by bringing two or three hundred clubmen together on either side, and fighting the matter out. There is nothing in the sentiments, or in the language of that document, which does not reflect great credit on the character of Government. It was the duty of the ruling power to embrace the first opportunity, which presented itself of affording its support to the Police Authorities in their endeavours to bring the instigators of these outrages to justice, and to provide for the peace and security of the district; and it was wise to create a general impression in the public mind, that the Governor-General took an especial interest in the suppression of these acts of violence, which had hitherto baffled the public officers of justice.

The failure of the attempt to bring home the outrage in the present instance to those, who were originally charged with it, does not, in the smallest degree, diminish the propriety of that communication. That the battle was fought by men, who had no mutual animosities to stimulate them, and that they were instigated, paid, and assembled by some of the landed proprietors who were at feud with each other, is of course perfectly known and acknowledged by all. The Hughli Court has decided, that the parties charged with instigating it, were not guilty of the crime, and they are, of course, entitled in the most ample degree to the benefit of this legal acquittal. But the fact remains uncontroverted, that the peace of the country is constantly disturbed, and the lives of men are constantly risked by the disputes among landholders; and the result of the trial only shows how insufficient our legal institutions are for the discovery and pun-

ishment of the real aggressors, and the necessity of some more stringent laws for the repression of these outrages. While the trial was in progress, the papers announced another large assemblage of two bodies of armed men in the next district by order of two landholders, and described the terror with which this armed affray had filled the neighbourhood. Had any act of violence been committed by them, there would have been precisely the same difficulty in tracing out that breach of the peace to its source, and convicting the real offenders, as there had been in the Hughli trial. We observed on a recent occasion, that considering the power and resources of the zemindars, the low state of morality in Bengal, and the variety of legal impediments; the conviction of any landholder, who may have instigated such outrages, is next to a miracle." *Ibid.*, August 1848.

"All the papers have alluded cursorily to the circumstance of a native Babu, who was before the Police in Calcutta the other day with some information against B, when he was captured by a summons from Serampur to give evidence in a case of murder.

The case slightly glanced at is one of those serious affrays unfortunately too common in the Lower Provinces of Bengal, but as it will serve to illustrate the state of native society among the higher classes in and around the metropolis, and the difficulty of maintaining a good Police, we shall venture to give some details of it. The affair was a pitched battle fought some days back at the village of———, not a hundred miles from Calcutta. Two men are ascertained to have been killed, and eleven wounded, but the people of the neighbourhood assert, that three or more, who were mortally wounded, were carried off by their party. There has, it seems, for some time past, been a mortal feud between one R in Calcutta and a certain zemindar, both well-known in society. Through some intricate transactions, which we need not recapitulate, their quarrel came to be decided at the village mentioned above. We have, before us, a very minute, and we believe, correct muster-roll of the chiefs on either side. R is said to have obtained the assistance of——— in

Calcutta, and of a certain Babu, who has figured more than once in the Reports of the Superintendent of Police, and at the sound of whose name every villager in the eastern part of Bengal trembles. The clubmen of these two native gentlemen, and also of certain other allies, were collected on the occasion. On the other side the zemindar assembled all his own force, and borrowed all the armed retainers of his friends, and on the evening in question between four and five hundred men came into collision, when the zemindar's men sustained a signal defeat. The spot where the engagement was fought affords eminent facilities for the transaction of men by water, and the Magistrate did not, therefore, hear of the gathering in time to prevent the catastrophe. The result of the enquiries of the Police we have already stated. This event, which is by no means uncommon, presents a very curious picture of the state of Bengal eighty-nine years after the battle Plassey. Here we have large bands of armed retainers, who are maintained simply with the view of enabling their masters to take the law into their own hands, marshalled in and about the metropolis, and despatched under proper leaders to maintain the quarrel of two rich natives in the village selected for the occasion. They move deliberately up to the scene of conflict, and an engagement takes place without any interference on the part of the Police, who were far too feeble to offer resistance. The partisan warfare is carried on not by rude and rough chieftains, who are anxious to maintain their hereditary independence, but by the delicate Babus in Bengal, by men who may be seen any day driving their elegant carriages through Calcutta. Here the public peace has been disturbed, the pursuits of industry have been interrupted, and injury of life and limb inflicted to a deplorable extent under the instigation of men, who sustain the highest position in society in Calcutta, who are on the Government House list, and receive tokens of distinction from the Governor-General in Public Durbar. Whilst such examples are set by the higher classes of society, how can we expect obedience to the law among the lower orders? May it not be said, that the peace of the district is at their mercy, and that the Police

acts only through their forbearance? The district of Hughli has long been remarkable for its affrays, but it will be found, that in numerous instances the infraction of the law is to be traced to those who ought to be foremost in supporting its dignity. Unfortunately owing to the great defect of our legal institutions, the real offenders can scarcely be reached by the arm of the law. They have an unbounded command of wealth and witnesses, the Magistrate, whatever his own conviction may be, cannot act in the face of evidence duly sworn to; and seldom can proof be obtained sufficient to bring home the guilt to those, who are at the bottom of these outrages. Recent decisions of the Supreme Court have, moreover, contributed in no small degree to paralyze the vigor of the Magistrates, who have the misfortune to be stationed in its vicinity. The great and the rich among the natives in Calcutta can at any time drag them before that Court for acts done in their Magisterial capacity. Their conduct is watched with the most zealous scrutiny, and they can never be certain, that they shall not be indicted and condemned to pay overwhelming costs in that tribunal for acts, which they and their predecessors have always been in the habit of considering legal and legitimate. All our laws, local as well as British, are against the vigorous pursuit of the criminals, who thus keep the country in a state of agitation, and destroy the peace of society. In the present instance, although the names of those whose instruments have committed this outrage, are universally known, and the strength and influence of the various parties who appeared in the field is the topic of general conversation, the upshot of the business will be the condemnation of half a dozen of the comparatively innocent subordinates, who were engaged in the affray, and the complete impunity of their employers, who will thus be encouraged to lay plans for another demonstration of their power." *Ibid.*, July, 27, 1848.

"The trial of R and his son and S at H——— for having instigated a conflict between two bands of *lattyals* or clubmen, which proved fatal to several, has terminated, as was expected, in their acquittal. It was found impossible to substantiate their par-

participation in the outrage, and they have obtained full legal absolution from the guilt and consequences of the transaction.

S, though he has had a fortunate escape on this trial, was, as we learn from a native paper, detained by the Magistrate to be forwarded to Furreedpur to answer for a similar charge in that district.

So far as these native gentlemen were supposed to be implicated in this breach of the peace, the enquiry has terminated in their favour, and there is nothing more to be said in reference to them. But it is manifest, that the four or five hundred clubmen, who were assembled in hostile array at the village, and who fought each other without any motive of personal hostility, must have been brought together through the agency of some men of wealth and influence. It is much to be regretted, therefore, that the Courts should not have been able to discover and punish the instigators of this outrage. The case has terminated without any advantageous result for the future peace of the district, and the impunity with which those who were really guilty, have escaped, is, we fear, likely to lead to a repetition of this partisan warfare. As regards the general tranquility of the country, it is to be deplored that Government has not been able as yet to devise any means by which it may be effectually secured from interruption by the feuds of the landholders, who are permitted to retain so large a body of armed men in their service, that the peace of a district appears to depend more on their forbearance than on the vigour of the civil power. The issue of any trial, that may be instituted to bring the alleged delinquents in such cases to justice, must necessarily depend on the weight of testimony, and the zemindars possess such vast resources of evidence, that the conviction of any of them would be little short of a miracle, yet it cannot but be the bounden duty of Government to maintain the peace of the districts inviolate, and the perpetual recurrence of these hostilities, by which the security of life and property is so fatally compromised, reflects great discredit on our institutions. The very existence of such bands of men, superior in number to the constabulary force of the State and ready at any moment to

turn out at the bidding of their employers, is an anomaly in our system. Might not some kind of registration of the *lattyals* be found beneficial?" *Ibid.*, November 30, 1848.

"An active and zealous Magistrate addressed a very able letter to the Superintendent of Police, in which he observes:— 'Thus a set of hireling or professional fighting men, generally strangers at the places where they may be employed, and so chosen, as to be less liable to recognition, are fostered, who from the weapons they use, and the practices they pursue, are thus trained to dacoity in broad day-light. For instance, numbers of the released prisoners, besides most of those who escaped seizure, are residents of Furreedpur and Pubna, and the more distant parts of this district. They call themselves *Chitteeburders*, take any kind of temporary employment, and from the immense number of persons thus temporarily employed at the different factories, and all kinds of tenure-holders, the district swarms with them. They are to be had in bodies of 5, 8, or 10 men, as the occasion may require, and are thus entered in the papers, which have been seized; *viz.*, so much to such, and such a Sirdar with his *burada-ree* of 5, 8, or 10 men.

The Magistrate's communication from which we have quoted, is filled with statements regarding the lawless proceedings of R and his cousin G, who employed large bodies of these clubmen to thwart each other. It was proved from the papers found in the Cutcherry of the latter, that from 150 to 200 men were thus kept in pay for months, that during this period of intestine war, villages were repeatedly plundered by the adherents of both parties, and that throughout the range of country they occupied, the Police Officers were worse than useless, and the whole population was for months completely at the mercy of these powerful and lawless zemindars.

The case of the notorious P, who appears to be the R of the Krishnagur district, affords another instance of the working of this system. In April last, he determined to prevent Mr.-----'s ryots fulfilling their contract, and sowing indigo in the villages, which the zemindar had sub-let to him, and he collected a large

body of armed retainers. In the meantime he went into the station to watch the progress of events. Mr. W sent information to the Magistrate of this dangerous and illegal assembly, and requested, that some officer might be deputed to ascertain the truth of the assertions. He resolved to repair to the spot himself, and in order to avoid any suspicion on the part of the zemindars, went unaccompanied with any of his Police Officers. We had better, however, give the narrative in the words of the principal witness.

‘On our arriving within a short distance of the first village, called B, we met some of the factory servants, and desired them to go forward towards the village to see if any of the *lattyals* would turn out against them. They approached the village, however, without any of them making their appearance. The Magistrate at this time had some conversation with some of the ryots of this village, and also with a respectable-looking native on his road from M. The Magistrate informed him who he was, and in his conversation with the ryots, they told him of their willingness to sow their lands with indigo, but that they had been forbid to do so by the talookdar. We then proceeded through the village when *lattyals* appeared. The Magistrate ordered the men who were with us to seize on them. One man was seized with a *latti* in his hand, and the Magistrate ordered that he should be brought along as a prisoner. We had not proceeded further than fifty yards with the prisoner, when a number of *lattyals* appeared issuing from the village, who pursued us with menacing attitudes. I then asked the Magistrate, if he was satisfied that the village contained armed men. He said that he was so, and to avoid their nearer approach, he proposed we should ride towards the factory, which lay before us at a distance of two or three miles. We rode on accordingly. Whilst doing so, I saw the *lattyals* rescue the prisoner, whilst others pursued us. We then approached the village of C, another village belonging to this talookdar, when bands of *lattyals* rushed out with menacing attitudes and abusive language. The Magistrate was nearest to the village, and I saw a number of the *lattyals* pursue him

with an avident intent of doing him bodily harm. which he escaped by urging on his horse. We succeeded in reaching the factory without having suffered any injury. Two Gomastahs, who had joined us, the one from D, and the other from E, were also attacked, but effected their escape in safety. On the arrival of the Magistrate at the factory, he sent immediately for the Darogah, who soon made his appearance. He was ordered to apprehend the head-servants of the talookdar, resident in the village. Shortly after his departure to execute this order, he sent information to the Magistrate, that in consequence of the large assemblage of armed men, he was afraid to approach them. On a reiteration of the same order, he apprehended two servants of the talookdar.'

The Magistrate, after investigating the case on the 4th of May, stated in his proceedings, that though the prisoners were at Krishnagur, that was no impediment to their issuing orders for the assemblage of the body of armed men, and that such an assemblage could only be got up by the order of the zemindars, and he therefore sentenced P and N to six months' imprisonment and a fine of 200 rupees. This sentence was confirmed by the Sessions Judge, but a representation having been made to the Nizamut Court, the proceedings were called for, and the Judge, finding no evidence to connect the zemindars with this riotous assembly, directed that they should be forthwith released.

The Magistrate, whose communication we have quoted very justly observes: 'With this report, I have been able to place before you illustrations regarding *lattyals* and their practices, which I trust are sufficient to remove all doubt regarding this body of men, whose conduct is so injurious to the well-being of a district, while their existence is a disgrace to the Police of so powerful a Government. But I am afraid, the system will never be rooted, until the employers are held responsible, as repeatedly proposed by my predecessors, and until a law is passed making the principals for whose benefit the assemblage takes place, liable to punishment.'" *Ibid.*, December 17, 1846.

“On the 27th of last month, we reported a daring outrage attended with loss of life in the neighbourhood of Pubna. We have been several days in possession of further particulars, but the arrival and departure of the mail compelled us to put off their publication. The factory which was plundered is called the S factory. The attack took place on the 14th and 15th of last month. At a few miles’ distance two native ladies reside, who hold some large zemindaries. Their servants have been notorious for years as the pests of the surrounding country. Some dispute had risen between them and Mr. K, who resides at the above named factory, with regard to lands of which he obtained possession by a legal decision; this disappointment induced them to seek revenge. On the 13th ultimo, they sent about a thousand men, who took possession of some neighbouring villages, threw forty or fifty boatloads of indigo-plant into the river, sunk all the boats, and took away one of the village Gomastahs, who had not since been heard of. On the following night, the 14th, they surrounded the house, and at the first rush killed one of the Burkundazes, and badly wounded the factory Jemadar. They then broke open the doors of a room, in which the cash was deposited, broke open the chest, and took away about fourteen hundred rupees. Mr. K was absent, but his wife and children were in the house, and, with some servants, succeeded in barricading the upper doors, and having a loaded gun, contrived to keep the ruffians at bay. About 10 o’clock in the morning, the Thanah Moherer happened to pass, and seeing such a number of men, came on shore, on which they walked away taking the dead body of the Burkundaz with them. Mrs. K then succeeded in sending off a message to the Magistrate and to her husband, who was forty miles from home at the time. The Magistrate arrived at about eight in the evening. On the following morning having been informed that another factory had been plundered, he proceeded in that direction, but had scarcely gone a quarter of a mile before he met the ruffians who began abusing him. He returned to the factory and took the Darogah, Amlah, and all the Police force, he had with him, and proceeded to disperse or arrest

the *lattyals*, who remained where he had seen them. He arrested some of them, when seeing that his force was not so strong as they had supposed, they attacked him, killed the Darogah by his side, wounded three of the Burkundazes badly, plundered the Amlah's boat and sank it, and would have killed the Magistrate himself, if he had not made off quickly. They then multiplied and carried off the dead body of the Darogah. A number of the women of the neighbouring villages ran into the factory for shelter, and remained there during the attack, making a dreadful cry, and it reflects no small credit on the lady of the house, that amidst the terrors of her guests, she preserved her own fortitude. Had it failed her, she and her children would in all probability have been murdered.

For the last ten days these people had been known as plunderers, and scarcely a planter in their vicinity had escaped extortion or violence from them.

It is stated, that the profits of the zemindaries, which support these plunderers, are about Rs. 40,000 a year, and as the ladies are childless, their revenue is employed in supporting a body of armed retainers. It is said also, that they have a friend at Court, who helps them through difficulties, and has amassed a large fortune by her influence over a well-known public officer.

The whole mischief may be summed up as follows:—

Two men murdered, one a public functionary. One man carried off unhurt and concealed, four badly wounded, much property carried off or destroyed, and two villages plundered. All this within a moderate distance of the capital of British India, in a country which has not seen a foreign foe for a century, and which ought to be as well governed and free from outrage as an English County." *A Correspondent of the Friend of India, August 10, 1848.*

"It is reported by the *Star*, that another affray has taken place in Pubna between the servants of two rich zemindars. The dispute arose out of a contested claim to an estate, and has

been attended with loss of life." *The Friend of India, September 14, 1848.*

"The *Hindoo Intelligencer* relates, that the people of C have been thrown into a state of great alarm by the quarrels of two rich zemindars of R, who have a band of about three hundred *lattyals* or clubmen each. No conflict has as yet taken place, as three or four Darogahs are on the spot, but in the meantime the *lattyals* amuse their leisure by the plunder of the passengers and the poor around. It is only by the accumulation of such facts as these, that the necessity of reforming and strengthening the Police of Bengal can be enforced on the attention of Government." *Ibid., November 9, 1848.*

"The *Hindoo Intelligencer* informs us, that no steps have been taken to put an end to the outrages perpetrated by the clubmen of the two zemindars of R, who have now been under arms for three weeks, and are incessantly occupied with plunder and spoliation." *Ibid., November 23, 1848.*

"The *Hindoo Intelligencer* reports, that the bands of *lattyals* belonging to the R zemindars have dispersed over the country in pursuance of the orders of the Magistrate, but this measure has done little service, as they have already committed several dacoities." *Ibid., December 7, 1848.*

"The zemindari Cutcherry of M in the district of Patna was recently entered by two hundred armed men (of a rival zemindar) who in the course of a few moments, burnt the place down, and carried off whatever was found there." *Ibid., February 27, 1840.*

"The concern of which the factory in question is a part, had been, during many years, in the hands of a gentleman of very respectable French connections. The junior partner of the concern sold his share of it to a planter of great experience in

indigo affairs, but who, being obliged to reside at Calcutta, allowed the sole management of the concern to remain *protempore* in the hands of the senior partner, who met with opposition in the course of prosecuting his cultivations in the village of A. He mustered a few of the servants of the concern with a view to save his property from spoliation believing, that the M—— people were meditating an attack on his factory or dwelling house. On seeing these preparations, they assembled a large gang of *lattyals*, and both parties were on their guard against any attacks that might be made. Things remained in this state for a few days, and there not appearing any immediate likelihood of an affray, although the *lattyals* of M—— and the servants of the factory endeavoured to provoke each other by abusive language to come to the scratch; to Court, it seems, both parties resorted by petitions. Things remained in this position, when the purchaser of the share of the concern before mentioned arrived at the factory, and being of a charitable disposition, he generously provided for a large body of paupers, it is said, to the number of 150 to 200, by giving them a monthly pittance for their support. Such an unusual display of benevolence was mistaken by the M—— people, and induced them to resort to their employers, whom they advised to lose no time to use the means of defending themselves against the meditated attack, as they imagined, of the body of *lattyals* the planter had collected, and was preparing for a battle by feeding them well. Letters were thereupon despatched in different directions to people in villages, where parties of mercenary fighting men were to be had for money, calling for immediate assistance. One of these missives was addressed to the Naib or Gomastah of P of Pergunnah S, who is stated to be at this moment engaged in hindering the cultivations of a concern called N; another was despatched to one G, who was engaged in opposing the aggressions of some persons on the cultivation connected with the concern of an opulent member of the Committee of the Planters' Association; a third letter was sent to the Naib of L, the *ijardar* of the proprietor or *malik* of a small estate, who is building a new factory or repairing an old abandoned

one in the neighbourhood of the F concern; a fourth was forwarded to O, Naib of Pergunnah M—, the property of the wealthiest zemindar in the district of—, *who is the terror of the people, and no less so of the Police.* The result of sending all these letters was, that a body of 250 of the most stout and desperate fighting characters was assembled, and posted in detached parties in the compounds of the residences of the M—people. Here they waited two days for orders to commence the battle; but the M—people finding that there was no apparent intention on the part of the planter to proceed to such extremities, as they had gratuitously anticipated, they betook themselves to discharging their hired bands by offering them small pecuniary gratuities, which they disdainfully rejected as entirely inadequate to their long established character. They left the M—people in displeasure, and heartening themselves by resorting to intoxicating drugs, or rather liquor, we conclude, they formed a determination to compensate themselves for their disappointment by turning out and plundering the first village, that came in their way. *Dictum-factum*, away they sallied into the field of operation, attacked the villages, one belonging to their very employers, plundered their ryots, and decamped with a large booty. This untoward affair furnished the M—people the grounds of turning their discomfiture to good account, by laying a false accusation in the Fouzdari Court against the planter, who was on the point of being placed in critical situation by the friendly officers of the Nazir of that Court in favour of his adversaries, because he was his relation, as well as by the Thanah Darogahs and a host of perjuring witnesses, who collectively laid the facts on the shoulders of the planter much to his disadvantage, and succeeded in compassing their nefarious object. The planter hastened to the Magistrate, who was fortunately in the interior at the time on duty, though at the distance of one day's journey, succeeded in laying bare the nature of the plot, that was formed against him by the M—people, and prevailed on him to visit the spot himself. He fortunately for the planter did so without any loss of time, and after a close investigation into the matter, ascertained, that

the case was mere fabrication, a conspiracy against the planter; and the *denouement* was, that several of the villains were punished." *A Correspondent of the Commercial Advertiser, March 4, 1840*, quoted in the *Friend of India, March 12, 1840*.

"We have extracted a communicated article from the *Calcutta Star* upon the late zemindari trial, which contains some curious items of information. 'Notwithstanding the check which zemindari *Lattyalism* has received from the late monster trial of R, we hear of a similar collision in arms between a zemindar residing at B and another at M in Zillah Hughli, for obtaining possession of a disputed talook. The sum that will be expended on both sides in bribes to Aulahs, witnesses, &c., will not fall short of at least five times the value of the property, which caused the warfare, add to this the guilt, which the zemindars incur in the eyes of God and man for having been the wilful instruments of the untimely death of three valuable human beings, and the amputation of arms or legs of ten more. We hear from a creditable source, that the sum expended in R's trial nearly amounted to eighty thousand rupees, a sum almost equal to eight times the value of the zemindari, the possession of which led to the affray. The world may judge how foolish and uncalculating our zemindar friends are.'" *The Friend of India, January 18, 1849*.

"A Correspondent of the *Englishman* declares, that another affray between two parties of clubmen has taken place at B——— and it is slightly hinted, that two well-known zemindars are implicated in the affair. These affrays have already attracted the attention of the Government, and it is to be hoped, that Lord Dalhousie will devise some plan for their suppression more efficacious than that at present resorted to." *Ibid., July 26, 1849*.

"A Correspondent of the *Englishman* states, that 'the inquiry instituted into the particulars of the affray at B——— which we mentioned last week, has terminated without any

conviction beyond that of the *lattyals* concerned. It is obvious, that the bazar was not plundered in mere wantonness, and it would perhaps be as well to enquire who benefited by this proceeding. B—— is not more than six miles from Government House, yet it has been found impossible, even though the utmost exertions of the Magistrate have been used, to convict a couple of zemindars, whom every man in the zillah knows to have been the moving-spirits in the transaction. In a former instance, the deliverance is said to have cost nearly Rs. 50,000, and the accused therefore paid in money at least for the slaughter caused by his servants; but in the present instance there has not been even the penalty of law expenses." *Ibid.*, August 1849.

"The subject was brought under the special notice of the Superintendent of Police by a fatal affray, which took place in the district of Jessore last year between the agents of a respectable farm and a native zemindar. The agents held a farm of a ten-anna share of an estate in the district, and wished to sow some of the lands with indigo, which the agent of the six-anna share was resolved to resist. Both parties prepared to carry out their wishes by force, and mustered their *lattyals* or armed retainers. The preparations for this breach of laws was made with such deliberation, that information was given to the Police Authorities some days before of the probability of an affray. As soon as Messrs. C, G, and Co.'s men began to plough, the opposite party attacked them, and a general engagement ensued. The men from the indigo factory being armed with fire-arms, put their opponents to flight, after having killed one man and wounded another. Unfortunately through some mismanagement of the case, the parties in this nefarious affair were released and escaped with impunity. The principal aggressor or rather instrument was acquitted; and in the present state of the law, the instigators could not be reached.

Though this affray occurred last year, it has only just been brought fully under the public notice by the publication of the Report, and as this system is still in full operation, the subject is

one of deep and painful interest. That society should be in such a state, as to allow the occurrence of such scenes within a hundred miles of the metropolis, nearly a century after the battle of Plassey, is not only very extraordinary, but reflects the highest discredit on our institutions.... There are few indigo factories not provided with a body of armed retainers ready to take the field at the command of their masters, whose salt they may happen for the time to be eating, and few zemindars, who have not a similar brigade of clubmen. If any dispute arise between these classes, it is not referred to the constituted authorities, but settled by the strength and sinews of their respective retainers. But the *lattyals* are not exclusively employed in deciding the disputes between zemindars and indigo-planters. The zemindar frequently employs his force to coerce a neighbouring landlord, and the lawless bands at the factories are often employed in the aggressions made by one planter on another. It appears scarcely credible, though an actual fact, that in those districts which have been longest under our dominion, and in which our political authority is most thoroughly established, the power of the laws is weakest, and the spirit of lawless violence most prevalent and successful. A larger body of armed men is retained by private individuals to commit breaches of the peace, than the constabulary force paid by the State to maintain it. The public authorities are openly set at defiance. The first object of all Government, that of establishing the supremacy of law, is defeated; and those districts in Bengal, which contribute most largely to the production of indigo, are in such a state of disorganization from this cause, as would have been considered disgraceful under a Mahomedan Government, and held up to view as the most incontrovertible evidence of its imbecility and viciousness. It is no hyperbole to affirm, that the power of Government is most distinctly recognized and felt in the Jullundar Dooab than in the district of Jessore.

It appears rather to be on the increase, as we find Mr. Dampier 'particularly regretting to observe, that the practice of providing *lattyals* or clubmen with fire-arms is becoming more

common. So great is the demoralization, which this system spreads through all classes of the natives by the constant exhibition of lawless violence, by the abeyance of law and equity, and the too frequent triumph of force and tyranny, that the hope of social, moral, or intellectual improvement in the districts in which it prevails, is faint indeed. These armed retainers are the ready instruments of oppression in the hands of their employers, and thousands of deeds of darkness and cruelty are perpetrated by them, which never reach the ear of the Magistrate. One of the most pressing duties of Government is the suppression of these companies by the most energetic measures. They should be immediately and imperatively disbanded under heavy penalties, and in every instance in which an affray or outrage is committed by them, the real principals, their employers, whether Native or European, should be visited with signal punishment. At present those who are the real cause of these sanguinary conflicts, are suffered to escape, while their instruments alone are brought before the Courts, and too often escape from the difficulty of securing a conviction." *Ibid.*, October 22, 1846. •

"A variety of papers, statements, and petitions, have just been published, the object of which is to prove that the Judge of Jessore has forbidden the celebration of the Churruck Poojah throughout his district. Interference with the religion of any party is, of course, highly objectionable, and even the abominations of the swinging festival may possibly be brought under that denomination, but we imagine in this case it will be found, that the punishment inflicted on the Naib was not for swinging himself (which is, of course, a matter he never attempted) but for compelling others to do so. *In almost all places, the custom is now kept up by actual compulsion on the part of the zemindars.* In Serampur at the last celebration, a desperate attempt was made to frighten three husbandmen into the performance of the ceremony, and one of the men received a severe wound on his head for his resistance. Whatever may be the right of official functionaries to interfere with Hindoo ceremonies, it is undoubt-

edly their duty to prevent torture or compulsion of any kind, and this Mr. James has endeavoured to effect." *Ibid.*, July 20th, 1849.

"A Correspondent of the *Englishman* gives the following instance of the eternal quarrels between the zemindars and planters, which seem to extend even beyond the grave:—'In performing the last sad offices to our poor friend Russel's remains at S——, we were much annoyed by the zemindar. This worthy would not allow a grave to be dug, although an European had before been buried on the spot, and *his influence was so effectually used, that the ryots refused to sell planks, although lots in the village.* We were ultimately obliged to use the doors, and bury him in the compound. The object, of course, was to extort money. So much for being loved by the natives, which they say, he was.'" *Ibid.*, May 24, 1849.

"As frequently happens in some parts of Bengal, the ryots and tenure-holders of a certain village and its neighbourhood were divided into two parties, the one consisting of the partisans and adherents of the ——, —— shareholder of the zemindari, or —— zemindar as he was termed, and the other of those of the Ghoses, the——zemindars. One Asan and his brother Manik, who lived in one homestead and held under the Ghoses, had a quarrel with one Kalidas, a substantial ryot on the——'s side, relative to the common boundary between their respective plots of ground; and some effort had been made by the——'s people to make Asan give up his *jote* to Kalidas, or to enter into *zemma* relations with the——. Nothing, however, came of this for many months, until one morning early four or five *lattyals* of the——'s party came to Asan's homestead on some vaguely explained errand. Most of Asan's neighbours were, like himself, adherents of the Ghoses but one or two, and among these a man called Kafi Mahomed, whose *bari* (house) was only two or three hundred yards distant from that of Asan, belonged to the——'s faction. The *lattyals* apparently not succeeding at once in their

mission to Asan, retired for a time to the *bari* of their friend, Kafi Mahomed, sending meanwhile a message to the——'s Cutcherry. Two or three hours passed. Asan and his brother Manik, having taken their mid-day meal, were resting in their *bari*, when suddenly an uproar occurred—four or five men rushed in to seize Asan and Manik, who then found that some 100 or 150 men had come up to the assistance of the *lattyals* of the morning, and were approaching in force from the south side to the attack of the *bari*. The brothers attempted to escape, and Manik was fortunate enough to get away on the north; but Asan was laid hold of by the men, and was carried off in triumph to the main-body of the assistants, who were collected in a *bangla* running east and west on the south side of the *bari*. Manik then came up with some of the Ghoses' party, whom he had hurriedly collected, and, seeing his brother a prisoner in the hands of the enemy, rushed forward to save him. He was, however, almost immediately speared by two men in succession. On this Asan got free and laid hold of one of them, but was beaten off, himself receiving a slight spear-wound in his head. On Manik's falling, the cry was raised that a man had been killed, and as is usual on such occasions, the attacking party fled. Manik died a few minutes after he was stabbed, and thus ended the conflict as suddenly as it had begun." *The Calcutta Review*, vol. LIX., p. 356.

Sir George Campbell in his Administration Report, 1871-72, observes:—"It has been said that in Bengal the rich and powerful have been less restrained, and the poor less protected than in other provinces, and up to that time this was so in the most literal sense of the word. There was in the interior of Bengal a lawlessness and high-handed defiance of authority by people, who took the law into their own hands by open violence, which would not have been tolerated for a moment in any other part of India."

"In the middle of the year (1876) there was a serious case of affray in the district of Jessore. One of the——zemindars

was implicated, convicted, and fined Rs. 500. The defendant appealed to the High Court, which has upheld the judgment of the Sessions Judge. In passing their judgment, Justices Jackson and McDonnell quote the following observations of the late Justice Norman: 'Where riot and bloodshed take place as the result of a stand up fight between the partisans of two rival zemindars; where, as is too often the case, and as the Magistrate has found was the case here, *lattyals* are employed on both sides, there can be little or no doubt, that the riot is, if not for the benefit of, at least mainly instigated by, the zemindars or their agents.' In these observations Justices Jackson and McDonnell concur. The Judges are right." *The Hindoo Patriot, February 12, 1877.*

"The following sent to us by a correspondent, who says he has made careful inquiry into the matter, seems to require official investigation. We cannot ourselves vouch for the facts, and we, therefore, suppress the number, which professes to fix the charge:—

'A case of very serious outrage, assault, and wholesale *looting* of property, committed upon a number of villagers by a zemindar's Naib in an estate registered as Lot No.—in the—, is now under investigation by the local Police by order of the Deputy Magistrate of—, who happened to be in his circuit in that quarter, and was an eye-witness, if not of everything, at least of the result of the violent and inhuman assault. Lot No.—appertains to the—Sub-division of the 24-Pergunnahs. It appears that the Naib owed a grudge to a Gomastah or Superintendent of one of the *Chouks* (sub-let portions) belonging to the lot, arising from some civil suits carried on between them for sometime past, in which the latter was a winner upon good evidence as fighting for the just rights of the ryots under his charge. Several false criminal charges instituted by the Naib against the *chouk* Superintendent after the termination of the civil suits, also fell to the ground. The animosity, or rather the feeling of revenge, on the part of the zemindar's Naib, became the more

intense, and found vent in the following atrocious deed. About a hundred *lattyals* entered a few days ago the little village whereof the ryots and the *chouk* superintendent had offended the dignity of the zemindar's Naib, robbed the poor people of everything they had an earth—metallic plates, beds, the ragged winter coverings, and, of course, all that was found in the shape of ready money. A more wretched state, we learn, can scarcely be imagined than that to which the villagers are reduced. Some idea can be formed of the nature of the assault committed from the fact, that several had their heads broken, and that when the Deputy Magistrate arrived at the spot, he assisted in person in applying cold water on the head of a person weltering in blood in a senseless state. That speaks much for the Deputy Magistrate's humanity, but unfortunately, in the face of strong evidence as to who were the perpetrators of this barbarous and lawless outrage, he quietly ordered an investigation of the case by the local Police for a report of the result to him in due course. Very little hope is entertained by the sufferers of any relief coming to, or any punishment ever reaching the offenders from the step taken by the Deputy Magistrate. The measure adopted is considered by the people concerned as simply ridiculous, and for reasons which few readers need to be reminded of. To the depredations already enumerated, the setting fire to the hut or huts of a poor family remained to be added. Some stringent measures, it is hoped, will be taken without delay to bring the culprits to punishment, and, if possible, some kind of relief to the friendless victims of proverbial zemindari rapacity and cruelty.'” *The Indian Daily News, January 9, 1877.*

“We would venture to invite the special attention of the Local Government to the case of illegal imprisonment of a ryot and of armed resistance to his release by a party sent out for the purpose by a Magistrate, which is reported to have recently occurred in the—Sub-division of the Backergunge district. The Magistrate's personal servant is said to have been killed in his attempt to release the prisoner, when the Police, who had been

specially charged with that duty, fled at the show of resistance made by the zemindar's *luttials*." *The Indian Mirror*, March 9, 1878. (See *The Disputes between the Zemindars and the Ryots*.)

The Increased Value of Land is Due to the Labour of the Ryot, and not to the Expenditure of Capital by the Zemindar.

We have already said, that there is a strong desire in the minds of the zemindars to appear before the public and the Government as philanthropists. No one will deny, that cultivation has increased since the Permanent Settlement, and that thereby the value of land has also increased. Although the noble expectations built upon them by the father of that settlement have been utterly disappointed, yet they boldly come forward to take upon themselves the credit, that it is due to their expenditure of capital. We shall enumerate one by one the several causes, that stand in their way of making improvements of their estates.

Firstly.—By the cursed sub-letting system, almost all large zemindars have let out their estates, thereby reducing themselves to the position of annuitants, and have no concern with them except that of receiving the permanently fixed jumma. They have, by that course, given up all hope of sharing in the increased value of land. Is there any such fool in this world, who lays out capital, and expects nothing in return? And making improvements of the estates from charitable purposes is out of the question. They will waste away tens and hundreds of thousands of rupees in their sons and daughters' marriages, nautches, and so forth, but they will not lay out a single rupee for making improvements of their estates.

Secondly.—The division and sub-division of an estate among a numerous co-sharers are also one of the greatest obstacles, that stand in the way of improvement. Any one who is acquainted with the feelings towards each other amongst them, will easily perceive, that it is vain to expect them to work together and to do anything for improving the condition of the ryots. To throw light upon this point, we crave the permission of our readers to quote the following lines from the Administration Report of

Bengal for the Year 1872-73, p. 40. "Another subject of importance has also been recently under the consideration of Government, in connection with the rent disputes and the many social and political difficulties resulting from the way in which land is now held in Bengal. It was brought to the notice of Government that, as a consequence of the practice of sub-dividing and sub-letting, each tenant had now very commonly to pay his rent to 'two or many more than two masters.' The hardships and harassments to which the practice of shareholders collecting separately subjects the tenant, had also frequently come under His Honor's observation in different shapes, and, as has been noticed, a case of the kind was one of the principal causes of the *Pubna* disturbances. The Lieutenant-Governor has repeatedly observed how nearly impossible it is for landholders to do their duty when their estates are split up among so many undivided and over-lapping interests. The Lieutenant-Governor, therefore, requested the Board of Revenue to consider whether some remedy should not be applied by legislation, and suggested the possibility of reverting to the rule of the Permanent Settlement, under which the proprietors of a joint undivided estate were required to elect a manager, who should have the exclusive management of their lands during the continuance of his appointment. On this the Board consulted the Commissioners and Local Officers, who were 'very unanimous in deploring the evils and hardships of the present system'; but they were not generally hopeful as to the probable result of the remedy proposed, or of any other remedy."

Now suppose that one of these co-sharers is really anxious for making improvements of the estate. But what he can do, while the others are opposed to him? It is impossible to expect, that he will lay out the whole capital required for making such improvements from his own pocket, and appropriate the whole profit arising therefrom to the exclusion of them. If any one dares act in this way, he is sure to pick out fresh quarrels with them.

Thirdly.—Almost every rice-field throughout Bengal is a very large one, and consequently owned by several zemindars. Their hostile feelings towards each other in consequence of boundary disputes are too strong for them to work together for bettering the condition of the ryots. Instead of making improvements of the estates, they often quarrel with each other. They will waste away thousands of rupees in keeping or hiring *lattyals* to fight each other for a few yards of land, and stand sinners before God and man by killing their brothers, shedding their blood, and committing thousand other atrocities, but they will be the last men in the world to lay out a single rupee for making improvements of their estates.

Fourthly.—The sole object of the Putneedars, Dur-putneedars, Se-putneedars, &c., is nothing but to squeeze the life-blood out of the ryots. Even before they purchase their estates, they devise the best means for enhancing the rents of the cultivators. Far from having any knowledge of the conditions of the Permanent Settlement, they do not know even the name of the father of that settlement. They look upon their estates as the goose giving them golden eggs every day. They never dream of laying out capital for making improvements of their estates, and bettering the condition of their ryots.

Fifthly.—The most powerful of all causes, that operate injuriously upon the zemindars, is their luxury. They are so fond of it, that even the vast annual income bequeathed them by their ancestors not unoften falls short of meeting its demands. Thus the money, which should be spent in making improvements of the estates, is wasted away in luxury. Another baneful influence, which it exercises, upon them, is to make their constitution too delicate for taking any trouble consequent on good management of their estates. Accustomed from infancy to live idly and luxuriously, and to walk in their compounds, it is vain to expect, that they should take the trouble of making enquiries into the condition of the ryots and into other circumstances of a like nature, and superintend the construction of roads, embankments, and other works of public utility.

Sixthly.—The ignorance of the zemindars is not the least obstacle in the way of improvement. They always think, that the more they are dreaded by the ryots, the better for them. This prejudice operates so injuriously upon their minds, that they do not at all shrink from ruling their little kingdoms with iron sceptre—from trampling them down under their feet. We are afraid, we may be discredited when we state, that there are too many zemindars in Bengal, who look upon the advancement and prosperity of the ryots as opposed to their interests. Their jealousy of imparting education to them is notorious. Consequently it is vain to expect improvements from those, who cherish such thoughts in their minds. Again when we think of their knowledge of their estates—of the condition of the ryots, agriculture, their extent, and so forth—we are not at all surprised, that they do not return a single rupee to the land from which their vast income is derived. Most zemindars have never seen their estates; while those who make a tour through them, do so with the sole object of enjoying pleasures and filling their pockets. However we must admit that there are a few zemindars, who first lay out capital in cutting khals, making embankments, and in other works of a like nature, but as soon as they are completed, they exact at least double the expense from the cultivators. So strictly speaking they cannot be said to do anything for improving their condition. Thus from whatever point we view this subject, we cannot but come to the conclusion, that the increased value of land is not due to the expenditure of capital by the zemindar. We shall prove, that it is due to the labour of the ryot. We need not make any further remarks; we have only to place before our readers the following passages in support of them.

One of the numerous evils attending the Permanent Settlement is, that “while the land itself is constantly increasing in value, we have no corresponding contribution from that increase in aiding to defray our public expenditure. If the land in olden times, when the soil was cultivated in the rudest manner, was able to maintain its poor and defray all the expenses of State, ordinary and extraordinary, why should it not do as much now, with all

our improvements in sciences and arts, and our vast and varied experience of the capabilities of our soil and climate? To this it will, no doubt, be answered, that the population of the country has largely increased since the period referred to. It is forgotten, however, by those who put forward this plea, that the value of land has increased in quite as great a ratio as the population; that the land has derived additional value from this increase of population, and is now quite as able as it ever was to meet all the demands that may be made upon it. It may be alleged, indeed, that this increase is due to the enterprise of the landlords. This is not the case, however. Increased value is, no doubt, given to land by the security of property given by the British administration in India; by the increased facilities of communication, such as, roads, canals, &c., constructed and maintained at the expense of Government; by railways guaranteed by its faith; and lastly and above all, by the labour and exertions of the ryots, and not by the expenditure of capital by the zemindars.

Whatever, in fact, increases the fertility of the soil on the one hand, or decreases the cost of production on the other, proportionately increases the value of the land. It is population, with its necessities, which in the first instance gives land its value. In the earliest stages of society a few wandering tribes occupy a large territory, and land is almost valueless. As population increases, land is more appreciated, and flocks and herds supersede the less useful animals of the chase. After a further increase of the population, and when cultivation has been resorted to, a new and distinct value is given to the land. It is evident, therefore, that population is the source of all value in land. Without population there can be no market for agricultural produce, and without a market, the produce and the land from which it is raised, are alike valueless. The further removed the land is from a market, the less is its value; the nearer and better the market, the more valuable the land.

In the Western States of America, land is cheap and population sparse; as you proceed towards the sea-board, population becomes denser, and land more valuable. In Australia, it is said,

land near centres of population is let as high as 7s. 10s. and even 20s. an acre, the tenant fencing and clearing the land, and making all the necessary arrangements; while equally good land is, in the interior, but at a distance from the market, let as low as two pence and three pence an acre. Hence it is clear, that population gives value to the land. The land-owner, in fact, need not spend a shilling on improvements. He may neglect his property; he may lose sight of it altogether; he may be an absentee; still its value goes on increasing, if population settle in the neighbourhood, and he will ultimately reap the benefit of this increase through no effort of his own. It is evident, therefore, that if the land belonged to the State instead of to private individuals, income and expenditure would be self-adjusting, increased expenditure caused by increased population would be met by a corresponding increase in the rents from land. By a wise and benevolent adaptation of nature, the land is really capable of meeting all the demands, that society enlarged and elevated may make upon it. The rule is, the greater the demand, the greater the supply. As in nature, the greater the evaporation, the more copious is the downfall, the heavier the crop (so long as it is not carried off the ground) the more is the fertilizing power of the soil increased. In the tropics, where vegetation is most luxuriant, the soil is the richest, every successive crop having only served to increase its fertility. As the plant by its roots takes up food from the soil, and by its leaves from the atmosphere, so manufactures enrich a country as well as agriculture. Agriculture extracts wealth from the soil, but with manufactures an accession of population becomes necessary, and then a new source of wealth is added to that already in existence, and both help to enrich the soil that supports them.

Another evil resulting from our land system is the stagnation of agriculture. No one can say that agriculture in India is in a satisfactory condition at the present day. The evil effects of this stagnation in agriculture it is impossible to over-estimate. We know the effect of a bad harvest, as it comes home to the experience of every one. It raises the price of food beyond the reach

of the poor; it throws millions of people on the charity of Government; it drains its treasury and thereby injures national credit; it opens the door to further taxation; it checks enterprise; it reduces the price of labour; it puts to death lakhs of human beings; it spreads desolation and ruin over vast tracts of land; it fills the arable lands with jungles. A good harvest, on the other hand, means cheap food, cheap money, new enterprises, increased demand for labour and higher wages. If these are the ordinary results of a single harvest, good or bad, it is easy to imagine the consequences, that would follow a succession of each, in other words, from a permanent increase or decrease of the means of subsistence. There is no want of land in India; there are hundreds of millions of acres under cultivation, while at least one-third thereof is now lying waste; again there is no want of able-bodied men for bringing them under cultivation. It is the want of capital—it is the exactions of the Zemindars, Malguzars, and Talookdars, as well as of the Government—which is the real cause of this stagnation in agriculture, and the greatest obstacle to increased produce of the soil. Just imagine the wealth, that all the labour now going to waste might create! What if increased production leads to low prices? Are we to keep down production in order to keep up prices? Is it nothing, that the standard of living throughout the country would be raised, and that the means of subsistence would be within the reach of millions, who can now barely keep their body and soul together? And would not cheap food, which is so essential to cheap production, enable us to stimulate manufacturing industry, which is now gradually decaying in this country?

So long as the existing zemindari system is maintained intact, we cannot believe, we are in our proper position as a people, while we allow a large part of our population to starve, our resources to be wasted, and the land, which should contribute to the wealth of the country, mis-appropriated in the manner as it is at this moment. Unlike an ordinary commodity, it cannot be increased in quantity at pleasure. Its ownership is a monopoly. We pride ourselves on being a people subject to one of

the most civilized and enlightened nations in the world, but we submit to an absolutism on the part of the land-owners, which is a disgrace to our civilization. A land-owner in Bengal is endowed with far more than sovereign power. A sovereign reigns for the good of his people, a land-owner for his own pleasure and profit. The public may concern themselves much about the rights of property, but the owners of property need not give themselves the slightest trouble about the interests of the public. Blackstone says that 'every Englishman (we say not only every Englishman but every man) may claim a right to abide in his own country so long as he pleases, and not be driven from it, except by sentence of the law,' but times have changed since Blackstone's days. The land-owner is the man in possession, and possession is nine-tenths of the law. The land is his, and he may do exactly as he likes with it. He may refuse to sell, let, or allow any one to occupy it. He may consign a whole district to the solitude of a deer forest. He may clear a large territory of its population as he would exterminate vermin, when they become troublesome. Fifteen thousand souls, without respect to age, sex, or condition, and for no fault of their own, were turned out of the Southerland estates in the early part of the present century. And this barbarity was committed in open day, and in the name of law. In Bengal thousands of ryots are turned every year out of their holdings for no other fault than that of their being unwilling to pay increased rents. Those, who deny these facts, have no knowledge of the mofussil. But if one land-owner can act in this manner, why not all; and since all the land is owned by some one or other, where are we to draw the line? And if landlords have, as they maintain, legal right to do so, it is clear, that the people of Bengal, Central Provinces, and elsewhere, exist merely on the sufferance of the landowners, who are truly masters of the situation; that as a nation we have no *locus standi*, no common inheritance, no territorial rights whatever." *The Westminster Review*, vol. XXXVIII. Art. 'The Land Question in England,' with a few necessary alterations, omissions, and additions.

Regulation I., 1793, section 7 says:—"It is well-known to

zemindars independent talookdars, and other actual proprietors of land, as well as to the inhabitants of Bengal, Behar, and Orissa, in general, that from the earliest times until the present period, the public assessment upon the land has never been fixed, but that according to established usage and custom, the rulers of these Provinces have, from time to time, demanded an increase of assessment from the proprietors of land, and that for the purpose of obtaining this increase, not only frequent investigations have been made to ascertain the actual produce of their estates, but that it has been the practice to deprive them of the management of their lands, and either to let them in farm, or to appoint officers on the part of Government to collect the assessment immediately from the ryots. The Honourable Court of Directors, considering these usages and measures to be detrimental to the prosperity of the country, have, with a view to promote the future ease and happiness of the people, authorized the foregoing declarations; and the zemindars, independent talookdars, and other actual proprietors of land, with or on behalf of whom, a settlement has been, or may be, concluded, are to consider these orders fixing the amount of the assessment as irrevocable, and not liable to alteration by any persons, whom the Court of Directors may hereafter appoint to the administration of their affairs in this country." *Marshman's Guide to the Revenue Regulations*, vol I., p. 3.

"The Governor-General in Council trusts that the proprietors of land, sensible of the benefits conferred upon them by the public assessment being fixed for ever, will exert themselves in the cultivation of their lands under the certainty, that they will enjoy exclusively the fruits of their own good management and industry, and that no demand will ever be made upon them, or their heirs, or successors, by the present or any future Government, for an augmentation of the public assessment, in consequence of the improvement of their respective estates." *Ibid.*, p. 4.

"To discharge the revenues at the stipulated periods without delay or evasion, and to conduct themselves with good faith and moderation towards their dependent talookdars and ryots, are duties at all times indispensably required from the proprietors of

land, and a strict observance of those duties is now more than ever incumbent upon them, in return for the benefits, which they will themselves derive from the orders now issued. The Governor-General in Council, therefore, expects that the proprietors of the land will not only act in this manner themselves towards their dependent talookdars and ryots, but also enjoin the strictest adherence to the same principles in the persons, whom they may appoint to collect rents from them." *Ibid.*

Regulation II. of 1793 says:—"In the British territories in Bengal, the greater part of the materials required for the numerous valuable manufactures, and most of the other principal articles of export, are the produce of the land; it follows that the commerce, and consequently the wealth of the country, must increase in proportion to the extension of its agriculture. But it is not for commercial purposes alone, that the encouragement of agriculture is essential to the wealth of these provinces. The Hindoos, who form the body of the people, are compelled by the dictates of religion to depend solely on the produce of the lands for subsistence....The extensive failure or destruction of the crops, that occasionally arises from drought or inundation, is, in consequence, invariably followed by famine, the ravages of which are felt chiefly by the cultivators of the soil and the manufacturers, from whose labours the country derives both its subsistence and wealth. Experience having evinced that adequate supplies of grain are not obtainable from abroad in seasons of scarcity, the country must necessarily continue subject to these calamities until the proprietors and cultivators of the lands shall have the means of increasing the number of the reservoirs, embankments, and other artificial works, by which to a great degree the untimely cessation of the periodical rains may be provided against, and the lands protected from inundation; and, as a necessary consequence the stock of grain in the country at large shall always be sufficient to supply those occasional but less extensive deficiencies in the annual produce, which may be expected to occur, notwithstanding the adoption of the above precaution to obviate them. To effect these improvements in agriculture, which must necessa-

rily be followed by the increase of every article of produce, has accordingly been one of the primary objects to which the attention of the British Administration has been directed in its arrangements for the internal Government of these provinces. As being the two fundamental measures essential to the attainment of it, the property in the soil has been declared to be vested in the landholders, and the revenue payable to Government from each estate has been fixed for ever. These measures have at once rendered it the interest of the proprietors to improve their estates, and given them the means of raising the funds necessary for that purpose. The property in the soil was never before formally declared to be vested in the landholders, nor were they allowed to transfer such rights as they did possess, or raise money upon the credit of their tenures, without the previous sanction of Government." Quoted in *Mr. J. Hector's Land and Railways in India*, p. 13.

"We know also, that in Bengal the zemindars are under an obligation, which was included in their original engagements, and in the settlement of the rent of their estates, to keep in repair the roads within their respective properties...The duty of maintaining the numberless smaller embankments was placed on the zemindars, when the Permanent Settlement was formed—a deduction having been made from the jumma to meet the expense." *The Calcutta Review*, vol. VIX., p. 464.

That the zemindars have utterly disappointed the noble expectations built upon them, will appear from the following extracts.

"The system of sub-ifeudation and sub-division of joint interests, accompanied by severalty of right, prevails universally throughout Bengal. One result of this is a condition of complexity of landed interests, which is probably without a parallel elsewhere. And a still more serious consequence is, that the so-called owner of the land has the least possible motive for doing anything to benefit it. It will be seen that the rent paid by the cultivator for the use of the soil does not go to one person bearing the character of an English landlord, but is distributed among a series

of owners, namely, the middle tenure-holders with the revenue-paying zemindar at their head, each independent of the others, and each, probably, consisting of several persons with independent rights among themselves. Why should one shareholder out of this lot advance money for improvement, the advantage of which, if any, will be shared in by many others over whom he has no control or influence to a greater extent than by himself ?” *Ibid.*, vol. LIX., p. 368.

“I fear that there are very few instances of the zemindars laying out capital in that way (in making improvements of their estates); the great improvements in the country take place from the junction of the ryots in different labours, at least I have seen them making bunds across rivers, sinking wells, making water-courses from tanks or collections of water, and undertaking many important works of that kind.” *Henry Newnham, Esq. Answer to Question 2737. Minutes of Evidence, Revenue, Commons, 1832.*

“I believe it (improvement of land) is chiefly to be ascribed to the labour of the cultivators, and without any assistance from the zemindars.” *Holt Mckenzie. Ibid. 2933. Ibid.*

“If the zemindars or their farmers were in the habit of laying out capital for the improvement of their lands, it would be an object to retain them; such a zemindar would pay his revenue, and would not run a chance of being ousted; but how few zemindars lay out the smallest sum in this manner, how few farmers? The farmers, and indeed the zemindars too, generally collect as much as they possibly can, they make a very high nominal rent-roll, and then collect as near as they can to the amount; but it is almost always impossible to collect the whole, and their ryots are thus always in their debt, though the balances are nominal.” *Welby Jackson, Esq., Commissioner of Murshedabad. Papers Regarding the Consequences to Under-tenure of the Sale of an Estate for Arrears of Revenue, p. 40.*

The Friend of India, September 11, 1856, in reviewing ‘The Land Tenure of British India’ by F. Horsley Robinson says:—“Mr. Robinson has very little respect for any opposition

to be raised by the zemindars. He tells them to beware lest they drive Government to consider how far their deliberate neglect of the implied contract to protect their tenantry, vitiates that contract itself, and with it the obligation to maintain the Perpetual Settlement. The menace is useless, until the people of England thoroughly understand the system. When they do, the rights of the zemindar will be as inviolable as those of the Jamaica slave-holder, and no more."

"It was stated in 1830 in Parliamentary evidence, that one-third of Bengal was in a cultivated, one-third in an uncultivated, and one-third in an intermediate, state. Cultivation may have since increased, but it is to be attributed more to the exertions of the ryots than those of the zemindars. If the ryots had not been oppressed, wrung, and ground down, many a jungle now teeming with ferocious beasts would have been converted into a scene of smiling plenty, and the country would have gained in prosperity and happiness." *The Calcutta Review*, vol. VI., p. 338.

C. H. T. Crosthwaite, C. S., says:—"The cultivators have openly expressed to me their disgust at the way we have abandoned them to the zemindar. 'Your settlement is no settlement for us,' they say, and it is the truth. It is notorious that discontent on this point prevails certainly among one very numerous class of our subjects. I have seen a good many districts in the North West, and it has been my fate to plod laboriously over hundreds of estates, I cannot call to mind a single instance in which one of these capitalist landlords did anything to improve his estate or better his tenantry. What the money-lender understands by improving his estate is increasing the rental. That he is very willing and ready to do by every means in his power.

There are, I think, few of the larger landlords, who ever give five rupees to a dispensary or a memorial, who do not amply recoup themselves for the unwonted generosity by taxing their tenants. Anything openly imposed by Government whether

income or cess—whether imperial or local taxation—is invariably collected, perhaps, two-fold from the tenants, if they are not strong enough to resist.” *Ibid.*, vol. LVI., p. 70.

“The truth is that any very general improvement of land by the landlords, is hardly compatible... Were they ever so much inclined (to make improvements), those alone can prudently do it, who have seriously studied the principles of scientific agriculture; and great landlords have seldom seriously studied anything. They might at least hold out inducements to the farmers to do what they will not or cannot do themselves; and even in granting leases, it is in England a general complaint, that they tie up their tenants by covenants grounded on the practices of an obsolete and exploded agriculture; while most of them, by withholding leases altogether, and giving the farmer no guarantee of possession beyond a single harvest, keep the land on a footing little more favourable to improvement than in the time of our barbarous ancestors. Landed property in England is thus very far from completely fulfilling the conditions, which render its existence economically justifiable. But if insufficiently realized even in England, in Ireland those conditions are not complied with at all. With individual exceptions (some of them very honourable ones) the owners of Irish estates do nothing for the land but drain it of its produce. What has been epigrammatically said in the discussions on ‘peculiar burdens’ is literally true when applied to them; but the greatest ‘burthen’ on land is the landlords. Returning nothing to the soil, they consume its whole produce, minus the potatoes strictly necessary to keep the inhabitants from dying of famine; and when they have any notion of improvement, it usually consists in not leaving even this pittance, but turning out the people to beggary if not to starvation. When landed property has placed itself upon this footing, it ceases to be defensible, and the time has come for making some new arrangement of the matter.” *Mill’s Political Economy*, vol. I., p. 284.

With what greater force we may apply these remarks to the Bengal zemindars.

“The increased rents are due not to any outlay of capital by the proprietors in the improvement of their lands, but to the construction of roads and railways, the increased pressure of population, and the fact that the peasants now fall back on inferior qualities of land, and, thus by economical laws, raise the rent of the superior ones. The increase in the value of the land is the unearned increment incident to a country in a progressive state.” *Dr. Hunter's Statistical Account of Bengal*, vol. II., p. 81.

“Colonel Haig explains his feeling in respect to the zemindars in an observation, which he makes to the effect, that they will not return a rupee of their rental to the State, to the ryots, or to the laud, in any shape whatever. This observation is founded apparently on an expression, that in India, or at least in Bengal, the proprietors of land do not generally spend any portion of their rental on the improvement of their estates. It is a most important matter of enquiry, first, how far, as a matter of fact, this impression is really well-founded; and secondly, if it be so, how far we can trace the causes of a condition of things so different from that which prevails in Europe.” *Duke of Argyll*, quoted in *the Hindoo Patriot*, January 19, 1874.

“The fact is and shall be patent to every mortal on earth, that nothing has been done by the zemindars for the elevation of the condition, and for the advancement of the circumstances of the ryots, nor have they contributed any capital or might for the increase of the productive powers of the land. All improvements, if any at all, which have taken place with reference to agriculture, commerce, &c., are due entirely to the single-handed exertions of the people themselves, who alone are entitled to receive credit. They alone by their manual labour and by the limited income at their command, have been the instruments of developing the resources of the country. That Bengal owes nothing to her landlords for her agricultural and commercial prosperity, is a fact, which the intimate friends of the permanent system cannot deny, and I challenge them to contradict or disprove my assertion. All that they might argue in favour of the system under comment, and to which they may expect our support, is, that it has fathered a class

of landed aristocracy, which had no existence before or under the preceding rule." *Babu Hurro Prosad Chatterjee's Observations on Rent Law*, p. 6.

"It is a matter of deep regret, that the Government, in order to secure the happiness and welfare of the people, gave up for ever all hope of increased revenue, and made Permanent Settlement with the zemindars, but it never enquired how far they have fulfilled their obligations. Whenever a ryot makes any improvement, and thereby increases the produce of his lands by his own exertions, the zemindar at once falls upon him, and enhances the rent by every turn of the screw; but he being richer than Kuvera, the God of Wealth, only snorts reclining on his easy pillow, and then awakes only to give him a sound beating. Has Government taken any notice of all this? We say it has every right to take notice annually of the improvements (if any) effected by the zemindar in his estates. The self-seeking zemindars will never do their duty unless they are forced by Government to do so." *The Shulava Shamachara, Kartik 14, 1280 Hegira*.

"The zemindari interest seeks to set great store on the fact, that at the time of the settlement, a large portion of Bengal was jungle land, which has since been reclaimed; but if the facts were enquired into, it would probably be found, that the reclamation of waste land has been due more to the labour of the ryot than to any expenditure of capital by the zemindar... The Bengal zemindars do not contribute a fair share to the imperial revenue; they are in fact reaping all the benefits derivable from living under a strong and enlightened Government, without paying anything like a due proportion of the cost of administering justice and of preserving the country in a state of security and peace. They have moreover paid no part of the outlay on public works, by which their lands have been improved. To the enhanced value of those lands, they have in no way assisted; they are indebted for it to the Government, which has given them security in the possession of their property, which has opened up markets at home and abroad for the sale of their produce, and which has provided new means of communication by which those markets may

be reached. The other provinces of India have to make up for the deficiencies of Bengal; and it must be admitted that they accept the position more resignedly than might be expected, considering that it is through no inability to pay more that Bengal now contributes so little as compared with them. This indifference, or silent resignation, or whatever it may be termed, is much to be regretted; for if the other provinces were to take up the matter with any degree of unanimity and represent the injustice to them, the effect would be to force a solution of the difficulty, and to strengthen the hands of the Government of India in carrying out any measure, which might be adopted for that end" *J. Hector's Land and Railways in India*, p. 5 and 11.

"The whole history of Bengal proves that the third cause (of the improvement of estates by the zemindars) is but seldom a component factor in the progress of native prosperity. If we wish to find a just comparison to the landed aristocracy of this country and the management or mismanagement of their properties, even Bourbonist France, or Ireland in the time of Sydney Smith, will scarcely supply it; and we must go seek it in the latifundia of decadent Rome, when the wealth of the country was drained away to feed the extravagance of the Metropolis, without a single recompensing advantage to the great estates from which it was drawn. During the first sixty years of this century, we should have to add to that unpleasant picture crimes against peace and truth, that even ancient Italy in her less happy days was not called on to tolerate. As to the two remaining causes (the system of settled Government and commercial activity introduced by the European race, and the weary daily labour of the toiling millions of the peasantry, to which the increased value of land in Bengal is, or may be, due, it is not at present necessary for us to discuss them." *The Englishman*, February 10, 1877.

The best authority on this subject is Babu Nilcomul Mukerjee, who is a zemindar, and, no doubt, a most honourable exception to the rule. His views may be gathered from the following passage in the *Indian Mirror*:—"It is high time, says he, that the zemindars should shake off their indolence, and introduce into

their estates such improvements in agriculture as the progress of society makes eminently necessary. As at present seems, most of the zemindars are indolent, they do not take the trouble to enquire into their concerns, but entrust their whole affairs into the hands of agents, as ignorant as, if not more tyrannical than, themselves. The great curse of the present system, as we gather from the pamphlet, is ignorance; and from it proceed those evils of absentee landlordism, which have brought disgrace on the system itself. Babu Nil Comul is impressively eloquent when he exhorts his brethren to remove this disgrace. It is evident that their intelligence is not sufficient to induce them to study the laws of Government; hence it is that they rely for everything on their agents, whose tyrannical disposition they altogether overlook, money being their sole object... Those zemindars that do personally inspect their estates, look only to the return of their income, and never turn their eyes to the improvement of the ryots or their country. There are landholders, who have not yet seen their estates." *The Indian Mirror, August 9, 1873.*

"It is to be remembered, that this enormous increase of income (of the zemindars) has come, in almost every case, altogether without exertion. The landlord often lived away from his estate, he made no attempt to aid the ryot in clearing jungle, still less in any more elaborate improvement. He himself bid a few rupees for a village at an auction, paid its revenue out of the rent, and sat by, until by the general advance of the country, its value multiplied twenty-eight fold. We may look round the world without finding another instance of a class thus enriched by a chance." *The Statesman, quoted in the Bengalee, July 20, 1878.*

Sir Ashley Eden in his reply to the memorial of the British Indian Association on the Public Works Cess, made the following remarks:—"As regards the works of public utility executed by the zemindars and referred to in the memorial, the Lieutenant-Governor was not aware of any works of irrigation constructed by zemindars in Bengal on such a scale as would justify the inference drawn." Quoted in the *Supplement to the Hindoo Patriot, May 27, 1878.*

An Example. "On the west of Howrah, there are 20 or 25 marshes in the Pergunnahs Boro, Mohirari, and Pygandashi, commencing from the eastern part of the Dancuni marsh, and extending four miles to the north and south of the Sulkea Road. There is no limit of the wretchedness of the people, who live on both sides of the road, and in the marshes. Formerly on the north side these marshes had junctions with the Ballir Khal. Since the establishment of the sugar manufactory at Balli, the broken parts of vessels of *nugrigur* (a fine kind of molasses) and earth have twenty or twenty-five years since closed up the passages of water on that side, and again the railroads being there, that side has been completely shut up. On the south side, a small rivulet called Mohirarir Khal, rising from the Tetulkuli marsh, and turning this side and that side for ten miles, has at last fallen into the Ganges on the west of the Botanical Gardens at Seebpur. This rivulet also is shut up here and there, consequently except in the very hot seasons, the waters stand in the marshes almost throughout the year. Up to this time the waters are flowing out through it, but the quantity is so small, that one can scarcely see it. These marshes lie in the estates of several zemindars. The Mohirarir Khal flows through the estates of——. Its course lies in the greater part of the estates of the——Babus. Seven or eight years since, the ryots, overwhelmed with distress, complained to the Magistrate of Hughli against the zemindars. The Magistrate Sahab sympathized with the people, and forced the zemindars to cut the Mohirarir Khal; they, having shut up their eyes and ears, and turned their faces, somehow kept the word of the "Khodabund." But some of the zemindars, through whose estates the khal passes, did not clear the passage, which lies in their respective estates. When the marshes did not lie in their estates, they clearly saw with their eyes wide open, that clearing twenty or forty yards of the khal would benefit the other zemindars, and that it was certainly not good to pay attention to that, while those whose wealth had been increased by clearing their own lands, saw that there was no possibility of convenience unless they paid a little more attention and made

especial attempts; that they would have to spend more money in addition to that already spent; that their heads, which were already hot by talks and pleasures, would be severely taxed with thoughts of cutting khals, and great impediment placed to their sleep; that the ryots certainly suffered great distress, but that they did so always—with these thoughts they ceased to cut the khal properly. The endeavours of the Magistrate Sahib and the cries of the ryots turned fruitless. They, being disappointed on all sides, have now become a little wise. A few days ago, some ryots, with a petition signed by 110 persons in their hands, came to us. They think, that we can do all if we mind it. The Government paid no attention; big zemindars panted to do what was expected of us. Oh fate! However if we can show a single drop of the tears of the poor to the Government, having thought this, we went to see with our own eyes their condition on Monday before last Monday. What we saw, and the manner in which they eagerly came and stood in distress around us, could not but move even the most stone-hearted. The zemindars have bound their hearts with stones so firmly, that even the sounds, of the cries of such poor people cannot penetrate them. On both sides of the Sulkea Road, there are 15 or 16 villages, as, Cona, &c. The fields in their midst and on their north and south side, are blazing up like fire. Here and there are *Hoayla* plants, which seem like grass from a distance, but all those are merged under water. Cows mistaking these for grass, sometimes drown themselves by falling into them. The waters of some places are very dirty; poor people make use of them for various purposes without any hesitation. They are breathing the poisonous air rising from the marshes by day and night, yet how they have up to this time survived, they only know. In the rainy season, when the marshes are sub-merged, the waters attack the very doors of these poor people, several houses fall down, and the snakes of the marshes, coming to the villages, begin 'to strike the corpse with the sword.' During that time canoes are their means of communication. It is matter of deep regret, that the zemindars should exact the rents of their sub-merged lands. Homestead and the marshy lands have long

since been leased together ; when the ryots wish to relinquish the marshy lands, they are required by the zemindars to relinquish their homesteads too. How many persons there are, who can leave their dear homes ? Thus complete ruin of the people comes from all sides.

Now if the Government pay a little attention, then only the prosperous days of the people may come. The Mohirarir Khal is ten miles in length only because of its crooked course, else if it be cut straight, four miles at the maximum would well serve the purpose. All these works including the bridges may cost from five to seven thousand rupess. If the khal is cut, intercourse with Calcutta by boats, and good marts in the villages surrounded by the marshes, may be held ; four or five hundred rupees per annum may be realized from the rent of fisheries. The ryots several times applied to the Magistrate of Howrah for this matter ; and they are ready to pay the above sum as rent of fisheries. This great work may be accomplished at such a small cost ; the income of the zemindars may be increased by clearing the marshes ; each of them is not less wealthy, yet the ryots are crying about from road to road. We especially request the zemindars of——, that they should be a little kind to the poor people. However we confidently hope that the cries of the poor will move with pity the heart of Government, and that they will find out such means as will relieve their distress in this year. If the Government gain the blessings of the people, their wealth will be increased, there is no doubt of that." *The Shulava Shamachara, Falgun 24, 1277 Hegira.*

The Rates of Rent.

General Rules. "The settlement is to be made, as far as possible in one net sum, free from any charges of moshaira, zemindari Amlah, pool-bundee, Cutcherry charges, or others of a similar nature ; or being intended, that all charges incidental to the receipt of the rents of the lands, and independent of the allowances of the Officers of Government, and expenses attending the collection of the public revenue, shall be defrayed by the proprietors from the produce of their lands." *Reg. VIII., 1793, sec. 72.*

"In every possible case, all separate allowances to the families and collections of the proprietors of land, are to be abolished, and the provision for their maintenance is to devolve upon the proprietors." *Reg. VIII., 1793, sec. 73.*

"With respect to any of the existing established zemindari charges, such as, pensions, charitable or other allowances, which it may be thought proper to continue, they shall be paid by the Collectors, and the proprietors and farmers of land are to have no concern in them, unless for special reasons of convenience, it should be deemed more expedient in any instance to entrust the proprietors or farmers of land with the disbursement of them." *Reg. VIII., 1793, sec. 74.*

"The standard for fixing the future assessment mentioned in Section 68, *viz.*, the jumma of the preceeding year compared with the accounts and information supplied by the Collectors, and the recommendation of the Board of Revenue thereon, cannot be applied, however, to the separated talooks, which have not hitherto paid any jumma immediately to Government; nor is it to be understood to be applicable to any instances' where the actual produce of the lands may have been ascertained. In all such instances, and in all separated talooks, the jumma of which shall clearly appear to have been fixed below the general rate of assessment of the Pergunnah wherein they are situated, the assessment is to be regulated so as to leave to the proprietors a provision for themselves and families, equal to about ten per cent. on the amount of their contributions to Government, including the produce of *nankar*, or other private lands, to be annexed to the malguzarry lands as directed in Section 39: and the talookdars whose jumma may be raised by virtue of this rule, are to be informed, that they may sue in the Dewanny Adawlat the proprietor, who fixed their jumma, if they shall think themselves aggrieved by their payment being enhanced, contrary to the terms of a grant, which the zemindars had no authority to bestow on them." *Reg. VIII., 1793, sec. 75.*

Reg. VIII., 1793, sec. 39 runs thus:— "The *nankar*, *khamar*, *nijjote*, and other private lands, appropriated by the zemin-

dars, independent talookdars, and other actual proprietors of lands in Bengal and Orissa, to the subsistence of themselves and families, shall be also annexed to the malguzarry lands and the ten years' jumma fixed upon the whole under the following modifications:—that such proprietors, as may decline to engage for their lands, be allowed the option of retaining possession of their private lands above specified upon the terms on which they have hitherto possessed them, provided they shall prove to the satisfaction of the Board of Revenue, that they held them under a similar tenure, previous to the 12th August 1765, the date of the grant of the Dewanny to the Company, and have hitherto been permitted to keep possession of them, whether their zemindaries or estates have been held *khas* or let in farm, but not otherwise. In the event of such proof, and of their availing themselves of the option above given to retain possession of their private lands, a deduction adequate to the net produce of such lands, is to be made from the amount of the allowance fixed for excluded proprietors by Section 44."

"The estimated provision for the landholders and their families, where the assessment may be fixed on the ascertained produce of their lands, is stated generally at ten per cent. on the jumma payable by them. But if owing to any peculiar circumstances, a large provision should be deemed necessary, particularly in zemindaries, or independent talooks, yielding a small revenue, the Governor-General in Council will take the same into consideration." *Reg. VIII., 1793, sec. 77.*

"In carrying into execution the principles contained in Section 72, it will be necessary to consider, whether the several charges noticed have been hitherto defrayed by the actual proprietors of lands, independent of their assessment, or by Government, with a view to determine whether a deduction is to be allowed from their future jumma to provide for them, or otherwise." *Reg. VIII., 1793, sec. 78.*

"In cases where the charges alluded to in the preceding Section have been defrayed by the actual proprietors of land, independently of their jumma to Government, they will not of course be

entitled to any deduction on account of them; but where they have been hitherto paid by Government, the jumma must suffer a proportionate diminution, unless there be sufficient funds for the discharge of them in addition to the former jumma. With respect to the Moshaira in particular, it is to be observed, that where the lands have been let in farm, but are now left with the proprietor, the latter may be presumed to receive an equivalent for his former allowance in the profits of the former, which will revert to him." *Reg. VIII., 1793, sec. 79. Marshman's Guide to Revenue Regulations, vol. I., p.p. 26-28.*

Rates of Pottahs. "If a dispute shall arise between the ryots and the persons from whom they may be entitled to demand pottahs regarding the rates of pottahs (whether the rent be payable in money or kind), it shall be determined in the Dewanny Adawlat of the Zillah in which the lands may be situated, according to the rates established in the Pergunnahs for lands of the same description and quality as those respecting which the dispute may arise." *Reg. IV., 1794, sec. 6.*

"The rules in the preceding Section are to be considered applicable not only to the pottahs, which the ryots are entitled to demand in the first instance under Regulation VIII., 1793, but also to the renewal of pottahs, which may expire or become cancelled under Regulation XLIV., 1793. And to remove all doubt regarding the rates at which the ryots shall be entitled to have such pottahs renewed, it is declared that no proprietor, or farmer of land, or any other person, shall require ryots, whose pottahs may expire or become cancelled under the last mentioned Regulation, to take out new pottahs at higher rates than the established rates of the Pergunnah for lands of the same quality and description, but that ryots shall be entitled to have such pottahs renewed at the established rates upon making application for that purpose to the person by whom their pottahs are to be granted, in the same manner, as they are entitled to demand pottahs in the first instance by Regulation VIII., 1793." *Reg. IV., 1794, sec. 7.*

“If a dispute shall arise between the ryots or other under-tenants and the persons from whom they may be entitled to demand pottahs, regarding the rates of the pottahs (whether the rent be payable in money or kind) it shall be determined in the Court of Adawlat of the Zillah in which the lands may be situated, according to the rates established in the Pergunnah for lands of the same description and quality as those respecting which the dispute may arise, or according to the legal and established rights of the parties, whether the same be ascertainable by written engagements, or defined by the Laws and Regulations, or defined upon general or local usage, which may be proved to have existed from time immemorial; this Regulation not being meant to define or limit the actual rights of any description of landholders or tenants, which may be properly ascertained and determined by judicial investigation only.” *Reg. XXX., 1803, sec. 9.*

“The rules in the preceding Section are to be considered applicable not only to the pottahs, which the ryots are entitled to demand in the first instance, but also to the renewal of pottahs, which may expire or become cancelled; and it is declared that no proprietor, or farmer of land, or any other person, shall require ryots, whose pottahs may expire or become cancelled, to take out new pottahs at higher rates than the established rates of the Pergunnah for lands of the same quality or description, due consideration being had, as far as may be required by the custom of the district, to the alteration of the species of culture and the cost of the cultivation. Under this rule, Khudkasht or Chupper bund Ryots will be entitled to have their pottahs renewed at the established rates, upon making application for that purpose to the person by whom the pottahs are to be granted, as are also Paikasht Ryots, provided the proprietor or farmer chooses to permit them to continue to cultivate the land, which they have the option to do or not as they may think proper on the expiration of all Paikasht leases; whereas Khudkasht Ryots cannot be dispossessed as long as they continue to pay the stipulated rent.” *Reg. LI., 1795, sec. 12.*

Our Cornwallis aristocrats always lay great stress on the Pergunnah rate, whenever they try to enhance the rents of the ryots. Now let us see what it is. Let us suppose, that the Pergunnah rate at the time of making the Permanent Settlement was five annas per beegha. The zemindars were authorized to fix the rent of the lands at the Pergunnah rate, and therefore they were entitled to assess them at five annas only per beegha. Again let us suppose, that the rate of rent in some parts of the Pergunnah was six annas per beegha, while in the rest of it, it was only five. Those who received five annas might claim to raise the rent to six annas. Suppose the five annas were raised to six annas. Thus the rate of rent throughout the Pergunnah was only one; and that was six annas. The zemindars were authorized to fix the rent of lands at the Pergunnah rate only; and therefore they were entitled to assess the lands at six annas only per beegha. If an enquiry is made into the present rate of rent in the same Pergunnah, it will be found to be three or four rupees per beegha. But we ask what right the zemindars had to raise it to three or four rupees? They had none whatever except that of their arbitrary will. This Pergunnah rate has been the most prolific source of all the poverty and wretchedness, that have befallen the ryots of Bengal. If our rulers, instead of authorizing the zemindars to fix the rent at the Pergunnah rate, had fixed it at so many annas and pie per beegha, by far the greater part of the mischief would have been avoided. But whatever might be the Pergunnah rate, the most important point, in which the subject can be viewed, should not be lost sight of. The Regulations of 1793 distinctly stated, that the zemindars were to receive only ten per cent. of the collections, as reward for their labour. "When the detailed accounts showed, that the ordinary expenses of the zemindari were so great, that ten per cent. would not remunerate or allow the zemindar to live, then it was requisite to make a further allowance." *T. Fortesque, Esq. Answer to Question 445. Minutes of Evidence taken before the Select Committee of the House of Lords, 1832.*

How far the zemindars have abided by the laws, the following extracts will show.

“The rate of rent has ever been one of the most fertile sources of disagreement between the ryot and his zemindar. The arbitrary exactions of rent on the part of the latter have been, and in a great measure, still are, productive of much of the miseries of the Bengal Ryots.” *Babu Sanjeeb Chunder Chatterjee's Bengal Ryots.*

“When I formed the settlement in question (with the ryots according to the instructions of Government) fifty times more was realized from the estate (of Kishenrampur) than the zemindar had paid.” *R. D. Mangles, Esq. Answer to Question 795. Minutes of Evidence taken before the Select Committee of the House of Lords, 1830.*

Q. 4282. “Was the revenue in general highly assessed in your opinion? Yes; we generally conceived it was; it did bear rather heavily on the produce.

Q. 4283. Did the ryot experience any difficulty in paying? Very frequently.

Q. 4284. Were you obliged to make frequent remissions? Yes, I was very often obliged to lend them money for the purpose of paying.” *G. Harris, Esq. Ibid.*

Rajah Ram Mohun Roy in his evidence before the Select Committee of the House of Commons said: “I regret to say that in some parts of these Provinces, the rent is already raised so high, that even an interdiction against further increase cannot afford the ryots any relief or comfort; consequently Government might endeavour to raise part of its revenue by taxes on luxuries and such articles of use and consumption, as are not necessaries of life, and make a proportionate deduction in the rents of the cultivators, and in the revenues of the zemindars to whom the lauds belong. Quoted in the *Calcutta Review*, vol. VI. Art. *The Zemindar and the Ryot.*

“It is admitted by one of the most enlightened statesmen of the old school, ‘that the land tax is generally so high, that cannot well be higher.’” *The Calcutta Review*, vol. XXXV. p. 112.

“ The following are the different varieties of land in the—
Raj with their rates of rent :—

Present rate of rent per beegha.

Homestead land	...	...	Rs.	10
Land around the homestead	...	...	„	7½
Market land	...	from Rs. 16 to	„	50
Garden land	...	„	5 to „	8
Ponds, tanks	...	„	2 to „	5

The agricultural lands are divided into two grand classes—the *sona* and *sali*. *Aus* paddy, potatoes, pulse, mustard, sesame, and sugarcane, are cultivated on *sona* or *danga* lands, while *aman* or *haïmantie* paddy, *boro* paddy, and jute, are cultivated in *sali* lands. These lands are sub-divided into four classes with reference to their qualities.

These sub-divisions with their average rate of rent are stated below:—

1st class <i>sona</i>	...	Rs. 4 0	to	Rs. 6 0	per beegha.
2nd	...	„ 3 0		„	„
2nd	...	„ 2 4		„	„
4th	...	„ 1 12		„	„
1st class	...	„ 4 0		„	„
2nd	...	„ 3 0		„	„
3rd	...	„ 2 0		„	„
4th	...	„ 1 8		„	„
Mulberry and tobacco lands	...	Rs. 6 0	to	Rs. 8 0	„
Sugarcane lands	...	„ 4 0	„	„ 8 0	„

The Raj consists of estates lying in Burdwan, Hughli, Calcutta, Krishnagur, Bankura, Midnapur, Cuttuck, Birbhum, Murshedabad, Dinajpur, and Darjeeling. They extend over hundreds of square miles; and such of them as are revenue-paying bring to the Government an annual income of nearly 31½ lakhs.” *Ibid.*, vol. LV., p. 187.

“ Hughli. The following are the special varieties of land in the District, with their average rates of rent :—

(1.) *Basta* or homestead land, present rate of rent £2 an acre.

(2.) *Ud-bastu*, lands surrounding the homestead, principally used as a garden, or for raising the more valuable descriptions of crops, rent £2 5s. 0d. an acre.

(3.) *Bazar* or market land, rent from £1 10s. 0d. to £2 8s. 0d. an acre.

(4.) *Bagat* or garden land, rent from £1 10s. 0d. to £2 8s. 0d. an acre.

(5.) *Pukur*, land occupied by ponds, tanks, &c., rent from 12s. to £1 10s. an acre.

(1.) For high rice land for early rice.

Hughli Sub-division. Minimum 15s., ordinary £1 1s., maximum £1 4s. Serampur Sub-division. Minimum 12s., ordinary 18s., maximum £1 4s. Howrah Sub-division. Minimum 15s., ordinary 15s., maximum 18s.

(2.) Low rice land for late rice.

Hughli Sub-division. Minimum 12s., ordinary 18s., maximum, £1 7s. Serampur Sub-division. Minimum 18s., ordinary £1 4s., maximum £1 4s. Howrah Sub-division. Minimum 15s., ordinary 18s., maximum £1 4s.

Lands on which pulses are grown.

Hughli Sub-division. Minimum 6s., ordinary 7s., maximum 9s. Serampur Sub-division. Minimum 9s., ordinary 12s., maximum 12s. Howrah Sub-division. Minimum 9s., ordinary 12s., maximum 13½s.

Sugarcane lands.

Hughli Sub-division. Minimum 18s., ordinary £1 7s., maximum £1 16s. Serampur Sub-division. Minimum £1 4s., ordinary £1 10s., maximum £2 2s. Howrah Sub-division. Minimum not given, ordinary not given, maximum not given.

We know that in Howrah the rents of sugarcane lands vary from £1 10s. to £3 an acre.

Jute lands.

Hughli Sub-division. Minimum 18s., ordinary £1 1s., maximum £1 4s. Serampur Sub-division. Minimum 12s., ordinary 18s., maximum £1 4s. Howrah Sub-division. Minimum 15s., ordinary 15s., maximum 18s.

Potatoe lands.

Hughli Sub-division. Minimum 18s., ordinary £1 10s., maximum £2 2s. Serampur Sub-division. Minimum £1 4s., ordinary £1 10s., maximum £2 2s. Howrah Sub-division. Potatoes are not grown here.

High rice lands for aus rice succeeded by a second crop of pulses.

Hughli Sub-division. Minimum £1 4s., ordinary £1 10s., maximum £1 16s. Serampur Sub-division. Minimum 18s., ordinary £1 4s., maximum £1 10s. Howrah Sub-division. Minimum £1 1s., ordinary £1 4s., maximum £1 10s.

High lands for aus rice succeeded by other crops.

Hughli Sub-division. Minimum £1 4s., ordinary £1 10s., maximum £1 16s. Serampur Sub-division. Minimum £1 4s., ordinary £1 10s., maximum £1 16s. Howrah Sub-division. Potatoe, the only other crop, is not grown here." *Dr. Hunter's Statistical Account of Bengal*, vol. III., p. p. 355-57.

The Rates of Rent at Bankura.

Land producing a crop of aus or autumn rice and a second or winter crop of pulses or oil-seeds.

1st class. From Rs. 2 9 0 to Rs. 6 4 0 per beegha.

2nd class. From „ 2 2 0 to „ 4 6 0 „

3rd class. From Rs. 1 11 0 to Rs. 3 6 0

Land of good quality, particularly suited for cotton cultivation, but also producing good rice, pulses, and oil-seeds.

1st class. From Rs. 2 0 0 to Rs. 6 4 0 per beegha.

2nd class. From „ 1 8 0 to „ 5 2 0 „

3rd class. From „ 0 12 0 to „ 4 15 0 „

Land of good quality particularly suited for sugarcane cultivation, but also producing good rice, pulses, and oil-seeds.

1st class. From Rs. 3 0 0 to Rs. 6 4 0 per beegha.

2nd class. From „ 2 0 0 to „ 4 12 0 „

3rd class. From „ 1 0 0 to „ 4 8 0 „

Land growing two crops a year, generally one of cotton and one of pulses or oil-seeds.

1st class. From Rs. 5 12 0 to Rs. 9 0 0 per beegha

2nd class. From „ 4 9 0 to „ 8 0 0 „

3rd class. From „ 3 13 0 to „ 6 14 0 „

Land yielding two crops a year, generally one of sugarcane and another of pulses or oil-seeds.

1st class. From Rs. 4 8 0 to Rs. 9 0 0 per beegha.

2nd class. From „ 3 7 0 to „ 8 0 0 „

3rd class. From „ 3 0 0 to „ 6 14 0 „

High dry land producing pulses, hemp, and oil-seeds.

1st class. From Rs. 2 8 0 to Rs. 3 15 0 per beegha.

2nd class. From „ 1 15 0 to „ 3 7 0 „

3rd class. From „ 1 7 0 to „ 3 0 0 „

Pan enclosures:

1st class. From Rs. 20 8 0 to Rs. 38 14 0 per beegha.

2nd class. „ 16 0 0

3rd class „ 12 0 0 *Ibid.*, vol. IV., p. p 266-68.

The Rates of Rent at Burdwan.

(1.) Pergunnah Jahanabad.

Aus or two crop land. Rs. 12 an acre. Aman land. Rs. 9 an acre. Sugarcane. Rs. 15 an acre. Cotton. Rs. 12 an acre. Oil-seeds. Rs. 12 an acre. Mulberry. Rs. 24 an acre. Jute or hemp. Rs. 12 an acre. Indigo. Rs. 6 an acre. Vegetables. Rs. 12 an acre.

(2.) Pergunnah Mundulghat.

Aus or two crop land. Rs. 12 an acre. Aman land. Rs. 9 an acre. Sugarcane. Rs. 15 an acre. Cotton. Rs. 12 an acre. Oil-seeds. Rs. 12 an acre. Mulberry. Rs. 24 an acre. Jute or hemp. Rs. 12 an acre. Indigo. Rs. 6 an acre. Vegetables. ~~Rs.~~ 12 an acre.

(3.) Pergunnah Samarshahi.

Aus or two crop land. Rs. 12 an acre. Aman land. Rs. 9 an acre. Sugarcane. Rs. 15 an acre. Oil-seeds and cotton. Rs. 12 an acre. Mulberry. Rs. 24 an acre. Jute or hemp. Rs. 12 an acre. Indigo. Rs. 6 an acre. Vegetables. Rs. 10½ an acre.

(4.) Pergunnah Balagarh.

Aus or two crop land. Rs. 12 an acre. Aman land. Rs. 9 an acre. Sugarcane. Rs. 15 an acre. Cotton and oil-seeds. Rs. 12 an acre. Mulberry. Rs. 24 an acre. Jute or hemp. Rs. 12 an acre. Indigo. Rs. 6 an acre. Vegetables. Rs. 12 an acre.

(5.) Pergunnah Havili.

Aus or two crop land. Rs. 12 an acre. Aman land. Rs. 9 an acre. Sugarcane. Rs. 15 an acre. Cotton and oil-seeds. Rs. 12 an acre.

(6.) Pergunnah Khandghosh.

Aus or two crop land. Rs. 12 an acre. Aman land. Rs. 9 an acre. Sugarcane. Rs. 15 an acre.

(7.) Pergunnah Bairah.

Aus or two crop land. Rs. 12 an acre. Aman land. Rs. 9 an acre. Sugarcane and cotton. Rs. 15 an acre.

(8.) Pergunnah Bhursut.

Aus or two crop land. Rs. 12 an acre. Aman land. Rs. 9 an acre. Sugarcane. Rs. 18 an acre. Cotton. Rs. 12 an acre. Potatoes. Rs. 12 an acre. Mulberry. Rs. 18 an acre. Tobacco. Rs. 18 an acre. Vegetables. Rs. 6 an acre.

(9.) Pergunnah Chitwa.

Aus or two crop land. Rs. 12 an acre. Aman land. Rs. 9 an acre. Cotton. Rs. 18 an acre.

(10.) Pergunnah Bishnupur.

Aus or two crop land. Rs. 12 an acre. Aman land. Rs. 6 an acre. Sugarcane. Rs. 15 an acre. Cotton. Rs. 24 an acre. Oil-seeds. Rs. 24 an acre. Jute or hemp. Rs. 12 an acre. Vegetables. Rs. 12 an acre.

(11.) Pergunnah Bara Hazari.

Aus or two crop land. Rs. 12 an acre. Aman land. Rs. 9 an acre. Sugarcane. Rs. 15 an acre. Cotton. Rs. 24 an acre. Oil-seeds. Rs. 24 an acre. Jute or hemp. Rs. 12 an acre. Vegetables. Rs. 12 an acre.

Bud Bud Sub-division.

Aus or two crop land. Rs. 9 to 15 an acre. Aman land. Rs. 3 to 7½ an acre. Sugarcane, cotton, oil-seeds, and jute. Rs. 9 to 15. *Pan.* Rs. 30 an acre.

There are some Pergunnahs where the rent of Aus land is Rs. 18 an acre. *Ibid.*, vol. IV., p. p. 86-92.

The Rates of Rent at Birbhum.

The average rent of rice land is "Rs. 4-8." *Ibid.*, vol. IV., p. 358.

"The rates of mulberry land vary from Rs. 5 to 8 a beegha.

The rates for homestead land vary from Rs. 5 to 14 a beegha.

Ud-bastu or land about the homestead is let at three rates, —Rs. 2-8-0., Rs. 3, and Rs. 4 a beegha. A few chillies and plantains are grown in the land about the homesteads." *Ibid.*, vol. IV., p. p. 358-59.

"Olan land which is generally devoted to the growth of cucurbitaceous plants. Rent varies from Rs. 3 to 4 per beegha." *Ibid.*, vol. IV., p. 357.

"Orchards are sometimes planted in mulberry land, but the rent is so heavy as to be almost prohibitive of an investment, which has to wait some years before it yields a profit." *Ibid.*, vol. IV., p. 358.

The Rates of Rent in the District of Patna.

(1.) High land on which are grown paddy, poppy, vegetables, *robi* crops, is let at from Rs. 4 to 16 per beegha.

(2.) Stiff clay soil unmixed with sand, on which rice and *robi* crops are generally sown, is let at from Rs. 2 to 7-5-4 per beegha.

(3.) Clay mixed with some sand, on which *robi* crops are sown, is let at from Re. 1 to Rs. 3 per beegha.

(4.) Soft clay unmixed with sand, on which rice, poppy, sugarcane, cotton, Indian corn, &c., are grown, is let at from Rs. 2 to 16 per beegha.

(5.) Earth mixed with sand, on which vegetables and *robi* crops are grown, is let at from As. 4 to Rs. 2 per beegha.

(6.) Moist alluvial land near the rivers, on which crops are grown after the recession of water, is let at from Rs. 5 to 10 per beegha.

The Collector has apparently given the ordinary rates, for there are lands in Patna District, which pay a higher rent than

any he has mentioned. For instance, there are some poppy fields near the town of Patna, which are let at as much as Rs. 40 per beegha. *Ibid.*, vol. XI., p. 127.

Sarun. "The Collector reports that Sarun has always been noted for its high rates of rent; and that there has been a great enhancement during the past ten years." *Ibid.*, p. 301.

The Rates of Rent in Murshedabad.

"*Bastu*. From Rs. 5 to 6 per beegha. *Ud-bastu*. Rs. 8-10-0 per beegha. Grass land. Rs. 0-6-6 per beegha. High land second class, Rs. 3-4-0 per beegha. High land third class, Rs. 1-10-0 per beegha. First-rate middling land, Rs. 4-1-0 per beegha." *Ibid.*, p. 125.

"In Olittagong the Commissioner says that according to the notices of enhancement, 'the average value of land in the district is about Rs. 11½ an acre per annum.'" *The Report of the Land Revenue Administration of the Lower Provinces, 1874-75*, p. 28.

"Puri. The average rent of rice land is Rs. 2½ per beegha." *The Journal of the Agricultural and Horticultural Society of India, 1870*, vol. II., p. 103.

"Palamow. The rent of the best rice land is Rs. 5 per beegha." *Ibid.*, p. 77.

"The Lieutenant-Governor believes that nowhere have the rents of a peaceable, industrious, and submissive population been more screwed than in the Bhaugulpur Division." *The Administration Report of Bengal, 1872-73*, p. 140.

"What is the usual rate of rice and other cultivated lands in your district (Hughli)? From one to six rupees per beegha rice lands; tobacco lands from five to twelve rupees; mulberry lands from eight to twelve rupees; sugarcane and cotton lands from four to seven rupees; and potatoes, garden, and jute lands, from four to six rupees; *bastu* lands or homestead from five to fifteen rupees." *Babu*———. *Answer to Question 3827. The Indigo Commission Report, 1860.*

"While blind to the interests of the ryots on one side, he (Sir Richard Temple) has kept his eyes wide open to the interests

of the zemindars, who receive 40 or 50 per cent. from the ryots, and has clearly provided (in his Amendment of Rent Law) that ryots are not to claim any abatement on account of these exorbitant rates." *The Bengalee, November 11, 1876.*

"The cursed *ticcadari* system, which prevails in Behar, has crushed the springs of industry: the rent of the ryot varies from one-half to two-thirds of the gross produce of the land, and under such a rack-renting system, no population can resist the pressure of such widespread calamity as the famine." *Mr. Geddes.*

"Inquiries in the course of the year have since brought out cases, wherein the rental of permanently settled estates is 10, 15, 60, and even 120 times the Government revenue as assessed at the Permanent Settlement, although the officers who made the settlement in 1793 intended at that time to reserve for Government ten-elevenths, and to leave for the zemindars one-eleventh of the rental of the country." *The Administration Report of Bengal, 1871-72, part I., p. 139.*

"It appears from the road-cess returns, that the rent-roll payable to the intermediate tenure-holders is often 10, 20, or 50 times the rent paid to the superior landlord." *Sir Richard Temple, quoted in the Hindoo Patriot, February 5, 1877.*

If we take the exactions of the zemindars to be fourteen times the Government demand, we then come to the vast sum of $3,65,15,550 \times 14$, or 51,12,17,700 rupees annually exacted by them from the ryots as land rent. Again if we add to it the innumerable illegal cesses, which we take to be one-fifth of it, or 10 crores, we come to the round sum of sixty-one crores of rupees annually exacted by a few idle and worthless drones of society from the most numerous and industrious classes of the community. It is far more than what the Government collects from all sources from whole of British India!!! We have excluded from these calculations eighteen or nineteen lakhs of rupces collected from a few estates, which are held *khas*.

The Illegal Cesses.

Wonderful it is, that although by far the greater part of the

wealth arising out of increased cultivation has been appropriated by the zemindars, yet they do not scruple in the least degree to exact innumerable illegal cesses from the ryots "for every extravagance, that avarice, ambition, pride, vanity, or other intemperance, may lead them to, over and above what is generally deemed the established rate of rent." They have always treated the Laws and Regulations of Government as not worth the paper on which they are written, while the power they exercise over the ryots is so formidable, that it is almost impossible for them to sue a zemindar in a Court of Justice, without taking upon their head the terrible vengeance on the very first opportunity. They always think it better for their interests to pay something more to their master than what is due by law; and they pay accordingly. These illegal cesses are triumphantly levied throughout Bengal, Behar, and Orissa. We need not make any further remarks; we have only to place before our readers the following extracts, which will throw much light upon the subject.

Regulation VIII., 1793, section 54 says:—"The imposition upon the ryots under the denomination of *Abwab*, *mathot*, and other appellations, from their number and uncertainty having become intricate to adjust, and a source of oppression to the ryots, all proprietors of land and dependent talookdars shall revise the same in concert with the ryots, and consolidate the whole with the *assul* into one specific form. In large zemindaries or estates, the proprietors are to commence this simplification of the rents of their ryots in the Pergunnahs where the impositions are most numerous and to proceed in it gradually, till completed, but so that, it be effected for the whole of their lands by the end of the Bengal year 1198 in the Bengal districts and of the Fussily and Willaity year 1198 in the Behar, and Orissa districts, these being the periods fixed for the delivery of pottahs as hereafter specified."

Regulation VIII., 1793, section 55 says:—"No actual proprietor of land, or dependent talookdar, or farmer of land of whatever description, shall impose any new *abwab* or *mathot* upon the ryots under any pretence whatever. Every exacting

this nature shall be punished by a penalty equal to three times the amount imposed; and if at any future period, it be discovered that new *abwab* or *miathot* have been imposed, the person imposing the same, shall be liable to this penalty for the entire period of such impositions."

Let us see how far the zemindars have abided by the laws.

"What Governor Verelst said in 1769 regarding the Bengal ryot is fully applicable to his present state. 'The truth,' he says, 'cannot be doubted, that the poor and industrious is taxed by the zemindar or collector for every extravagance, that avarice, ambition, pride, vanity, or other intemperance, may lead him to, over and above what is generally deemed the established rate of his rent.' The *abwabs* are imposed in very many forms, all depending upon the will of the zemindar. In some places they are paid in kind. On the occasions of certain festivals and ceremonies, calls are made upon the whole industrious community. The milkman gives his milk, the oilman his oil, the weaver his cloths, the confectioner his sweetmeat, the fisherman his fish, and, in fact, every craft has to bear the pressure more or less. Those who are respectable escape. They often cannot be taxed, but not so the poorer class. They must pay in kind or specie whenever they are ordered. Dr. Buchman in his Eastern India says that in Purneah these illegal cesses 'raise the rents three-tenths more than the engagement.' Mr. Paddington, in his reply to the queries circulated by the Sudder Board of Revenue, says:—'I fear to be discredited when I state that from 20 to 40 per cent. on the actual *bundi* (legal rent) is yearly extorted from the poor ryot.' The *abwabs* are not in all places collected with reference to the rental. In some places they amount to one-sixteenth, in some places one-eighth, in some places one-fourth, in some places half, in some places they come up fully to, and in some exceed, the *jumma*!...On the occasion of the Durga Pujah, the Naibs and Gomastahs pay a certain *parbani* to the zemindar, and to the officers and servants of his house. These are known practices, but they tell sadly on the comfort and well-being of the ryots." *The Calcutta Review*, vol. VI. Art. *The Zemindar and the Ryot*.

“Testimony of hundreds of witnesses, and the records of litigation for half a century present us with one dreary picture of landlords enhancing rents, forcing cultivators to purchase the necessaries of life only at their own markets, deciding disputes in the village on the principle, that both disputants are to pay into the judge’s privy purse, levying every sort of illegal cesses on the most frivolous pretences, and making of eastern society only two divisions, those who suffer and those who inflict... In India, the payment of the ryot to the State makes scarcely the half of his rent taxation. He has also to pay to the zemindar every other tax he may choose to fix upon him. When he marries, he is taxed; when the annual holiday brings him no respite, he is taxed again; when the landholder’s son is married, the ryot must pay his fee; when the family Pujah comes round, the tax is still on him, and when the funeral ceremony is annually performed, the ryot still contributes to the honor of the diseased, who oppressed him when alive. We say nothing of estates, on which the abwab or illegal cess is collected by sheer force of arms, where the alternative is to pay.” Quoted in a *Speech Delivered at Midnapur on the “Amelioration of the Condition of the Ryot Population,”* by a Native.

Sir George Campbell in his *Administration Report of Bengal for the Year 1871-72*, p. 302-3, says:—“In November last the local authorities brought to the notice of Government the extent to which the zemindars of Balassore exacted from their ryots payments over and above the rent properly due from them, and they enumerated some twelve cesses, which were levied regularly, and as many as twelve others, which were demanded as occasions arose.

Among the former, were the *iskool khurcha*, to cover the zemindar’s subscription to the Government school; the *tar khurcha*, a rate of pay for telegraph expenses; and the *tikkus* or income tax. Among the latter, were the *russud khurcha*, a general levy for supplies to camp of Magistrate, when he makes a tour through the estate; *baruni agnana*, when the zemindar goes to bathe at the festival at Jajipur; *hath bara mohaprosad*,

when the zemindar comes back from Puri, he brings some of the sacred food called *mohaprosad*; each ryot has to take a handful of this and pay for it. The *tar kharcha* is, perhaps, the most remarkable of the above; the sight of the telegraph posts appears to have inspired some one with the idea, that they might be made useful as a means of getting money out of the ryots.

It is hardly necessary to state, that these cesses were illegal. The practice of levying them is forbidden both by Regulation XII. of 1805 (the old Settlement of Cuttuck) and by Regulation VII. of 1822, in which it is enacted that 'all cesses or collections not avowed and sanctioned, nor taken into account in fixing the Government jumma, are held illegal unless especially sanctioned by Government.'

In the Regulation of 1793 very strong provisions against these cesses had previously been made for all Bengal. No sufficient penalty is, however, prescribed for the infringement of this law. The old remedy of confiscation of the estate by Governor-General in Council and suitable fine having fallen into disuse, the only remedy in the ryot's hand is to bring a suit under clause 2, section 23, Act X. of 1859, on account of the illegal exaction of an unauthorized cess or impost; but such is the timid character of the Ooriya combined with his poverty and ignorance, that such suits are never brought. If a ryot brought such a suit, and were unsuccessful, his position would be worse than ever; if on the contrary, he won it, he would still be a marked man sure at one time or another to be the object of his zemindar's vengeance. Nor does the criminal law afford any help, because sections 384 and 385 of the Penal Code are only applicable when force or intimidation is used, but the dependent position of the ryot is such that it is not necessary for the zemindar to resort to violence. The Lieutenant-Governor remarked strongly on the tyranny and injustice of the proceedings brought to light by the Collector of Balassore, which were quite contrary to law....Further inquiries are being made regarding the conduct of the zemindars especially impugned.

Illegal Transit and other Duties. Instances have recently

came to the notice of Government, showing that tolls and market dues were in certain places illegally levied, and Commissioners were asked to report on this subject and suggest the form, which they thought legislation should take to put a stop to the practice. For instance in one case a claim to tolls had impeded communication between a railway station and the rivers; in another a zemindar levied tolls on boats at a point where an important high road abutted on the river, and again in another instance, a zemindar, who was receiving compensation for the removal of a *hat*, where he had exacted these obnoxious dues, sold away his compensation certificate, and subsequently established another *hat* close to the old one, and there collected cesses of the same character as those abolished. The Lieutenant-Governor thought, as regarding tolls and mooring dues, that the Police should in all cases protect the public in the use of the bank—(1) up to the high-water mark everywhere; (2) in all places where any public road or path or right of way abuts on the high-water mark; (3) in all rights of way hitherto used by the public.

The whole of this very important subject is still under consideration. It is believed that a system of levying illegal dues on trade and transit, very expressly prohibited by the early Regulations, prevails far and wide in these Provinces."

His Honor again says:—"The only other local tax levied throughout the country generally was an extremely light cess imposed on the zemindars in commutation of their liability under the old law to forward the district posts. This cess amounts on an average to about £ 24,000 per annum.

Illegal Land Cess Levied by the Zemindars. When it is said, that the above are the only local taxes generally levied, it should be explained that the statement refers to cesses and taxes levied for public purposes. It is too certainly the case, that very much larger cesses are habitually levied by zemindars for their own benefit, and in nothing is the distinction between the benefits claimed under the Permanent Settlement, and the way in which the obligations of that settlement are set at naught, more striking than in this respect. The Regulations by which the Perma-

ment Settlement was established rigorously laid down, that all payments due by the ryots to the landholders must be included in the one rent, and that no other cesses or exactions of any kind were to be taken by the zemindars on any pretext whatever. It is known that such cesses are now nevertheless very generally levied under various forms in great number and sometimes to an excessive amount. The Lieutenant-Governor's attention was prominently called to the subject by the Magistrate Collector of Balassore in Orissa, where the system is peculiarly inexcusable, because in that Province there is not the ordinary zemindari tenure of Bengal. There all the old ryots have long leases from Government direct, and the zemindars are still in respect of them mere rent-collectors, who have not the shadow of a right of any enhanced rent. Yet it was shewn that they exacted eleven different kinds of annual cesses besides seventeen descriptions of occasional tax. Among the former were cesses to recoup themselves for the postal payments, cesses on account of the telegraph wire running through their estates (a pure imposition, as this cost them nothing), cesses to reimburse them for income tax, and so on. There were presents exacted for the zemindari underlings; presents very compulsory in their nature on every occasion of a zemindar's moving from home or of a Magistrate's travelling through the estate, on account of fictitious expenses, that were never incurred.

In Bengal the levy of cesses may or may not be carried to such an excess as in comparatively primitive Orissa, but that the system does prevail there is no doubt. In Bengal Proper, however, the Lieutenant-Governor also feels this, that the cesses, illegal though they be, do in practice to some extent take the place of the enhancement of rents to which by litigation the zemindar might, perhaps, establish a right, and there is little doubt, that the people much prefer such cesses to any alteration of their old established rents....In Orissa, where the exactions are so shameless and so little founded on an equity of any kind, it will probably be desirable to make more serious examples, when the enquiry which the Lieutenant-Governor directed is completed,

Illegal Transit and Market Dues. There is another form of local collections, which is much more unjustifiable. In the original settlements certain items classed under the general name of **sayer** were included in the assets of the zemindars—dues levied on produce brought to market, tolls taken on boats passing along rivers, or on goods landed and shipped, and so on; but these practices having led to abuse, it was determined to abolish and prohibit them all, and to give compensation to the zemindars, who profited by them. Regulation for this purpose was passed in 1797, and thenceforward all such collections were strictly prohibited. All dues on transit or purchase and sale were declared to be illegal, and forbidden under penalty of confiscation of the estates of those, who contravened the law. It was especially enacted, that no dues whatever were to be levied in markets saving only regular monthly or annual rents for shops; and for the market dues as well as for all other collections, full compensation was given. Yet it turns out these enactments have been wholly set at defiance; dues on goods brought for sale, are levied in almost every market in the country. One case has come to light near Calcutta, where the proprietor to this day draws from Government annual compensation for his abolished market dues, but has only moved the market to a short distance, and there levies the dues just the same. On various pretexts dues are levied in many places from boats passing along rivers, and wherever goods are loaded or unloaded, a zemindari tax-gatherer appears. It has come to this, that on the very main arterial roads made by Government, private persons levy tolls on goods shipped or unshipped from or to the road, and an attempt was made to levy tolls on the goods brought to the railway wharf at Patna. A full inquiry into these practices is being made, and the whole subject will engage the attention of the Government. To the market question there are, as a matter of expediency, two sides; but the dues on goods in transit are an unlimited evil when levied for private gain only. It may further be here mentioned, that the ferries in private lands appear to be very little regulated, and probably have become in many places the means of levying a private

tax." *The Administration Report of Bengal, 1871-72*, p.p. 169-71.

His Honor again observes in his Administration Report of Bengal, 1872-73:—"Enquiries conducted during the year have made it but too clear, that in spite of the positive prohibitions of the law, cesses and duties in large numbers are levied by almost every landholder in the country; the fact being that owing to the absence of sufficient agency in Bengal, those parts of the Regulations, which give rights and privileges to zemindars have not only been maintained, but stretched to the utmost; while those parts, which restrained them and limited their rights have been utterly set at naught.

The exactions themselves seemed not to be greater than are usual in every Native State and under all Native Rule. The difference from other British Provinces was, that while elsewhere these exactions had been abolished by the British Government, in Bengal, though theoretically abolished by law, still owing to the want of executive machinery, they had gone just the same; and even where compensation for abolition of duties had been granted, the zemindars in many instances both received the compensation, and levied the duties the same as before or at increased rates. There was this also, that made the case worse; in former days in India and still in Native States, the Government supplied and supply little in the way of Police or protection: the dues rendered to zemindars and others were in fact the price of protection. Now the Police are paid by Government or by municipal tax-payers, and it is certain that the zemindars do not render the protection against robbers, which they formerly did, such protection being formerly the only condition on which any one would use the rivers, markets, &c., and pay dues to the zemindar. The most that could now be said in some places, was that if boats did not pay, they would very likely be robbed, that is, the levy of the dues was not a price for protection, but a sort of blackmail paid under fear of robbery.

Agricultural cesses are somewhat different in their character. They consist of various dues and charges levied from the ryots in

addition to the regular rent, and generally in proportion to the rent. The Permanent Settlement Regulations positively prohibited all such dues, strictly confining the zemindars to the customary rent proper; but in this as in every other thing these laws have been wholly set at defiance in modern times. The modern zemindar taxes his ryots for every extravagance or necessity, that circumstances may suggest, as his predecessors taxed them in the past. He will tax them for the support of his agents of various kinds and degrees, for the payment of his income tax and his postal cess, for the purchase of an elephant for his own use, for the cost of the stationary of his establishments, for the cost of printing the forms of his rent receipts, for the payment of his lawyer. The milkman gives his milk, the oilman his oil, the weaver his cloths, the cooper his sweatmeats, the fisherman his fish. The zemindar levies benevolences from his ryots for a festival, for a religious ceremony, for a birth, for a marriage; he exacts fees from them on all charges of their holdings, on the exchange of leases and agreements, and on all transfers and sales; he imposes a fine on them when he settles their petty disputes, and when the Police or when the Magistrate visits his estates; he levies blackmail on them when social scandals transpire, or when an offence or an affray is committed. He establishes his private pound near his Cutcherry, and realizes a fine for every head of cattle, that is caught trespassing on the ryots' crops. The abwabs, as these legal cesses are called, pervade the whole zemindari system. In every zemindari there is a Naib; under the Naib there are Gomastahs; under the Gomastahs there are *Peadahs* or peons. The Naib exacts a *kishabana* or perquisite for adjusting accounts annually. The Naibs and Gomastahs take their share in the regular abwabs; they have little abwabs of their own; the Naib occasionally indulges in an ominous raid in the mofussil; one rupee is exacted from every ryot who has a rental, as he comes to proffer his respects. Collecting peons, when they are sent to summon ryots to the landholder's Cutcherry, exact from them daily four or five annas as summons fees. Perhaps the best proof

of the extent and nature of the illegal cesses will be found in the Presidency Division, the most widely educated and most under the eye of Government of any of the Divisions in Bengal. The subjoined list of 27 different sorts of illegal cesses has been officially reported from the Twenty-four Pergunnahs district alone:—

1. *Dak khurcha*.—This is levied to reimburse the zemindars for amounts paid on account of zemindari dak-tax. The rate at which it is levied does not exceed three pice per rupee on the amount of the tenants' rent.

2. *Chanda* including *bhikhya* or *maugun*.—A contribution made to the zemindar when he is involved in debt requiring speedy clearance.

3. *Parboni* paid on occasions of religious ceremonies in the zemindar's house. The rate of its levy is not more than four pice per rupee.

4. *Tohurria*.—A fee paid on the occasion of the audit of ryots' accounts at the end of the year.

5. Forced labour.—Exacted from the ryots without payment.

6. *Marpocha* or marriage fee.—Paid on the occasion of a marriage taking place among the ryots. It is fixed at the discretion of the zemindar.

7. *Ban salami*.—A fee levied on account of preparation of molasses from the sugarcane.

8. *Salami* including all fees paid on the change of ryots' holdings, and on the exchange of leases and agreements.

9. *Kharij Dakhil*.—A fee commonly at the rate of twenty-five per cent. levied on the mutation of every name in the zemindar's books.

10. Taking of rice, fish, and other articles of food, on occasion of feasts in zemindar's house.

11. *Batta* and *multa kumrae*.—The former is charged for conversion from sicca to Company's rupees, the latter on account of the wear and tear of the same.

12. Fines.—These are imposed when the zemindar settles

petty disputes among the ryots.

13. *Police khurcha*.—A contribution levied for payment to Police Officers visiting the estate for investigating some crime or unnatural death.

14. *Junmo Jattrā* and *Ruth khurcha* are exceptional imposts levied on occasions of these festivals.

15. *Bardares khurcha*.—A fee levied at heavy rates by a farmer taking a lease of a holding.

16. Income Tax levied by a few zemindars to be reimbursed for what they pay to Government on account of this tax.

17. Doctor's fee.—This is levied exceptionally by a few zemindars on the plea that they are made to pay a similar fee to Government.

18. *Tant kur*.—A tax of four annas levied from every weaver for each loom.

19. *Dhaie mehal*.—A fee levied from every wet-nurse carrying on her profession in the zemindar's estate.

20. *Anchora saluni*.—A fee paid by persons carrying on the illicit manufacture of salt.

21. *Hal Bhanguin*.—A fee paid by a ryot on his ploughing land for the first time in each and every year.

22. *Mathoarta jumma*.—A tax levied on barbers.

23. *Shashun jumma*.—A tax levied on leather workers for the privilege of taking hides from the carcasses of beasts thrown away.

24. *Punya khurcha*.—The contribution made by the ryots on the day the *punya* ceremony takes place.

25. *Bastu Pujah khurcha*.—A contribution made for the worship of God of dwelling house on the last day of the month of Pous.

26. *Roshud khurcha*.—A contribution levied to supply with provisions some district authority or his followers making a tour in the estate.

27. *Nazarana*.—Presents made to the zemindar on his making a tour through his estates."

His Honor again observes:—"The enquiries in Orissa have

brought to light a state of things, which could hardly have been credited; so completely were the rights of the ryots, once well established and formerly recorded, over-ridden by the superior landholders. In that Province the state of things was entirely different from Bengal. Enquiries recently made have shewn that the landholders who derived from the 30 years' settlement very limited rights, have systematically set themselves to destroy and obliterate the rights of the ryots, have deprived them of their titles, changed their lands, and largely raised their rents, contrary to the pledges of Government. In Bengal where no records were made, the ryots have to a certain extent profited by the very common ignorance of the zemindars of everything connected with their estates, and the present relations between the zemindar and the ryot have only gradually grown out of the old relations of tax-farmers and peasant-holders. It was found that in truth these irregular levies were much larger, more numerous, and more universal than the Lieutenant-Governor had at all suspected. Although at the time of the Permanent Settlement most of such demands were abolished as far as the law could abolish them, and all that remained were amalgamated with the rent, a fresh crop of them has since grown up with a rank luxuberance. In addition to the extra cesses levied on the cultivators, there is a system of levying tolls and market dues of old native origin, but which had been formally abolished before the Bengal settlement was made permanent. Compensation for the loss of these receipts was made to the zemindars, and is still paid to them, while all future exactions other than regular rents for lands, shops, and buildings, were strictly prohibited, as explained in the last report. It turns out, however, that taxes of this kind are still very abundantly levied even by people, who receive compensation for them." *The Administration Report of Bengal, 1872-73, p. 17.*

"Landlord Oppression in Nuddea and Jessore. Meanwhile the census has told us quite enough to account for the fact, that by these six millions (of Nuddea and Jessore) no fewer than sixty three illegal cesses are paid, some regularly, some on great occa-

sions, but all in one portion of the Division or another. We say six millions, for although all are not agriculturists, the others do not escape. The fisherman, the artisan, the boatman who moors his vessel to the bank for the night—all pay what law condemns, and what in any other country or even province of India, would be resisted. Last week we published a list of 27 illegal cesses officially reported as levied by landlords and their servants in the metropolitan district, which contains Calcutta. We now proceed to state the exactions in the rest of the (Presidency) Division. We begin with those twelve, which are peculiar to Nuddea as distinguished from the 24-Pergunnahs, although they are found in many other districts besides. First comes the Police tax, next comes the *chout*, which exists all over Bengal. The peasant, who sells the house, which he has himself built, or the tree which he has himself planted, must pay one-fourth of the proceeds to the lord of the manor. *Koyalee*, a tax on every maund of grain weighed and sold in the village. *Kirtee Bhikhya* is levied to meet the expenses of funeral ceremony in his family. Such also in the *joutook*, exacted on the occasion of a zemindar's son first taking rice or marrying, the levy amounts to one or one and half a months' rent. But when the ryot himself seeks to perform any superstitious rite or festival, he has to pay the *Bhetee salamü*. It varies from 8 annas for each marriage to two rupees for a daughter's, and one rupee for a son's marriage. The seventh charge in Nuddea covers the whole class of market, mooring, and landing dues, which are not directly agricultural. Women of bad character and their paramours contribute to the landlord's coffers. The definition of the ninth exaction—*Bhikhya parboni*—as an excess payment of rent, means the squeeze made by a landlord to pay old debts. The *Peadah khurcha* is the demand of the messenger sent to the tenant by his paternal landlord. Nor the *peon* only but the Gomastah must imitate his master, and he insists on *Bazah-unka* when his accounts are made once a year. No! not finally, for we are warned, that this is by no means an exhaustive catalogue of the zemindar's dues. 'Labour is sometimes either exacted or inadequately paid for, and grain is

taken at less than the market price. Occasionally law expenses which have been incurred by the zemindar, are realized from the ryots.' And then follows a list of other forms of extortion in the same district by the landlord's servants. The Gomastah has to pay fees to his master's head clerk, and so he must reimburse himself, Asiatic fashion! Each passes on the oppression with an additional pressure, and the actual cultivator bears the whole. Woe especially to the peasantry of large absentee landlords, who are killing themselves by debauchery in Calcutta, as the native papers so often lament, while their unjust stewards lord it over the tenantry, and there is no human ear, that will hear the cry of the poor.

We pass to the next district of Jessore. Of eleven cesses returned as peculiar to its landlords, we omit the tolls on fisherman; which belong to a different class of exactions. The cloth and goats required by the zemindar for the Durga festival are met by the *sharri kanta*. *Butee* is a collection for the worship of a certain idol. Oil-pressers pay the *Ghanee khasta*, and certain priests *yagan kira*. Headmen on the estate pay a special fee, and so the recognized heads of the Chandals or Jogeas. The peasant who drives his cows across a common where no road has been provided, must pay a *Bhangor*. For the Ameen of whom as in Pubna, he complains, as fraudulently measuring his lands, the tenant must pay, as for the embankments made by the zemindar." *The Friend of India, August 14, 1873.*

"At first sight the incidence of the tax (road-cess) seems unfair to the ryots. It is quite true, that they pay about four-sevenths or even more of the total cess. But the amount each ryot will pay is quite microscopic compared wrth the illegal cesses, which the zemindars levy from the ryots. We reckon that over the whole of Bengal, the illegal cesses paid by ryots to zemindars come to not less than four annas and often too as much as eight annas in every rupee of rent." *Ibid., 1873, p. 1127.*

"When camping out early in 1871 near the river Rebbo in the Bhuddruck Sub-division of Balassore in Orissa, Mr. W.

Fiddian, a young civilian with the powers of a Magistrate, was petitioned by the ryots of ——— to save them from the cesses illegally extorted from them by their landlords, Hindoo Rajahs, and Babus. Famine, pestilence, and flood, year after year had made it difficult enough for the survivors to pay the legal or customary rent. Those who know the Oorya or Bengalee peasants may imagine how hard driven they must have been before they would complain of such illegal cesses as those for schools, marriages, income tax, and the rural post, which are paid all over the country...As lord of the manor, the zemindar levies duties on his own account on markets, fisheries, boats, ferries, and roads." *Ibid.*, p. 847.

"We have said in our last issue, that it was not the intention of Government, that the money-extorting and tyrannical zemindars should exact innumerable illegal cesses from the poor ryots. It has enacted laws for punishing those bad zemindars, who thus extort money from them by foul means. There are too many self-seeking zemindars in this country, who are so tyrannical and oppressive to their ryots, that the latter with their families curse them by day and night. They cannot express their grievances from fear, lest their homesteads are turned into wastes by their tyrannical masters. The distress and agony of their minds remain often unexpressed. Consequently the oppressions of the tyrannical zemindars do not come to the knowledge of Government. In Mofussil every one of them considers himself the son of a Nawab, and does whatever he likes." *The Shulava Shumachara*, Pous 26, 1278 Hegira.

"*Shulava* can never believe, that a ryot ever deprives the zemindar of a single pice, as long as a handful of boiled rice falls into his belly. But we regret, that the zemindar, being a possessor of vast wealth, tries his head and heart to milk him. He is allowed to live in his house on paying at least double the rent to him and his Dacoit-like Amlahs. Wonderful it is, that there is no end of the list of the illegal cesses. The Amlahs get salaries of two, three, or four rupees; but their worldly expenses vary from Rs. 10 to 25. Those who get a comparatively high salary,

spend more. Do they acquire these sums by breaking the necks of the ryots, or by knocking the earth with their feet." *Ibid.*, *Bhadra 11, 1280 Hegira.*

"The wretched condition of the peasants of Bengal has always roused the sympathy—and will, for a long time to come, continue to rouse the sympathy—of all real well-wishers of the country.... When the late income tax was imposed, there was a minimum of income under which none were assessed. There was, therefore, a large class of people, who were left untouched—the poorest were never meant to be harassed. And yet what sad cases of oppression came to light one by one—cases of poor men driven from the homes, starved and penniless! What then may be expected to be the consequences of a tax (road cess), which will professedly have to be levied from among the poorest of the poor? The difficulty in estimating the real income of every villager, which gave the income tax gatherer a pretext for gross extortion, will furnish the cess tax gatherer with the same facility; while the sphere of his operation will be widened and extended even to those least capable of holding their own. Our mind turns with horror from the consequences.

But this is not all. It is not the tax-gatherer alone, whom the cultivator will have to fight with, though even then the combat would have been unequal. Another and a more powerful neighbour will, by the strong motive of interest, be ranged against the helpless poor; we mean the zemindar. It is not unknown to many Government officials, that whenever a new tax is imposed on this influential class, the majority of them endeavour to reimburse themselves by exacting additional rates from the poor. To take an instance: the zemindari dak tax is one imposed exclusively on the zemindars, and yet so frequently and so constantly do the zemindars reimburse themselves by increased rates on the cultivators, that in the course of time they succeed in producing a conviction among the ignorant cultivators, that in reality the tax is meant to be only advanced by zemindars, and to be ultimately paid by the people. Nay it almost exceeds our powers of credibility to believe what is notwithstanding a fact, that many zemindars

dars in bringing forward civil suits against the ryots for rent unpaid, include the zemindari dak tax as a part of their claim from the people. (The writer says :—‘There can be no doubt as to the correctness of our information on this subject. We have it from Judicial Officers direct.’) Such a practice is only an index to shew the extent to which the zemindars levy the zemindari dak tax from the people.” *The Bengal Magazine, October, 1872.*

“Should any substantial tenant dig a tank in a village for the benefit of the villagers, does not the zemindar levy a certain sum for permission to cut it?—Yes, the zemindar would do this; if this tank was 100 *haths* in length and 80 *haths* in breadth, and 8 or 10 *haths* in depth, the zemindar might demand 50 rupees; there is no fixed sum.” *A Zemindar. The Indigo Commission Report, 1860, p. 173.*

“Are you in the habit of collecting anything from the ryots, in the aid of cutting roads, or digging tanks?—No; I never did so, although I know it is the custom in other zemindaries.” *Another Zemindar. Ibid., p. 39.*

“Were you in the habit of taking a good price for your putnees, and a bonus for your leases?—When I gave putnees, I received a *pon* or price, and when I gave an *ijara*, I received *salami*; the *pon* or price was from three times to four times, and one-half of the annual rental; and the *salami* was sometimes 4 annas, sometimes 8 annas, and sometimes 16 annas in the rupee; so that if I gave a lease of 5,000 rupees, I got occasionally a *salami* of 5,000 rupees.” *A Zemindar. Answer to Question 166. Ibid.*

“Do the zemindar’s *Sudder Amlahs* i.e. those of his house, get anything from the ryot?—If the ryot comes, he comes to the zemindar direct, and he would then give a rupee as *nazar*.” *Another Zemindar. Ibid., 1752. Ibid.*

“The official publication of the list of illegal cesses levied by zemindars from their ryots makes it absolutely incumbent on Government to amend the law with regard to them. It appears on the first sight quite impossible, that the educated and enlightened zemindars about the town ever connive at oppressions, which these cesses are sure to bring forth. We can speak both from our

personal knowledge of many of them as also from our faith in the good work of education, that cruelty is not their innate characteristic. How then is it possible to account for the twenty-seven illegal cesses published in the papers? To deny their existence would be absurd; to justify them would be an insult to the age. Let our readers peruse the list, and judge for themselves. We give it as is contained in Babu Nil Comul Mukerjee's work, which, in some respects, differs from the Government list.

1. *Bibaheer Marcha*.—The fee paid by the ryot on the occasion of his son's or daughter's marriage.

2. *Khootugari*.—The fee paid by boatmen in anchoring their boats off the lands of a zemindari.

3. *Koyallee*.—The money paid to take from or to a boat.

4. *Bazar tola*.—The daily tax on bazars.

5. *Ikhugatch kur*.—What is paid to prepare molasses from sugarcane.

6. *Dhoolut*.—Paid for taking goods on carts to the bazar.

7. *Bhagar jumma*.—Paid when one throws the carcasses of cows or other animals on a certain piece of land.

8. *Jalia jumma*.—A tax on every *jalia* or fisherman.

9. *Shashun jumma*.—When a zemindar's peon goes to a village on business, he has to be maintained by the villagers.

10. *Garad Salami*.—The money paid by the ryots to ransom a zemindar from imprisonment.

11. *Chout*.—The fourth part of the money obtained by the zemindar for the sale of a ryot's trees, &c.

12. *Itgara*.—Paid when a ryot builds a house of brick.

13. *Khurcha*.—Paid when the zemindar personally comes to the Cutcherry.

14. *Batta*.—Paid on the occasion of the payment of rents.

15. *Sadajalani*.—What is given to the zemindar for the purpose of papers and pens.

16. *Gram khurcha*.—What is taken from the ryots when disturbance has to be quelled.

17. *Agamani*.—When a zemindar is in his zemindari, the ryots have to pay the expenses of his stay.

18. *Nazar*.—Presents to the zemindar when he makes a tour through the zemindari.

19. *Parboni*.—What is paid on the occasion of a pujah celebration by the zemindar.

20. *Hishabana*.—The fee for the auditing of a ryot's accounts in the zemindari.

21. *Bhikha*.—A general term implying a fee given when the zemindar is in trouble, or has to celebrate a marriage, pujah, or a sradha.

How can a man endowed with the atom of human endurance or compassion, quietly contemplate this list of cesses without internally cursing the system, which produces them, or the authors who made that system possible? *We have not given all the illegal cesses*; yet a calm contemplation of what we have given is sufficient to make the heart sick. To extort a sum on every occasion of a zemindar's moving his limbs is the height of oppression possible under the worst form of Government, and the zemindar who tolerates it is an anachronism, out of place in a civilized society of the nineteenth century. It is our duty to enquire into the causes of this heartless system, and do as much justice to the zemindars, as the circumstances, which they willingly tolerate, and yet cannot get over, will permit. Here it will be safe to follow Babu Nil Comul Mukerjee, as he speaks from experience, and generally has a word to say in behalf of the ryots. The chief defect in the zemindari system is the spirit of absenteeism which it encourages. Very few zemindars know the nature, the extent, and the resources of their estates. Without the least feeling for the ryots, they consider them in the light of property, which is only to be screwed and screwed in order, that a heavy amount of money may be always obtained. Not that they are absolutely devoid of pity; but the fact that they live at a distance excludes them from the range of that sympathy, which alone is the secret of good government. Add to this the perfect want of education, which characterizes many of the Mofussil landlords, and the measure of the evil is full. The want of sympathy resulting from distance necessitates the deputation of agents, whose

unscrupulousness generally varies directly as the ignorance of their masters. As a rule most of the oppressions we hear of are the working of these amiable functionaries, and of most of them the zemindars may be presumed to be ignorant. Babu Nil Comul says:—'When a scuffle ensues, it is the zemindar, who is troubled, who suffers the heaviest expenses, and endures mental and bodily pains. The present state of the law shows no reason for the occurrence of these scuffles. If they do take place, they must be owing to the agents. Ignorant people boast of their ability to govern the ryots by showing how they can fight, conduct lawsuit, or oppress the people. Some zemindars are under the impression, that no zemindari can be well managed without lawsuits or quarrel. What can be more erroneous? An estate can be infinitely better managed by fraternizing with the ryots than by chastising them.'

The reasons for this hostility, which the agents betray towards the ryots, are apparent. 'The ryots never grudge to pay their legal dues. But when told to pay something in addition, they do grudge; and the result is that they will fall out whenever the agents will want something more.' Then again the accounts of a zemindari are always very clumsily kept, which the ryots, even the zemindar himself, can hardly understand. Hence those deceptions and heart-burnings, which led to the late Pubna riots. Is there no likelihood of an improvement in these respects? Let the zemindar answer the question. Taken generally, the case stands thus—they are not guilty of those positive evils, which are mostly to be attributed to their agents, or are concomitant with the system itself. But the negative crime is theirs—the crime of keeping their ryots in ignorance, the crime of relying implicitly on their agents, of accepting their doings as they would the inevitable, the crime of omission, of neglecting to visit their estates, the crime in fact for which they alone are responsible to Government, the man, and God. We intensely hope that as Government is devising measures for the education of the ryots, so will the zemindars combine to educate themselves to a sense of their duty. Let this be immediately done, we say in all friendli-

ness, or time will work out its own wonders and leave them to themselves, and shall we say?—to our desolation." *The Indian Mirror, August 13, 1873.*

Babu Nil Comul Mukerjee is a zemindar, and no doubt, a most honourable exception to the rule.

"The Lieutenant-Governor observes that it is said, that at least in one district of the (Dacca) Division, the zemindars are in the habit of levying a sum from the ryots in excess of what the Road Cess Act allows, and in one estate recently taken charge of by the Court of Wards in which the owner was esteemed to be popular as being a landlord considerate towards his ryots, this levy had been at a rate of four times the legitimate demand." *The Calcutta Gazette, September 20, 1876.*

"The new cess (road cess) is directly leviable from the rural masses; it is payable by the poorest agriculturists; it falls upon the toiling millions of the peasantry, and it will be collected by the zemindars.

We have trampled on the weak; we have effected a financial revolution; we have gained a direct tax based on land; we have retained the secret sympathies of the middlemen and settlement-holders in favour of a land-tax; we have exempted the commercial and trading classes; we have apportioned the burden of the payment of the tax upon the friendless and impoverished ryot, and adroitly utilized the services of the zemindar in his old office of tax-collector; we have cut the Gordian Knot, pleasing the several powerful interests to be propitiated, and made them our allies. We have truckled to the strong. It was an admirable suggestion truly, whosoever it was—a suggestion wise in this generation and statesmanlike—that we should assess the landed proprietor for our own convenience on his land, and hold him and him only for our convenience directly responsible to ourselves for that assessment, and direct him only for his convenience to reimburse himself by a legalized process of extortion on his under-tenant. In our judgment there is no lack of reasons to be brought in opposition. However convenient the plan may be to the zemindar, who has to collect the tax, however convenient it may be to the

collector, who has to receive it, it will be, we cannot but think, most pernicious and mischievous in its operation on the ryot, who has to pay it. The evil, and we are persuaded, the inevitable tendencies of the provision are to harass the under-tenant, to unsettle his rights, to enrich the zemindari servants, to grant a new lease of life to the baneful influence of the Mohajaun, to legalize extortion, to aggrandize the zemindar. The encouragement of agriculture is, we need hardly repeat, essential to our national prosperity and welfare. 'The Hindoos, who form the body of the people, are compelled by the dictates of religion to depend solely upon the produce of the land for their subsistence; and the generality of such of the lower orders of the natives, who are not of that persuasion, are from habit or necessity in a similar predicament.' The wealth of Bengal consists mainly in its agricultural resources; the greater part of the materials required by her manufactories, and most of the articles of her export are derived from land. The producers of this wealth comprise seven-tenths of the population of these Provinces. They produce this wealth, but do not enjoy it. In the words of the late Court of Directors, 'they live all their days on rice, and go covered with a slight cotton cloth.' They are simple, frugal, and feeble people; an ignorant, oppressed, poverty-stricken, and degraded race. They are easily defrauded, easily beaten, and slow to wrath. They are the victims of those, who are set in authority over them: they cannot bear to be alone: they are utterly spiritless and dependent. The relationship between a Bengal zemindar and his ryot is not the simple relationship of landlord and tenant. It is not merely that the zemindar collects the rents and the ryot pays them. The social aspects of the land tenure system of Bengal are not those of Ireland, or England, or of any other country in Europe. The zemindar and ryot are as king and people: they are as monarch and subject: the cultivators call their landlord Raja, and his bailiff Hakim: there is a *Raja Praja sumbhundhiyo*. The ryot creates the wealth, and the zemindar appropriates it like an oriental prince. What the zemindar asks, the ryot will give. What the zemindar orders, the ryot will obey. The zemindar

will tax his ryot for every extravagance, that avarice, ambition, pride, vanity, or other intemperance, may suggest. He will tax him for the *khoraki* of his Naib, for the salary of his Ameen, for the payment of his income tax, for the liquidation of his *dak* impost, for the purchase of an elephant for his own use, for the cost of the stationery of his establishment, for the cost of printing the forms of his rent receipts, for the payment of his expenses to fight the neighbouring indigo-planter, for the payment of his fine when he has been convicted of an offence by the Magistrate, for the payment of his vengeance upon the wretch through whom that conviction was secured. 'The milkman gives his milk, the oilman his oil, the weaver his cloths, the confectioner his sweetmeat, the fisherman his fish.' The zemindar fines his ryots for a festival, for a birth, for a *sradha*, for a marriage: he levies blackmail on them when an affray is committed, when one man lives clandestinely with his neighbour's wife, when an abortion is procured. He establishes his private pound near his Cutcherry, and realizes five annas for every head of cattle, that is caught trespassing on the ryots' crops. In the summer season, when the rice is ripening, and the fields all green into the harvest, there are zemindars whom we know, who obtain ten rupees for every cow impounded.

The abwabs pervade the whole zemindari system. In every zemindari there is a Naib—under the Naib there are Gomastahs—under the Gomastahs there are Peadahs. The Naib exacts a *hishabana* or perquisite for adjusting accounts annually at two pice, or sometimes one anna for every rupee he may collect. The Naib and Gomastahs take their share in the regular abwabs; they have little abwabs of their own. The Naib occasionally indulges in ominous raid in the Mofussil. The Gomastahs lay their hands on any article they can get hold of: a neckcloth full of rice, a fresh fish, or a fattened chicken, or a tender goat: they have no scruples, and are under no restraint. Collecting peons, when they are sent to summon defaulting ryots, exact from them daily four or five annas *tallubana*. It is well-known, that in one year a zemindari Naib, in the district of Nuddea,

has exacted ten thousand rupees from his master's ryots. It is within our own experience, that quite lately, on occasion of favours conferred, a zemindari Nuib received a salami of one thousand rupees.

That much of all this is illegal admits of no question: *abwabs*, *mathot*, and *chout*, are forbidden, as is notorious under the terms of the Permanent Settlement. The zemindar is liable to a penalty of three times the amount of all the sums he has collected. Yet we suppose it is not within the memory of the oldest official, that a case has been brought under the penal section of the Regulation. Whether the ryots are willing to pay or are unwilling, it has been the immemorial practice to pay, and they pay accordingly. They pay because they always have paid; because it involves less trouble to pay than to refuse; because they would be ruined if they were to refuse, because they only pay a few annas at a time when they pay.

It is in this respect, that the collection provisions of the new Cess Act (The Road Cess Act of 1871) insinuate themselves so dangerously into the framework of Bengal society. The system of *abwabs* has eaten like an incurable disease into the social organism of the country. An energetic Government might have grappled with the question, and succeeded in abolishing a practice, which, though forbidden by law, yet flourishes in unrestrained luxuriance. A benevolent Government would at least have attempted to alleviate the sufferings of a down-trodden and miserable peasantry. Yet no one raises a hand on their behalf; no one speaks one word in their interest. Either the important issues are not recognized, or if recognized, they are wilfully ignored. And what is worse—our legislature does not content itself with an attitude of indifference; it rushes blindly in to legalize those exactions, which have ever been condemned as a curse and blight on every chance possible outlet of rural independence. The zemindars, no doubt, will drive the wedge well through: our imagination fears almost to contemplate the operation of this unhallowed Act in remote villages at a distance from large towns and civil stations and Courts of Law, where the peasants are in

the words of the illustrious Raja Mohun Roy, 'as innocent, temperate, and moral in their conduct, as the people of any country whatsoever.' We cannot even conceive the period, when these simple-hearted ryots will be able to loosen themselves from the chain, that is being riveted about their feet. It seems as though they were doomed never to be emancipated from their present degraded life; and if we turn to the inhabitants of the country, who live nearer the cities, who have more intercourse with foreigners and persons in another state of civilization, and men employed about the Courts of Law, who are already breaking off, in some degree, from the despotism of their landlord, and though not yet even faintly familiar with the conception of an independent state, are yet conscious of a freer and higher existence than their own—among these also, we can see no hope; and the gleam of light is gradually extinguished under the enactments of a zemindari legislature, while underlings go round from hovel to hovel, and teach that what was illegal has been legalized, and taxes hitherto paid in resigned submission to moral force, are henceforth extorted under the inexorable requirements of an immoral law." *The Calcutta Review*, vol. LIII., p. p. 317-20.

"The zemindar still possesses a variety of means to harass the ryots, and these means are not unfrequently exerted. There is probably not a single zemindari in Bengal, in which more is taken from the ryots in some shape or other than is due by law, in which the Naib, Gomastah, &c., do not take illegal extortion from the ryot....The risk and danger of falling out with a zemindar is so great, that there is scarcely a single zemindari, where the ryots would not willingly pay somewhat more than is due rather than combine against their zemindar." *Babu Romesh Chunder Dutt's Peasantry of Bengal*.

"Babu _____, zemindar of _____ in the district of Furreedpur, having occasion frequently to impose taxes on his ryots (most of them are Ferazees, a fanatical sect of Mahomedans) for supporting his helpless sons-in-law, caused very great dissatisfaction to his rate-payers, who finally rose in a body and cruelly

murdered him." *The Bengal Times*, quoted in the *Statesman*, October 10, 1876.

The particulars of the murder are then given, which need not be quoted here.

"We hear that of the murderers of Babu———, zemindar, three have been sentenced by the Sessions Judge of Furreedpur to be hanged, four to be transported for life, and one to be transported for ten years." *The Indian Mirror*, December 28, 1876. However the sentence was reversed on appeal by the High Court and the defendants acquitted. We leave it to our readers to seriously think of the great dissatisfaction he caused to them by his tyranny and oppression, so as to rouse them to take his life. We may call this illegal cess "*Jamai Khurcha*."

Babu Bunkim Chunder Chatterjee says:—"As an instance (of illegal cesses) we shall state a real occurrence, and quote a list of sums, which were actually extorted. The occurrence took place in a village situated in the country, which was inundated in the year 1871. He who would know the name of the village may refer to the *Observer* of the 31st August 1872, p. 131. The village appeared like an island in the midst of a sea. The crops of the villagers were all destroyed. Cattle died of starvation. The villagers became anxious for their lives. A zemindar in such times should have helped the ryots with money and provisions. If he had even remitted rent, it would have done much good. Nay if he had only delayed the realization of the rent for some time, it would have been something. Far from it. The Gomastahs now came with pykes, peons, and retainers, to levy illegal demands. There were only some 12 or 14 Khudkasht Ryots and about as many labourers in the village. A list was made out, and a sum of Rs. 54-2-0 was to be levied from these people. We subjoin the list.

	Rs.	As.
Nazar to the Naib on the festive day of the new year
(<i>Punya</i>)	...	6 0
Ditto to zemindars (five co-sharers)	...	5 0
Ditto to Gomastah	...	2 0
—————	...	1 0

	Rs.	As.
Peon's fees for Asar kist	0	13
Ditto for Bhadra	1	5
Boat hire	1	8
Pujah present to the Sudder Amlah ...	6	8
Ditto to Jemadar of the Cutcherry ...	1	0
Ditto to Halshanas of the Cutcherry ...	1	0
Ditto to the five co-sharers (zemindars) ...	5	0
Ditto to———, Head Moherer ...	2	0
Alms to the religious guide of the zemindars ...	2	0
Ditto to Gomastahs... ..	12	0
Ditto to Moherers	3	0
Parboni to the Burkandaz on the Dole festival ...	1	0
Dak Tax	3	0
	Total Rs. ... 54 2	

Every ryot was to pay 3 annas to each rupee of rent due at this critical time of distress. It was impossible to realize the amount, but Gomastahs make impossible possible. The ryots worked, begged, sold their things, borrowed from others, and paid off the amount. One would suppose oppression had been screwed up to the last point, to which it could be borne—but the Gomastahs did not suppose so. They seemed to think, each ryot was a God of gold. Four or five days after the above sum had been realized, they came in with a fresh demand of 40 rupees on account of the marriage of a girl of the zemindari family.

The ryots were helpless. They hired a boat and went to an indigo factory to borrow money. They were refused. They went to their Mohajaun to borrow money. They were again refused. The ryots had then recourse to the last means left. They lodged complaint in the Magistrate's Court. The Magistrate convicted the defendants. They appealed. The Judge declared: 'It is true, the ryots have been grievously oppressed, but I am bound by law to release the defendants.' This is justice! Every one knows justice consists in the release of prisoners. If the above had been a solitary instance, we would not have quoted

it. It is an occurrence, which takes place very frequently. He who denies this has no knowledge of our villages.

With regard to income tax, the ryots pay for the zemindar, and the zemindar gets something more as profit. Government has not yet commenced levying the road cess (this was written in 1872), but the zemindars have commenced levying the same. They have a right to levy it at the rate of a pice per rupee of rent payable. A certain zemindar in a certain district commenced levying the same at the rate of four annas per rupee. A ryot refused to pay it, and was dragged to Cutcherry and maltreated. The ryot lodged a complaint, and the defendant was not released this time by law. The zemindar is in prison now.

But the most amusing thing of all is the following account of *Hospitallee*. Sub-divisional Officers are ever ready to found schools and dispensaries. A certain Assistant Magistrate in district 24-Pergunnahs convened a meeting in his Sub-division to raise subscriptions for a dispensary. Every one promised contribution and went home. One of them passed an order 'I shall have to pay so much per month in support of a hospital. Let each ryot pay one anna to the rupee of rent payable as *hospitallee*.' The Gomastahs began to levy the amount, while on the other hand, the dispensary was somehow never established. The zemindar had never to pay a pice in support of a dispensary, for which the ryots continued to pay at the rate of one anna to the rupee. A few years passed on and the zemindar brought a suit against the ryots for increase of rent under Act X. of 1859. The ryots said:—'We have been paying rent at a fixed rate since the Permanent Settlement, so that the rate admits of no increase according to law.' The zemindar replied: 'There has been an increase of one anna per rupee since such a year, and hence I am entitled to increase of rent.'" *The Bungo Dursana* quoted in *Babu Romesh Chunder Dutt's Peasantry of Bengal*.

"The zemindars and their agents own such a formidable armory of weapons for the oppression and harassment of ryots in so many ways, that it would be simple infatuation in a poor ryot of a peaceable disposition to incur the risk of his zemindar's

anger even for the certainty of exemption from the payment of any illegal cess or cesses." *The Indian Mirror, October 23, 1875.*

From the enquiries made by Sir George Campbell into the illegal cesses exacted by the zemindars from the ryots, one might infer that His Honor took measures for abolishing them with a strong hand. But the mountains of labour brought forth only a mouse. This will appear from the following lines:—"It has been the ryots' immemorial practice to pay these abwabs, and they pay accordingly; they pay because they have always paid, and because in the long run it involves less trouble to pay than to refuse. Upon a full review of the matter, the Lieutenant-Governor came to the conclusion, that the system of these exactions was now in such universal vogue, was so deeply rooted, and so many social relations depended thereon, that it became a question whether it was desirable that Government should, by any general or very stringent measures, interfere to put a stop to them. It was at the same time made thoroughly clear, that the Government, in hesitating to adopt severe or extreme measures, in no degree recognized or legalized those cesses. Illegal, irrecoverable by law, and prohibited by law, they must, it was said, remain; but it was deemed that it would perhaps be better, under all the circumstances, not directly to interfere except in extreme cases; as the people get better protected, better educated, and better able to understand and protect their own rights and interests, things would, it was felt, no doubt, to some extent, regulate themselves." *The Administration Report of Bengal, 1872-73.*

It is a fact, the truth of which no one can deny, that almost all the zemindars charge interest of seven annas per cent on each rupee of rent in arrears per annum. It presses very heavily upon the ryots.

If we trace the source of the policy of masterly non-interference on the part of our Government, we find it to be the most violent attack made by the *Hindoo Patriot* upon Sir George Campbell. See *The Hindoo Patriot and Sir George Campbell.*

The Zemindar's Visit to his Estates.

Extreme luxury, such as, feasts, garden-parties, driving most sumptuous equipages, debauchery, and so forth, making a sickening impression on his mind, and, at the same time, his pocket being emptied thereby, the zemindar hits upon a new source of deriving new pleasures, and also of filling his pockets—he intends to make a tour through his estates. The Naibs and Gomastahs are previously informed of his intention, that they may be able to give him a most fitting reception, and, at the same time, to order beforehand his *camadhenus*—the ryots—to procure money by pawning their metallic plates, that they would be in a position to pay the *nazarana* on his first setting foot on his estates. The zemindar, on the other hand, in order to impress the minds of the ryots with his show and greatness, hires numbers of up-country-men, and supplies them with red turbans, silver badges, and long *lattees* on their shoulders. Thus followed by them, he sets out with his bosom-friends—*moshahebs*—on his tour through his estates. The Naibs and Gomastahs, though busily engaged in giving their master the grandest reception possible, yet never forget to give strict orders, that each ryot must pay one rupee as *nazar* to their master, and, in default of payment, would be fined. Thus prepared they anxiously wait on his visit. On the fixed day, the zemindar makes his grand appearance in his Cutcherry, and gravely takes his seat on the richly furnished *guddee*. All the ryots, each with one rupee bound in a corner of his *chudder* or *gamcha*, or wrapped in his waist-cloth, appear before him, and make a profound bow with a semi-circle with their belly from a distance of twenty-five yards. All, one by one, humbly approach him, and drop the *nazarana* on the *guddee*. Boys and girls all come with great hurry to see him. *Ghee* (clarified butter), milk, the best kinds of vegetables procurable, and large *katla*, *rui*, and *mirgal* fishes, are supplied by the ryots in large quantities. Tender goats are brought in before him. He selects one of them especially for filling his big belly. All the petty disputes among the ryots, some of which had existence, and others had none whatever except in the fertile brains of our village tyrants, are

brought in before him for decision: grand opportunity for filling his pockets. Almost all cases are decided in a most summary process, with no other object in view than that of filling his coffers. In two many cases both the parties are fined. If the zemindar intends to exact a fine of ten rупees from the contending parties, he at first fines them twenty-five; he well knows that if he fines ten rупees they will reduce them by solicitation to at least five. They then come to their senses for foolishly referring their disputes to their *Dhurmabatur* (incarnation of justice), and for incurring the displeasure of his agents. Two three days pass away before they could be able to soften his mind not by their own solicitation, for he is too great to be vexed with it, but by oiling the feet of his underlings. It is here needless to tell our readers, that they too must be paid something before they could be moved to say a few words on their behalf. Reader! If you ask me why the unfortunate ryots submit to such extravagant demands of the zemindar, then I must say, that you (excuse me) have not the slightest idea of the terrible vengeance, which is sure to be wreaked on them as a consequence of disobeying his orders. Living in water, who quarrels with the alligator? Improvements of his estates, and thereby bettering the condition of his tenants never enter into his mind. His thoughts are wholly bent upon enjoying new pleasures and filling his pockets. He spends his days in fishing, chase, feasts, and amusements, and thereby robs the villagers of every thing they possess. When he is quite sickened with them, and his pocket is well-filled, he bends his thoughts upon returning home. As a reward for the grand reception, with which he was welcomed by his ryots, he just before his return sends for them to appear before him in order to inform them, that as a reward for their giving him the most fitting reception, he will give them all the zemindars whenever they make a tour to their estates, to collect something from their ryots, so that they may follow their example: he must take something from them. They then thank him for their giving him the most fitting reception, and he sets out for his home. The headmen and the Gomastahs begin to deliberate about what should be exacted from the ryots. After mature deliberation they come to the conclusion, that the

ryots should pay three annas per rupee of rent, of which two annas should go to the pockets of their master, and the remaining one anna to be distributed among them according to their respective ranks. It is certainly most inconsistent and unjust, that they should take so much trouble without remuneration. They then drag the ryots to the Cutcherry, and inform them of the order of their master to collect three annas per rupee of rent from them as *agamani*. Hearing the order of the zemindar, and growing very discontented, and at a loss what to do, they, after much hesitation, consent to pay it, and return home murmuring and cursing him and their lot. The Gomastahs, after a few days, give strict orders, that the money must be paid soon. The ryots begin to think: "What we should do; if we do not pay *agamani*, the Gomastahs will deduct it from the rent, and give receipts of the balance. If we demand receipts of what we shall pay, they will refuse to receive it and bring suits for arrears of rent; that will put us to additional expenses. Moreover if we do not pay it, we will incur great displeasure of the zemindar and his agents; terrible vengeance is sure to be wreaked on us: they will harass us in thousand ways." Thus, to use a native phrase, *thinking seven and five*, they at last come to the conclusion, that instead of being the victims of zemindari vengeance, it is better to pay one or two rupees. They then borrow money at an interest of 75 per cent. per annum (for that is the interest charged by money-lenders on small loans), and pay *agamani*. Appropriating to themselves the greater part of one-third of the collections, and paying the remainder to the headmen for helping them to squeeze the life-blood out of the ryots, the Gomastahs send the remaining two-thirds to the zemindar, who getting a large sum without the least trouble and with the greatest pleasure, gives thousand thanks to Lord Cornwallis, if he is wise enough to know the name of the father of the Permanent Settlement, and thinks he is literally one of the adopted sons of Government. Zemindar! Is this the reward for the most fitting reception, with which the ryots welcomed you on your visit to your estates. Several instances have been read, in which the

lion—the terrible lion—was seen to show gratitude for the benefits received. Again how do you behave towards the Government, which has, as it were, forced about fifty-six crores of rupees annually into your pockets by a measure, which has been stigmatized by the highest authorities as having no equal in producing distress and beggary in any age or country. Do you not offer most violent opposition to its almost every measure however calculated to benefit the people? We might give you several instances, but we will content ourselves with but one. Did you not forward a petition to His Grace the Duke of Argyll, the late Secretary of State for India, protesting against the educational policy of Sir George Campbell. Did not your organ the *Hindoo Patriot*, invoke the grace of God to protect you from the oppression of the latter? Did it not ever since His Honor's accession to the Lieutenant-Governorship of Bengal most violently attack him? Are you really the *Hindoo Patriot*, and Sir George Campbell the oppressor? Good Gods! Save us from our patriot; we don't want him. Sooner we get rid of him, the better for us.

The Wealth Squandered by the Zemindars.

We have already said, that the zemindars have appropriated to themselves the greater part of the wealth arising out of increased cultivation, and that they have not laid out a single rupee for making improvements of their estates. Now the question arises, how it has been spent, and where it has centred? It will be our painful duty to prove, that much of it has been squandered, and that the remaining portion been hoarded up by them. We have also said, that the zemindars are very fond of luxury. What does it mean? It means a lavish expenditure of money in the purchase of various articles only suited for delicate constitution. Now suppose that a zemindar is very fond of driving most sumptuous equipages drawn by two or more horses. One day he goes out on his drive, and sees, to his great pleasure, two horses better than his owned by A. The Babu's mind at once becomes ruffled, and is never to be calmed until he sees them in his possession. Thanks to Lord Cornwallis, our Babu is not in want of

money, so he must have them at any price. So determined he goes to A. . . . them. A seeing the detour of the purchaser, raises the price. But our Babu is not a man to shrink from them. The horses he had before, not being much new ones, he is unwilling to sell them. Being with them, he goes and drives his sun in the midst of a upon the earth as an cup. He is of the leading journals of Calcutta, whether or old, that matters little. He takes it in his hand and then keeps it aside only to be torn by his servant and catalogue of horses is always in his hand day he learns that some fine horses will be sold by them o'clock. Again his mind becomes ruffled, and is never calmed until he sees them in his stables. Our Babu, with his-filled pocket, starts at nine o'clock, buys them, and returns home highly satisfied. In this way those who want only one carriage, have often in their possession five, ten, or twenty. In place of two horses, they have ten, twenty or forty. We have also said, that he is almost always surrounded by his *Moshabs*. The object of these hungry vultures is always to lay traps him. They are often in search of most beautiful prostitutes or other young women in order to gratify the lust of their noses. Here it need not be stated, that they often rise by their odious practices from a state of poverty to that of affluence. With the permission of our readers, we here quote the following lines from the *Shalava Shamachara* of Pous 4, 1279 Hegira:—"No one, on observing the habits of the zemindars of our country, can think, that Lat Shaheb is greater than they. Their pomp of bathing, wearing cloths, and sleeping, is of the zemindari manner, which even his forefathers never saw. When the servants smear them with oil, their neighbours come to the knowledge of it; they are so shameless, that it is not proper for any gentleman to stand by them at that time. No one can supply them with thin cloths, unless he gets orders beforehand. At the time of wearing the cloth, such outrages are committed, that

the servants cannot tuck the lower garment, unless they run behind them with it in their hands for four miles: Making provisions for meal is only for sleeping. The more they pant with their body, which has grown as huge with clarified butter and milk as the heap of earth, the more they derive pleasure. The more the belly grows large, the larger are the pillows made. When a zemindar snorts after laying his huge body upon the huge pillow, the house totters with the horrible noise."

Then the editor maintains the great superiority of the Governor-General over the zemindars, and advises them to imitate his noble virtues, and to do their duty towards their tenants. He concludes thus :—"Do not neglect your own interest in thoughts of smearing oil, wearing, thin cloths, and enlarging the belly; let not your object be the tears of the poor ryots." So all sorts of articles of luxury abound in the zemindar's house. It is to be deeply regretted, that thousands of graduates and undergraduates of the Calcutta University are starving and begging from door to door for private tuitions of four or five rupees per mensem, while there are thousands of prostitutes in Calcutta, whose monthly allowances vary from fifty to five hundred rupees; nay some of them are masters of lakhs. Almost every Saturday, our Baby, accompanied by his bosom-friends and prostitutes, drives his sumptuous equipage to his richly furnished garden-house, and returns home on Monday. We leave it to our readers to draw a picture in their own minds of what passes in the zenana; Hundreds of rupees are often squandered in two days. Such is the way, in which vast sums are wasted away, while the people are, literally, dying of starvation and selling their dear children for two or four annas. But notwithstanding this terrible injustice inflicted upon those, who are the very foundations of society, there are men, alas! educated men, who are the wealth of the country, centres in it, so there is no injustice. But we ask where and in whom does it centre? Does it centre in the ryots from whom it is exacted? No. It does not. It centres in a few idle and worthless drones of society: it centres in the various articles of luxury—in palaces, richly furnished

garden-houses, horses, elephants, equipages, prostitutes, marriages, *matches*, heaps of gold ornaments, jewels, shawls, brocades, feasts, wine, cherry-brandy, Government papers, *nattials*, pleaders and barristers' fees, and last, but not the least, in their bosom-friends—*mohatahs*. But what benefit do the people derive from it? The only benefit they derive from it, is, that they are looked upon as their slaves, and that it gives rise to fresh pretexts for squeezing their life-blood.

Another baneful effect of the luxury of the zemindars, is, that thousands of ryots are forced by their extravagant demands to leave their dear homes, and to go to Calcutta and elsewhere for serving them and others in the menial capacity of *Khan-shamahs*, and thereby wasting their energies, which might be far better employed in cultivation of land, for food and two rupees per mensem. Now suppose that there are three ryots—all brothers—cultivating twenty beeghas of land, and paying rent of seventy rupees per annum. The profits from the cultivation of land are too small to meet such a high demand, as well as to support all members of their family. Hence one of them is almost always obliged to leave home and serve in any capacity, which best suits his interests. It is needless to tell our readers, that the land could not be so well cultivated by two, as by three, men. It may be argued, that from the improved cultivation of land by the three men, they might make the land produce sufficient crops to pay the rent as well as to support themselves and their family. So there is no need for any one of them to leave home in search of employment elsewhere. But the cultivation of land is very precarious. There are droughts, floods, untimely rains, locusts, and other insects, which not unoften destroy the crops, while he who goes out for employment, is always sure to support himself and bring home thirty or forty rupees per annum, which might much help in meeting the extravagant demands of the zemindar. If the rent were moderate, he might be far better employed in making the land produce abundant crops. Thus we see that the extravagant demands of the zemindars have a very evil effect upon agriculture.

Again if it be said, that all these articles of luxury remain in the country, and that, therefore, there is no need for interfering with the rights of the zemindars. If that be the argument for maintaining the Permanent Settlement, then we should say, that the Mahomedans were far better rulers than the English, because the wealth, which the former exacted from the people, remained in the country, while part of what the latter collect reaches the shores of England. The following extracts will throw much light upon the subject :—

“The supplies of trade are for the wants and luxuries of a people; the poor in India may be said to have no wants: their wants are confined to their dwellings, to their food, and to a scanty portion of clothing, all which they can have from the soil that they tread upon, and their apparel almost without any cost. I am not acquainted with the present state of society in India, but I should conclude, that the only opulent of the people are the zemindars, who are almost all, if not all, Hindoos... They would spend it (wealth) in dissipation, in their pleasures, in state.” *Warren Hastings. Minutes of Evidence taken before the Honourable House of Commons, 1813, p. 5.*

“Had you any opportunity of observing in what manner the wealthy natives, Indians, applied their superfluous wealth?—Certainly not in the purchase of European articles; of course they employed their superfluous wealth in the same manner as the higher ranks of people in other countries, on their pleasures, their state, and ostentation; often vast sums are squandered by them in the obsequies of their relations; on the death of a mother particularly, a man has been known to consume his whole patrimony, though in every other respect sordid and a miser.” *William Cowper, Esq. Ibid., p. 39.*

“In what manner do they (zemindars) apply or use their superfluous wealth?—In their own mode of state; a great number of servants, entertainments, marriages, and deaths, these are the principal.” *William Bruce Smith, Esq. Ibid., p. 165.*

“Among the richer class, the marriage expense is only measured by the extent of their fortunes; men frequently dissi-

pate half their property in the course of a few days in a marriage. Rich Hindoos are expensive in dancing women, in servants, in fine cloths, and in horse." *Colonel Munro. Ibid.*, p. 274.

"In what manner they (zemindars) spend their revenue?—Their characters, of course, vary as much as in other countries. Some are parsimonious; and many of them are extravagant; those who are extravagant spend their incomes in *natches*, festivals, pomp, and state." *R. D. Mangles, Esq. Answer to Question 605. Minutes of Evidence. Select Committee of the House of Lords, 1830.*

"Do they indulge in European luxuries and European mode of life?—Some few do; and I have understood (it is a matter of mere hearsay) that they consume a considerable quantity of wine and cherry-brandy. They do so secretly of course." *Ibid.*

"We have shewn, that the accumulation of wealth arising from the increased area brought under cultivation in Bengal since the year 1793, has centred in the zemindars or landholders—who, it may be as well to reiterate, were originally mere collectors of revenue, and were never proprietors of the soil, and it remains to be inquired—what have they done with it? It is admitted, that they have increased their own wealth, and added to the value of their personal estates by the reclamation of wastes, and I should be extremely sorry to deprive them of any credit which is their just due on this score.

How then has this vast accumulation of wealth been spent, and into what channels has it permeated? Has it found its way back to the soil, to fulfil the ordinance of the Creator, to increase manifold the earth's produce—to reproduce fresh wealth, which all might enjoy, and of which, the King, as trustee for the community or State, might receive his just share? It has not. The bulk of the wealth has been squandered in *natches*, pujahs, or festivities in honor of mythological Gods and Goddesses, marriages, and other ceremonies, feeding Brahmins, &c.; some has been hoarded; much has been put into gold and silver ornaments, jewels, brocades, shawls; and considerable sums have

been expended in barbaric splendour. (The Rajah of——— has about 100 elephants, the keep of which cannot cost him less than £3,000 per annum). Nay more, the celebration of these wasteful festivals and ceremonies is often the source of grinding oppression on the part of many zemindars, who invariably make them the occasion of imposing abwabs or taxes on their tenants, a practice, which, though it has been disallowed by law, is universal.

No contrast could be more striking than that which meets the eye of the traveller from the North West as he approaches Calcutta—the Metropolis of British India! Bridges broken down, roads in some places washed, and in others disgracefully out of repair, are everywhere to be seen. A few years back, I counted for miles along what is called the Grand Trunk Road, heaps of metal, which has been deposited for four or five successive seasons, and never laid down. Nor could there be any mistake. The growth of the vegetation—which in Bengal springs up after a rainy season even out of burnt bricks—readily told the tale. Indeed it may be truly said, that in the interior of Bengal there are no roads at all. Dacca, the once flourishing capital of Eastern Bengal under the Mohammedan rule, is still unconnected with the metropolis... In truth, it is common to hear persons arriving in Calcutta from the Upper Provinces exclaim, that Bengal is a century behind the North West in material progress, and the assertion is undoubtedly not without some foundation. I am well aware of the great difference in climate between Bengal and North West, and the great engineering difficulties, and the absence of *kankar* or road-stuff in many parts of the former. I have resided many years in each Division of the Bengal Presidency, but making all due allowances for these differences, and at the same time taking into account, that frightful famines have periodically decimated the population of the one throwing half the country out of cultivation, and that the other, besides being naturally far more fertile, has been comparatively free from these visitations, I am unable to alter the conclusion at which I have arrived, that if the Perpetual Settlement in Bengal has enriched

the zemindars, it has kept the people in a sadly impoverished and depressed condition, and immensely retarded the material progress of the country....The Government of India, in making the Perpetual Settlement with the zemindars of Bengal, doubtless considered that they had made over, with the surplus-profits accruing from the increase in cultivation and the value of the produce, the duties and responsibilities, which it still retained in its own hands in the North West, and it confidently expected, that the zemindars would willingly accept the high responsibility, which attaches to ownership in the soil. How the two landlords have discharged their trust, what I have stated above will sufficiently show. But it is not all. The zemindars have not only not discharged those duties and responsibilities in respect of public works, which in other countries landlords most cheerfully accept, but shielding themselves behind the letter of the enactment, which perpetuated the Decennial Settlement, they have refused all further aid to Government in lieu of any extraordinary protection, they may be afforded in times of extreme peril—or for any public purpose whatever." *Dr. Nussaw Lees' Land and Labour of India*, p. p. 172-78.

The Act X. of 1859 and the Enhancement of Rent.

The vicious Acts VII. of 1799 and V. of 1812, which are generally known as the Huptum and Punchum Regulations, were repealed by Lord Canning in 1859, after a sad and painful trial of sixty years. His Lordship, in order to protect the ryots from the oppressions of the zemindars, passed the well-known Act X. of 1859, which is sometimes called the Ryot's Charter. But alas! It will be our painful duty to prove statistically, that it has placed him in a worse position than before. The fact is, that hundreds of Acts will be of no use whatever, so long as the Permanent Settlement is maintained intact. There are thousand ways always at the command of the zemindar to treat the Regulations and Acts of Government as waste paper, and to enhance the rents of the cultivators.

Babu Parbati Charan Roy, a 'small landholder,' who is, no

doubt, a most honourable exception, in his *Rent Question*, says :—
 "So far as facts may be gathered from the published annual reports of Government, it would appear, that enhancement cases have been rather numerous."

Year.	Number of notices of enhancement.		
1863-64	6,863
1864-65	7,676
1865-66	7,942
1866-67	7,988
1867-68	8,889
1873-74	6,521
1874-75	9,343
1875-76	8,710
1876-77	8,216

We have taken the figures for 1863-64 to 1867-68 from his book, and for 1873-74 to 1876-77 from the Land Revenue Administration Reports for those four years. We regret that the Babu puts the number of notices of enhancement in the years from 1872-73 to 1875-76 at 2,839; 2,524; 2,815; and 2,513 respectively. We do not know whence he has got them. We were surprised to find in the Land Revenue Administration Reports for the years 1873-74 to 1876-77, that the number of notices of enhancement in those four years was 6,521; 9,343; 8,710; 8,216; respectively. We then naturally wished to consult the Reports for some consecutive years; but to our deep regret, we have not been able to procure even a single copy. Therefore we are painfully obliged to reject them. We have taken his figures for those years only, which appeared authentic and were a little more or less than the average of those of 1873-74 to 1876-77. Thus the number of notices of enhancement in nine years may be put down at 72,148. Now we will quote the words of Babu Parbati Charan Roy. He says:—"But in order to have the total number of the cases in which enhanced rates were claimed, it will be necessary to add to the above *kabuleet* cases and those for arrears of rent at enhanced rates instituted after service of notice. Taking the number of such cases to

be half of the former, the total of both classes would be 108,222.

“The above fairly shews, that the zemindars and the ryots have been largely involved in litigation for the adjustment of rents. In the absence of any figures showing the proportion of such cases, as have been decreed, the present writer is under the necessity of relying on his own personal experience. He is of opinion, that the Deputy Collectors were generally for giving decrees, and that the Munsiffs have generally been for dismissals. Assuming, therefore, that half the cases were decreed, we find that during these nine years, decrees for enhancement have been granted in 54,111 cases. “These, however, do not represent the actual number of enhancements, that have taken place in consequence of these decrees. For when a decree is obtained against one ryot in a village, all the others in that and other villages generally settle their differences according to the same way it will be found that, with the exception of a few zemindars and talukdars, all the landlords have more or less raised the rents of their tenants. Those landlords, who have not raised the rents, have been making up the difference in indirect ways, as in the shape of khurcha, mathot, &c.” *The Rent Question*, p. 3.

In one year decrees for enhancement have been granted in 6,012 cases. Assuming the number of villages, which settle their differences according to one case, to be five, we come to the conclusion, that rents have been enhanced in 30,072 villages. Again assuming forty ryots in a village, 30,072 villages represent 12,02,880 ryots or 60,14,400 men, women, and children. Thus in each year the rents of 12,02,880 ryots have been enhanced by fair means. We humbly request our readers to take into their kind consideration the troubles, anxieties, and the ruinous law-expenses, to which the ryots must have been put in those cases which were dismissed, and the terrible vengeance of their masters, which was almost sure to be wreaked on them. Again we should not lose sight of the fact, that there are many zemindars who enhance the rents of their tenants by sheer force and with-

out serving a single notice of enhancement, by which it must be preceded according to law. We have heard of many instances, in which rents of the ryots were increased by the arbitrary will of their masters. A certain zemindar has enhanced the rents of his ryots of two out of three villages without serving a single notice of enhancement. We shall try to give minute details of them in proper place.

Now we leave it to our readers to judge of the enhancement of rent, which has taken place since the passing of Act X. of 1859, and of the great dissatisfaction, which must have been caused thereby. We firmly believe that the general disaffection of the ryots throughout the whole province is almost entirely owing to the wholesale raising of rents by the zemindars. With these remarks we place before our readers the following passages, which will throw much light upon the subject.

“That the zemindars frequently increase their demand against the ryots, and are not guided by any fixed principle but by their arbitrary will is a well-known fact. Mr. H. G. Christian in his evidence before the Select Committee in 1830, stated:—‘I think the rent is frequently increased on them (ryots.)’ Mr. Holt M’kenzie in his evidence before the same Committee in 1832, said:—‘Generally they (zemindars) take what they can take without any very distinct understanding of the grounds of their demands.’ Mr. T. Fortesque, Commissioner for the Civil Affairs of Delhi, expressed his opinion to the following effect on the same occasion:—‘Had the rates by which the ryots were formerly liable to be assessed been recorded at the Permanent Settlement and fixed, the value of the rights of the ryots would ere this day have been very considerable and rendered them secure and comfortable.’ The evidence given by Mr. Mill before the Select Committee is also much to the point. He says:—‘They (zemindars) take from them (ryots) all that they can get; in short they exact whatever they please. According to what is now the common understanding and apparently by the decision of the Courts, they have no defence whatever but that of removal; they must decline to pay what is demanded and quit the land.’

Indeed the defect in the enactments of 1793 is so great, that they have been pronounced by the Home Government to authorize the zemindar 'to oust even the hereditary ryots from the possession of their lands, when the latter refuse to accede to any terms of rent, which may be demanded of them however exorbitant.'" *The Calcutta Review*, vol. VI. Art. *The Zemindar and the Ryot*.

"And the landlord has the power practically to enhance the rent as far as the ryot can bear?—I should say very often, because it is seldom worth the while of the ryot to oppose the landlord." *F. L. Beaufort, Esq. Answer to Question 239. The Indigo Commission Report, 1860.*

Mr. J. Hector, in his *Land and Railways in India*, p. 5, says:—"A native manager of some large zemindaries, with whom I had an opportunity of conversing lately on this subject, frankly admitted, that the policy of the zemindars was by fair means or foul, 'to screw out of the ryot as much as they could get.' It is even asserted that Act X. of 1859, which ought to have afforded some means of protection, has become an additional method for squeezing the life-blood out of the ryot."

Dr. Hunter in his *Statistical Account of Bengal*, vol. III., p. 355, says:—"Rates of rent have risen considerably in Hughli district of late years. The Collector states in his report to me, that before Act X. of 1859 came into operation, the zemindars, confident of the right they possessed to enhance the rents of their tenants at any time they pleased, did not use that power to any thing like the extent they do now. At present, enhancements are made at regular intervals by the zemindars in the fear, that a few years' negligence or forbearance may deprive them of the power, and give the tenant a right to hold his land under the occupancy rules. Formerly after a general settlement of the lands of a village had been made with the cultivators according to the rates prevailing in the Pergunnah within which it was situated, the zemindar remained quiet for at least twenty years, if not for his life-time, when a second settlement was made by himself or his successor. At the present day, landlords lose no

opportunity of raising the rents of their tenants by every means in their power, through fear of giving the latter a chance of acquiring the right to hold their land at occupancy rates."

A writer in the *Calcutta Review*, vol. LI., p. 75, says:—"We very much doubt, indeed, whether the misguided legislation of 1859 has not placed him (ryot) in a worse position than before. By Section 6 of Act X. of that year, the ryots who had cultivated the same land for twelve consecutive years, were vested with rights of occupancy, and the result is, that but few now-a-days are left in the peaceful possession of their land for that period, while rents are of necessity subject to frequent enhancement in order to maintain the rights of the zemindar. It is thus but rarely that we meet with occupancy ryots, while the effect of our legislation has been to grind down the great mass—to make their occupancy more precarious and to raise rents. To look upon the great body of ryots in Bengal as in any sense peasant proprietors would be a mistake, that argued a very superficial knowledge of the country and of the working of Act X. of 1859."

The following means are not unfrequently resorted to by the zemindars for enhancing the rents of the cultivators:—"To take an instance, a zemindar wants to increase the rent payable by a occupier of a certain bit of land. The course prescribed by law is a reference to the Civil Court, whose decision would be final and definite. But the zemindar knows but too well the cost of such a reference, and therefore resorts to what he believes to be an easier and simpler method. If he is strong enough, he uses compulsion—if not, he takes to ingenious tricks. He grants a pottah to a new ryot, who consents to pay the increased rent for the bit of land in question, and thus a dispute ensues between the new man and the old man with reference to the identical bit of land. The old ryot may complain in a Civil Court against this intrusion into his ancient possession—the new ryot may complain against any opposition to his right based on a registered pottah—but both involuntarily turn from the very name of a Civil Court, and carry on their disputes as best they may, sometimes for years together. In a second instance, a ryot is justly or

injustly ousted. A reference to a Civil Court would, no doubt, right matters—but it would so perhaps after a year—and his ruin by that time would be complete. He naturally, if not justly, sticks to his old soil and homestead prepared to defend his rights against any new-comer, who may present himself, and if the worst comes to the worst, then and not till then to refer to the Civil Court. In a third instance, entire villages become annoyed with their master, and in a fit of indiscretion, declare that their zemindar shall levy no rent.” *The Bengal Magazine*.

“The writer (in the *Statesman*) points out, that in Tirhut there is a class of ryots known as Jeyth ryots, who are the paid servants of the zemindars. When the zemindar wants to enhance, these men take leases of any absconded ryots holding at the proposed new rates. Receipts are granted them at these rates for a couple of years or so, then a demand is made by the zemindar from other ryots to pay the same rate, followed by a suit in the Munsiff's Court. Should they decline to do so, the Jeyth ryots and their people give evidence for the zemindar, and when all is over, the Jeyth ryot, instead of paying the rent agreed to, pays only half” *The Bengalee, May 25, 1878*.

“Previous to the passing of this law (Act X. of 1859), have you known instances of determined or substantial ryots, who baffled the zemindars in attempts either to dispossess them or enhance their rent, and who resolutely maintained their ground in Civil Court?—I have known a few such instances of ryots successfully resisting enhancement of rents, but they have been few, and such ryots have been much harassed and almost ruined by law-expenses.” *J. H. Reily, Esq. Answer to Question 2595. The Indigo Commission Report, 1860.*

The Titles.

We are not opposed to titles, when they are bestowed upon really worthy men. But the rapid creation of Roy Bahadurs, Khan Bahadurs, Rajahs, and Maharajahs, which is going on for some years past, cannot but do harm. Much might be said for and against it. There are many men, who are so sordid, that it

is impossible to expect a single pice from them, without giving them something in return. The conferring of titles upon them is one of the best means, that can be devised for taking out something from them. It is a fact, the truth of which is undeniable, that the increase of wealth is always followed by a longing desire for that of honor. And this desire is often fulfilled of itself. But the addition of a title to wealth is looked upon as borax applied to gold. Most of the zemindars of Bengal possess great wealth, consequently we are not at all surprised, that many of them are title-mongers. To gain their object—to have a title conferred upon them—they often try their best to curry favour with high officers of Government, for it is impossible to have it without their strong recommendation. They lend them money, subscribe hundreds of rupees to memorial, hospital, or other funds. In this way they often succeed in having titles conferred upon them. We are afraid, we may be discredited when we state, that in most cases, the subscriptions are often exacted from the ryots. There are many Native and European gentlemen, who put a moral force upon them to contribute to school, dispensary, memorial, and other funds. The zemindars, in order to recoup themselves, realize them from the cultivators. Their contributions to school funds are often exacted from them, and have given rise to a regular cess called *ishcool khurcha* (see *The Illegal Cesses*). Wonderful it is, that such exactions are sometimes made the pretexts for enhancing their rents. We will quote an instance. “The most amusing thing of all is the following account of *hospitallee*. Sub-divisional Officers are ever ready to found schools and dispensaries. A certain Assistant Magistrate in District 24 Pergunnahs convened a meeting in his Sub-division to raise subscriptions for a dispensary. Every one promised contribution and went home. One of them passed an order: ‘I shall have to pay so much per month in support of a hospital. Let each ryot pay one anna to the rupee of rent payable as *hospitallee*.’ The Gomastahs began to levy the amount, while on the other hand the dispensary was somehow never established. The zemindar had never to pay a pice in support of a dispensary, for which the ryots continued to

pay at the rate of one anna to the rupee. A few years passed on and the zemindar brought a suit against the ryots for increase of rent under Act X. of 1859. The ryots said: 'We have been paying rent at a fixed rate since the Permanent Settlement, so that the rate admits of no increase according to law.' The zemindar replied: 'There has been an increase of one anna per rupee since such a year, hence I am entitled to increase of rent.'" *The Bungo Dursana* quoted in *Babu Romesh Chunder Dutt's Peasantry of Bengal*.

A zemindar, certainly a title-monger, subscribed five thousand rupees for a clock in a certain Government College. God knows what real benefit has come of it. There were thousand ways, in which it might have been spent for the good of the public. Besides if an enquiry be made into whence this large sum came, we shall not be at all surprised to learn, that a clock cess was levied from his tenants. It is also most probable, that for want of a khal or an embankment, their crops were, and still are, liable to be destroyed or injured.

Another evil effect very much to be regretted is, that those who are honored with the titles, often involve themselves in pecuniary difficulties. Suppose a zemindar is honored with the title of Rajah Bahadur. As soon as it is conferred upon him, he thinks himself a very great man. Formerly he was in the habit of driving a carriage drawn by one horse; now he thinks it beneath his dignity to do so, so he must have a most sumptuous equipage drawn by two or more horses. In this way he is very much apt to go beyond his means, and to involve himself in debts or to cover his increased expenses by enhancing the rents of his ryots, which is most probably the course often resorted to. It is also beyond doubt, that the pride engendered by the title makes him look upon the earth as an earthen vessel. Thus we see that the rapid creation of Roy Bahadurs, Khair Bahadurs, &c., must give rise to aristocratic views, and ultimately result in an amount of evil very much to be regretted. But our rulers think otherwise. They think that conferring of these titles would make them popular in the eyes of the people, and that there would be no danger

so long as these aristocrats are on their side. If they are really anxious to be popular—to see their names engraved in golden characters in the hearts of the people—then instead of bestowing empty titles upon a few zemindars, let them confer real benefits—~~instead~~ let them offer high judicial and executive appointments upon those natives, who really deserve them, and above all, let them emancipate the hundred millions of ryots from the grasping slavery of the zemindars, malguzars, and talukdars. We think it would not be out of place to quote here the following lines:—

“Of all the titles, in the eyes of the native public, this especial one (Rai Bahadurship) has become sickening, and the people have come to look upon it with contempt. Among the new Rai Bahadurs we find L———, mukim and jeweller to His Excellency the Viceroy, and Babu———, treasurer. These gentlemen are welcome to the honors bestowed on them. But we see no reason why those European gentlemen, who are jewellers or tailors by appointment to His Excellency the Viceroy, should have no titles conferred on them; or why Mr. P———, the Viceroy’s confectioner, who was no insignificant character at the Delhi Assemblage, should be unhonored, why His Excellency’s Head *Khidmutgar* should not be created a Khan Bahadur. The very members of the Bengal Council find themselves no more honored than the Viceroy’s mukim or cash-keeper, and the Hon’ble Babus Kristo Das Pal and Ram Sunker Sen are placed in the same category with L——— and Babu G———.” *The Indian Mirror* quoted in the *Statesman*, January 18, 1877.

“A cess of four annas in the rupee was levied by Rajah——— of———, on the occasion of his getting his title. Most of the ryots paid the cess, but the Christians about——— resisted it. An enquiry was instituted, which shewed that no violence had been used; payment was optional.” *The Land Revenue Administration Report for the Year 1876-77*, p. 50.

The Indigo-Planters.

We think it is necessary that we should crave the permission of our readers to trouble them for a while with a short plea for

dwelling on the oppressions of the indigo-planters. We have proved before, perhaps, to the satisfaction of our readers, that the ryots have suffered much in person and property in consequence of the corruption, inefficiency, and the oppression of the Police, and that the zemindari system is the true cause of its failure. Here it will be our painful duty to prove, that the zemindari system is also one of the principal causes of the oppressions of the ryots by the indigo-planters. We firmly believe, that if it had not prevailed, they would never have suffered *so much* in their hands. (We lay stress upon the italicized words). Indeed much of the oppressions of the indigo-planters may safely be laid at the door of the zemindars. We draw the attention of our readers to the facts, that some zemindars both Native and European are indigo-planters, and that most of the latter are Europeans. Their oppressions are as proverbial as those of the zemindars. Hence it would appear, that many ryots, who cultivate indigo, suffer zemindari and indigo oppressions, and are under their despotic sway. If our readers think seriously and calmly, they cannot but come to the conclusion, that the oppressions, which they have practised and are still practising upon their ryots in their position of indigo-planters, would never have been practised to so great an extent, if they had not been in the position of their zemindars. The position of these unfortunate creatures, who hold lands and cultivate them ~~with them~~ with indigo under them is scarcely better than that of the slaves, and is somewhat different from that of their brethren, who hold lands under a zemindar and cultivate them with indigo under a planter. That the latter too suffer zemindari and indigo oppressions, is clearly manifest from the fact, that they are under both of them. The only difference between them is, that the former must patiently submit to their fate, and bear all the oppressions, which their masters are pleased to practise upon them, while the latter when oppressed by the one may fly to the protection of the other; but they are always put into great difficulty, and hardly know what to do—whom to side with—when there is a dispute between the planter and the zemindar. We can hardly conceive a position more worse than what they

are placed in thereby. Unfortunately for them, the disputes between them are almost of every-day occurrence. It is a self-evident fact, that one cannot serve two masters at a time. Hence it would appear that they always incur displeasure of one of them, and are threatened with vengeance, and that horrible oppressions and outrages are often perpetrated on them on slightest pretexts. We think we have already wounded the feelings of our readers by placing before them pictures of various sorts of oppressions practised upon the ryots by the zemindars. It was our earnest desire not to trouble them with any more. But calm and deliberate consideration leads us to the conclusion, that we will certainly ill-discharge our duty towards the vast millions in trying to represent them, if we omit the oppressions of the indigo-planters. Moreover the oppressions of the zemindars are so intermingled with those of the indigo-planters, that it is almost impossible to dwell fully upon the former without dwelling upon the latter. Some of our readers may think, that the oppressions of the indigo-planters have ceased to exist from the year 1859, and that therefore there is now no need of dwelling upon them. But that is really not the case. They are almost as prevalent in 1879 as they were in 1859, the only difference being that in 1859 the ryots rose to open rebellion, which drew the attention of the Government, and finally led to the appointment of a Commission to enquire into its causes, while in 1879 they patiently submit to their fate, and sometimes rise to little rebellions, which are quickly suppressed. If the oppressions of the indigo-planters had not existed, we would never have troubled our readers with them. That they are as prevalent in 1879 as they were in 1859, will appear from two well-known facts, that many ryots of Behar and Tirhut, notwithstanding their proverbial tanacity to their ancestral lands, have been forced by the oppressions of the indigo-planters to leave them and to prefer the protection of the Nepal Raj to that of the vaunted British Government, and that almost all the leading journals lately urged upon the Government to appoint a Commission to enquire into the causes of their grievances. The perusal of many papers both official and non-official, some

of which we have quoted below, leaves no doubt in our minds, that the oppressions which are now practised upon the ryots of Behar and Tirhut, are almost similar to those, which were practised upon those of Rajshahi, Nadya, and Jessore, and which have been very ably set forth by the Indigo Commissioners in their Report of 1860. It would be simple infatuation in us to try to add a single word, and to repeat them in our own words. We also think our readers would scarcely believe us, if we, instead of proving the oppressions of the zemindars and the indigo-planters by long quotations from official and non-official papers, attempted to prove them by using our own words. For this reason we have refrained from saying much of our own, and greatly availed ourselves throughout the book of the writings, speeches, and evidence of others. We believe our readers will be firmly convinced on perusal of the following pages, that the oppressions now practised upon the ryots by the indigo-planters would have been scarcely tolerated a single day by any civilized Government in the world except that of India, and that we would have been certainly wanting in our duty towards the vast millions, if we had omitted them. With these remarks we leave our readers to judge from the following extracts, how far our rulers have discharged, and are still discharging, their duty towards the people, who have been entrusted by kind Providence to their care and protection. To guard ourselves from being misunderstood, we distinctly state that there are a few indigo-planters, who do not oppress their ryots, and consequently do not deserve in any way the least censure from us.

“I beg to submit a pamphlet published in Bengalee and widely circulated, called ‘The Oppressions of the Indigo-Planters.’ It contains songs, which have been sung far and wide among the natives and set to music. The drift of some of those songs is the following: that the interest on the planter’s advances accumulates for three generations; that the people sell their *pottahs* (leases), they do not cross the Ganges, that is, get free from the planter; that when the planter first applies to the ryot to sow indigo, he comes like a beggar, but at last he makes grass to grow

on the ryot's bones; the indigo-planters come in like a needle, but go out like a plough-share, and are desolating Bengal like flocks of locusts; the king looks on while the subjects are drowned; all is gone; to whom shall we apply but to Almighty God; should we shut our eyes at night, we see the white face before us, and, through fear, our lives fly away like a bird; our souls are burning in the strong flames of pain." (Translation and original handed in). *Rev. James Long. The Indigo Commission Report, 1860, p. 155.*

"I myself, at the beginning of the mutiny, read a pamphlet published by one of the courtiers of the King of Oude, in which he argues, that the indigo-planting oppression is as great in Bengal, as any system of oppression that has been alleged to be practised by the King of Oude; and that if the King of Oude is to be deprived of his kingdom on account of the oppression practised in his territories, the English Government ought also to be deprived of Bengal on account of the indigo and other oppressions they wink at." *Ibid. Ibid., p. 156.*

"Do your ryots sow indigo, because it is profitable to them, or because they wish to please you as their zemindar?—It is not at all profitable to them, but rather a loss, as my memo will show. They sow it to please me, their landlord, and because they have sown it before, and also they wish to avoid the possibility of strangers coming in." *A Well-known Zemindar. Ibid., p. 38.*

"You have stated that the ryots would be glad, if the cultivation of indigo were discontinued; will you state the reason the ryots have for this?—In the first place, ryots are subjected to a great deal of annoyance and exaction by the factory servants; even with my personal supervision, I am unable to prevent the oppression of my servants." *Ibid. Ibid.*

"There is no profit at all. If the ryot is to cultivate indigo, he must give his exclusive attention to it for the whole year to the neglect of other crops, which would give a large profit of 50 to 100 per cent." *Another Zemindar. Answer to Question 182. Ibid.*

“If the ryots have, for the last 20 years, been unwilling to sow indigo, how then have they gone on cultivating the plant up to the present time?—By numerous acts of oppression and violence, by locking them up in godowns, burning their houses, beating them, &c.” *Ibid. Ibid. 186. Ibid.*

“First, I believe it (indigo-cultivation) to be unprofitable, and therefore I cannot believe that any ryot would consent to take up that cultivation, involving as it does serious pecuniary loss to himself; secondly it involves an amount of harassing interference, to which no free agent would subject himself; thirdly, from a consideration of the acts of violence to which the planters have throughout been compelled to resort to keep up this cultivation as proved by the Criminal Records of Bengal; fourthly, from the admissions of the planters themselves, that if the ryots were free agents, they would not cultivate indigo; fifthly, the necessity under which the planters state themselves to be of spending large sums in the purchase of zemindaries and other description of rights giving them territorial influence and powers of compulsion, without which they would be unable to procure the cultivation of indigo; sixthly, the statement of the ryots and the people generally in the district in which I have been; seventhly, the fact, that as soon as the ryots became aware of the fact, that they were by law and practically free agents, they at once refused to continue the cultivation.” *Hon'ble A. Eden. Ibid. 3574. Ibid.*

“My own impression was that the indigo-cultivation there (in Pubna) was extremely distasteful to the ryots. I derive my impression from conversing with the ryots, and generally from cases that came before me, but I must add that certainly the great majority of cases were from those estates in which the disputes between Mr. K———and Babu R———were going on, so that it is difficult to say in what cases the ryot's antagonism to planters was the result of his own impulse, and in what he was acting under the influence of his zemindar.” *Ibid. Ibid. 3769 Ibid.*

“Then is it your decided opinion, that indigo-cultivation cannot be carried on without zemindari influence, and, as a conse-

quence without oppression?—Yes.” *Late Babu Prosanna Coomar Tagore. Ibid., 3758. Ibid.*

“Do the ryots of zemindars cultivate indigo as unwillingly for them, as you say they do for planters?—They are equally unwilling to cultivate indigo for zemindars, as they are for English planters.” *A Zemindar. Ibid., 3527. Ibid.*

“I have seen ryots stand up and say (putting their hands up to their throats):—‘Let the Government cut our throats and send soldiers to kill us with bullets, but we will not sow indigo.’” *Rev. F. Schurr. Ibid., p. 66.*

“I found for the first time in all my Indian experience the hand of the planter systematically lifted up against the life and property of the ryot; a system that appeared to me neither to recognize the existence of a Magistrate on earth, nor a God in heaven. I found a total absence of ordinary justice.” *Edward DeLatour, Esq. Ibid.*

“An Indigo Factory had long been established in a certain Zillah, and had met with such signal success as to induce other settlers to go there also. One gentleman, however, took up his quarters so near the old established Factory as to be a source of annoyance to its owners; he was at first civilly desired to decamp, but as he had built his Factory on ground of which he had a lease in perpetuity from the zemindar, he naturally demurred.

Petty quarrels arose between them. Charges and counter-charges, some true, some false, were made, and with various success, before the Magistrate; but the new-comer maintained his ground.

This was not calmly to be borne by men, whose word in that part of the country had hitherto been law, and the annihilation of the Factory was determined in. The Police was summoned, and notice was given them of the intended outrage. Large bribes were given, and threats of vengeance held out, if any mention of the affair should reach the Magistrate’s ear, and the night was fixed upon for the attack. Armed with clubs and spears, and provided with spades, pick-axes, and baskets, a body of three hundred men silently and slowly wended their way to

the doomed Factory in the dead of the night. Its occupants were fast asleep, and the English settler was seized in his bed. He and his servants were put in irons, and he was taken below to witness the demolition of his Factory.

The band was divided into three parties. The first collected everything combustible and set fire to it. By the light of the fire the second party broke up the Factory with their spades and pick-axes; and the third carried away the materials in their baskets, and threw them into a deep *nullah* (ditch), which ran about two hundred yards from the house. As the morning dawned, the attacking party reached their own Factory carrying with them their prisoners, whom they meant to detain till matters were finally adjusted. One servant, however, unperceived by the aggressors, had effected his escape, and given information of the outrage to the Magistrate. The Police Darogah was desired to investigate the affair, and after consultation with the principal aggressor, boldly reported, that there was not a word of truth in the statement, that he had moreover seen Mr.——— a guest at the house of the party charged, and that he also had affirmed to the falsehood of the statement. Dissatisfied with the report, the Magistrate summoned Mr.——— to make personal enquiries of him, and he was permitted to attend the Court, in company, however, with the party charged. Face to face each fought his battle before the Magistrate, the one affirming, that the outrage as above detailed had actually occurred, the other, that it had not, and that Mr.——— had never had a Factory on the spot stated by him. Witnesses were summoned on both sides, but their statements were so conflicting, that the Magistrate determined to proceed in person to the spot. The rains, however, set in, the country became flooded, and his departure was unavoidably postponed. Mr.——— went to Calcutta, and the other party returned to his Factory. Quietly and carefully was every vestige of the Factory destroyed. Factory removed even to the very foundations, the earth was smoothly levelled and neatly laid down with turf, and before the visit of the Magistrate, the spot was covered by a dense grass-jungle. After a personal inspection of the spot, the Magistrate

returned to his Cutcherry fully satisfied that the charge was false.

The other tale we mean to tell will shew the Police to have been the sufferers, and is one among many instances we could give of the difficulties with which they are surrounded.

There was an indigo-planter of very gentlemanly and winning manners, who chiefly resided at the Sudder Station, where he almost daily associated with the Judge and Magistrate—the concerns of his Factory being to all appearance left to the care of his Gomastah or Steward.

Complaints occasionally were made to the Magistrate of acts of oppression on the part of this gentleman, which, however, were disapproved; but as they increased in frequency, the Magistrate began to suspect that they might not have been so unfounded as he had imagined them to be, and he inwardly determined to visit the scene of the next alleged outrage. He had not long to wait. The gentleman was charged with having rooted up the crop of rice of a ryot, and to have forcibly sown the ground with indigo, and the Police Darogah reported that the charge was true. There was now a fine opportunity for the Magistrate to see the state of things with his own eyes, and to test the probity of his Darogah, and he accordingly proceeded to the spot and pitched his tent on the contested field. The case was most clearly proved against the indigo-planter, and he was duly summoned to answer the charge. He instantly obeyed the summons, and with gentle urbanity expressed his regret, that the Magistrate should have been misled in such a wild goose chase. The evidence was read over to him and his countenance fell, and he instantly admitted, that though innocent, appearances were much against him, and that it would be difficult for him to disprove the charge, since the parties acquainted with the case were, of course, tutored against him, as he and the Darogah (who was elsewhere on duty) had long been enemies.

Deeply did he feel the awkwardness of his situation, but he requested the Magistrate, with a view to establish his innocence, that he would examine any uninterested parties, who might accidentally pass the tent. To this the Magistrate agreed, and very

shortly afterwards a party of villagers were seen crossing the plain. The Magistrate's Chaprassesees were despatched to bring them to the tent, but so great was their alarm that they were with difficulty seized. They gave their evidence very reluctantly, admitted that the indigo-planter was oppressive, but that the present charge was false—the field of contention having never to their knowledge been cultivated by the complainant. The complaint was of course dismissed, and the Darogah punished for a false report, while the indigo-planter was received by the Magistrate into as much favour as ever. At length in a fit of inebriation he confessed, that 'he had done the Beak' by causing a well-suborned party of witnesses to cross the plain so soon as he should, according to the pre-concerted plan, appear at the tent-door in company with the Magistrate." *The Calcutta Review*, vol. III., p. p. 152-54,

"Have you ever had reason to believe or to think, that a village has been plundered by *lattials*?—I had once an opportunity of witnessing the consequences of an affray, which took place about six years ago in a village only five or six miles from Krishnagur; the name of the village is N———. I happened to be going to Bahirgachi to pay a visit to my congregation there, and on my way I had to pass through this village, which had been attacked by *lattials* only the day previous; the village was plundered and partly destroyed. I passed through the village early in the morning in my palanquin, and did not then observe as I passed through, that any thing had happened; but when I arrived at Bahirgachi, I found all the people both Non-Christians and Christians in a state of great excitement and fright. When I enquired into the cause of it, they seemed surprised that I did not know what had happened the day before, and then they told me all about it but rather in a cautious way, being evidently afraid, lest they should have to suffer for revealing the facts to me. I was told that the planter of the———factory had been anxious to get a footing for indigo in the village of M———, which belonged to a zemindar; it may be that some of the ryots had received advances. The zemindar was determined, that no indigo

should be sown in his village, and when at the seed-time the planter sent his people to sow indigo, they were driven back. The planter then made another effort, and sent some *lattials* to force the ryots, but these also were driven back. The planter then collected a large number of *lattials*, and sent them to the village; the planter himself was not present, and these men commenced the work of destruction. I was told, that one man was killed, one was missing, and two or three severely wounded, and that the houses were plundered and pulled down, and the women stripped of their cloths. I remained that day with my people at Bahirgachi, and in the following morning on my return to Krishnagur, I stopped at the village of M——— to verify the statement I had heard. I found the village wholly deserted; not a man, woman, or child, was to be seen; I saw also several broken down houses, but did not notice any burnt ones." *Rev. C. H. Blumhardt. The Indigo Commission Report, 1860, p. 119.*

"Was any investigation made into this matter by the authorities, and if so, with what result?—The ~~case~~ was tried in the Court of Krishnagur, and came also to the Sessions Court. About ten of the factory servants were sentenced to various periods of imprisonment varying from four to twelve years. An appeal was afterwards made by the planter to the Sudder Nizamut, and there the case was dismissed and the prisoners released. The Court was of opinion that there was not sufficient evidence of an affray having taken place at all." *Ibid. Ibid.*

"With regard to outrages on women, the brother of a man, whose wife had been taken away from a ghaut, came and told me of the incident; the man's story ran thus: two young women were fetching water at a ghaut, and were taken away by the servants of a planter. After finding out which was the woman that they wanted (who is said by the people to be one of the greatest beauties in Krishnagur) they let the other one go on her way, and the one who was the beauty, was carried to the factory. The Darogah was at once brought by her relations, but he went away without doing anything. Afterwards, I believe, they petitioned

a Deputy Magistrate near the place, who somehow or other got rid of it." *Rev. C. Bomqvetsch. Ibid.*

"What became of the woman?—After being taken about to one or two factories and two or three other places, they at last put her down in the house of a native, who, I believe, was a relative of hers; from thence she was sent home.

Can you say how long the woman was absent?—I believe three days.

Who is the husband, and in what village does he reside?—He is a Kaiburto, and is a man of some property.

From what source is your knowledge of this charge derived?—From the statement of the woman's husband's brother; he told me this in Calcutta four weeks ago." *Ibid. Ibid., p. p. 88-9.*

Hon'ble A. Eden in his evidence before the Indigo Commission said: "One was the case of kidnapping in——Factory, ——, in the Rajshahi district, in which one man was confined and died in the godown, and his body was thrown by the factory servants and sunk by means of bags of bricks in a jheel. *Answer to Question 3579.*

My own impression is, that not one tithe of the offences actually committed ever came before any Court at all. *Ibid., 3595.*

Then do you consider, that the Government Officials have sacrificed justice to favour the planters?—I consider that it has frequently been the case, and I have stated so in official reports. I will go further and say that as an young Assistant, I confess I have favoured my own countrymen in several instances. *Ibid., 3602.*

The Police Courts have, until the last four or five years, been out of their (ryots') reach. The planter having the rights of a zemindar, has reigned over them with the powers of a despot. They dared not leave their homes to go and complain at a distant station; if they did so, they ran the risk of returning to find their cattle carried off, or a relative illegally confined. Even in cases in which, on these complaints, the Police when deputed, to hold an investigation, sometimes through fear of the planter, and

sometimes corrupted by his money, nearly always influenced by some means or other, reported the case against the ryot. The ryot would then be worse than before, and his only hope of peace lay in cultivating indigo without opposition, but not a free agent. ... This intimacy 'greatest intimacy' between planters and Government Officials has very often, it may be without the knowledge of the planter, been made use of by the factory servants as a means to accomplish their wishes. Again, facilities of complaint have been afforded to the planters by the higher authorities from which the ryots are altogether excluded, and I believe it to be the case, that this privilege has been made use of to influence such higher authorities against such of the local authorities, as may shew a disposition to do justice between man and man. And there are cases in which the removal of officials has been attributed by the ryots to the influence brought to bear by those in the interests of the planters against such officials. *Ibid.*, 3607.

Moulvie Abdool Latief was removed from Kalaroa for giving an order protecting the ryots against the forcible entry of the planter... In my own case, I was, on private representations made by planters, reprimanded and interfered with by the Commissioner. Representations were made to the Government for my removal on the ground, that I had told the ryots that the cultivation of indigo was optional. And three petitions were presented by parties of influence in Calcutta within a few months demanding my removal on this account, and I had considerable difficulty in defending my own position and upholding my independence as a Magistrate. *Ibid.*, 3608.

My own experience leads me to believe, that fear of the planter's influence and fear of the representations he may make to their official superiors, render the Police very apt to side with the planter's people when the opposite party were poor natives. *Ibid.*, 3614.

In one district with which I am acquainted, the power of one farm is so great, that the ryots used to come across in my district to complain to me because they dared not go through their own district to reach the station at which their own Magistrate resided."

Ibid., 3617.

“When the time (of lease) expired, they (indigo-planters) sowed indigo forcibly, and this brought on a case of Act IV. of 1840, but on my producing copy of the terms of the lease, the planters lost the case. On this they assembled a great number of *lattials* and spearmen, and took away more than a thousand head of cattle from the three villages, and plundered them also.” *A Zemindar. Answer to Question 3897.*

“You have had occasionally to interfere in quarrels between planters, zemindars, and ryots?—Yes; very often” *F. L. Beauport, Esq. Ibid.*, 191.

“Do the zemindars ever instigate the ryots to break their contracts? —I have no doubt, they often do so.” *Ibid. Ibid.*, 258.

“Have you ever known instances in which indigo ryots have been worse off than other ryots?—I have known instances, where the ryots have been so much harassed by the quarrels regarding indigo between planters and zemindars, or planters and planters, and have suffered so much in house and property, that they have left the village. I have known other cases in which the oppression of the planter has nearly depopulated a large tract of country; but as I have also known cases in which the ryots have suffered similarly from the zemindars, I cannot say that the one set of ryots is worse off than the other.” *Ibid. Ibid.*, 270.

“In carrying on your cultivation did you suffer from the exactions or interference of the zemindars, and in what way? —When I had charge of the———in Jessore, a large ijara held by the———concern had expired. The zemindar tried to stop my cultivation in the villages (I believe upwards of 50 in number) for the purpose of inducing me to take another ijara. The concern lost 5,000 rupees per annum in rents under the former ijara, and if I had renewed it according to the terms which the zemindar then offered, we should have lost 10,000 rupees per annum. The consequence was, that I did not take the ijara, upon which the zemindar put the ryots up not to

cultivate the indigo for the concern. After some hesitation, however, the ryots did cultivate the indigo, and the consequence was that the zemindar commenced oppressing them by plundering their houses, &c, and the ryots were fortunate enough in that case—which they were not in all such cases—to get the zemindar's Naib put into jail for six months. I have had in my own part of the country, that is, in Mursheedabad, a Dur-putneedar, suing for rent of lands at a rupee a beegha, when I held pottahs from the zemindar at 10 and 12 annas a beegha. The Dur-putneedar has taken me into the Civil Courts, but he does not treat his other ryots quite so civilly. The Dur-putneedar has been trying to increase the rents of his ryots in the whole Pergunnah to double what they used to be; some of the villagers in my part of the country resisted it. The consequence was that he commenced sundry oppressions upon the ryots, and the ryots appealed to the Magistrate. Upon this, the Dur-putneedar brought a charge against the ryots of one village of having plundered his Sudder Cutcherry and murdered one of his servants. The Dur-putneedar in this case was supported by the Jemadar and Burkundaz of a Police Farree or station in the neighbourhood, who had the assurance to give evidence in favour of the Dur-putneedar; the Magistrate, however, saw through the case and dismissed it. The same Dur-putneedar carried away all the cattle belonging to the ryots of another village, and brought a charge against the ryots of this village of having plundered the village Cutcherry the night of the day on which the cattle were carried away. The ryots went with their complaint to the Court of a native Deputy Magistrate, and the Dur-putneedar also went with his complaint there, the ryots were bound over to appear on bail, and danced attendance at the Deputy Magistrate's Court for three months. So far I speak positively and from my own knowledge, but the result of the two cases I can only give from hearsay. I have heard that ten of the head ryots of the village have been imprisoned for six months and fined 200 rupees each in the case of the Dur-putneedar against the ryots. In the case of the ryots against the Dur-putneedar, four of his men have been put in jail for three months, and fined 50 rupees each."

W. G. Rose, Esq. *Ibid.*, 424.

"The zemindars, I know, often instigated the ryots against the planter, and forced the latter to renew the lease of a village, by encouraging the ryots not to cultivate indigo till the lease was renewed." J. H. Reily, Esq. *Ibid.*, 2548.

Extracts from Minute by the Indigo Commissioners.

First, as regards the disparagement of the indigo system. It is asserted that the contract for the growth and production of the plant, so far from being voluntary, is forced upon the ryot, who is compelled by more or less of pressure to accept advances; that these advances are rarely given, or are not given in full after the first year or two; that the ryot is compelled to plough, sow, weed his land, and to cut and cart the plant at times when he would prefer being engaged in the cultivation of other crops of superior profit; that the land selected and marked off by the servants of the factory is often the best kind of land most carefully cultivated by the ryots and most needed by him for his own convenience, or, that land actually ready for other crops, or even sown with such crops, is forcibly ploughed up and resown with indigo; that the mere cultivation is thus rendered to him irksome, repulsive, and harassing in the highest degree; that owing to the precariousness of the crop, and the inadequacy of the payment, the ryot invariably falls into balances, and persons once agreeing to sow, bequeath the obligation to their descendants, who are either never able, or if able, are not allowed to free themselves and families from the debt, which their fathers have contracted with the factory; that the system which is thus founded on compulsion and maintained by force, is still further rendered odious by the extortion and oppression of the factory servants, who divert from its lawful end a portion even of the small and inadequate payment made to the cultivators; and that the lower orders of servants practise many other ways of oppressing the ryots, or of extorting money from them, such as, cutting their bamboos, taking away their thatching grass and the produce of their gardens, seizing their ploughs, and carrying away their cattle under pretence of damage done to the growing plant. that, in order to

prevent ryots from disputing the will of the planter, more serious outrages are often committed, and that instances can be shewn when planters or their servants have burnt and knocked down homesteads, plundered bazars, kidnapped and carried off respectable inhabitants, and confined them for weeks and months in dark places, transporting them from factory to factory to elude the pursuit of the Police; that even darker outrages on women have been openly perpetrated; and that, in consequence, the feeling of the ryot is one of bitter but sullen hatred to the European; that with regard to the native landholders, the attitude and encroachments of the planter towards these persons led to frequent disputes, to violent affrays, to agrarian outrages, and to the consequent demoralization of the people; that constant complaints and protracted litigation have followed on these occurrences; that the planter, commencing to contract with ryots resident on estates of which the proprietary right is not held by the factory, has exerted a pressure on those ryots, who then seek the protection of their zemindar, or he has sought an occasion of provoking a quarrel with the landholder, in order, it is repeatedly asserted, to extort from the latter the grant of an estate on lease or in putnee: that the real and avowed object of extorting these concessions, is, that the planter may acquire the rights, influence, and position of a zemindar, without which he never would be able to compel the production of so much indigo for a single day; that these rights are rarely alienated, either temporarily or permanently, by the zemindar of his own free will; but that the alienation would not take place if the Police were not inefficient, the laws weak, and the executive authorities and the Covenanted Magistrates in particular, disposed to side with the European, as against the native interest: that it is owing to the above causes, and not to voluntary acts of the native landholders, that the planters have managed to absorb so much of the zemindar's rights and properties: that no improvement is perceptible in the condition of ryots of villages where indigo is cultivated, as compared with that of the ryots, who do not cultivate indigo, but rather that the former are depressed and impoverished by the compulsory and profitless culti-

vation: that the system has been borne with so long, because the
 ryot of Bengal is of a passive and enduring nature, and that
 the dislike evinced during the past season, is merely the expres-
 sion of feelings pent up for the last twenty or thirty years; that
 the growing dislike has been noticed by local authorities, intelli-
 gent natives, and independent Europeans, and has been occasion-
 ally pointed in official and unofficial correspondence; that if the
 zemindars were free agents in the grant of leases, and ryots were
 free agents in the acceptance of engagements, a great and imme-
 diate reduction would take place in the area and extent of indigo
 cultivation from the first date when such rights could be openly
 enjoyed, and acted by either party; and finally, that the whole
 system, as above described, is vicious in theory, injurious in prac-
 tice, and radically unsound.

On the other hand, the case for the planter, as before the
 public, to the best of our knowledge, has been set forth as fol-
 lows. The rule of the planter, as proprietor of lands, is a milder
 and more temperate rule than that of the native. It was not so
 much the wish of the planter to secure landed rights in perma-
 nency or for time, as to secure the growth of a fair portion of
 indigo plant. Could he be certain that the free contracts entered
 into by the ryots resident on the estates of others, should be
 faithfully adhered to, there would be no need for him to seek the
 rights and influence of a zemindar. But his cultivation is so
 liable to interruption and interference at the ill-will, caprice, or
 dictation of the native zemindar, and the ryots so often led away
 by evil advice and instigation, that no resource is left to the plan-
 ter, but to acquire rights, which may enable him successfully to
 prevent or resist the intrusion of others. The zemindar, aware of
 this necessity, artfully and culpably foments disputes between the
 planter and the ryot, in order that the latter may fly to his land-
 lord for advice and assistance, and that the former may be com-
 pelled by the necessities of his situation to pay exorbitant prices
 for putnees, or to take on lease at a high bonus and a rental liable
 to enhancement at the expiration of the term of years, and so
 assessed that no profits or skill in management will enable him

to collect an equivalent from the ryots.

The ryots who appeared before us, on the other hand, are loud in denouncing the above supervision (of the planters) as harassing and vexatious. They say that they are required again and again to plough, to crush the clods, to remove stalks, to smooth the ground, to sow at the precise moment, which the planter may dictate, until neither their time nor their labour can be called their own; their rice grounds are left untilled or only half tilled, and they are subjected to such constant annoyances, indignities, and oppressions, while their bundles of plant are unfairly or hurriedly measured, that they have learned to hate the very name of indigo. For confirmation of the above remarks, we have only to solicit His Honor's attention to the evidence on both sides, which, on this head, is too copious to detail.

We believe that one explanation of these contradictory statements and the main points, which it is necessary to keep in view from this time forward, is, that the cultivation of indigo is not profitable to the ryot on the terms heretofore existing. Without anticipating our conclusions on the just and fitting relation between ryot and planter, we think it absolutely essential for a right understanding of the whole subject at this stage of our report to draw His Honor's special attention to this fact; and it is a fact not to be disputed or questioned, we shall now show, not from the evidence of exasperated ryots relating their grievances, or from that of the gentlemen, who have testified in their behalf, but from the admissions of the planters themselves, or of those who have spoken somewhat on this side of the question.

We have deemed it our duty thus to draw attention to the unfortunate position of the ryot as a cultivator of indigo, because it is one of those points, that has hitherto been kept out of sight, mis-represented, or mis-understood. The Commission, which has been mentioned at various times for the last twenty-five years as a desideratum, has now been looked for anxiously by the agricultural population; the more intelligent portion are fully aware of its objects; and we feel that it is incumbent on us first to place, in the strongest and clearest light, the ryot as he appears to us de-

prived of his free will, and bound to continue a cultivation, which does not give him a fair or adequate profit, which in its worst aspect, he absolutely dislikes, and in its most favourable aspect, he is only induced to tolerate. All the defects of the system, inherent and incidental, all the faults, which justly are to be laid at the door of either planter or ryot, by their respective opponents, may be traced originally to one bare fact, *the want of adequate remuneration*. It is this, that mainly renders the possession of landed influence indispensable to extensive cultivation, and it is owing to this that the planter has to urge the ryot to plough and to sow, to weed and to cut, by means little short of actual compulsion; it is this, that brings out into strong relief the well-known defects of the national character of the Bengali, that sharpens his cunning, aggravates his indolence, tempts him to procrastination, and fosters his proneness to concealment; it is this, in short, that renders the whole relation between the two parties one prolonged and unhappy struggle in which Anglo-Saxon energy, promptitude, and pertinacity, are often almost baffled by that subterfuge and evasion, which are the proverbial resources of the weak.

Of serious charges, those of kidnapping men, carrying off cattle, and rooting up gardens, and other offences; these practices being said to be habitual whenever ryots disobey orders issued from the factory. Here we regret to say, the cases brought to our notice are so numerous and so well authenticated, as to make us apprehend that the practice of imprisoning individuals in the factory or its out-houses is of common occurrence.

Several witnesses, Mr. Morrell, Mr. S. Hill, Mr. Eden, Mr. A. Forbes, and a well-known zemindar, have mentioned facts or given evidence, which prove fair dealing on the part of ryots and other classes of natives in matters profitable to them." *The Indigo Commission Report, 1860*.

We humbly request our readers to see the dates of the following extracts:—

The last number of the *Shome Prakash* contains a petition from a ryot to the Lieutenant Governor, which discloses a sad

state of things. We give it below:—

Your memorialist in hope and fear ventures to place his tale of woe before your Honor's commiseration, a tale, which is almost daily enacted in the parts from which he comes, seldom reaches your Honor's ear. He makes this surmise on the ground, that had the facts of these oppressions been rightly placed before your Honor by any of the victims, attention could not but have been drawn to the same, and the healing balm poured on the sore hearts of the oppressed tenantry with that grace and promptitude, which has marked your Honor's rule.

Your memorialist is an inhabitant of Mouzah, ————Pergunnah———, Zillah Tirhut, lying within the wide domains of ————. The village is held by the Brahmins, his elder brother ———— and others for the most part, whose ancestors received a grant of jungle land from the piety of contemporary rulers, and by industry changed the same into a smiling garden. Gradually their *lakhtaj* tenures have been resumed, and, at the present moment, they are reduced to the status of tenants having a right of occupancy only. During the management of ———— by the Court of Wards, the lands of the village were measured by a pole less by three *ungulies* than the usual standard of 6½ hands, and by this trick of measurement, excess lands having been discovered, large increase of rent was demanded, which the cultivators being unable to pay the village was given away in *ticca* to the ———— indigo concern of Mr. ————, whose head quarters are situate within four miles of the village of ————. The gentlemen of the indigo leaf immediately selected the finest lands in your memorialist's joint-holding, and insisted on their planted with indigo. The cultivators are forced to plant and rear indigo against their will, the cultivation of which is very expensive and laborious, while their nominal remuneration is fixed at 10 rupees per beegha, which the tenants, under the system of terrorism which pervades the land, darkening with its shade even the sanctuaries of the Court of Justice, have no choice in accepting. Even of this ten rupees for the first year even, what with deductions for *cillah khurcha, dera*

khurcha, and the like, about five or seven rupees only reach the cultivator, who thus in addition to making no profit by the cultivation of indigo in his finest lands, has no time or heart left to till the inferior lands in his possession for paddy or other food grains. Your Honor's Government is fully aware of the result, the chronic famines, which sweep over the land with much deadly effect, but may be ignorant of the true cause, or if the cause has been noticed by the able officers, who were deputed on special duty to enquire into the same, perhaps unconvinced of the truth of the same. It is the systematic rack-renting, which is carried out with the aid and support, and in the interests, of the indigo factories, that crushes the people, that keeps them always near the starvation point, so that the slightest scarcity kills them off wholesale.

The people, whose domesticity and deep-rooted repugnance for immigration are matters of history, cling to the land of their fathers with a death grip. Under exorbitant rents, under lashing oppression they hold on, living from hand to mouth, chronic paupers to whom the first signs of scarcity prove fatal. But so grievously have they been trodden down, that they have mustered courage to do violence to their strong instincts, and as your Honor's Government is, doubtless, by this time aware, that thousands of persons have left British territory and become Nepalese subjects. Is this then to be proclaimed as the index to the vaunted security and prosperity of the people under British rule? It is not an immigration of the criminal classes fleeing from the operations of the Courts of Criminal Justices, but a wholesale immigration of a tenantry, who find it impossible to live under the crossfires of the factory and the landlord. Indeed the insolence of these tyrants often bids them depart to Goorkha territory before the cup of their misery is full to the brim.

Had he consulted his own personal safety, your memorialist would have borne his fate with the silent resignation, which thousands have done and are doing. Indeed he does not know how far he has compromised the kind-hearted gentlemen, who took pity on his misfortunes. But before taking the final step of

forsaking with a heavy heart the holy land of Mithila, and immigrating into Nepalese territory, your memorialist thought it his bounden duty to call the attention of the highest authorities of the country to his case, which is typical of thousands, which are of daily-occurrence, &c. &c.'” *The Hindoo Patriot, April 24, 1876.*

“The planter is often practically the sole representative of our English rule in the far-away mofussil; and that, according to his behavior, is the English character judged, and hatred or affection for the English engendered. Magistrates and Police Officers are scattered about the country, it is true; but it is at wide intervals, and they are more or less impalpable abstractions to the great bulk of the peasantry, whereas the planter lives amongst them, is a fact not to be gainsaid or withstood: and upon his will and pleasure it depends to a great extent, whether they live happily or miserably. As the writer in the *Pioneer* puts it—‘Many different classes of the community are interested in indigo. The ryot is affected deeply. His land or holding is the spot, where indigo is sown. His prosperity or adversity varies in direct ratio with the consideration or want of consideration shown towards him by the planter. His dealings with the planter are not circumscribed by the boundaries of the field in which indigo crop is raised. His own labour and that of his family, the employment of his cattle and his ploughs, the disposition of his leisure hours—in fact, the entire current of his existence is governed by the treatment, which he receives from his indigo-employer.’ The planter is very generally, and in the nature of things, that is to say, a despot in his own neighbourhood, and his action, whether beneficent or the reverse, must materially influence surrounding native opinion as to the English character. We are sorry to have to say that the behavior of English planters in the mofussil has sometimes been very un-English, and is too often still very far from what it ought to be. Highhandedness and tyranny of the sort disclosed in the Fenough cases prevail still in out-of-the-way country places, more frequently than the general public supposes; and it is high time the scandal was stamped out.

It has long been known that, in the indigo districts of Behar,

the relations between planters and ryots were of a most un satisfactory character. Every now and then for the last ten years there have been revolts against the system of indigo-cultivation that obtains and more or less widespread demonstrations of an agrarian rising. They have been promptly suppressed after the manner in which all popular disturbances are suppressed under the Indian Government's peace-at-any-price administration of law; but none the less do they show that there must be something very radically wrong about the system of indigo-cultivation, which gives rise to them... The writer in the *Pioneer* says:—'There is no class of men, who are more keen to earn and save than the Bengal ryots, and we refuse to believe that were the cultivation of indigo made profitable to them, there would be any difficulty in inducing them to undertake. The correctness of our position is borne out by the fact, that in many concerns the ryot is forced to grow indigo, and is consequently unhappy; whilst in others where he is repaid at a fair and equitable rate, he grows indigo willingly, and force and compulsion are unknown' : *The Indian Daily News*, March 9, 1877.

The *Friend of India and Statesman*, March 22, 1878, in commenting upon Mr. (now Sir) Ashley Eden's Bengal Administration Report for the Year 1877, says:—

"In the chapter on the 'Course of Legislation', we can learn that 'The Bill to provide for enquiry into disputes regarding rent and to prevent agrarian disturbances became Act IV. on the 10th July 1877', and upon that topic we can learn no more... We look next for some discussion on the question of landlord and tenant, a topic on which previous reports dwelt at length, and with great force. As during the past year there was an unusual amount of legislation of one sort or another relating to this matter, and as the greatest public interest was taken in certain disputes between the landlords and indigo-planters on the one side, and the ryots on the other, in the important province of Behar, we expected to see this subject at least exhaustively treated. It is well known that the reports of local officers on the point were full and able, and there could have been no want of materials. But the topic

is conspicuous only by its absence from the body of the report. It is, indeed, thought worthy of two paragraphs in the introduction, which are commenced by the guarded, colourless statement that '*in some parts of Northern Behar the relations between landlords and tenants are described as being by no means cordial.*' From what follows, we can gather that Mr. (now Sir) Ashley Eden is dissatisfied with the existing system, and we are even told that '*there can be no doubt whatever that the combined influence of zemindars and ticcaldars has ground the ryots of some parts of Behar down to a state of extreme depression and misery.*'"

"There are in Behar many intelligent and wealthy landholders and it is for them to consider, whether it is not to their advantage to meet this movement half-way, and endeavour to establish permanent occupancy rights and security of tenure on their estates, and to check at once the system of treating the cultivators of the soil as mere squatters, liable to eviction and to be rack-rented at the whim of the proprietor or Amolah—a system which now exists in too many estates.... The system of irregular distraint has been carried to great extremes in some parts of Behar... With regard to the question of indigo-cultivation in Behar, the Lieutenant-Governor had occasion, soon after assuming charge of the administration, to declare, in considering a proposal which was made last year for a Commission of Enquiry into the system of indigo-planting, that before taking any steps to regulate it by law, he would wait the result of the measures of reform, which the planters on his invitation themselves resolved to initiate." *The Administration Report of Bengal, 1876-77, p. 8.*

We have read many other articles and Government Resolutions, which leave no doubt in our minds, that the oppressions practised upon the ryots by the indigo-planters and zemindars of Behar are almost similar to those proved and recorded in the Indigo Commission Report, 1860 (see the *Hindoo Patriot*, 1877, p. p. 126, 280, 342, and 588.)

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The Money-lenders.

It is a notorious fact, that almost all the ryots are entirely in the hands of the money-lenders. We shall try to prove, that this must have been the result of the exorbitant rate of land-rent exacted by the zemindars from them. Suppose that a ryot cultivates twenty beeghas of land, and pays seventy rupees per annum at the average rate of three rupees and eight annas as rent per beegha. Those who think this average rate as an exaggerated one, should refer to the rates of rent. It must be acknowledged, that it is a very exorbitant one, and falls very heavily upon him. Let us again suppose that the moderate rent of those twenty beeghas is 10 rupees at the rate of eight annas per beegha. Our readers may think this rate a very low one, but that is not the case. In Burmah, Bombay, Punjab, and several other places, where the lands are held by the cultivators direct from the Government, the average rate of rent is a little more or less than that, and is even thought excessive by thoughtful men. Now the difference of sixty rupees between seventy and ten rupees falls very heavily upon the ryot, as we have already said before. It is impossible for him to meet this exorbitant demand out of the small profits from the cultivation of his land. So he is forced to go to the money-lender at least for fifty rupees in order to pay his rent. And such is the case with almost all the cultivators throughout the country. It would easily follow from this, that the demand for money is very great. So it is very difficult for a ryot to borrow it without paying an exorbitant rate of interest; for it is vain to hope, that the money-lenders should not take advantage of this state of things. On the other hand, if he is unable to pay his rent, he is sure to be oppressed and harassed in thousand ways by his zemindar or his underlings, or to be dragged to the Civil Court to pay the arrears of rent with the cost of the suit. Thus he is put into great difficulty. However he always thinks it for many reasons better for his interests to be in the hands of his Mohajaun than in those of his zemindar. For this reason he is forced to submit to the rate of interest charged by the former, however exorbitant it may be. Now suppose that he

borrowed fifty rupees from him at fifty per cent. interest per annum. After a year he must have to pay fifty rupees and twenty-five more as interest or seventy-five in all; if not seventy-five at least seventy rupees, his Mohajaun remitting five rupees out of compassion. Thus seventy rupees of rent really amount to ninety. In this way the exorbitant rate of land-rent exacted by the zemindars from the cultivators, has indirectly handed over the latter to the tender mercies of the money-lenders. The Mohajaun always has his eye on the crops of the ryot. As soon as the harvest is gathered, he falls upon him, and exacts the utmost possible share leaving him a very small part for keeping his body and soul together. The part generally left him barely suffices to maintain him for a month or two. After that the poor fellow is again forced to borrow money or to take rice advances from him. Thus he is year by year involved in debt, which it is very difficult for him to liquidate. But alas! There are a few Mohajauns, who thus remit a part of the interest due to them. Many of them exact even a higher rate of interest and compound interest, and keep their accounts in such a misty way, that it is almost impossible for a poor and ignorant ryot to know how he stands with his Mohajaun. Now we think we have proved, perhaps, to the satisfaction of our readers, that the exorbitant rate of interest and the notorious indebtedness of the cultivators are owing almost entirely to the exaction of the high rent (to say nothing of the innumerable illegal cesses) by the zemindars. We need not make any further remarks; we have only to place before our readers the following extracts, which will throw much light upon the subject.

“Mr. A. Frazer Tytler, who had many opportunities of knowing the particulars of the mohajauni system gives the following account:—‘The Mohajauns are frequently a most oppressive class of men, and ruin the ryots by the exorbitant interest they charge by their cunning in keeping accounts, thus leaving them in complete ignorance of the state of affairs, and by many other iniquitous practices. These practices ought to be checked, and a thorough investigation of this system would develop numberless scenes of knavery and imposition, would save families of many

thousands from distress; and prevent the occurrence of many crimes. The Mohajaun lives by the ryot receiving almost cent per cent. from them, and as surely the ryot lives by the Mohajaun for you must change his nature before he will live in any other way.' In the answer from Burdwan, it is stated that 'the ryots are entirely or almost entirely into the hands of the Mohajauns, and are made the instruments as well as victims of every description of villainy practised by them.' From the day that a ryot falls into the hands of a Mohajaun, he becomes a degraded being." *The Calcutta Review*, vol. VI. Art. *The Zemindar and the Ryot*.

"In the *Dnyanadoya*, a native newspaper for the present month, there is an interesting letter translated into English, from a native Christian residing in a small village, upon a subject which we have before felt it our duty to notice:—the sad condition of the ryots. We have every reason to believe, that the writer by no means exaggerates facts, and would again urge the necessity of some relief being afforded to this unfortunate class. Our space will not allow us to transfer the letter at length, but we select the passages, which most fitly illustrate the manner in which they are fleeced by the Marwarries or village money-lenders. The editor of the paper from which we make the extract, observes that he believes 'usury laws do exist, but they are seldom or ever enforced.' We are not aware of the existence of any such laws prevailing in the jurisdiction of the mofussil; and even if they did and were enforced, the unfortunate ryot would still be the willing dupe of the parties, for his necessities compell him to seek the aid of his oppressors regularly as seed-time and harvest and the collections of revenue come round. If Government could be induced to adopt some measure, by which this dire necessity would be obviated, it would deserve, and doubtless receive the gratitude of their poor labouring subjects. It is perfectly within the limits of practicability to establish local banks, and to enable their officers to make advances upon equitable terms upon the security of the crops to the cultivators. If a vigilant system were adopted to prevent the subordinate agents from the extortion of *dustoor* or *dallalee*, their condition would gradually im-

prove—particularly as vernacular education makes its way. The writer thus describes the mode, in which advances are made at present by the Marwarries, and the extortion practised.

‘If any one in straits comes to him, he lends him a small sum of money at first in sums not exceeding ten rupees. At the time of giving the money, he takes from the debtor three pice premium and two pice interest on each rupee for the first month, thus at the outset deducting five pice from each rupee. Then he goes to the *Chanadi*, and takes a note through the *Kulkarni* for the sum in full. If the note runs for Rs. 5, the debtor has received 25 pice or six annas one pice less than that sum, and still the interest at the rate of two pice a month for each rupee is reckoned upon the full sum.’

The following fully exemplifies what an inestimable blessing would be the general diffusion of knowledge to an extent at least adequate to enable the poor Koonbies to read a receipt, or cast their own accounts. It is truly deplorable, that a large body of industrious people should, through the ignorance in which they have hitherto been kept, be so constantly oppressed by people, whose better education enables them to fleece their dupes with impunity.

The Marwarri receives annual payments from the debtor, but as he never gives receipts for the same, he has an opportunity of making false entries, for among the Koonbies not more than one in 500 can read, or cast accounts. When the note becomes due, the Marwarri makes out the account as he chooses, then putting the interest and principal together, he makes a new note. Thus if the debtor does not pay up the five rupees within ten or twelve years it increases to fifteen or twenty rupees. For this amount also, another note is taken, which is yearly renewed adding interest to the principal at the above rate, and thus he goes on, until the 5 rupees become hundreds. Then he takes a mortgage upon whatever houses or property the debtor may have. The Marwarries do not prosecute their debtors so long as they pay their interest regularly, and yearly renew their notes. But if the debtor fails doing this, a suit in the Court is instituted against him, and

his possessions are sold. Whatever payments also he may have made are denied, and he is entirely ruined. Such is the practice of the Marwarries in all the small villages and large places also, and thousands of Koonbies are caught in their snare. When the Government taxes are demanded, the ryots hire money of the Marwarries to pay them. Should the debtor sell his grain to pay his taxes, the Marwarri alone is the purchaser. At the time of making the contract, he fixes the price at 18 or 20 *pylis* per rupee. Although the rate is so low, if the ryot sells his grain, the Marwarri taking advantage of his circumstances, asks 2 or 3 *pylis* above the rate determined upon.

When the ryot has expended the grain, which he had laid up for family use, he gets grain from the Marwarri to be paid in kind, but in larger quantities. At that time the price is increased to two or three rupees per maund, which must be paid in money, in case the ryot fails to pay the grain.

There is nothing in this statement, that differs materially from what we have already repeatedly said as to the oppressed condition of Koonbies, but it has the advantage of being native testimony, and more detailed. It comes from one, who is intimately connected with the sufferers, or it may be, one of themselves. The subject is eminently worthy of the consideration of the authorities. Let the oppressions be removed, and the social condition of the peasantry improved, and the present gloomy apathy that pervades the humbler classes would be gradually dispelled. An impetus would be given to industry. Improve the condition of the cultivators, and they would learn to estimate their true position. The fancied inherent superiority of others would be understood to be idle vanity. Superstitions would crumble under the progress of improvement, and a mighty change might thus be worked in native society:—a change not only to be desired for the governed, but one that would reflect the highest honor upon the governing.” *The Poona Chronicle* quoted in the *Friend of India*, October 26, 1848.

Birbhum. “The system of rice advances is worked thus:—Those who borrow before the end of *Bhadra* (August-September)

have to pay fifty per cent. interest in kind in *Falgun* (February-March), or if they can not pay then, additional interest in kind runs on at the rate of fifty per cent. per annum." *Dr. Hunter's Statistical Account of Bengal*, vol. IV., p. 360.

Bankura. "The Mohajaun, besides carrying on a trade in rice, makes loans of seed, grain, and money, to the cultivators. In the case of grain advances, the usual rate of interest charged is one-half the quantity borrowed. On money loans, where security is given, the rate varies from twenty to twenty-four per cent., and without security from sixty to a hundred per cent." *Ibid.*, p. 244.

Dacca. "The rates of interest charged for loans vary greatly, but the following may only be taken as a carefully ascertained average. In small transactions, when the borrower pawns some article, such as, ornaments or household vessels, equal to the sum lent, the nominal rate of interest is one shilling and three pence in the pound per mensem or 75 per cent. per annum. This is an enormous rate, but it is still current. The Collector states that he has not met with any case of higher interest than this, lower rates are sometimes obtained, but that mentioned above is the most common rate of interest charged." *Ibid.*, vol. V., p. 115.

Backergunge. "In small loan transactions, where the borrower pawns some article equal in value to the amount of the money lent, the rate of interest varies from $37\frac{1}{2}$ to 75 per cent. per annum... If a husbandman is compelled to borrow money in order to cultivate his land, the usual arrangement is for the borrower to repay the loan at harvest time by the delivery of paddy to the value of half as much again as the amount of the loan, the calculation being made according to the rate at which grain was selling at the time of borrowing." *Ibid.*, p. 216.

"The entire agricultural population of India with a few exceptions are in a state of chronic indebtedness. The lowest interest which the village money-lender charges on small loans is 75 per cent. per annum. We know many cases, in which double this rate is charged. The evil has now attained to such proportions, that it can no longer be left to itself, without serious political danger." *The Indian Mirror*, September 28, 1875.

The Ryot's Loss of Time.

We have proved, perhaps, to the satisfaction of our readers, that the zemindars and the ryots have been involved since the Permanent Settlement in ruinous litigation, and that the rents been screwed up to the highest pitch. The consequences of all these must have been a great bar to agricultural improvement. At present we shall draw the attention of our readers exclusively to the ryot's loss of time. Suppose ~~that~~ a ryot is dragged by his zemindar to a Civil Court either for recovering the arrears of rent, or for enhancing his rent. The delay of decision by a Court of Justice is notorious. Weeks, months, and sometimes years, pass away before a case is decided. The distance of the Court from the house of the ryot generally varies from fifteen to sixty miles. It is impossible for him to get a case decided without attending it and consulting his pleader at least eight or ten times. This must cost him no less than twenty-five days. Those who know anything of agriculture may easily perceive, that these twenty-five days could not be spent without doing much injury to his crops. However it must ~~be~~ admitted, that a few ryots, say one out of eighty or ninety, are dragged to Courts of Justice in a year, either for recovering the arrears of rent, or for anything else, the overwhelming power of the zemindar rendering them unnecessary. It very commonly happens, that almost all the ryots are forced to go to their Mohajauns for borrowing money, in order to meet the demands of the zemindars. Although these Mohajauns charge a very high rate of interest on loans, yet they do not scruple in the least degree to subject the ryots to a very harassing process before they would lend them money. One, two, three, and sometimes four months, pass away before they could be induced to look upon them with favourable eye. A ryot, though he is very well known to his Mohajaun, at first dares not go to him without being accompanied by a headman or some other respectable person. He could not take him there once without coming to him four or five times. Thus accompanied (but not each time) by him, he must see him at intervals of a few days for two or three months, before he could induce him to lend him money, the headman being the nominal

security of the transaction, for which, we believe, he gets something as due to his honor. Those who have any knowledge of the ins and outs of the money-lending business, cannot but regret the vexations, to which a ryot is always subjected while he is in his Mohajaun's house. Each time he goes there, he must have to wait for several hours together before he could get any answer. The poor fellow is often ordered to put fire on tobacco and to do something else as occasion gives rise to them. He not unoften also does works, which no one would do without remuneration. We may call it forced labour. Such are the vexations to which a ryot is forced to subject himself before he could induce his Mohajaun to lend him money. Cucurbitaceous fruits are sometimes not safe from the hands of the Mohajauns.

On the other hand, those who cannot borrow money, and consequently are unable to pay the rent, are subjected to a far more harassing process. A defaulting ryot going to, with his plough on his shoulder, or actually engaged in, his field-work, is caught by the peons of the Gomastah, and dragged to the Cutcherry. The village lordling at once falls upon him, uses abusive language, that caste, creed, or colour, suggests, and peremptorily orders him to pay his rent first, and then to go away. If he dares give any answer unpleasant to the man of dignity, he is sure to get a sound beating. Several hours pass away, till at last the poor fellow is forced to promise payment, or to put a cross mark on an *aikarnama* (agreement) requiring him to pay up the arrears within a few days, and on failure thereof, to get a sound beating. In this way defaulting ryots are very often dragged to the Cutcherries of the zemindars and their underlings, and detained there for many hours together without food and drink. We know many ryots, who were actually dragged to their Naib's Cutcherry and detained there from morning to two or three p. m. without food and drink. When one M———was about on his way home, he was told to take a handful of *muri* (parched rice). However he did not accept his hospitality, and went home. We will give minute details of these facts in proper place. Only one and half miles from where we are writing, a zemindar gave

a sound beating to a poor ryot, who became half-dead. A criminal suit was instituted. But the zemindar bribed the Police, and induced his victim and those who backed him to give false evidence; and he was acquitted.

It is impossible to convey to our readers a faint idea of the troubles, anxieties, and the miseries of those ryots, who are thus forced to promise payment or to sign agreements of which we have said before. We can positively say, that they cannot take their food to their full satisfaction at day and sleep soundly at night. Their whole attention is drawn to the payment of the zemindar's rents. They pawn their wives and daughters' ornaments, if there be any, for they have already been locked up long before in the Mohajaun's chest. They are obliged to sell their fruitful trees at half or three-fourth of their price, to borrow money at an interest of from $37\frac{1}{2}$ to 75 per cent. per annum, and to hypothecate their crops to the Mohajauns. Such is the way in which too many ryots pay up the arrears of their rents. Our readers may easily perceive, that all these cannot but cost them several days and weeks, during which it is impossible for them to cultivate their lands with full energy and success.

Again let us suppose, that a ryot has in his pocket, say ten rupees, for defraying the expenses of cultivation of his land. Meanwhile the Gomastah comes to the village, and begins to oppress him for rent. The poor fellow is at a loss what to do. If he meets the demands of his master, he is sure to cripple his means, dispense with the services of hired labourers, depend solely upon his own manual labour, cultivate his land badly and at a late hour, and thereby ruin his prospect of a good harvest for the year. And if he delays the payment of his rent, he is sure to get a sound beating, or to be dragged to the Civil Court to pay the arrears with the cost of the suit. Thus he is put into great difficulty. However for many reasons he prefers satisfying the demands of the Gomastah to the detriment of his future prospect. For present want knows no futurity. This is no exaggeration. We have most carefully observed the effects of the exorbitant rent exacted by the zemindars from the ryots. We

personally know many ryots, who, in order to meet the expenses of cultivating the land and reaping the harvest, are forced to wander here and there, and even to go to Calcutta and other places, in the hope of borrowing money from their Mohajans. We can positively say, that at least twenty per cent. of the ryots, owing to their limited means, cultivate their lands at a time, which little favours a good harvest. A few ryots are obliged to employ their wives and widowed sisters in their field-work. Thus the exorbitant land-rent exacted by the zemindars from the ryots has a very evil effect on agriculture.

Another obstacle to the agricultural improvement in this country, is the frequent disputes and affrays between the zemindars. These disputes and affrays so much unsettle the minds of the ryots, who cultivate the lands which occasion them, that they not unoften relinquish them from fear of seeing their crops destroyed, cut, or plundered by the *lattials* of rival zemindars. We are afraid, we may be discredited when we state, that there are many zemindars, who in order to ruin their opponents, whether zemindars or ryots, cut their embankments, inundate their fields, and thereby destroy their crops. We can positively say that there are many rice fields in Bengal, which, owing to the disputes between the zemindars, or to their burying the conditions of the Permanent Settlement in oblivion, are now lying waste or yielding very little produce. We might give a few instances, but a truce to them.

Another most important point connected with this subject should not be lost sight of. When a zemindar quarrels with his ryots by trying to enhance their rents, the latter often combine to resist the former. Many of them sometimes visit their zemindar's house almost always situated at a great distance, frequently go to their Naib's Cutcherry, and thereby lose much of their valuable time to the detriment of agriculture. It sometimes also happens, that the zemindar in order to punish them for disobeying his orders, collects scores and hundreds of *lattials*, and orders them to destroy or plunder their crops. The ryots also not unoften relinquish their lands for a time in order to throw

their masters into difficulties. Some of them, in order to keep their body and soul together, are wasting their energies by serving the zemindars and others in the menial capacity of *khansamas*, *syces*, &c., which might be far better employed in the improved cultivation of land. In short, the zemindari system does not allow the cultivators to cultivate their lands in peace and with success.

Capital at the Disposal of the Ryots Essential to Improved Agriculture.

Having placed before our readers a few obstacles, that stand in the way of agricultural improvements, we now proceed to place before them one more, which we may call the greatest of them all—we mean the want of capital at the disposal of the cultivators. At present it is impossible for a ryot to accumulate capital out of the small profits from the cultivation of his land, after paying the exorbitant rent and supporting himself, his wife, and three children. Nay, far from accumulating capital, he very often involves himself in debt in order to keep his body and soul together. Every one must admit, that cultivation of land cannot be carried on with success without capital. It requires stout and welfed cattle, good implements, manure, and labourers, none of which could be got without money. Suppose a ryot cultivates twenty beeghas of land, which he cannot plough deep with his lean and ill-fed cattle and bad implements. Without deep plough it is vain to expect a good harvest. Thus at the very outset there are obstacles in the way of improved agriculture. Every body knows, that weeds grow luxuriantly with crops, and much injure them if not weeded out in proper time. Weeding requires labourers, and labourers capital. But this capital the ryot has not. It is impossible for him with the little assistance of his eldest son to do all, that is essential to make the land produce good crops. We do not say, that labourers are not employed at all, but that only one is employed where five or six are required. The next thing essential to it is manure. But he is too poor to pay for it. Our readers may easily perceive,

that the cultivation of land carried on in this way cannot yield abundant harvest, and is consequently detrimental to national prosperity. Thus it will be easily seen, that the want of capital stands foremost in the way of agricultural improvements in this country. We think it would appear from the above lines, that the very miserable condition of the ryot renders him unfit for making any improvement of his holdings. If we add to that the insecurity of property and his position as a mere tenant-at-will of his zemindar, we shall not be at all surprised at the miserable state of agriculture in this country. By insecurity of property, we do not mean so much the cutting and illegal attachment of crops, plundering houses, and other atrocities of a like nature, which are, by no means, uncommon, as the frequent enhancement of rent. We think that it is the same thing to a poor ryot whether he is plundered of his property to the value of ten rupees by forcibly breaking his doors, or the rent of his holdings is increased by ten rupees. However there is still very great difference between them. The former is looked upon by both the public and the Government as a gross outrage and punishable by law and only for the time being, while the latter is sanctioned by law and payable each year. Thus when we closely look upon the increase of rent, we cannot view it in any other light than that of annual and legal plundering. Alas what a vast number of ryots are thus plundered each year! (see *The Act X. of 1859 and the Enhancement of Rent*). What inducements, we ask, the ryots of Bengal, we may say, of India, have for laying out their capital (if there be any), and for making improvements of their holdings. The only inducement they have in this world, is to clear the way of filling the coffers of their landlords, or rather to cover the expenses of vice and luxury of a few idle and worthless drones of society. If they make a bold stand for resisting their increased demands, they are sure to be ejected from their lands only to die of starvation, and their place filled up by new-comers, who consent to pay them increased rents. Thus we see that the cultivators of India have neither the means nor the inducements to make improvements of their

holdings, and thereby to improve their condition. The following extracts will throw much light upon the subject.

“What capital does for production, is to afford the shelter, protection, tools, and materials, which the work requires, and to feed and otherwise maintain the labourers during the process. These are the services, which present labour requires from past and from the produce of past, labour. Whatever things are destined for this use—destined to supply productive labour with these various pre-requisites—are capital.” *Mill's Political Economy*, vol. I., p. 67.

“The increase and diminution of capital is the grand point on which national prosperity hinges—that is, if you increase capital, you instantly increase the means of supporting and employing additional labourers—and that if you diminish capital, you instantly take away a portion of the comforts and enjoyments, and perhaps also of the necessaries of the productive classes, and spread poverty and misery throughout the land; and it has been shewn, that the increase or diminution of the rate of profit is the great cause of the increase or diminution of capital.” *M' Culloch's Principles of Political Economy*, p. 143.

“The capacity of a country to support and employ labourers, is, in no degree, dependent on advantageousness of situation, richness of soil, or extent of territory. These, undoubtedly, are circumstances of very great importance, and must have a powerful influence in determining the rate at which a people advances in the career of wealth and civilization. But it is obviously not on these circumstances, but on the actual amount of accumulated produce of previous labour or capital devoted to the payment of wages, in the possession of a country at any given period, that its power of supporting and employing labourers must wholly depend. A fertile soil affords the means of rapidly increasing capital; but that is all. Before this soil can be cultivated, capital must be provided for the support of those engaged in manufactures, or in any other department of industry.

It is a necessary consequence of this principle, that the amount of subsistence falling to each labourer, or the rate of

wages, must depend on the proportion, which the whole capital bears to the whole amount of the labouring population. If the amount of capital were increased without a corresponding increase taking place in the population, a larger share of such capital would fall to each individual, or the rate of wages would be augmented. And if, on the other hand, population were increased faster than capital, a less share would be apportioned to each individual, or the rate of wages would be reduced. The well-being and comfort of the labouring classes are, therefore, especially dependent on the relation, which their increase bears to the increase of the capital, that is, to feed and employ them. If they increase faster than capital, their wages will be reduced; and if they increase slower, they will be augmented. In fact, there are no means whatever by which the command of the labouring classes over the necessaries and conveniences of life can be enlarged other than by accelerating the increase of capital as compared with population, or by retarding the increase of population as compared with capital: and any scheme for improving the condition of the labourer, which is not bottomed on this principle, or which has not an increase of the ratio of capital to population for its object, must be completely nugatory and ineffectual." *Ibid.*, p. p. 327-29.

"No equal quantity of productive labour or capital employed in manufactures," says Dr. Smith in his *Wealth of Nations*, vol. II., p. 53, "can ever occasion so great a re-production, as if it were employed in agriculture. In manufactures nature does *nothing*, man does *all*; and the re-production must always be proportioned to the strength of the agents that occasion it. The capital employed in agriculture, therefore, not only puts into motion a greater quantity of productive labour than any equal capital employed in manufactures, but in proportion, too, to the quantity of productive labour which it employs, it adds a much greater value to the annual produce of the land and labour of the country, to the real wealth and revenue of its inhabitants. Of all the ways in which capital can be employed, it is by far the most ad-

vantageous to the society." Quoted in *Ibid.*, p. 149.

"It is by agriculture only, that is, by the united application of immediate labour and of capital to the cultivation of the ground, that large supplies of those species of raw produce, which form the principal part of the food of man, can be obtained." *Ibid.*, p. 1

"In a country like this, the first step towards improvement must be made by the landed proprietors; and the primary inquiry must, therefore, be to ascertain what are the prospects and inducements held out to those connected with the land, to embark any capital upon it. The simple and natural inducements here, as in every other part of the world, must, of course, be first, security of property; secondly, a certainty of reaping the benefits of any trouble or expense incurred." *F. J. Shore's Indian Affairs*, vol. I., p. 182.

Hume says:—"The greatest misfortune of a country is an indigent tenantry. Whatever be the native advantages of the soil, or even the skill and industry of the occupier, want of a sufficient capital confines every plan as well as cripples and weakens every operation of husbandry. The evil is felt where agriculture is accounted a servile or mean employment; where farms are extremely sub-divided, and badly furnished with habitations; where leases are unknown or of short and precarious duration. With respect to the encouragement of husbandry, in this, as in every other employment, the true reward of industry is in the price and sale of the produce. The exclusive right to the produce is the only incitement, which acts constantly and universally, the only spring which keeps human labour in motion: all, therefore, that the laws can do, is to secure this right to the occupier of the ground: that is, to constitute such a system of tenure, that the full and entire advantage of every improvement go to the benefit of the improver: that every man work for himself, and not for another; and that no one share in the profit, who does not assist in the production. By the occupier, I here mean, not so much the person who performs the work, as him who procures the labour and directs the management; and I consider the whole profit as received by the occupier when the occupier is

benefited by the whole value of what is produced, which is the case with the tenant, who pays a fixed rent for the use of his land, no less than with the proprietor, who holds it as his own." Quoted in *Briggs' Land Tax in India*, p. 365.

“Without capital labour would never have been divided, and men would never have emerged from barbarism. It is almost always necessary to provide ourselves with the results of previous industry, or in other words, with capital, and to strengthen our feeble hands by arming them, if we may so speak, with the force of all the elements. It is an admitted, and, indeed, almost a self-evident principle, that the produce of the labour of a nation cannot be increased otherwise than by an increase in the number of its labourers, or by an increase in the skill or productive powers of those already existing. But, without an increase of capital, it is, in most cases, impossible to employ an increased number of workmen. If the food and cloths destined for the support of the labourers, and the tools and machinations with which they are to operate, be all required for the efficient maintenance and efficient employment of those now in existence, there can be no additional demand for others. In such circumstances, the rate of wages cannot rise; and if the number of inhabitants increase, they must be worse provided for. Neither is it possible to augment the productive powers of the labourer without a previous increase of capital, for these powers can never be materially improved except by the education and training of workmen, by the greater sub-division of their employments, or by an improvement in the machinery they are employed to manage. And in all these cases, an increase of capital is almost invariably required. It is only by an outlay of additional capital, that the workman can be better trained, or that the undertaker of any work can either provide his workmen with better machinery, or make a more proper distribution of labour among them'. *The Edinburgh Review*, No. LXXIX., p. 3.

‘Before a man,’ say with great truth the same writers, ‘can accumulate, he must live: and if the sum, that remains to him after his necessary expenses are deducted, be but small and trifling-

ing, the probability is, that he will rather choose to consume immediately than to hoard it up in the expectation that, by the addition of further savings, it may, at some future and very distant period, become the means of making a small addition to his income. The truth is, that the pressure of want is seldom or never productive of economy. In a state of indigence there is neither the power nor the wish to save. Want is the parent of idleness and dissipation, and not of frugality. The lower we descend in the scale of society the less forethought, the less regard to future and distant consequences, do we find to prevail. The labourer is less prudent than the little tradesman or shop-keeper, the beggar than the labourer.' This description is so truly applicable to the greatest portion of the inhabitants of India, as they are at this day, that a person, who has any knowledge of them, might suppose, that the Reviewers had India in their contemplation when they penned it." *The Principles and Policy of British India*, p. p. 61 and 65.

Another writer (J. S. Mill,) assures us, that great improvements in the productive powers of labour "arise from the use of those instruments, which form one of the portions of capital. Great improvements also arise from the division including the distribution of labour."

"No one will deny that the land requires improvement, and that improvement requires capital; but the ryot who lives from hand to mouth, and who is ever in debt to his Mohajaun, and in arrears to his landlord, has no capital at his command, and if we could succeed in keeping down the rent, and absolutely preventing the zemindars raising it, they would very naturally refuse to spend their income on the land, and we must give up all prospect of its improvement." *The Friend of India*, January 28, 1847.

The Evil Effect of Heavy Assessment.

The following is one of the principles of the land settlement of the North Western Provinces, by which the Government desired its officers to be guided:—

"It is a more fatal error to over-assess than to under-assess.

The Government will not test the settlement by the mere amount of direct revenue, which it brings into the treasury. They will judge of it by the soundness of the reasons assigned for fixing it at the amount assumed. If the jumma is less than it was before, they will be satisfied, if the reasons for the reductions are sound and sufficient; if it is the same as before or more they will expect that the grounds be explained on which the increase has been renounced or taken. No officer, who performs his work properly will have any difficulty in assigning reasons for what he has done, or in convincing the Government that it is right. If he is in doubt which of two jummas to fix, a high one or a low one, he should always incline to the latter. Over-assessment discourages the people, and demoralizes them by driving them to unworthy shifts and expedients, and it also prevents the accumulation of capital, and dries up the resources of the country. Viewing the question simply in a financial light, an assessment which presses hard upon the resources of the people is most injurious. It checks the population, affects the Police, and is felt in the excise, in the stamps and in the customs. It is evident that the prosperity of the people and the best interests of the Government are inseparably bound up together." Quoted in the *Calcutta Review*, vol. XVII., p. 313.

"Had land been subject to a reasonable tax as a 'chargeable property,' the prosperity of the agricultural and hence of the commercial classes would have added to the taxable resources of the Government; but having seized the very vitals of a society essentially agricultural, and having availed ourselves of all the existing appliances for extracting the best part of our public wants from them, we have not only impoverished the land, but unfairly confined the operations of indirect taxation." *The Calcutta Review*, vol. XXXVIII., p. 116.

"It has been most justly and truly observed by Dr. Smith, that a heavy taxation has exactly the same effects as an increased barrenness of the soil, and an increased inclemency of the heavens. It was the excessive weight of taxation, that was the real cause of the lowness of profits in Holland, and consequently of the decline of

of famine. The burden of explaining how there should be famine at all rests upon a foreign Government, whose subject tax-payers die of starvation by the million. It may be asked, why was the suffering so intense in Lower Bengal during the famine of 1874. No satisfactory inquiry has been instituted into the class of people, who suffered most in that calamity. They were either artisans or agricultural labourers. The cursed *ticc duri* system, which prevails in Behar, has crushed the springs of industry: the rent of the ryot varies from one-half to two-thirds of the gross produce of the land, and under such a rack-renting system, no population can resist the pressure of such widespread calamity as the famine." *Mr. Geddes.*

"We have received a letter giving the opinion of the people on famine. The letter is a very long one, therefore we will give the substance of it. The Government is trying head and heart to avert the present famine (of 1874), but what it is doing to prevent it in the time to come? The drought is not the only cause of the want of rice. There are several other causes of it.

Since the Permanent Settlement the zemindars have been declared permanent proprietors of the land. They have never paid a single pice in excess of the fixed assessment. But those who like beasts cultivate the land and produce the crops being exposed to the heat of the sun and to the rains, have no right whatever in it. The zemindars enhance the rent year by year, but the ryots have no power to make any objection. If any one does, he is ejected, and the land is leased out to some other person who agrees to pay enhanced rent. For this reason the ryots have no attachment to the land, because it is not their own. In seasons of drought, the zemindars never try to irrigate the land, and the ryots do not make any improvement either by bodily labour or by laying out capital, because it is not theirs; consequently the crops are destroyed for want of water. So long as the ryots do not consider it their own property, such calamities must befall the country at intervals. Therefore we humbly request Lord Northbrook to confer proprietary rights of land upon the people. So long as those rights are not conferred upon them, slight obstacles

will destroy the crops. Therefore if the Government wishes to prevent the recurrence of famines in future, let it confer proprietary rights upon the people. The request is not unjust. They have full rights to them.

The extensive cultivation of indigo in parts of Nabadippa, Rajshahi, Tipperah, Tirhut, and Behar, and that of poppy in Behar, have reduced the rice cultivation to a minimum. This is one of the principal causes of the high price of rice.

The mouths of many rivers are closed up; it is necessary to clear them, or to cut new khals. Otherwise there is every probability of recurrence of famines at intervals for want of water." *The Shulava Shamachara, Jaisto 13, 1281 Hegira.*

"We had something to say the other day about famines and their prevention, and we deprecated the popular tendency to accept irrigation as an impregnable defence against famines, and suitable to all parts of the empire... In Bengal and Behar, parts of the country with which we are naturally most concerned, it would seem to us that if defences against famine are seriously desired, the first step necessary to that end is a searching enquiry into the rights and the present condition of the peasantry, and a determination that they shall be freed from the exactions and oppressions of the landlords. Laws, Rules, and Regulations, alone will not effect this. Act X of 1859 and the various modifications that have followed it, while devised with the kindly intention of securing to the ryot his fair dues, have succeeded, in all but a few exceptional cases, only in making him more of a bond slave than he was before. In the hands of unscrupulous zemindars indeed, the refinements of our Rent Law have become fresh and powerful engines of oppressions, and by dint of oppressions and exactions, have driven ryots in Eastern Bengal to such a pitch of desperation, that agrarian disturbances seem to have become chronic there, while from North Behar we hear of thousands of ground-down tenantry flying from the cruel mercies of Court of Wards' management into Nepaul... Probably, however, there are very few people, who have any practical acquaintance with the Mofussil, and any power of seeing, who do not know that

for years the squalid misery of the agricultural population has been a scandal to our administration..... Sir Richard Temple's great object since he has had rest from his famine exertions seems to have been to bind their chains more closely about the unfortunates." *The Indian Daily News, February 7, 1877.*

The Improved Agriculture in Bengal Impossible.

We extract the following lines from a speech delivered at one of the anti-slavery meetings held in Glasgow:—

Dr. Burnes said:—It was well known that with regard to their agriculture, our general policy had been anything but kind, wise, or patriotic (cheers). He believed that had Britain done her duty to that country, the colonies of India would have been at this moment the most powerful auxiliaries for our manufactures—they would have been adding largely to our commercial interests, and to the advancement of the solid interests of the country. He believed that we would have had among them multitudes raised higher and higher in the scale of civilization, exchanging the productions of British India for the manufactures of Europe, and carrying on a profitable trade under the mild sway of British legislation; but instead of this, our sway in India had been characterized by two features equally revolting; one was the perpetual draining away of immense sums from the Native Princes on the most frivolous pretences, and the second was the total neglect, or rather discouragement of the agriculture of that country. They had all heard of the zemindari system in India, which was essentially the same in principle with that of middlemen in Ireland, with this difference, that in place of only three stages in the arrangement, as in Ireland, there were in India not fewer than five. The zemindar was at the top of the list, and the ryot at the lower extremity, while between these were four, all deriving a profit and a living from the same tract of land (hear hear). Now while it was possible, the zemindar might be living in comfort, the ryot might be dragging a life of misery." Quoted in the *Bengal Spectator, November 9, 1843.*

“The ryots of this country have been repeatedly characterized

is idle, ignorant, and so very stupid, as not to understand their own interests. Permit me to point out, that the unfavourable conditions which have been imposed upon them could lead to no other result than the miserable state, in which we find agriculture and agriculturists of this country. The first inducement to good farming is, that the farmer should enjoy the full benefit of his own labour. You may well afford to talk of the security of property of which the English Government is the instrument. But the ryot's position is that of legalized insecurity. Should he make any improvement in land, or raise by his industry an increased crop, his rents will be increased, and he will be compelled to pay abwabs. He finds that he reaps no fruit by raising a large crop. This power of the zemindar is the root of all evils." *A Correspondent of the Englishman, September 1, 1876.*

"One of the greatest obstacles to the improved agriculture is the duty of Government on several very important manures. 'The Indian Government,' says the *Indian Agriculturist* very truly 'by placing three most valuable and powerful mineral manures (namely common salt, nitrate of potash, and nitrate of soda) so largely extant in this great empire, under the lock and key of the excise, has virtually rendered improvements in agriculture and the production of the large crops of grain of the best quality practically an impossibility.' We pointed out last time how the salt duty of three rupees and three annas per maund falls heavily upon the poorer classes. Its economical effects on agriculture are not less disastrous.

Another great obstacle to improved agriculture is our Rent Law, which can never encourage any agriculturist to invest any money, or to take any trouble for the improvement of land. We need not describe now the position of the tenants-at-will, which is an unmixed curse brought upon this country by the English Government. The position of the ryots having occupancy rights is hardly better. The power of the zemindar to increase the ryot's rent is practically unlimited, and it is impossible that agriculture should thrive in a country, where the agriculturist does hardly for any length of time reap the fruits of his own labour?

The Shomeprokash, March 13, 1876.

The Rice Cultivation and the Income of the Ryot.

“The early or *ouse* rice is sown generally on high, light, sandy, soils from March to May, as showers may be favourable. It is cut variously from the end of July to the middle or end of September, and in six weeks’ time, it is succeeded by what is known as cold weather crop, which may be mustard, vetches, pulse, millet, gram, barley, oats, and the like. The *aumon* rice is sown in rich, deep, and loamy soils from April to June, and is reaped any time between the beginning of December and the end of January. It is a richer, stronger, and every way a better crop than the *ouse*, but it is more exposed to inundation, and is not followed by any second crop within the year. Occasionally the early and the late crops are sown on the same ground, and cut without injury to each other at different periods. A large part of the late rice is planted with the hand in rows on land carefully ploughed, cleaned, and smoothed for the purpose. It is everywhere known as the *roa*, and yields an abundant harvest. A third kind of rice, unknown in high and dry tracts of country, but very common in extensive marshy districts, is called the *boro*, and, from its proximity to water, is sown and grown from the month of January to the end of May. It is cultivated in places where there is too great depth of water during the heavy rains, and consequently abundant to keep the plant moist during the fierce heat of summer. The early rice, in the most favourable season, both from grain and straw, cannot give more than five rupees per beegha. In bad seasons it may not yield more than one rupee. As much as ten or even fifteen rupees may be got from the *aumon* crop in good seasons; but when heavy rains, or unexpected inundations from large rivers, drown the young plants, as was the case during 1855 and 1856, and may be the case again at any time, the return is positively nothing. The *boro* rice may be expected to yield seven or eight rupees per beegha. And on these crops, over some hundreds of miles, the hopes and anxieties of some millions hang for a large part of the year. About

the crops, there can be little doubt. The condition of those who live by such crops, we have found to be as follows:—Take a large plain, a crowded bazar on market day, or a high road between two towns or villages of any importance, and it will generally be found that the men at work on the one, or buying and selling in the other, or sturdily strutting along the third, have some right, or interest, or occupancy in the soil. Nearly every man has his jumma, which, in plain language, is his tenant-right of occupancy, or of proprietorship. The extent of this jumma is, in conversation, and for all practical purposes, indicated not by the acreage, for few can tell the area of their possession, but by the rent demanded, for every man well knows how much he is expected to pay. A jumma or *jote* may then vary from five to one hundred rupees. It will usually be found to be from about twelve to thirty. Obviously the possibility of a man's paying such rent, and yet finding enough to support him, will depend, apart from all fluctuations of climate, on the rent compared to the productiveness and extent of the tenure, on the number of mouths which he has to support in his own homestead, and on the number of sharers, who have a joint hold on the land. The sharholders in a large jumma of eighty or one hundred rupees we have known to reach to ten, and there are often as many as four or five on a small holding of twenty rupees. This is an inevitable consequence of the law of sub-division; but is remarkable how constantly this terminates, after two or three generations, in a separation of cousins and a division of the inheritance into two or more shares no longer to be held in common; and it is still more remarkable how this universal custom is rudely set to right by the progress of disease, by fever, cholera, small-pox, and other scourges, which clear off whole families, and cause the inheritance to revert to the hands of a single member. If on the one hand, numerous instances may be found of families branching out till they seem to weigh down the minute holding,—on the other, cases as frequent will occur, where father and uncles, with their offspring, have all been swept away, and the patrimonial inheritance has reverted to a single individual, with, it may

be, the surviving female relations all dependent upon his exertions for bread." *The Calcutta Review*, vol. XXIX., p.p. 126-28.

"The purchasers of lands have, throughout the country, left the ryots without profits, and often forced them from the lands." *Henry Newnham, Esq. Answer to Question 2723. Minutes of Evidence, Revenue, Commons, 1832.*

We here quote the following returns from the District Magistrates from the *Journal of the Agricultural and Horticultural Society of India, 1870*, which will throw much light upon the subject. We only request our readers to add the rent and the innumerable illegal cesses to the expenses of cultivation on the one hand, and to calculate the price of produce on the other.

Twenty-four Pergunnahs. Produce per beegha. "From five to nine maunds according to quality of soil. Fine paddy sells at from Rs. 1-2 to Rs. 2 per maund. Coarse paddy sells at from 12 annas to one rupee per maund. In some parts of the district coarse paddy is said to sell at about three maunds per rupee, but one or one and a half maund may be taken as the usual rate. Average expense of cultivation varies from Rs. 2 to Rs. 4 per beegha.

Jessore. The average out-turn of *aumon* rice for the whole district is about 6 to 7 maunds per beegha. The commoner kinds selling at a rupee and less for a maund. Expense. Rs. 4-8.

Nuddea. The ordinary out-turn of paddy from a beegha of ordinary rice land in this district may be set down at six and half maunds. Price. $1\frac{1}{2}$ maunds per rupee. Expense. Rs. 2-14.

Hughli. The ordinary out-turn of paddy from a beegha of ordinary rice land is eight to ten maunds. Price. One rupee per maund. The average expenses are Rs. 3 to Rs. 5.

Birbhum. The average out-turn of the best rice lands is for the best, $10\frac{1}{2}$ to $11\frac{1}{2}$ maunds of paddy; for the next, 7 to 8 maunds; and for the third, 4 to 5 maunds of paddy. Price is not given. Expense. Rs. 2-10.

Burdwan. From 5 to 8 maunds a beegha. Price. 1 to $1\frac{1}{4}$ maunds per rupee. Expense. Rs. 3-9.

Bankura. The ordinary out-turn is 11 maunds. Price. 1

maund 18 seers per rupee. Expense. Rs. 2-12.

Howrah. Five maunds per beegha. Price. Rs. 1-8 to Rs. 1-10 per maund. Expense. Rs. 3.

Midnapur. 7 to 12 maunds. Price. From 35 to 100 seers per rupee owing to various causes. Expense. Rs. 1-3 to Rs. 3-8 per beegha.

Bograh. From 6 to 7 maunds. The Bogra maund is of 60 tolahs. Price. Six to eight annas per maund of 60 tolahs.

Maldah. An ordinary out-turn of paddy from a beegha is 12 or 13 maunds. They are sold at from 45 to 65 seers per rupee. The average expenses vary from Rs. 3 to Rs. 5.

Dinagepur. An ordinary out-turn of paddy from a beegha of ordinary rice land may be stated to be from 5 to 6 maunds. Price varies. Expense varies.

Pubna. The ordinary out-turn from a beegha of first-rate land is 15 to 16; from that of second rate, 8 or 9; and from that of third rate, 5 or 6 maunds. Price. 1 maund 30 seers to 2 maunds per rupee. Expense. $4\frac{1}{2}$ to 5 rupees per beegha.

Rungpur. Ordinary out-turn about 6 or 7 maunds. Price. About one maund per rupee. It costs about Rs. 4-8 per beegha.

Rajshahi. From 6 to 10 maunds. Price. 1 maund to 1 maund 35 seers per rupee. Expense. 5 rupees.

Purneah. An out-turn is considered at from 5 to 20 maunds per beegha. Price. From 45 to 80 seers per rupee. Expense. 4 to 8 rupees.

Monghyr. 14 maunds. These sell from 45 to 50 seers per rupee. Expense. 6 rupees.

Pakour. From 6 to 9 maunds. Price. From $1\frac{1}{4}$ to 2 maunds per rupee. Expense. From Rs. 1-12 to Rs. 2-8.

Rajmahal. The ordinary out-turn of paddy varies from 5 to 6 maunds per beegha. Price. From 50 to 55 seers per rupee. Expense. $2\frac{1}{2}$ rupees.

Doomka. About 10 maunds. Price. 1 maund 10 seers per rupee. Expense. Rs. 4.

Godda. Six maunds of paddy are generally produced from a beegha of ordinary rice land. Price. From 25 to 30 seers per

rupee. Expense. Rs. 1-8.

Bhaugulpur. From 8 to 12 maunds. Price. From 1 to 2 maunds per rupee. Expense. Rs. 3. By hired labour more.

Deoghur. 20 maunds. Price. $1\frac{1}{2}$ to 2 maunds per rupee. The average expense. Rs. $4\frac{1}{2}$.

Manbhum. 16 maunds with careful cultivation. The ordinary out-turn may be set at 12 maunds. Price. 1 to $2\frac{1}{2}$ maunds per rupee. Expense. Rs. $2\frac{1}{2}$.

Singbhum. From 8 to 16 maunds. Price. From 2 to $2\frac{1}{2}$ maunds per rupee. Expense. Rs. 2-1.

Hazareebaugh. 8 maunds. Price. From 30 to 40 seers per rupee. Expense. From Rs. 4 to Rs. $5\frac{1}{2}$.

Palamow. 15 maunds. Price. From 36 to 48 seers per rupee. Expense. Rs. $4\frac{1}{2}$.

Backergunge. 10 maunds. Price. From 2 to $2\frac{1}{2}$ maunds per rupee. Expense. Rs. 3 to Rs. 4.

Cachar. 8 maunds. Price. $1\frac{1}{4}$ to 3 maunds per rupee. Expense is not given.

Dacca. 6 maunds. Price. $1\frac{1}{2}$ to 2 maunds per rupee. Expense. Rs. 3.

Furreedpur. 15 to 20 maunds. Price. $1\frac{3}{4}$ to $2\frac{1}{2}$ maunds per rupee. Expense. Rs. 7.

Mymensingh. 5 to 6 maunds. Price. 12 annas to one rupee and four annas per maund. Expense. Rs. 2 to Rs. $2\frac{1}{2}$.

Sylhet. 7 maunds; they sell at 8 to 10 annas per maund. Expense. Rs. 2.

Darjéeling. In the hills 2 to 4 maunds. In the plain 5 to 8 maunds. Price. 1 to 5 maunds for the rupee. Expense. Rs. 2.

Western Dooars. 4 to 5 maunds. Price. $1\frac{1}{2}$ maunds per rupee. Expense. One rupee six annas.

Cooch Behar. 4 to 10 maunds. Price. 1 to $1\frac{1}{2}$ Rs. per maund. Expense. Rs. $3\frac{1}{2}$ to Rs. $4\frac{1}{2}$.

Goalpara. 5 to 8 maunds. Price. $1\frac{1}{4}$ to $1\frac{1}{2}$ maunds per rupee. Expense. Rs. $3\frac{1}{2}$.

Assam. $6\frac{1}{4}$ to $8\frac{3}{4}$ maunds. Price. 8 to 10 annas per maund.

Expense. Rs. 2½

Kamroop. 8 maunds. Price. 12 annas per maund. **Expense.** Rs. 3.

Durrung. 13 maunds. Price. 1½ maunds per rupee. **Expense.** Rs. 3.

Nowgong. About 7 maunds. Price. One rupee maund. **Expense.** Rs. 3.

Seeksagore. 7½ to 9 maunds. Price. 1½ maunds for the rupee. **Expense.** Rs. 6.

Luckimpur. 8 maunds. Price. 1½ to 2 rupees per maund. **Expense.** Rs. 5.

Chittagong. 6 to 7 maunds. Price. 13 annas to 1½ Rs. per maund. **Expense.** Rs. 4.

Noakally. 5 maunds. Price. 2 maunds for the rupee. **Expense.** Rs. 2 to Rs. 2-6

Tipperah. 3¼ to 8 maunds. Price. 1½ to 3 maunds per rupee. **Expense.** Rs. 2¼ to Rs. 3¼.

Patna. 5 to 8 maunds. Price. 40 to 50 seers per rupee. **Expense.** Rs. 2½ to Rs. 4.

Gya. 7 to 12 maunds. Price. 40 to 50 seers per rupee. **Expense.** Rs. 1½ to Rs. 3.

Shahabad. 10 to 15 maunds. Price. 35 to 50 seers per rupee. **Expense.** Rs. 4 to Rs. 5.

Tirhut. 10 to 20 maunds. Price. 40 to 50 seers per rupee. **Expense.** Rs. 4 to Rs. 5.

Sarun. 12 maunds. Price. 40 to 50 seers per rupee. **Expense.** Rs. 3 to Rs. 4.

Chumparun. 20 maunds. Price is not given. **Expense.** Rs. 8.

Cuttuck. 12 maunds. Price. 52 to 65 seers per rupee. **Expense.** Rs. 3½.

Puri. 10 to 13 maunds. Price. 2½ maunds per rupee. **Expense.** Rs. 3-3.

Balassore. 12 to 18 maunds. Price. 8 gauns of 16 seers each for the rupee. **Expense.** Rs. 5 to Rs. 7.

The Returns from the Zemindars.

24 Pergunnahs. 6 to 10 maunds. Price. 1 to $1\frac{1}{2}$ maunds per rupee. Expense. Rs. 3 to Rs.5.

Hughli. 5 maunds. Price. About a maund per rupee. Expense. Rs. 5.

Krishnagur. 6 maunds. Price is not given. Expense. Rs. $5\frac{1}{2}$.

Nuddea. 6 maunds. Price. $1\frac{1}{2}$ maunds per rupee. Expense. Rs. $2\frac{1}{2}$ to Rs. $4\frac{1}{2}$.

Burdwan near Chukdighee. 10 maunds. Price. 12 annas to one rupee per maund. Expense. Rs. $2\frac{1}{2}$.

Backergunge. 6 maunds. Price. $1\frac{1}{4}$ to $1\frac{1}{2}$ maunds per rupee. Expense. Rs. $2\frac{1}{2}$ to Rs. $3\frac{1}{2}$.

Mymensingh. 10 to 30 maunds. Price. $1\frac{1}{2}$ to 2 maunds per rupee. Expense. Rs. 8-10.

Balassore. 11 maunds. Price. 5 to 8 annas per maund. Expense. Rs. $3\frac{1}{2}$

Morellgunge. 6 maunds. Price. Rs. 1-4 to Rs. 1-10 per maund. Expense. Rs. $3\frac{3}{4}$.

Murshedabad. 6 maunds. Price. A maund per rupee. Expense. Rs. 4.

Birbhum. 6 or 7 maunds. Price. 1 to $1\frac{1}{2}$ maunds per rupee. Expense. Rs. 4.

Cuch Behar. 6 or 7 maunds. Price. 8 annas to Rs. $1\frac{1}{4}$ per maund. Expense. Rs. 5.

Behar. 2 to 15 maunds. Price 1 to 2 maunds (of 64 sicca rupees). Expense. Rs. 4 to Rs. 8.

The returns of other districts are not given.

Question. Can more than one crop of paddy be grown annually in the same land ?

Answer. Jessore. Yes, in cases where the land is fertile and well supplied, though not swamped, with water, so that the *aous* crop ripens quickly. The *aumon* is planted subsequently, and a second yield obtained in the same year.

Nuddea. It is not usual to grow more than one crop of paddy on the same land in the same year.

Birbhum. Not more than one crop of paddy is got in the year; want of irrigation in the dry season precludes a second.

Burdwan. Seldom, if ever.

Midnapur. Very rarely, indeed, done hitherto.

Bogra. Yes, in *Dokhund* land estimated roughly as quarter of the area of the district.

Dinagepur. The land having been cleared of the *aous* rice crop, is sometimes sown in second or winter crop.

Maldah, Monghyr, Rajmahal, Bhaugulpur, Deoghur, Manbhum Singbhum, Hazareebaugh, Loharduggah, Palamow, Nowgong, Seebesagore, Shahabad, Tirhut, Sarun, Chumparun, Krishnagur, Bankura, Howrah, and 24 Pergunnahs. No.

Pubna. Yes, *aumon* and *aous* are both sown together; *aous* is reaped in *Bhadra*, and the *aumon* in *Kartik* or *Aughrahan*.

Rungpur. In some lands, both crops of paddy (*aous* and *aumon*) are grown annually.

Rajshahi. *Aous* and *aumon* are grown in their seasons frequently on the same lands.

Purneah. Only one crop of paddy is grown.

Pakour. Only in some places where the *aous* crop grows, and that, if a very early one, the *hymunto dhan* (winter crop) can be sown afterwards.

Doomk. No; there are no such lands in this district.

Godda. Only one crop of paddy is grown in the same land annually.

Backergunge. In the low lands, *aous* and *aumon* crops can be grown annually in the same land.

Cachar. In parts of the district.

Dacca. Yes, some lands yield two crops a year.

Furreedpur. More than one crop is grown annually in the same land.

Mymensingh. Sometimes in a fair season of the year, both *aous* and *aumon* paddy are grown annually in the same land; but the lands are not fit for such cultivation or growing.

Darjeeling. Two crops of *dhan* (rice in husk) on the same

land in the same year are never sown.

Western Dooars. Yes, but such is not often done.

Cuch Behar. Two crops of paddy, *viz.*, one *betree* and one *hymunto* are commonly grown on the same land in a year.

Goalpara. One crop of paddy is generally grown in the land, and in some lands two crops.

Assam. Two crops of paddy can be grown on the same land in the same year; but this is done very rarely.

Kamroop. Two crops can be grown annually, but the yield of such crop is not the same in quantity.

Durrung. Two crops on the same land are very rare indeed.

Luckimpur. Yes.

Chittagong. In high lands generally two crops (*shyle* and *aumon*) can be produced annually.

Noakally. Yes, *aous* and *aumon* can be grown in the same and in the same year.

Tipperah. At head quarters only one crop of paddy is grown annually in the low land and in medium lands; and at sub-divisions two crops are grown.

Patna. No more than one crop of paddy can be grown in the same land.

Gya. No more than one paddy crop is raised annually from the same field.

Cuttuck. No more than one crop can be raised on the same ground.

Puri. The general practice is only to grow one rice crop in the year.

Balassore. Very rarely.

Goburdangah. Some *aous* and *aumon* are sown together on the same plot of ground.

Hughli. There is scarcely any land in this district growing annually more than one crop of paddy.

Nuddea. The *aumon* and *aous* paddy can be raised in the same land; but that sort of land is very rare in our neighbourhood."

Next we quote the following table from *Dr. Hunter's Statis*

Statistical Account of Bengal, vol. IV., p. 533.

“Birbhum. The following table shows the Deputy Collector’s estimates of the cost of cultivation, value of out-turn, and net profit for each crop excepting sugarcane.

Name of the crop.	Cost of cultivation.			Value of produce per beegha.			Net profit per beegha.		
	Rs.	As.	P.	Rs.	As.	P.	Rs.	As.	P.
Rice	7	15	0	9	8	0	1	9	0
Bût	2	13	0	5	0	0	2	3	0
Teel	2	10	0	6	0	0	3	6	0
Musuri	2	8	0	5	4	0	2	12	0
Peas	3	3	0	5	8	0	2	5	0
Teesce	3	3	0	4	8	0	1	5	0
Mustard	2	11	0	4	4	0	1	9	0
Khesari	2	1	3	2	8	0	0	6	9
Wheat	3	3	0	6	0	0	2	13	0

N. B. The whole of the rent Rs. 4. 8. 0 per beegha is charged against the rice crop.”

The Inundation.

By the Regulations of 1793, the Government of Lord Cornwallis not only declared the zemindars permanent proprietors of the soil, but also entrusted them with the construction of roads, khals, embankments, and other works of public utility. Thus shifting all responsibilities for the happiness and welfare of the people upon them, it has hitherto followed a policy of masterly inactivity, and even never enquired how far they have fulfilled their obligations. And there are many reasons for this indifference. It has conceded a part of the revenue to the zemindars in order to enable them to make improvements of their estates, and, with the permanency of the tenure, given up all hope of sharing in the increased value of the land. But what is above all, the zemindars, however unmindful in fulfilling the other conditions of the Permanent Settlement, are very punctual in their payment of revenue. The Government, thus freed from all cares and an-

xieties, cares very little to force them to do their duty towards the ryots. All improvements have thus been at an end. There are many rice fields in Bengal, which are almost annually inundated for want of drainage works or other means of discharging water, while some others do not yield good crops for want of good embankments for resisting the force of it. The field which we cultivate is inundated say in two out of three years. So in place of *aumon*, we cultivate *boro* rice, the produce of which is comparatively small, and sometimes falls short of meeting the very demands of the zemindars. A khal costing two or three thousand rupees would be sufficient to make it very productive, but no zemindar ever dreams of it. The following letter shews not only the mischief, which is caused by inundation, but also the condition of the ryots, the conduct of the zemindars towards them, and the feelings particularly of the higher classes towards the Government.

“It appears to me a matter of surprise, that no public notice has been taken of a series of calamities by which this unfortunate district (Burdwan) has been visited of late in consequence of the incessant and heavy rains. I allude to the repeated inundations caused by the Damuda, the embankments of which were broken and swept away very extensively above and below the town of Burdwan. How loud and deep would be the cries of the people, had such calamitous events, by which the well-being of hundreds of thousands of subjects was affected, happened in England, without the Government taking immediate notice of them, or devising effectual means for their relief, and to prevent the recurrence of the calamity. But the cries of the houseless villagers, who till the Indian soil, and from whom a rich revenue is wrung, seem to have been lost in the roaring of the floods, which periodically rush over their fields, and which have converted thousands of beeghas into wastes of sand. Ever since the dreadful flood in 1834, when the whole station and town were under water, those seasons formed only an exception, when we were spared from witnessing the recurrence of the distressing scenes; and consequently we, who are exposed to it, live in a constant state of

anxiety during the rainy season.

To point out only a few particulars, which were lately brought to my notice by credible witnesses, I would mention that at the late inundation which happened on the 3rd instant, a Brahmin and a fisher-woman were drowned near the village of Royan. In the awful inundation, which took place towards the end of June last, the village of Shumpur containing 250 cottages was entirely swept away; six other villages were partly destroyed, and the inhabitants reduced to unspeakable misery. Little infants were seen hung up in baskets on the branches of trees, the largest of which were crowded by men and women, from which they had to witness the destruction of their dwellings and their little property by the flood.

But this is by no means the greatest of the miseries afflicted. When the waters have subsided, the half-famished sufferers discover a change below them, which strikes their hearts with despair. The stream, wherever its current ran, has converted their fertile fields and little gardens (often their sole dependence) into a sandy desert two or three feet in depth. Let Government manifest its paternal disposition by instituting an enquiry into the loss and misery inflicted particularly by the latter circumstance, and ascertain how many beeghas of arable ground have been rendered comparatively useless, and what measure can be more just than the one I would propose, *viz*, that a proportionate remittance of ground-rent granted to the sufferers forthwith.

With a well-filled table before us, we can hardly imagine what it is to be systematically reduced to skin and bone from want of food, and to have the prospect of satisfying the craving hunger cut off by a sweeping inundation and heavy taxes into the bargain. It was three years since I first witnessed a distressing scene of this kind on a tour to the southward along the banks of the Damuda a few weeks after an inundation. I passed from the village of Hijolna across a bed of sand, the extent of which stretched out beyond the reach of eye. The whole plain had, two months before, been rich paddy fields, the sand lay three feet deep in most places, and I was told that it required thirty years to

produce a new soil by the growth of weeds before anything could be planted again. The zemindar, as a matter of course, exacted his rent as usual, and the poor ryot's cow or pair of bullocks, if he had any, were driven off in lieu of ground-rent. At another village I saw a small patch of the first rice cut by twelve men under the superintendence of a Sircar. This was the property of a ryot, and the zemindar, I was told, sent these people to reap the field for some arrears of rent. What must have been the feelings of the ryot, when he found his little field reaped by another? At the village of Selimabad, I enquired from an intelligent Munsiff why the people appeared so thin. He replied that they have nothing to eat; there are few ryots who get more than one meal a day consisting of a scanty plate of rice with a grain or two of salt, and a few green herbs boiled down often without a drop of oil added to it.

Such are the consequences of the inundations, and such, I understand, is the wretched condition of the natives in many villages. At the present moment they have not a shelter under which to lay their heads, and they are seen going about like skeletons. Will the Government show its sympathy by affording them some relief and providing against these dreadful visitations?

Another important fact to be observed is the spirit of discontent, which prevails in this district, particularly among the higher classes of natives, who appear quite convinced, that the public welfare is little regarded by Government! so long as they get their revenues regularly paid. This, with the soreness caused by the resumptons and high land-tax peculiar to this fertile district, is a never-ceasing subject of discussion among them.

Would that the cries and lamentations of the sufferers from the inundations could be heard in the Council Chamber! Did these poor people know of a way to represent their grievance there, they would gladly avail themselves of it; but in their ignorance and helplessness, no such idea suggests to them? If the representations of the foregoing facts should have any influence in prompting tardy justice, I shall deem myself amply rewarded for the little trouble I have taken in thus bringing them forward to

public notice." *A Correspondent of the Friend of India, September 21, 1840.*

In the middle of September, 1877, the inundation caused by the overflowing of the river Damudah almost swept away scores of villages situated on its right bank. There was scarcely a single family, who did not suffer somehow or other: *ouse* crops, which were not gathered, were very much injured, cattle drowned, and houses fell down. Several large fields, which were smiling with green *aumon* rice plants, and cheering the hearts of the cultivators, were inundated, and yielded nothing whatever. The field which we cultivate, and which is situated on its left bank, very narrowly escaped from the dreadful consequences of the floods. Many rice fields on its right bank are inundated at intervals of one or two years, yet nothing whatever has been done to remedy the evil.

The Illegal Attachment and Seizure of Crops.

We have already said, that the rent of land is so high, that it is impossible for the cultivators to pay it with punctuality. Notwithstanding the utmost endeavours made by them for paying it up they not unoften fall in arrears. The zemindars or rather their underlings know very well, that the expenses and the delay of a law-suit are too great to be always resorted to. They also know that defaulting ryots will never be able to satisfy their demands before the harvest is gathered. Consequently they are obliged to wait for recovering them till the harvest time. As soon as it is gathered, they immediately send a *pyke* or peon to the *khamar* (a place where rice is threshed) to prevent the defaulting ryots from carrying it to their homes, till the claims of the zemindar are met. If the ryots are unable to pay the rent, the crops are sold by the Gomastah in the *khamar* or carried to the Cutcherry to be sold hereafter. They never dare say one word unpleasant to him and seem to think, that he is only exercising his just and legal rights. On the other hand, those who pay the rent by borrowing money, are equally unfortunate to reap their harvest only for their Mohajauns. The object aimed at by these money-lenders is somewhat different from that of the Gomastahs. The former carry the

crops to their barn-house to give advances of them, or to sell them when the best opportunity offers itself, while the latter sell them immediately for realizing rent. The poor cultivators, who like beasts drudge 'from morning to noon, and from noon to dewy eve' return home with a broom and a *kulo* (fan for winnowing corn) in their hands as the reward for their labour. This is no exaggeration. The crops especially the rice and the molasses of almost all the ryots of this village where we are writing, are thus attached and sold or carried to the money-lenders' house. They are so involved in debts, that from two to five years' whole crops will probably be short of meeting the demands of the zemindar and the money lenders. The small part left by the Mohajauns, but not by the Gomastah, barely suffices to maintain them for a month or two, and that even merely out of compassion, and not at all owing to the liquidation of debts. It also happens, that the Gomastah, in order to show his efficiency and experience in realizing rents, orders the defaulting ryots even not to approach their lands with sickles in their hands, till his claims are met. He very well knows, that it is impossible for a poor ryot to make him responsible for the damage which might be done to the crops by such a course. If any loss results from it, the ryot must have to suffer it, and this he knows too well. Every body knows, that a few days' delay in reaping a ripe harvest might result in much injury to it. Suppose a Gomastah orders a defaulting ryot not to cut his rice, till his claims are met. The poor fellow dares not disobey his orders, so he humbly implores him in such terms as these:—"Sir! if you do not allow me in reaping the harvest, how I shall be able to pay the rent. It is now too ripe; birds are doing much injury; a shower of rain may destroy half of it; kindly allow me to cut it. I shall first of all pay up your rent." The Gomastah knows very well, that if his orders are strictly carried out, it would do much injury to himself, so he looks upon him with favourable eye—orders him to reap his harvest—and repeatedly tells him, that if he fails to keep his promise, he is sure to feel the consequence. As soon as it is gathered, he sends a *pylke* to prevent him from carrying it home, and then sells it himself. We have said that the Mohajauns generally do

not sell the crops of their debtors to others, but carry them to their own barn-house to sell or give advance of them when the best opportunity offers itself. The price paid by them to the cultivators always falls short of the market price, say from six pie to one anna per rupee. We firmly believe that such is the state of things throughout the whole country. We now place before our readers the following extracts, which will serve to strengthen our views on this subject.

“ In his annual report this year (1871-72) the Commissioner of Bhaugulpur quotes the following remarks of the Magistrate of that district:—‘ The people of the south in the Banka Sub-division are as a rule poor ; there are many Sonthals among them and they are an ignorant lot. There is no doubt, that they are, so to speak, oppressed by their landlords, and I had several complaints made to me, that since the Act X. cases were transferred to the Civil Courts, all the inhabitants of this Sub-division have to go to Bhaugulpur. The ryots cannot afford to do this, their crops are illegally attached, and they are powerless. It is, I know from experience, far from uncommon to prevent a man reaping his rice till he has either paid rent which may be due or an increased sum over his real rent, and cut his crop he dare not. I was in this Sub-division just at the time of cutting crops, and I explained to the ryots and to one zemindar, that this act amounted to an attempt to extort, and that a charge of this nature, if brought in the Criminal Court at Banka, would be severely dealt with. This undoubtedly occurred in the zemindari of one——, and in that of——, the latter zemindar, of course, in perfect ignorance of this, and I spoke seriously to his brother at Jellalabad and a newly appointed agent, and so no charges were brought subsequently, I believe the ryots were ultimately allowed to cut their crops. That a zemindar should have the power to bully his ryots in this way, even for rent fairly due, in the face of the law, is due solely to the fact, that there is no Court near at hand for the ryots to seek redress.’” *The Administration Report of Bengal, 1871-72, part II., p. 301.*

Sir Richard Temple in his Resolution dated August 16,

1876, says:—"The farming system is extensively in vogue in the Bhaugulpur Division, and illegal attachment and seizure of crops are common. It is the practice, when the crops are ripe, to send a peon or *sower* to lay an embargo thereupon until the claims of the landlords are met. This practice was brought prominently to notice during the course of the enquiries regarding scarcity in Soopool. The evil has dated for years back, and has become a custom, so that the villagers submit without complaint."

His Honor again observes in his Resolution dated September 23, 1876:—"In particular the Lieutenant Governor has had occasion to observe that in Behar the exercise by the landlord of the power of distraining the ryots' crops, is a degree clearly beyond the letter and spirit of the law...The question has for sometime past been causing anxiety. It may be that the procedure of distraint locally adopted in Behar has the prescription of long established usage; still it is illegal, its modification is only a question of time, for sooner or later the ryots will realize the legal aspect of the case, and will seek redress."

Hon'ble T. C. Hope, in his speech on the new Civil Procedure Code said:—"From all parts of India, the same cry arose regarding the indebtedness of the agricultural classes, the transfer of land by sale or mortgage to the money-lending portion of the community, and the hardship which resulted from property coming into the hands of those who were not likely to be good landlords, and who simply took it and held it for the purpose of making it a means of battenning on the wretched cultivators, who became their tenants. Now on the subject, he had got beside him one very large and ponderous volume, which consisted of evidence taken by the Commission on the Deccan riots in the Bombay Presidency, and another equally large volume containing a series of reports and papers collected from all parts of India, which went to prove the existence of the same condition there. There was not the slightest lack of evidence, that almost everywhere the ryots stigmatized the Civil Courts as the cause of their misfortune and as the curse of their country. He feared that he might be supposed to have used exaggerated language in the

remarks, which he had felt it his duty to make. He could support what he had said by abundant proofs, but as time was short, he would merely mention to the Council, that Sir George Wingate who was very well known as one of the most able of our administrators for some years in the past generation, after writing very much in the same strain as what he had now been saying, used to the ryots the following words:—‘ He toils that another may rest, and sows that another may reap. Hope deserts, and despair possesses him. The virtues of a freeman are supplanted by the vices of a slave.’ The whole tenor of his remarks was, that the moneyed class even then had got the ryots completely at his mercy, and left them barely enough to keep the life in their bodies, the proceeds of their lands being almost entirely carried off. But there was perhaps a better and more recent authority than Sir George Wingate. Lord Elphinstone, who after holding the Government of Madras, succeeded to that of Bombay in the troublesome times of the Mutiny, and of whom it was well-known that, for calmness, impartiality of judgment, and a capacity of seeing all things around him, he had, perhaps, no equal excepting Lord Canning, himself remarked as follows:—‘ His Lordship in Council entertains no doubt of the fact, that the agricultural classes of the native community suffer enormous injustice from the want of protection by law from the extortionate practices of money-lenders. He believes that our Civil Courts have become hateful to the masses of our Indian subjects from being made the instruments of the almost incredible rapacity of usurious capitalists.’ Nothing can be more calculated to give rise to widespread discontent and disaffection to the British Government than the practical working of the present law.” Quoted in the *Englishman*, November 7, 1876.

The Rent Suits.

We have proved, perhaps, to the satisfaction of our readers, that the crops of almost all the ryots are illegally attached by the zemindars as well as by the money-lenders, in satisfaction of their respective demands. But notwithstanding this, there is a very

large number of suits for arrears of rent in Bengal annually instituted in Civil Courts. And yet it is only in extreme cases, that a defaulting ryot is dragged to a Court of justice. When the zemindar or his Gomastah has exhausted all the means in his power for realizing the rent—has dragged him to his Cutcherry, used abusive language that caste, creed, or colour, suggests, given him a sound beating, confined him, illegally attached his crops—then and then only he proceeds to Court for recovering the arrears of rent by selling at auction to the highest bidder a few miserable huts and one or two bullocks, from which he dares not allow to be dispossessed by his arbitrary will. With these remarks I take the permission of our readers to quote the following passage from Babu Parbati Charan Roy's *Rent Question* :— “ It is a fact, perhaps, known to all, that rent suits form a large proportion of the work of the Civil Courts. How large that proportion is, will appear from the following figures taken from the Administration Reports :—

Year.	Number of Rent Suits.	Number of All Other Kinds of Suits.
1871-72	91,878	184,401
1872-73.....	101,077	197,308
1873-74.....	111,411	208,754
1874-75.....	107,697	190,524
<hr/>		
Total 4 years	412,063	780,987
Average each year.....	103,016	195,247

Rent suits thus form more than half of all other kinds of suits, or, in other words, more than a third of the total number of rent and other suits. This will, no doubt, be admitted to be a very large proportion.”

“The following table shows the totals of the various kinds of original Civil Suits instituted in the Courts of the interior during the year 1876 :—

Suits for Money.	Under Rent Law.	Other Suits.	Total.
177,473	130,593	36,271	344,357”

The Administration Report of Bengal, 1876-77, p. 62.

The Evils from the Joint Management of Estates.

“Another subject of importance has also been recently under the consideration of Government in connection with the rent disputes and the many social and political difficulties resulting from the way in which land is now held in Bengal. It was brought to the notice of Government that, as a consequence of the practice of sub-dividing and sub-letting, each tenant has now very commonly to pay his rent to ‘two or many more than two masters.’ The hardships and harassment to which the practice of shareholders collecting separately subjects the tenant, had also frequently come under His Honor’s observation in different shapes, and, as has been noticed, a case of the kind was one of the principal causes of the Pubna disturbances. The Lieutenant Governor has repeatedly observed how nearly impossible it is for landholders to do their duty when their estates are split up among so many divided and over-lapping interests. The Lieutenant Governor, therefore, requested the Board of Revenue to consider whether the remedy should not be applied by legislation, and suggested the possibility of reverting to the rule of the Permanent Settlement, under which the proprietors of a joint un-divided estate were required to elect a manager, who should have the exclusive management of their lands during the continuance of his appointment. On this the Board consulted the Commissioners and local Officers, who were ‘very unanimous in deploring the evils and hardships of the present system’; but they were not generally hopeful as to the probable result of the remedy proposed, or of any other remedy.” *The Administration Report of Bengal, 1872-73, p. 40*

The Wages for Agricultural Labourers.

The condition of the agricultural labourers is still worse than that of the cultivators. It is a subject, which no one, who has a spark of humanity in him, can make a searching enquiry into without being deeply affected by their hard lot. Indeed it

could not be otherwise, when that of the ryots who chiefly employ them in their field-work is so deplorable. The low price of labour is the sure indication of the wretchedness and poverty of a country. The average rate of wages for agricultural labourers throughout the country may safely be fixed at two annas per day. It is a fact, the truth of which no one can deny, that they are not employed during the twelve months of the year. We think we shall not be wrong in fixing the number of days, in which a labourer is employed, at sixteen to twenty-five in a month, hence, his monthly income amounts to from 2 to 3 rupees. We may add to these the little earnings (say eight annas) of his wife, or of his eldest son. Thus his monthly income amounts to from $2\frac{1}{2}$ to $3\frac{1}{2}$ rupees, with which he supports himself, his wife, and three children. Now we leave it to our readers to judge of his miserable condition. We think they cannot but come to the conclusion, that "the lot of the agricultural labourer of Bengal," to use the words of Sir Richard Temple, "is almost as hard as can be borne." We now quote the following passages in support of our assertions.

"As regards the price of labour in Midnapur, the Magistrate reports that $2\frac{1}{2}$ annas per day is considered rather high wages. In Hughli the price of labour has risen steadily during the last ten years; and to instance the case of the agricultural labourer: he is employed by his master throughout the year, and receives board, lodging, and cloths, besides the money wages, which amount to Rs. 24 a year. Some fifteen years ago, his wages were only Rs. 12.

The Behar Districts. As for labour in some parts of the district of Tirhut, the price of unskilled labour has arisen from 10 to 20 per cent., while that of skilled labour appears to have remained stationery. In the north of the district, the common cooly in the town gets two annas a day, the carpenter and mason up to four annas a day. In Sarun, masons, blacksmiths, and carpenters, are paid from three to four annas a day; *palkee* bearers four annas each a stage of 10 miles; and ploughs may be hired for four annas a day in October, and two annas a

ly during the other months. Common coolies get about $1\frac{1}{2}$ to $2\frac{1}{4}$ annas a day, say about two pence half-penny.

In Chumparun the price of labour is about the same as it is in Sarun.

The price of labour in Patna is the same as in Sarun and Tirhut.

In Shahabad the price of labour is the same.

In Gya wages are very low, the demand for labour not being equal to the supply.

The following extract from Puri Collector's report shows very clearly the position of an ordinary farm-labourer, and of the proceeds of salt manufacture as a means of subsistence to labouring *Molunghees* :—

'The wages of unskilled labour are very low. The main employment is, of course, agricultural; the *barui* or labourers of the servile class is comparatively well off, who receives as remuneration one *gawn* or basket of paddy of 5 Cuttack seers a day, or $6\frac{1}{2}$ Balassore seers, as his remuneration. According to the existing price for cleaned rice, this would be less than $1\frac{1}{2}$ annas for every day of service. This is for tolerably permanent employment; for mere occasional jobs, the rate is, of course, higher. The most common rate of wages for permanent employment is Rs. 2 a month plus a suit of cold weather and warm weather clothing. Altogether he gets in money Rs. 24 a year, in cloths Rs. 3, and in occasional donations Rs. 6; or in all Rs. 33 a year less than three rupees a month. On this he feeds and clothes his family. Skilled labour, like that of a carpenter or weaver, fetches about 4 annas a day. In salt manufacture the rate of remuneration is 2 annas a maund of the out-turn of salt, all at the risk of the labourer.

The labour rates in the plateau of Chota Nagpur Proper have altered to some extent since the year 1857; in that year they were for male labourers one anna, for females 9 pie; the present rates are $1\frac{1}{2}$ annas equal to nearly two pence a day for adult male labourers, and one anna equal to penny and half-penny for women. These rates are without food or clothing, and are paid

by European employers. In the villages lower rates probably prevail." *The Administration Report of Bengal, 1871-72*, p. 402-4.

"Hughli with Howrah. The usual rate of wages for *krishans* (agricultural labourers) is £2 8s. a year with food and clothing; and for day-labourers 3½*d.* per diem, together with a mid-day meal of parched rice. There is a large class of day-labourers in the district neither possessing nor renting any land of their own, with the exception of the little patches, on which their huts are built." *Dr. Hunter's Statistical Account of Bengal*, vol. III., p. 347.

"Midnapur. Coolies and agricultural day-labourers earned from 2¼*d.* to 2½*d.* per diem in 1871; formerly about 1860 the rates were 1½*d.* to 1¾*d.* per diem." *Ibid.*, p. 84.

"Burdwan. Agricultural labourers earned in 1870 2½ annas or 3¼*d.* per day. Before the Railway construction began, coolies wages are said to have been 1¼ annas or 1¾*d.* per day. The rates of the wages, which the Collector gives, apply to the towns rather than to rural labourers, whose earnings are less." *Ibid.*

"Bankura. The present wages of coolies and of agricultural day-labourers are returned at 2 annas or 3*d.* per diem." *Ibid.*, p. 249.

"Birbhum. The Collector returns the current rate of wages for labourers at Rs. 4 per mensem, or a little more than two annas per diem." *Ibid.*, p. 249.

The Salt Duty.

The heavy duty levied upon salt is one of the legitimate fruits of the exceeding folly of the Permanent Settlement. The Government gave up, by that measure, all right of sharing in the increased value of land of the most fertile province in India at a time, when it was quite ignorant of its capabilities and of the increased demands, that would be made upon it in future. However expenditure increased with the advance of years, but how it was to be met? The most fertile source of revenue was closed up for ever. Any measure, that would touch the pockets of the

it was sure to meet with strong opposition from them. Government knew and still knows that very well. So it wisely avoided taxing them. It also knew, that there was a very large class of people, who were dumb—had no voice in state affairs, very patient, and submissive. And that class was the victims of its Permanent Settlement and known by the name of ryots or cultivators. Any tax levied from them was sure to bring a large sum into the treasury of Government, and that too without opposition. So one of the most absolute necessities of their life was highly taxed—a heavy duty was levied upon salt. To use a native phrase, it may be justly stigmatized as '*the strike of a sword upon a dead body.*' The Permanent Settlement had reduced the vast millions of Bengal to extreme poverty and wretchedness, but as if it being not sufficient to produce more beggary and wretchedness for which it seems to have been intended, a heavy duty was and is still being levied upon salt from those, who are most in need of it. The original price of this article is only four or five pic per seer; but the people cannot have it at less than two annas, or about six times the original price. This cannot but press heavily upon the ryots and labourers who form the great bulk of society.

Now let us see how heavily it falls upon them. The income of a ryot is fixed by the highest authorities at sixty rupees per annum, with which he supports himself, his wife, and three children. The consumption of salt per head is $9\frac{1}{2}$ lbs. in a year, which would give 24 seers in a family of five members. The price of these 24 seers is three rupees. The original price of them is about nine annas. If he consumes 24 seers of salt, he must pay a salt duty of two rupees and seven annas, or in other words, about four per cent. income tax.

Then again there is a still more wretched creature, who bears the name of labourer, whose income may be fixed at thirty-five rupees per annum. If he, with his wife and three children, consumes twenty-four seers of salt, he must pay a salt duty of two rupees and seven annas, or in other words, about $7\frac{1}{2}$ per cent. income tax. Now we leave it to our readers to judge, whether the

ryots and the labourers can procure salt in quantities they require. We can positively state from our own experience, that an ordinary ryot can never procure more than two-thirds of what he requires, and that a labourer not more than half. They are not unoften obliged to surrender other articles of food, which are not absolutely necessary, in order to procure a small portion of this article. The truth of the above lines will be found from the following remarks:—The annual consumption of salt per head in the year 1873 was $9\frac{1}{2}$ lbs. Now it would be a great mistake to suppose, that each person actually consumed that quantity. Those who are in good circumstances, and to whom the price of salt is a matter of little importance, must have consumed more, and those who are in straitened circumstances, and to whom the price of salt is not a trifling matter, must have consumed less, than $9\frac{1}{2}$ lbs. Hence it would appear that the quantity of salt consumed by the ordinary ryots and labourers must have been less than $9\frac{1}{2}$ lbs., or what they require for seasoning their food. It is, perhaps, known to all, that salt is also an useful article for seasoning the food of the cattle, and for making agricultural improvements. But the people, who are to use it for those purposes, are too poor to procure it in quantities they require even for the preservation of their own health. But wonderful it is, that notwithstanding this injustice done to the vast millions, there are men, who advise the Government to increase the revenue by raising the salt duty. We will give an instance. The *Hindoo Patriot* in criticising a speech delivered by Sir George Campbell at the Manchester Hall, advocated the increase of salt duty simply on the ground, that it would be collected without oppression. We shall prove that his assertion was groundless. It is a fact, the truth of which no one can deny, that more the price of an article is raised, the more the number of purchasers is reduced, and *vice versa*. The price of salt being already high, the bulk of the people procure it with great difficulty. If it is raised again, they will be forced by their poor circumstances to consume it in smaller quantities than before. The argument that salt being an absolute necessary of life, they cannot but submit to purchase it in quantities they

require is scarcely worth a hearing. Thus the increase of price will be followed by a decrease in consumption, and decrease in consumption cannot but end in decrease of revenue. Thus the assertion of the *Hindoo Patriot* that the increase of salt duty would be followed by an increase of revenue was groundless. Again he wrote, that it would be collected without oppression. True it would not be attended with violence. But the increase of salt duty would certainly be attended with depriving many poor families of one of the necessaries of their life, which is, in our humble opinion, only one of the many sorts of oppressions. Now we leave it to our readers to judge whether those, who advise the Government to increase the salt duty, deserve the name of the *Hindoo Patriot*, or the sham *Patriot*. The truth of these remarks will be found from the following lines quoted from Lord Lytton's reply to a deputation of the British Indian Association:—

“As the representative of the sovereign of India, I regret that such language should have been held to me by the representatives of some of Her Majesty's most favoured Indian subjects, and as the responsible guardian of the general interests of the people of India, I notice with disappointment and surprise, that you, who represent to some extent the wealthiest class in India, whilst deprecating forms of taxation, such as the Bengal Land cesses, which fall mainly on your own class, have not shrunk from advocating and urging on my adoption, other forms of taxation, which fall almost exclusively on the great body of the poor.”

We hope that our readers will excuse us for writing the following lines quite irrelevant to the subject. We are not at all surprised, that the *Hindoo Patriot* (the organ of the zemindars) should give such ill advice to the Government. The secret of his advocating the increase of salt duty is not far to seek. Whenever there is a deficit in the public revenue caused by a famine or fall in the price of silver, almost all the leading journals advise the Government to cancel the Permanent Settlement and to remove the zemindars. But not so our *Patriot*. Lest our rulers, in seeking out the new sources of revenue, hit upon cancelling

that settlement, our *Patriot* fills his columns beforehand with his suggestions, which are apparently put forward in the interests of the people and the Government, but really in those of the zemindars. We are not opposed to salt duty; we only wish that the Government would reduce it, so that the people may get it at four or five pice per seer. With these remarks we place before our readers the following extracts, which will throw much light upon the subject.

The following questions were put to **Rajah Ram Mohun Roy** by the Select Committee of the House of Commons in 1832. We also place before our readers his answers to them.

1. Question. Have the poorer classes of natives in the places (Nuddea, Burdwan, Birbhum, &c.) you have mentioned, been prevented at any time from procuring a sufficiency of salt by its high price?

2. Question. Do you consider salt as necessary to the food of the natives, and that the want of it is a great deprivation of comfort to them?

3. Question. Do you suppose, that a reduction in the price and an improvement in the quality, would tend to any very considerable increase of consumption?

1. Answer. As salt has by long habit become an absolute necessary of life, the poorest peasants are ready to surrender everything else in order to procure a small portion of this article; though the dearth of the salt is felt by the whole community, and the people in general are, therefore, obliged to make use of a bad quality, and few comparatively are able to incur the expense of procuring it in a purer form.

2. Answer. As the food of the people in Bengal consists chiefly of boiled rice, which is by itself a most insipid kind of food, salt and ingredients dressed with salt are used to season the rice and render it palatable. The rice is usually eaten with what the Hindoos call *byunjun* or *turkaree*, and the Mussulmans *salun*: that is, something such as a little fish or *dal* (a kind of dressed pease), or vegetables, according to their ability to procure these articles. But as they have been long accustomed to the

use of salt, the high cost of this ingredient lines of poor people to give up their *byunjun* or *salan* to procure it, and eat their rice with salt alone, as noticed in my reply to the additional query 4th.

3. Answer. Salt being, as I already observed, an absolute necessary of life, it is now purchased even by the poorest individuals at the sacrifice of every other kind of seasoning and eatable but rice, the staff of life. If salt were rendered cheaper and better, it must greatly promote the common comforts of the people, I do not know that it would immediately cause a very considerable increase of consumption, but, to a certain extent, it would undoubtedly; and from its cheapness, its use may be again extended by the people in seasoning the food of cattle, for which purpose formerly large quantities were used. The poorer classes at any rate would not in this case be compelled to sacrifice any other comfort to procure it.

London, March 19th 1832.

(Sd.) RAM MOHUN ROY.

“The sum and substance of Mr. Brown’s pamphlet are contained in the following lines: ‘From all these facts and observations, I myself can no more doubt, that the salt monopoly of the East India Company is the real, primary, generating cause of the Asiatic cholera—that plague which is desolating the world—than I can doubt of my own existence?’

Professor Liebig, it is stated, discovered that—‘The constant occurrence of chloride of *sodium* (common salt) and phosphate of soda in the blood, and that of phosphate of potash and chloride of potassuim in the juice of flesh, justifies the assumption, that both facts are altogether indispensable for the processes carried on in the blood and in the fluid of the muscles. Proceeding on this assumption, the necessity of adding common salt to the food of many is easily explained, as well as the share, which that salt takes in the formation of blood, and in the respiratory process.’ It appears that Dr. Garrod, an eminent physician in London, amplifying on this demonstration, made some important discoveries in the nature of the scurvy, and the principal remedies for it. From his deductions Mr. Brown affirms,

that salt is a necessary of human existence, which we do not feel disposed to question; and secondly, that it is by the want of this necessary article, by the exercise of 'pure, gratuitous, daily cruelty' on the part of the East India Company, that cholera has been for thirty-two years the scourge of India. The writer asserts that the native merchants mix the salt with earth, until three-fourths of it is actual sand, and only the remainder pure saline matter. This may be very true, though we think there is some exaggeration." *The Friend of India, April 26, 1847.*

"When reproached in 1871 with poverty of invention, the finance minister recapitulated them as follows:—'I could, if it were deemed fit, suggest many things, but they would all be open to objection; for instance a marriage tax, which might touch somewhat too closely the domestic affairs of the people: a tobacco monopoly which would affect the garden culture of every ryot; an increase of salt duty in Bengal, which would tax still further the highly taxed luxuries of the poor.' (The Lieutenant-Governor of Bengal estimates the incidence of the salt tax on the miserable Bengal peasant, the victim of our Permanent Settlement, at 4 per cent. on his average earnings of 10 shillings a month." *The Indian Observer, 1874, p. 223.*

"In no country, which enjoys a civilized Government, is the tyranny of taxation without representation so unconsciously illustrated as in the present financial system of India. When the necessities of the empire led Lord Canning and Mr. Wilson to devise new sources of revenue at a time when the people of all classes accepted increased taxation as a just penalty, the unrepresented classes had their salt tax increased. But they were promised the boon all over India of a fixed land-tax, and a direct impost was placed on the incomes of the classes, who represented themselves by means of the press and political agitation. The financial system of 1861 we believe to have been, in its principles, strictly just politically, and moderately expansive financially. Every departure from it, except such modifications of the income tax as experience proved to be fair to the poorer classes, has been a concession to the few represented at the expenses of the millions

of the unrepresented classes. In some provinces the salt duty has been again increased ever since 1861. It has nowhere been lowered. But on the other hand, the screw of the settlement officer has been applied to raise the land-tax and to increase the land cesses over two-thirds of India, and with every turn of screw, the rent of the cultivator has gone up. And now the income tax, paid by a very few rich and capable, as both the Panjab and Bombay showed of being worked so as not to touch the poor, has been given up. Ever since Sir Charles Trevelyan's disastrous administration of the finances, the few represented have been allowed to throw what was to them a light burden on the many dumb and ignorant. No one who knows the history of India or the *benevolence cum blundering*, which has generally marked the whole course of its administration after the true English fashion, will believe that any Government will long tolerate such a financial policy as this. It was with a feeling of relief, therefore, that many both in England and India, who consider the good of the whole empire in the long run of more importance than the interests of the small class, that command the means of the public agitation, received the announcement by the Under-Secretary of State of Lord Northbrook's intention to equalize the salt duties, when His Excellency produces the next budget. Fortunately the salt question is one which can certainly be dealt with in such a way as not to lower the revenue, while doing justice to the poor, removing an undoubted cause of unhealthiness in man and beast, and wiping out the greatest reproach after the opium monopoly and wars ever cast on the British name, since it paid such a price for the abolition of slavery. It might be argued, with some justice, that the salt monopoly in any form is injurious and unfair to the whole agricultural class over three-fourths of India, so long as our periodical settlements of the land-tax leave them so narrow a margin as the reports of every province confess.... The lowering of the duty from rupees 325 to 250 a hundred maunds in 1849-50 led to an immediate increase in consumption, which went on healthily till Lord Canning raised the rate first to rupees 300, then 325 again. In the year before the first increase began to tell, the consumption was 86,60,996

maunds. The average in the twelve years since has been under 8 millions of maunds. Yet in these years the population has increased enormously. The annual consumption all over the Lieutenant-Governor's jurisdiction is $9\frac{1}{2}$ lbs. a head, and the duty paid on that by every peasant with a wife and three children, who makes £6 a year, is nearly 3 per cent. of his income. That tax is paid by every married native—and what native is not married?—on Rs. 5 a month. But his master, his employer, is freed from the ordinary income tax of one per cent., while he consumes probably less taxed-salt because of the different nature of his food?" *The Friend of India, September 25, 1873.*

"One of the greatest obstacles to the improved agriculture is the duty of Government on several very important manures. 'The Indian Government,' says the *Indian Agriculturist* very truly, 'by placing three most valuable and powerful mineral manures (namely common salt, nitrate of potash, and nitrate of soda,) so largely extant in this great empire, under the lock and key of the excise, has virtually rendered improvements in agriculture, and the production of the large crops of grain of the best quality practically an impossibility.' We pointed out last time how the salt duty of 3 Rs. 3 As. per maund falls heavily upon the poorer classes. Its economical effects on agriculture are not less disastrous." *The Shomepookash, March 13, 1876.*

The Condition of the Ryots.

We shall try our best to convey in a few lines a fair place to our readers the idea of the extreme poverty of the Bengal ryot. Here we will only quote the following passages:

"In speaking of the poverty of the people, the Acting Judge of Circuit of Murshedabad writes (24th July 1810). 'This may be accounted for in several ways:—

1st. The general character of the zemindars: they are low people, low in their general character, and not since raised by their fortunes; (this is the race of country gentlemen, which succeeded to the ancient hereditary zemindars, who almost all suffered extinction after the Marquis Cornwallis's settlement was made) heretofore

dependents on the Rajah of the district, and who occasioned the dismemberment of his estate by their plunder, and which enabled them at the public sales to concentrate in their own persons the estates of their master.

2nd. Another class of the zemindars are men of wealth, whose sole object is to add daily to their store: they are resident in other parts, and draw from thence their lakhs annually to the impoverishment of the district.

3rd. What is the natural effect of the other two? A general system of rack-renting, hard heartedness, and exactions through farmers, under-farmers, and the whole host of zemiudari Amlah and their dependents.

Even this rack-renting is unfairly managed. We have no regular leases executed between the zemindar and his tenants. We do not find a mutual consent and unrestrained negotiation in their bargains: nothing like it; but instead, we hear of nothing but arbitrary demands enforced by stocks, duress of all sorts, and battery of their persons.

There is also an intermediate class, the money-man (country banker) in every village, who first relieves, then aggravates the evil by his own usurious practices, and enforces them by like means. The general consequence is general poverty.'

This picture is not overdrawn. It is one of the fruits of the overhasty Permanent Settlement." *Briggs' Land Tax in India*, p. 204.

"The condition of the ryot in Rungpur is stated to be far, very far, more wretched in 1815 (twenty-three years after Lord Cornwallis's settlement) than any one perusing in his closet the salutary rules of 1793 and 1794, and the many legislative enactments which preceded them, could conceive it possible for it to have become under a systematic administration of those laws." *Ibid.*, p. 208.

"During the administration of Lord Amherst, the Board of Revenue on the representation of Mr. Maxwell, the Collector of Jessore, submitted to the consideration of his Lordship in Council, 'the wretched condition to which the tenantry had been re-

duced by the relentless oppressions of the Putneedars of----- and-----, Divisions of Kismut Syedpur.' (Report from the Board of Revenue, Lower Provinces, to the Governor-General and Council, dated 25th July 1826). A similar complaint had been made by the Collector of Shahabad urging that 'a speedy stop be put to the system of rack-renting.' (Letter from G. T. Bayley Esq., Collector of Shahabad, dated 4th March 1825, para. 25) *Babu Sunjeeb Chunder Chatterjee's Bengal Ryots*

"Mr. Sisson, in his letter on the relative state of Landlord and Tenant in Rungpur, describes 'the arbitrary oppression under which the cultivator of the soil groans, as having at length attained a height so alarming, as to have become by far the most extensively injurious of all the evils under which that district labours,' and expresses an apprehension that until by a steady adherence to the most decisive and vigorous measures, the bulk of the community shall have been restored from their present state of abject wretchedness to the full enjoyment of their legitimate rights, it will be in vain to expect solid and substantial improvement.

The sentiments of many other of the local authorities employed in the internal administration of the country, whose reports are now before us, are equally strong upon this subject." *Appendix to the Report from the Select Committee of the House of Commons, 1832, p. 130,*

"The Marquis of Hastings describes the situation of the village zemindars to be such as to call loudly for the support of some legislative provision. 'This,' observes His Lordship, 'is a question, which has not merely reference to the Upper Provinces (of which he had previously been speaking), for within the circle of the Permanent Settlement, the situation of this unfortunate class is yet more desperate. In Burdwan, in Behar, in Cawnpur, and indeed wherever there may have existed extensive landed property at the mercy of individuals, whether in farm or jagheer, in talook or in zemindari of the higher class, complaints of the village zemindars have crowded in upon me without number; and I had only the mortification of finding that the existing system establish-

ed by legislature left me without the means of pointing out to the complainants any mode in which they might hope to obtain redress—in all these tenures, from what I could observe, the class of village proprietors appeared to be in a train of annihilation; and unless a remedy is speedily applied, the class will soon be extinct. Indeed, I fear, that any remedy that could be proposed, would even now come too late to be of any effect in the several estates of Bengal; for the license of twenty years, which has been left to the zemindars of that province, will have given them the power, and they have never wanted the inclination, to extinguish the rights of this class, so that no remnants of them will soon be discoverable.” *Ibid.*, p. 130.

“The evidence upon this point (the condition of the ryots) is very conflicting; I believe, in referring to the evidence of Ram Mohun Roy, it will appear that they are in a much worse condition than they were in 1793 generally. The evidence, I think, is decisive upon that point, that the condition of the cultivators is much worse: in fact, the power of taxing the people was confided to the zemindars.” *Hugh Stark, Esq. Answer to Question 220. Minutes of Evidence, Revenue, Commons, 1832.*

“In so far as the ryot is at the mercy of the zemindar, it is so, in practice it is so.” *Ibid. Ibid. 438. Ibid.*

“Of course when you speak of such a country as Bengal, there may be many zemindaries where the cultivators are all slaves.” *Ibid. Ibid. 445. Ibid.*

“I can state that the peasantry in Bengal appear to be very poor.” *Licut-Colonel William Colebrooke. Ibid. 2863. Ibid.*

“I do not think any inference can be drawn that the condition of the people has improved, but that cultivation has much extended.” *Holt McKenzie, Esq. Ibid. 2937. Ibid.*

“The lower class of the inhabitants were generally ruined by the oppressions of the zemindars. Several of those zemindaries came under my management, and I could never realize the standard permanent revenue at which the zemindari had been assessed in consequence of the circumstances of the ryots being so much impoverished.” *C. Hyde, Esq. Ibid. 1777. Minutes of Evidence*

taken before the Select Committee of the House of Lords, 1830.

“Do they frequently have recourse to such distraint?—Yes, they have always had to distraint of the property of the ryots without any reference to the Collector, for he (the Collector) is not authorized by the Regulations to interfere with the zemindars.” *Ibid. Ibid. 1783. Ibid.*

“I say decidedly that the state of the ryots in those districts (Murshedabad, Maldah, Rajshahi, and Purneah) is in a very deplorable condition.” *Hon'ble Andrew Ramsay. Ibid. 3538. Ibid.*

“Do you conceive that the ryots have any opportunity now of accumulating capital?—Under the system which I have described, it is obviously impossible. They are kept in a state, which gives them little more than a bare sufficiency to keep body and soul together. The poverty of the ryots is extreme; the cultivation of the country is consequently in a low state, and far less productive than it would be if greater capital could be employed to improve it; but in the present state of the ryots it appears to me quite impossible. The system in India is in fact very like what has been described in Europe under the denomination of the Metayer system. It is a division of produce between cultivators and proprietors; the only difference being that in India the proprietors are the Government or ruling power, whilst in Europe there are individual proprietors deriving a net rent; but the cultivators under the metayer system being, like the ryots, in a state of the most destitute and wretched poverty, the condition of the latter may be judged of by comparing it with that of the former; as long as the system continues, it is, therefore, impossible that any capital can be accumulated to promote internal improvement.” *R. Rickards, Esq. Ibid, 3963. Ibid.*

“What was the condition of the ryot: how did he live?—From hand to mouth constantly.” *G. Harris, Esq. Ibid. 4285. Ibid.*

“Had he any furniture in his house?—None that we call furniture.” *Ibid. Ibid. 4286. Ibid.*

“Was it (the proportion of the gross produce of the land, which remained with the ryot after he had paid his rent) such as to enable him to accumulate capital?—No; very seldom.” *Ibid.* *Ibid.* 4290. *Ibid.*

“He could not have afforded to pay more rent than he did?—Certainly not.” *Ibid.* *Ibid.* 4296. *Ibid.*

“What he received from the land sustained him and paid his rent?—Yes.” *Ibid.* *Ibid.* 4297. *Ibid.*

“We all know that the peasant in Bengal is wretched, and that the idea he forms of happiness from his own experience is what no man would give a rush for. Is he miserable, because Government exacts of him too great a share of the produce of his labour? It is upon this point we need explanation, based, not on the assumed delinquency of Government, but on an actual examination in the minutest degree, of his labours, his profits, and his payments—to the money-lender and seed-advancer, to the zemindar and to the State. In the threefold phlebotomy under which the peasant suffers, to which we would ask, is he actually indebted for being reduced to a solitary meal a day?” *The Friend of India, October 22, 1849.*

“Several of the most influential zemindars in Bengal have opportunities of stating their grievances to His Lordship in person, and to those in office whom His Lordship is in the habit of consulting on such matters; but the voice of the poor ryot they never hear. It is a notorious fact, that the ryots of Bengal are worse off now than they were fifty years ago, and are getting poorer and poorer every day, and the present Regulation (Draft of a new Sale Law) if passed will not make them any richer. Hardly a single village in Bengal is able to pay its rents punctually. Let Government inquire into the cause of this.” *W. G. Rose, Esq. Papers Regarding the Consequences to Under-tenures of the Sale of an Estate for Arrears of Revenue, p. 82.*

“The condition of that animal, which, both physically and morally, may be said to hover between man and beast, and emphatically called the *ryot*, has been the theme of general sympathy. To trace the source of his wrongs, to suggest the best and most

practical means of remedying them, to advocate his rights, is a task to which, though the performance of it is largely fraught with gratification, few do not feel themselves inadequate. The ryot is the poorest and most helpless creature under the sun. His name suggests the ideas of poverty and squalor. Living literally and absolutely by the sweat of his brow, and wanting still the common necessaries of life, he drags on an existence compared to which that of the beasts may be said to be more happy and enviable. Nature furnishes these with a luxuriant table, and weaves for them a magnificent wardrobe. But he who bears the ryot's name, though claiming brotherhood with the greatest and noblest of his species, groans under destitution physical and moral. The poverty, it must be remembered, has its moral as well as physical evils. It kills both body and soul together. The oppression of the zemindars, proverbially the cause of the ryot's misery, is inseparable from the operation of those summary powers with which the father of the Permanent Settlement has thought it fit to invest them. Section 2 of Regulation 17, 1793, which arms the zemindar with that talismanic power by which he can, whenever he likes, blast the hopes of his ryot, and convert his peaceful domicile into an abode of misery and despair by depriving him of his little all, is one of the worst of Regulations, that disgrace the statute-book of any civilized nation. It evidently bears the stamp of a perverted statesmanlike genius, and owes its paternity to a man, who could only sympathize with the interests of his class—the aristocracy, though such interests were diametrically opposed to those of the great mass of the people over which he ruled, and whose happiness was entrusted to his keeping. But there is another reason for the extraordinary and irresponsible authority of the zemindars to *distrain* the property and attach the person of his tenants for the recovery of arrears of rent. Government allows them to squeeze their ryots in order they themselves would in their turn yield to the squeeze of the Government. The summary suits are nothing more than a *revenue screwing machine*. They are the bane. They are the bane of the agricultural interests. They are the results of the unscrupulous

efforts of our rulers to afford every facility to the realization of what has been emphatically termed *Alpha* and *Omega* of their desires—Revenue. The Regulations with reference to the distraint and sale of property and the attachment of persons, with a view to the recovery of arrears of rent, legalize every species of oppression and tyranny by the zemindars. Even the restrictions embodied in Section 21 of Regulation 17, 1793, which prohibits distrainers from entering the zenena, and forcing open the outer door of any dwelling house, have been virtually done away with by the Regulation 7, 1799, Section 18, which authorizes a distrainer (whenever he has reason to suppose that the property of the defaulter is lodged in the zenena or the dwelling house the outer door of which is shut) to enter the zenena or force open the dwelling house in the presence of a Police Officer. Every one who knows the price of a 'Police Officer,' can calculate on the stupendous amount of evil to which the Section 18 of the Regulation in question may be daily rendered subservient. The salutary provisions against the abuse of the powers with which the zemindars are endowed, and the rights of the ryots from being absolutely trampled upon and outraged by them, as are provided in Regulation 17, 1793, Sections 4, 12, 13, 14, 15, 16, &c., are more honoured in the 'breach than in the observance' in the Mofussil. For nothing can be more absolutely irreconcilable with each other than the apparent with the real state of things in the Mofussil. Nothing, however, can exonerate the Government from their apathy and lukewarmness to better the condition of those starving, prostrate, and groaning millions, who contribute to that luxury in which 'the magnates of the Leaden Hall Street revel.' No State necessity—'the tyrant's plea'—can justify those oppressive measures, which they have adopted to screw out every pice from a country in which they have established a military despotism and which our Governor-General himself, in a after dinner speech has declared, *must be retained by the sword*. As the practical operation of those laws, which clothe the zemindar with omnipotence with his helpless tenantry, is fraught with their ruin and

destitution, it is incumbent on a civilized and enlightened Government to emancipate them from those fetters of oppression, which it has itself woven around their necks. But modern civilization and enlightenment are great misnomers." *A Correspondent of the Bengal Spectator, November 1, 1843.*

"The weekly conversazione of the Native Community was held at Fouzdaree Balakhana, No. 31 on the 13th instant. Eabu Duckhinarunjun Mukerjee spoke at great length on the condition of the ryots under the Hindoo, the Mahomedan, and the British administration, and showed that under the Native Governments the right in the soil was in private individuals, and that it was a great mistake to have converted the zemindars, who were the collectors of revenue, into proprietors of landed estates, by which act the rights of a vast number have been sacrificed.

Babu Shyma Churn Sen was of opinion, that there were three causes of the depressed condition of the ryots, 1st the oppression of zemindars; 2nd the oppression of wealthy neighbours; and third their own ignorance; and made a few remarks in support of these opinions.

Mr. Speede maintained that poverty and not ignorance or prejudice prevented the ryots from introducing improvements in agriculture. He recited the instances, which had fallen under his observation in some parts of Murshedabad a few years ago in order to establish the point.

Proposed by Mr. Speede, seconded by Babu Hurro Chunder Lahooree, and carried unanimously

'That a committee be formed for the serious consideration of the existing disconnection between the zemindar and the ryot, and to seek evidence on the state of both parties, with a view to the restoration of that patriarchal system, which so long and so happily existed, and the best means of giving encouragement to the protection of the best interests of both, so as to develop, to the utmost, the undoubtedly vast resources of India.' *The Bengal Spectator, April 17, 1843.*

"The condition of the ryot is abject and miserable in the extreme. We find that the condition of the ryot in those estates

for which the zemindar pays no revenue at all, is not a whit better or happier than it is on the lands from which Government derives a large revenue. We very much question whether if all the estates in Bengal were made rent-free, and if the three or four millions sterling, which Government draws from the land, were at once remitted, the position of the ryot would be in the smallest degree improved." *The Friend of India, January 28, 1847.*

"To whatever part of Bengal we may go, the ryot will be found, to use the language of the Court of Directors 'to live all his days on rice and to go covered with a slight cotton cloth.' He toils from 'morn to noon,' from 'noon to dewy eve,' and despite this, he is a haggard, poverty-smitten, wretched creature. This is no exaggeration; even in ordinary seasons, and under ordinary circumstances, the ryots may often be seen fasting for days and nights for want of food." *The Calcutta Review, vol. VI. Art. The Zemindar and the Ryot.*

A Native delivered a speech at Midnapur on the amelioration of the condition of the ryots in Bengal, from which we extract the following lines:—"The expression 'for ever' often recurs in the paragraphs of the Permanent Settlement Regulation, as if a single statute of Parliament had not been rescinded before Lord Cornwallis's time, as if the immutability that prevails in the laws of nature can possibly be imitated in human institutions and human legislation...The right of enhancing rent at will, and the consequent fluctuation of tenure as well as the formidable power of distraint and of compelling the attendance of ryots nominally for adjustment of accounts, but in reality to increase rent by taking forcibly written engagements, have made the zemindar omnipotent, and have reduced the poor cultivator to a degraded state worse than slavery, for a slave, if he enjoy the confidence of his master, has his provision and support. A ryot, be he ever so exemplary a paymaster, can claim neither, and if necessity compell him to seek the aid of his landlord, he seldom receives it or sympathy of any kind. The zemindari system, in fact, reduces the ryot to such a state of pauperism and slavery as to render him incapable of affording more than a single piece of yard of cloth

to gird about his loins, and a quantity of rice that hardly serves for one meal a day.

So far of oppression flowing as a natural consequence from the Regulations of the Indian Government. But shall I describe the thousand wanton atrocities, that the zemindars and their myrmidons, encouraged by the inefficiency of the Police, commit in Mofussil; villages burnt and crops plundered, ryots put to the most ingenious and cruel tortures—atrocities committed especially by certain zemindars, Native and European, who stand high in the esteem of the English community, and who contain only rottenness and bones beneath an external polish of specious philanthropy and pretended enlightenment;—atrocities that need no detail, as all here present are familiarly acquainted with them.... Since the Permanent Settlement the rate of rent has been so far enhanced under the laws enacted by the British Government, that the greater portion of the population of Bengal, a portion on whose ceaseless toils greatly depends the prosperity of the British Empire—a portion most useful though neglected and despised, has been at once consigned to ruin and doomed to drag a life of misery without end, without relief.”

The speaker also quotes the following lines from the *Calcutta Review*:—“In the fertile districts of Lower Bengal, so bountifully intersected by noble rivers fed by tributary streams, rivulets which spread perennial verdure and luxuriance over fields, plains, and constituting links of communication, stimulate and promote the alacrity and bustle of traffic—there is to be found a community leading a life such as to call forth sympathy and commiseration. The community we allude to is that of the Bengal ryot. The name is familiar here as one expressive of an ignorant, degraded, and oppressed race.

‘To whatever part of Bengal we may go, the ryot will be found to live all his days on rice, and to go covered with a slight cotton cloth.’ The profits which he makes are consumed in some way or other. The demands upon him are almost endless, and he must meet them one by one. This prevents the creation of capital and prolongs the longevity of *mohajuni* (or usurious money-

land) system.

The districts of Bengal are noted for fertility and exuberance of crops, and if the ryots could enjoy freedom and security, the country would exhibit a cheerful spectacle. But their present condition is miserable and appears to rouse no fellow-feeling, no sympathy, in those by whom they are surrounded....In many instances the earnings of a ryot are not sufficient for his family, and his wife and sons are obliged to betake themselves to some pursuits, and assist him with all they can get. He lives generally upon coarse rice and *dal*; vegetables and fish would be luxuries. His dress consists of a bit of rag and a slender *chuddler*, his bed is composed of a coarse mat and a pillow, his habitation a thatched roof, and his property a plough, two bullocks, one or two *lotahs* and some *beejdhans*....The inability of the ryot to better the degraded condition, in which he has been placed by the causes we have named, is increased by his mental debasement. Unprotected, harassed, and oppressed, he has been precluded from the general rays of intellectuality. His mind is veiled in a thick gloom of ignorance."

The speaker then says:—"After reading these remarks one is led to exclaim, oh! for a Clarkson or a Wilberforce to rise up among our countrymen, with talents of the first order and a bosom beating with sympathy for the degraded ryots, to take up their cause, carry it before Imperial Parliament, and procure a redress of their grievances from the quarter, whence only they can expect relief."

"A week or two ago the *Englishman* published a letter from a correspondent on the state of the peasantry, and the increase of dacoities in Bengal, on which we are anxious to offer a brief remark or two. We have placed among our selections that portion of it to which these remarks refer. The writer traces the crimes against property, which appear to be on the increase, to two causes, the sub-letting system, which is gradually spreading through the country, and the youth and inexperience of the Magistrates.

It is well-known that dacoities committed by those, who do

not belong to professional gangs, are generally most rife, when the peasantry are most destitute. A famine in the Lower Provinces would immediately double the labours and anxieties of the Police. The comfort of the agricultural population of Bengal depends in a great measure, if not entirely, on the amount they are required to pay for the use of the land they cultivate; when the exactions to which the peasant is subject, exceed even his power of endurance, he abandons his village and takes to the road. We believe no one acquainted with the state of the country will venture to deny, that the condition of the country has exhibited a gradual and steady deterioration. This may sound strange when it is remembered that the Province of Bengal has enjoyed the benefit of a permanent settlement for more than half a century, and that this settlement, from the peculiar circumstances under which it was formed, was not only fixed in perpetuity upon a mild scale for the lands under cultivation within the estate, but also embraced all other lands comprised in it, except the rent-free tenures. It was made at a time when only one-third of the land in the province was under cultivation, and as all measurement and definition of boundaries were dispensed with, and the revenue was fixed in the lump for each estate whatever might be its extent, Government cut off every prospect of an increase of the public receipts from an increase of cultivation. The proportionate rent paid to Government on each acre of land now under tillage, is, therefore, much less than it was fifty years ago; in as much as there has been no increased assessment for the lands, which have since been subject to plough. Hence we have this anomaly to explain, that the condition of the ryots has become more deplorable in proportion as the Government assessment of the land has become lighter, and that the tendency of circumstances is to render them still more poor and wretched, at the same time that the scale of the Government rent is likely to become less burdensome.

The correspondent of the *Englishman* is perfectly correct in attributing this lamentable state of things to the pressure of the sub-letting system. We have endeavoured from time to time to

point out the monstrous evil it has entailed on the lower classes, and we are happy to find so able an ally in the correspondent of our contemporary. We trust that the attention of Government will be drawn to the subject, which is one of deep importance, both as it respects the character of our administration and the happiness of a population larger than that of the United Kingdom. The general impression left on the minds of all who have turned their attention to the subject, has been that all our legislation since the days of Lord Cornwallis has tended to strengthen the rights and power of the landlords, and to depress the interests of the tenantry. It is true that many provisions were made at the time for maintaining the privileges of the cultivators, but as they could be preserved only by an appeal to the Courts, they have melted away under the superior influence of the zemindars. There has been a permanent settlement on the rights of the peasantry, and at the present time, they are far more at the mercy of the landholders than they were when the Permanent Settlement was formed. It is, therefore, a matter of great importance to ascertain the influence of that much extolled arrangement on the condition of the peasantry. There can be no hesitation in affirming that the sum demanded as rent from the cultivator has been increased to a very fearful extent by the system of sub-letting, which was legally established by the celebrated Regulation regarding *putnee* or under-tenures enacted thirty years ago. That Act was originally passed to enable the great zemindars to pay up their revenue with greater punctuality to the State. It has fully answered its object; it has proved eminently advantageous to the Government and to the zemindar; but it has unquestionably proved fatal to the comfort of the cultivator, who has, in many cases, to pay a rental not only to meet the Government demand, but to furnish a profit to the zemindar and to two or three intermediate holders. It is under these accumulated demands that he is crushed.

It may be said that the quantity of land brought into cultivation, which was waste at the period of the settlement, has afforded the means of livelihood to a larger body of ryots; but it will

probably be found that the population has increased in a greater proportion than the area of cultivated ground. The competition for land is, therefore, so eager, that the landholder is able to dictate his own terms, and the ryot must submit to them or starve. Nor must it be forgotten that the introduction of English manufactures, however beneficial to the country in general, has necessarily deprived a large body of men of their means of subsistence, and as no new sources of manufacturing industry have been opened to them, a greater number have been thus thrown for support on the land. All these circumstances have combined to deteriorate the condition of the peasantry, and to promote the increase of crime, and we trust, the subject will engage the attention of those in and out of the service, who reside in the interior of the country, and have opportunities of discussing it." *The Friend of India, July 27, 1848.*

"Mr. Shore, in his introduction to the "*Notes on Indian Affairs*," says:—"The facts and opinions contained in the following papers are the result of more than fifteen years' actual residence in India, chiefly in the North Western Provinces of the Bengal Presidency, during which I have held various situations in the Police, Revenue, and Judicial Department, and have been in habits of close communication, both private and official, with the people of the country of all classes."

Further on he remarks: "One object has been earnestly kept in view in these letters,—to simplify the several points which are discussed, and to avoid, as much as possible, the technicalities and local peculiarities, which render Indian affairs so intricate and mysterious to the English reader. The mystification, in which it has been enveloped, has rendered it almost incomprehensible to those, who have only read the official productions on the subject, and have not practically inquired for themselves; and the reason for this mystification were simply, that the real principle was unjust to be broadly stated."

From these introductory remarks we learn, that during fifteen years Mr. Shore filled some of the highest and most responsible situations in the country, and was possessed of ample opportunities

forming a correct judgment on the affairs of which he treats. Also that a mystery and intricacy envelope those affairs from the apprehension of an English reader, and that the cause of this mystification is to be found, not in the inherent difficulty of the matter, but in a desire to conceal an unjust principle of action. Again in vol. I., p. 232, we read as follows: 'Great were the hopes which were entertained for the liberal and enlightened policy, which has been all along professed by the present ministers of England. The attention of all connected with India has long been directed with intense anxiety to the future plans of Government, which are anticipated. The veil is, at length, withdrawn, and what appears? A miserable, temporizing, popularity-seeking plan to mystify the people of England and to help to secure their own places by the sacrifice and the ruin of India. I do not deny the ministers the justice of having brought forward many good measures; but there can be little doubt of the motives, which have influenced their decision on the affairs of this country.' At page 234, we find this passage: 'I would urge upon our rulers to consider the awful state of India at this present moment. Let them not trust to official reports and returns, but their knowledge from those who mix with the people. The cup of misery for the inhabitants of the Upper Provinces is now nearly full. Groves of trees, the pride and ornament of the villages for ages, are being cut down; property of every description, even to the agricultural cattle and implements, has already been sold; estates without number are attached for sale, while no purchasers are to be found; land is everywhere thrown out of cultivation, and the people are now thinking of selling their children, to save them from starvation and to satisfy the undiminished demands of their capacious taskmasters; while crime, the natural result of such a state of things is increasing tenfold. This is a picture, which enquiry will prove not to be too exaggerated. God grant that those who have the power, may check the evils before it be too late.'" *The Calcutta Review*, vol. I., p. p. 208-9.

"That the majority of the ryots are poor, in the sense of living from hand to mouth, without ability to lay by anything

after provision for daily maintenance, and that they are mainly occupied in the cultivation of rice, are facts about which there is no doubt." *Ibid.*, vol. XXIX., p. 126.

We regret we are unable to place before our readers the petition of the Missionaries for a Royal Commission to enquire into the condition of the Bengal Ryot, but the substance of it may be gathered from the following first two paragraphs of the despatch of the Home Authorities rejecting it:—

Judicial Department—No. 20 of 1857.

Public Letter, dated 14th November (No. 132) 1856.

Answer to Memorial of certain Christian Missionaries praying for a Commission of Inquiry into the Social Condition of the Rural Population of Bengal.

Para. 1. Certain Missionaries belonging to various religious societies, and residing in and near Calcutta, presented a Memorial to the Lieutenant-Governor of Bengal in the month of September last, in which they set forth, in strong terms, the deplorable condition, in its social aspect, of the rural population of Bengal. In their specification of the evils, which press most heavily upon the people, the Missionaries advert to the inefficiency of the Police, and of the judicial system now in operation in the Bengal Presidency; to the prevalence of gang robberies and affrays respecting disputed boundaries; to the frequency of torture in order to extort confessions; to the demoralizing influences of contentions between landed proprietors, and of the corruption of the Police, as tending to pauperise and enslave the peasantry; to the existing zemindari system (in connection with the general character of both zemindar and ryot), which 'emboldens the rich to set the law at defiance, and leads the poor to despair of obtaining redress;' to the extortions of the zemindars; to the want of a survey of the country; and to the absence of a Registration Act to settle titles, and of laws against secret trusts.

2. The above is a brief summary of the social evils, which the memorialists allege, not only to be in active operation, but which they 'regret to declare, appear on the increase.' They feel themselves 'bound to declare, that they view with alarm, as

well as sorrow, the continuance of the evils which they have so long declared, and the effects of which are seen in the demoralization and the sufferings of the people; they believe that measures of relief can with safety be delayed no longer, as from the information they have acquired, they fear that the discontent of the rural population is daily increasing, and that a bitter feeling of hatred towards their rulers is being engendered in their minds; and they close their memorial with the prayer, that a Commission may be appointed, consisting of 'men of independent minds unbiassed by official or local prejudices, to institute a searching enquiry into all the causes, that now affect the condition of the population; especially into the state of the Police and the judicial system, the powers and influence of the zemindars and planters, and how those powers are used; the resources and earnings of the labouring classes, and the proportion which these bear to the rent they are compelled to pay; the harassing exactions and oppressions to which the poor are subject; the landed tenures; the extension of the Government sales of ardent spirits and intoxicating drugs among a people once celebrated for temperance; ~~the~~ actual extent to which education is provided for the masses, and the best means of alleviating the sufferings and elevating the condition of the people.'" The Despatch is dated, London, March 11, 1857.

"The masses—the hewers of wood and drawers of water, the tillers of the soil, have little, indeed I may say, no education whatever; their food is a few handfuls of rice—it may be wheat or pulse; their clothing covers their nakedness—no more. In many parts of the country, the substrata of the people know hardly what money is. Their transactions, though nominally regulated by the circulating medium, are almost entirely carried on by barter. They literally have nothing but the land, and their interest in that generally consists only in the right to live on and cultivate it—a right which though indisputable, is often limited by the will of their zemindar, or what is more secure, tenure, the custom of the country. Their crops, however, are almost invariably under hypothecation to the money-lender of the village, or

in remote regions, to the nominal lord of the soil." *Dr. Nassau Lee's Land and Labour of India.*

The learned author again says:—"The following letter reached me too late to make any use of its contents. Indeed my review had been sent to England about a month or six weeks before I received it. As the Rev. J. Long, however, is more intimately acquainted with the condition of the peasantry of Bengal than perhaps any European in it; as he has ever shewn a deep and sincere interest in their welfare, I append his remarks in *extenso*. The Rev. Gentleman has lately made a tour in Russia, where he had an opportunity of acquainting himself with the results of the emancipation of the serfs; and his opinions, though many may differ from them as widely as they will from my own, as those of an honest, earnest, and sincere Christian Missionary, who has spent the better part of a long life in good works among the poor of Bengal, are worthy of every respect."

To Major Lees, L. L. D.

My Dear Major Lees—As I hear that you are sending for republication in England, an extract from your valuable work relating chiefly to the important question of 'The Indian Ryot,' I take the liberty of offering some remarks on what is at the present time a deeply interesting subject.

The time is favourable for considering the state of the agricultural classes of India—it is the era of conciliation, planter and cooly, zemindar and ryot, are feeling that they must work in harmony, that it is the case of the belly and members. Whether we look to the defence of India against foreign or internal war; to the development of its resources, or the moral and intellectual improvement of the country—all must mainly depend on one arrangement, a people contented because their rights in the soil are secured—even by the ancient law of India the ownership of the soil was vested in the cultivator.

In Europe also a new era is dawning on the agricultural and working classes, the boors are waking from the degradation of ages to feel that they have rights as men, and corresponding emotions of sympathy are being excited among the higher classes,

Earls examine ragged schools, aldermen form associations of shoe-blacks, and titled ladies may be seen trudging down narrow lanes with tracts and doctor's stuff for the dirty inmates.' Unless our Indian Empire is to be based on bayonets, we must 'condescend to men of low estate.' Even Russia, which is so far behind England in almost everything, in the case of securing the rights of the peasantry, sets a bright example to India. The heroic conduct of the Czar, who, in spite of the determined opposition of the nobility, emancipated 23,000,000 of serfs, who enjoy peasant proprietorship, village municipal institutions, and representative provincial assemblies, thus laying broad and deep the foundations of the true greatness and prosperity of Russia. The Czar risked his throne to secure the rights of the peasantry, and he rested the whole superstructure of the Empire on the ten pillars—the land is the peasant's own—and self-government is administered by peasant Magistrates elected from among their own class. I have been in Courts when the Russian peasant sat along with the noble in the administration of justice. Arising from this is the tendency to decentralized administration. Open Courts, trial by jury, a greater freedom of the press, and a desire for education, are among the fruits, that are springing up. Soldiering is not as popular as it was in Russia.

Ample illustrations of the benefit of peasant proprietorship might be drawn from Switzerland, Norway, Belgium, and France. But one of the most striking instances is the case of Prussia. After the expulsion of Napoleon's troops, it was felt, there was no security for the national independence as long as the peasant had not his rights; accordingly, under the firm hand of Baron Stein, that system of peasant rights was secured, which has led to so many social and moral blessings in Prussia, and which was the main cause of enabling Prussia to take the position of leader of Germany.

With this awakening up of millions in Russia and America to a consciousness of their dignity how long is the Bengal ryot to remain a helot, a semi-serf, a mere machine, a blot on the fair fame of England. In 1793 he was handed over

bound hand and foot to the tender mercies of land-jobbers. Even now the ryot receives no education from the State; 97 per cent. cannot read intelligently, his ignorance renders him the victim of superstition, the prey of the usurer, and the petty lawyer. The late (Orissa) famine has filled up the cup of his misery, one million and a half at least have fallen victims to famine and its consequence. Were the authorities found napping?

Now is the time to urge these points, as the Bombay Gazette admirably remarks, 'The great dumb multitude, who have no art or part in the Government of India, save meekly to contribute twenty millions of land revenue to its exchequer, without daring to ask Government to spend a single rupee in the improvement of the land, or dreaming of enquiring in what manner it appropriates the enormous tax it levies on them, has hitherto been dumb and uncomplaining through mere excess of ignorance; *and the martyrdom of one-fourth of the population of the province seems to have been required to convince Government, that it has duties to discharge towards the ryots of India as important as those of an English esquire or an Irish landlord.*' Surely if the tenant right is about to be established in Ireland, England will not hold back a similar measure from the ryots of Bengal, when she was the instrument by the Act of 1793 of reducing them to their present condition, when she farmed them out, body and soul, to men, who were originally collectors, but whom, by a strange act, she constituted proprietors of the soil.

What is the remedy for this condition of the Bengal ryot? I feel it will not be found in India; of late years feudal notions regarding land have been in favour with the high class of Government officials, European non-officials, and native gentry. The reform, therefore, must come from England, where the interests of the working classes have been of late years regarded; and a Reform Bill is sure to pass Parliament, which will give greater power to the friends of the working man and of peasant proprietorship; it will react on this country, and secure better friends to the peasant than exist at present, when the Governors of all the local Presidencies are feudalists in their notions of land. Sir

J. Lawrence is one of the few friends to peasant proprietorship in India.

A reformed Parliament might give the leverage for Reform in Bengal in the following points: irrigation and canal works, rural savings' banks, etc, are what all are agreed on. The following subjects are deserving consideration:—

1. **Peasant Proprietorship or a Poor Law**—This may seem to interfere with vested rights on some points, but I believe, landholders, on due consideration, may come to the conclusion, that it is better to sacrifice a few of their own rights in order to preserve the remainder. It is too late to imagine that in the 19th century the welfare of the masses shall be subordinated to the selfishness of an oligarchy. The greatest good of the greatest number is the cardinal principle. The ryot of Bengal lives from hand to month, he has no provision for a rainy day—this can be met either by making him a peasant proprietor, or if not, by a tax on land, securing him a legal recourse against starvation. The laws both of heaven and earth are opposed to the idea, that the destitute shall be dependent on a precarious and fitful almsgiving—the land must secure against destitution; it is so in England and Ireland, and it makes it the landholders' interest that the peasant should be well off.

2. **Compulsory Vernacular Education**—The expense defrayed by local rates. The ryot now through his ignorance is victimized by the usurer in the Courts, and in all cases where documentary evidence is resorted to. He puts his mark to legal deeds, the contents of which he is unable to read; his land is measured for him, but he has no means of checking the measurement, His educated countrymen have done little to remedy this state of things.

3. **The appointment of a Minister of Agriculture and Commerce**—There are plenty of well-paid Government agents for collecting the revenue, but there is not one whose special function would be to attend to the vital question of Agricultural Statistics, the state and prospect of the crops, model farms, and agricultural education, all of which tend to increase the revenue. The Asso-

ciation of zemindars, called the British Indian Association, has petitioned Government to appoint a Minister of Agriculture. The famine showed the need of such an official; what was every body's business was no one's, one man in that office might have saved Bengal from much of the evil consequences of the famine.

4. Officials should see more of the people and peasantry—The tendency at present is to load officials with red tape, leave them up in office, where all information regarding the masses reaches them through cooked up reports, or from the ignorant surmisings of native clerks, who have no means of knowing the actual state of the district; book-learned they may be, but little acquainted with the people; this is a crying evil, it was one of the causes of the mutiny. I throw out the above hints, the discussion of them can do no harm; if they be found impracticable, the ventilation of the question may suggest other modes of action.

Yours truly,

(Signed) James Long.

Calcutta, March 8, 1867.

“Their (ryots') houses, their mode of living, and everything connected with their domestic affairs, are just as they were twenty years ago. Many are even poorer now, than they were then though their bodily appearance may not indicate want.”

“Are not the ryots generally in debt to the Mohajauns, and is it not difficult for a ryot to get out of a Mohajaun's books, as you say it is for them to get out of a planter's?—Yes, they are, and, I believe, it is generally quite as difficult for them to get out of a Mohajaun's books. The mode of proceeding is as follows:—A poor villager has nothing to eat; he goes to the Mohajaun, makes an agreement with him to supply him for the year with rice from his *golas*; the rice is measured out to him perhaps once a week. At the end of the year, before the rice crop comes in, the Mohajaun makes up his account, charging, of course, as much as he likes for his rice, with interest; the villager cuts his rice in the fields, but is not allowed to carry it home. The Mohajaun first of all takes his portion out of it, and then if anything remains over, which is generally very little, the man is permitted

to carry that home; but very soon after two months are over his head, the villager must again resort to the Mohajaun for advances." *Rev. C. H. Blumhardt. The Indigo Commission Report, 1860, p. 122.*

"Look at the condition of the peasantry sunk in as low a state of brutal ignorance as are the characters mentioned in uncle Tom's cabin. Would there were the pen of a Dickens or a Crabbe in this country to draw a vivid picture of their state—of the tortures inflicted by the zemindars—the forgery of deeds—the evils of the *mohajuni* system, keeping the unfortunate peasants sunk for life in debt. It is time for the British people, who gave twenty millions sterling for the emancipation of the slaves in the West Indies, to look into the condition of the unfortunate peasantry of Bengal, whose greatest oppressors are their own countrymen, who are debarred access to justice by the myrmidons of native officials, whose sole aim from time immemorial has been to turn power into money—where the zemindars rule with all the atrocities and violence of the robber chieftains of the Rhine in former days, men who, by the mistaken policy of the Permanent Settlement of 1793, were raised from being collectors to become lords of the soil... Lord Cornwallis doomed him forever to be the serf of the zemindars." *The Calcutta Review, vol. XXII, p. 310.*

"I know that the masses of India long depressed by a thousand demoralizing agencies, wallowing in the mire of ignorance and superstition, pauperised by the constant exactions of the zemindars, do not and cannot think for themselves, and those of middle classes who do think, dare not speak. Hence our vaunted liberty under British protection is virtually far worse than the bondage of our forefathers under Moslem despotism." *Babu Gosto Behari Mullick's Lord Northbrook and His Mission in India.*

"Of the Burdwan Division it may be said, that the people are upon the whole poorer than the average of the inhabitants in Bengal, and that wages are low except in the vicinity of Calcutta, and along the Hughli river. Throughout the Division, the lower classes are a poor and improvident people, and although their actually bodily wants are small, and easily satisfied, there is but little

approach to anything like an accumulation of capital among them at present.

Presidency Division—The great mass of ryots certainly are not well-to-do in the sense of owning substantial property: for they are as a rule indebted to the Mohajauns from year to year. Their luxuries are few and simple, and their food inexpensive in comparison with the value of labour.

Patna Division—The local officers all report strongly of the poverty of the ryots in the Patna Division, and it is beyond doubt that the people there are really badly off.

In Gya it is said that the agricultural labourer is worse off than anywhere else in the Division: he really lives from hand to mouth. The zemindars of this Division, especially the small landholders, are stated to be oppressive on their tenants. On the larger estates, the system of farming out villages widely prevails—a system of profit upon profits, under which the cultivators sadly suffer.

Bhaugulpur Division—In the Bhaugulpur and Monghyr districts, the population is large and the rents are high. The Magistrate of one district made inquiries into the condition of the ryot on the frontier territory, and the result is discouraging, in that after very fairly weighing the respective advantages and disadvantages of both, he comes to the conclusion, that the condition of the Nepaul ryot is on the whole better than that of the British ryot. Although the smaller rent taken from the former by the Nepalese Government is supplimented by forced labour and the purveyance system, on the other hand, the illegal cesses and exactions of zemindars and middlemen, and other vexations turn the scale against the British cultivator.

The people of the Sonthal Pergunnahs are a simple and improvident race. They had in the past earned easily a poor living, and spent their little easily, so long as they had plenty of land, light rents, and little interference in their own jungly country. But since they have been invaded by grasping speculators and adventurers, the zemindars by these instruments have begun to levy heavy rents and exactions, the Sonthals have felt distress. There is one sad element in the condition of the people in the Chot

Nagpur Division. It is stated that in places, in Kharakdea on the one side and in Palamow on the other, a system, under which men and even whole families are held as hereditary bondmen, is still in full force." *Sir George Campbell.*

"The condition of the ryots is not a very pleasant subject of enquiry, whatever might have been their actual condition during the Hindoo period, of which, however, we have but very few reliable sources of information, except as regards the distribution of officers employed for their protection. We have, however, ample reasons to believe, that it was very wretched during the latter period of the Mahomedan rule. In those days, the entire Government of the country rested on the will of one person only—the king whose insatiable thirst for luxury and other vices led to insatiable demands for money. Now money was to be had only from the ryot, and the agents to whom the office of extorting it was entrusted, belonged generally to a class of people, whose personal rapacity created no ordinary addition to the demands upon the ryot's purse. The consequence was, that the greatest portion of his labour had to be employed to feed the luxury of his master, and what was left to him was often insufficient for his providing himself with the commonest and most indispensable necessaries of life.

The social condition of the people, therefore, was throughout the length and breadth of this vast country wretched in the extreme. There were only a few scores of wealthy zemindars, who had fattened on the life-blood of the ryot, and the rest of the people remained a ragged and penurious mass crushed under the overwhelming oppressions of the vastly superior class...Much was to be hoped from the enlightened policy of the British Government, which succeeded the effete Moslen supremacy in India, and to a certain extent, these hopes have been realized. The progressive state of education and commerce is fast raising up a middle class, but the condition of the ryot nevertheless remains materially unchanged. Ragged and penniless as before, he can scarcely afford to provide himself with the most urgent necessaries of life, although the price of the agricultural produce has greatly risen.

The penury and helplessness of the ryots have been attributed

to the defective provision of the Permanent Settlement...In the settlement the zemindars have been declared to be the actual proprietors of lands, and have been permitted, except in case of *Istmrari* and *Mockrari* tenures, to increase the rent or to oust the occupying ryots in the absence of any written engagements to the contrary. This permission has been abused as a license for unlimited exactions and oppressions, for which the settlement in question made no sufficient provisions." *Bab Sunjeeb Chunder Chatterjee's Bengal Ryots.*

"We resume our task of reviewing the condition of the ryots. There is nothing in history to warrant the conclusion, that under the Mahomedans the ryots were better off than at present. One fact, however, is clear. There were no zemindars during the time of Akbar and his immediate successors, and the ryot had one enemy less. But towards the close of the Mahomedan rule he was evidently subjected to many and great evils. Awbabs without end, ejection, coercion, imprisonment, and corporal punishment, were all allowable and often resorted to by the zemindars with impunity. 'A zemindar' says an able writer, 'could, if he liked, easily deprive the ryot of his property, or hurl him into prison; nay, he could torture him to death, if it so pleased his whim, and no law or Government functionary could or would protect the sufferer.' There is nothing in all this to be surprised at. In all ages or countries, men treat their inferiors in the way they have been treated by their superiors. The slave in power is invariably a tyrant, and the scourged zemindar was a scourge to his ryots. There is at least one circumstance on record to shew, that a zemindari was not always a bed of roses, nor a zemindar a demigod. Murshed Cooly Khan had a tank full of ordure through which he caused a defaulting zemindar to be drawn by means of ropes; and after this a zemindar could not take his defaulting ryot on his lap, and exhaust on him his caresses. But great as were the evils and sufferings the ryot was exposed under his Mahomedan rulers, no attempts were made to remove them by the English during the early part of their administration. The Dewanny was received in 1765, and rules for the management of the

revenue department were framed from time to time till in 1793, the first Regulation making out pretty clearly the rights and privileges of the zemindar was passed, but the ryot's status was left as undefined as ever, that is to say, he was left at the mercy of the zemindar; and as subsequent enactments, for instance Regulation V. of 1812 brought him little or no relief, but on the other hand, an accession of power to the zemindar by authorizing him in a manner to exact any amount of rent, he continued to be fleeced to the skin. This is no exaggeration. A reference to the records of Government will corroborate this. 'The wretched condition,' says the Board of Revenue in its Report, dated 25th July 1826, 'to which the tenantry has been reduced by the relentless oppression of the Putneedars of——— in Jessore, &c.' Here is a clear admission of the fact, that the zemindar was grasping, and that the ryot was reduced to destitution. But as extortion is, it is not always so painful as ejection. Conceive the ryot clearing away the jungle, and with the sweat of his brow raising a crop, or building a little cottage for the protection of his family with the small savings of years, and then, one fine morning seeing that crop being reaped by another, or himself ordered to walk out of that dwelling, which his long struggle with adversity has enabled him to raise. This is certainly a great evil, but it amounts to grievous wrong when inflicted with no other end in view than self-aggrandizement. But some of the Regulations now rescinded or modified gave ample scope for its perpetration. Regulation XLIV of 1793, it seems, authorized the cancelment of engagements with the actual cultivators of the soil, if not of their tenures, but by Regulation VII. of 1799, it was held, that a zemindar could oust a ryot by his own authority. Judicial investigation of the grounds of ejection was considered quite unnecessary by the framers of this Regulation, the seventh section of which stands thus:—'The proprietor of whom such tenure is held, or the farmer, or other person, to whom the proprietor may have leased or committed his rights, must be understood to have the right of ousting the defaulting tenant from the tenure he has forfeited by a breach of the condition of it. In such cases pro-

prietors and farmers of land are at liberty to exercise the just powers appertaining to them without any previous application to the Courts of Justice.' From this it will be easily seen, that the zemindar has only to set up a pretext, that the ryot had been a defaulter, and his ejection was sure as fate." *The Indian Mirror*, November 25, 1873.

"Those who are acquainted with the inner life of our peasantry will be able to say how much a peasant generally gains every year, and how he would soon mend his condition, were he not obliged to pay a ruinous interest for the money he borrows, and sometimes to bribe as heavily the men he dreads to keep himself safe from harm. These and items like these swallow up all his gain, and leave him as much a beggar after as before the harvest." *Ibid.*, March 6, 1874.

"Few persons have better opportunities of travelling in the mofussil and freely conversing with the ryots than I have, and it pains me to announce that they are involved in indebtedness to their native usurers.....Their case is getting harder day by day, and it can to a certain extent be compared with that of the Sonthals just before they broke out in rebellion in 1855-56. They live from hand to mouth; their poverty is chronic." *A Correspondent of Ibid.*

"The extreme poverty of, by far the largest portion, that is, the bulk of the population in Bengal (the richest part of India) is seldom rightly apprehended by English people, who have not had intimate eye-experience of it. Food is the principal item of expense, and probably one rupee eight annas a month will, in most parts of Bengal, suffice to feed an adult man, and twelve annas a woman even in a well-to-do establishment. The zemindar who at first sight appears to fill the place of an English landlord, is merely a rent-charger; the ryot who seems to have a beneficial interest of a more or less permanent nature in his allotments, is scarcely more than a field-labourer living from hand to mouth; and the Mohajaun, who in effect furnishes the farming capital, pays the labour, and takes all the profits, is a stranger having no proprietary interest in the land. He is a creditor only,

whose sole object is to realize his money as advantageously as possible." *The Calcutta Review*, 1874.

"A husbandman of the present day is the primitive being; he always has been with a piece of rag round his loins for his clothing, bare feet, a miserable hut to live in, and a daily fair of the coarsest description, he lives a life, which, however disturbed it may be by other causes, is unruffled by ambition. If he gets his two meals and plain clothing, he is content with his lot, and if he can spare a few rupees for purchasing silver ornaments for his wife and children, and a few rupees more for religious ceremonies, he will consider himself as happy as he can wish to be." *Babu Peary Chund Mukerjee*.

"Throughout the district of Hughli, the poor classes of cultivators are generally in debt to the Mohajaun or village rice-merchant and money-lender. The debt is principally incurred at sowing time to provide the means of cultivation for the year, but the amount with interest is usually cleared off after the ensuing harvest," *Dr. Hunter's Statistical Account of Bengal*, vol. III., p. 342.

"Hughli. Poorness of food, bad hygienic conditions, excessive population—I now come to the last of the alleged causes of the out-break (of fever) and its continuance. The Sanitary Commissioner thinks that the people use too much carbonaceous and too little albuminous food. Dr. Saunders, Deputy Inspector-General of Hospitals, in a report, dated May 1872, is also of opinion, that the food consumed by the labouring population is insufficient to enable them to maintain themselves in a good hygienic condition, and to resist the climate and other influences, which excite to disease. He is of opinion, that a common labourer cannot afford the food, that is absolutely required to maintain him in health. The question of the pressure of population as compared with the means of production of the soil is an important one as bearing on the fever now ravaging the district, and Colonel Haig goes into the question at considerable length. The following paragraph from his report on this subject suggests the remedy of the evils of over-population:—

‘If the land cannot feed the population upon it, the remedy must be either in reduction of population by emigration, or in increasing the productive powers of the soil by irrigation. For the latter remedy, at least, there is a clear and open field; and I am convinced, that by its means the yield of the produce might be nearly doubled. The facilities for conveying water off from the Damoodar are extraordinary; and we have in the Kana Damoodar and Kanna Nuddee, two channels or tributaries running through the heart of the District, and conveying almost every acre of it. It is only necessary to turn the Damoodar into these channels, and it might be led everywhere.’ *Ibid.*, p. 430.

“Midnapur. As a rule, the cultivating class is said to be in debt. Advances of seed paddy are generally made to the cultivator by the landlord, to whom the crop is hypothecated in the first place for the rent, and secondly for the repayment of the advance. The advance is repaid at harvest time in grain, with an addition of from thirty to fifty per cent as interest.” *Ibid.*, p. 83.

“The general style of living in Birbhum District is poor. The Collector estimates the cost of living of an ordinary cultivator at from Rs. 4 to Rs. 5.” *Ibid.* vol. IV., p. 344.

“Bankura. The peasantry are almost invariably in debt. Very few cases occur of small proprietors, who own, occupy, and cultivate, their hereditary lands without either a superior landlord above, or a sub-tenant or labourer below, him. Up to 1871, only 38 husbandmen have been acknowledged by the Courts as entitled to hold their lands with a right of occupancy, and only 26 as possessing rights to hold their lands in perpetuity without liability to enhancement of rent.” *Ibid.* p. 248.

“Burdwan. The mercantile part of the community are well off, but these form only a small proportion of the population. The famine of 1866 told severely upon the prosperity of the poorer agricultural and labouring classes; and the Collector of the district reported to me in June 1870, that the people had scarcely recovered from the effects of that calamity, and that they had suffered in addition from a deficiency of rain during certain seasons

since 1866. The famine of the present year 1874 has also made itself severely felt in Burdwan. Another desolating cause is the fever epidemic, which during several years has ravaged the district, and which has not yet disappeared. The Collector in his report to me in 1870 estimated that about one-fourth of the population in the most severely affected tracts had perished. The condition of the people in the fever-stricken localities is conspicuously inferior to that of the population in other parts of the district. Many of the small villages were almost entirely depopulated in 1867-69, but by 1870, the virulence of the outbreak had abated, and the Collector reported, that the people were recovering from its effect...As a class the peasantry are generally in debt." *Ibid.*, p. 73.

Babu Parbati Charan Roy says:—"A friend writing from Boodbood in Burdwan, where he has been lately transferred, says:—

'The most deplorable feature is that the people here are extremely poor. You cannot form, nor can I convey to you, the idea of the extreme poverty which prevails here. It may seem strange to you, that the most renowned district of Bengal is so very poor. But such is the fact. Almost all the people take only one meal a day. The Brahmins, Mukerjees, Bannerjees, and Chatterjees, the Ghoses and Boses, and all others, work in the field. The tenants are rack-rented. Lands yield very little produce, and the consequence is that they constantly change hands. You may take it as a fact, that the people of East Bengal are better off than the people of this quarter. Such poverty as this ought to create grave anxiety, but the few persons, who form the upper class, are prone to enhance the rents of the already rack-rented tenants. The average rent of a beegha of land here is not less than Rs. 3.'" *The Rent Question*, p. 18.

"Bankura is a poor district; and the Revenue Surveyor in his report states, that the general condition of the people as compared with that of adjoining districts to the east, is one of poverty." *Dr. Hunter's Statistical Account of Bengal*, vol. IV., p. 245.

“Bankura. Dacoities may be divided into three kinds.

- (1) Dacoities committed by professionals.
- (2) ” ” by men of local bad character.
- (3) ” ” by unpractised men who are driven to bad courses by want.” *Ibid.*, V., p. 287.

“Backergunge. The peasant class are often in debt, but they do not appear to be in the power of village merchants and traders for advances to enable them to cultivate their fields.” *Ibid.* vol., V., p. 205.

“In our last we wrote at some length on the scarcity, which prevails in the districts of East Bengal owing to high prices of food grains, &c., and promised further remarks on the same. We hope to have proved to the satisfaction of our readers by arguments based on facts and figures, that prices of all articles of food have risen abnormally high, and as a matter of fact risen higher than those of 1874 and 1866-years which were acknowledged to be years of scarcity. Since writing our last we have received letters from several quarters bringing to our notice, that thousands are suffering for want of food and are not even able to procure one meal a day.” *The East, July 29, 1878.*

“A correspondent thus writes from Backergunge: ‘About 25 per cent. of the lower class people of this district, who have not sufficient means of earning, are starving, they cannot get their meal more than once after 2 or 3 days. Coarse rice is sold here at 12 seers per rupce, that is even *kutch*a seer of sixty tollas. I presume in Calcutta price is lower than here.’

And Backergunge is the granary of Bengal. We hope the attention of Government has been drawn to this sad state of things.” *The Hindoo Patriot, July 29, 1878.*

Babu Parbati Charan Roy, a ‘small landholder,’ admits that the condition of the people of Eastern Districts is one of poverty and wretchedness. He says:—“With the exception of a few—say ten in a hundred—the ryots live from hand to mouth, and not a few of them are involved in debts, from which they find it hard to get out in their life-time. This is not generally owing to their idleness or improvidence....The generality of the Dacca,

Furreedpur, and Tipperah ryots are, from the smallness of their holdings, in much worse circumstances than the Jessore, Backergunge, and Soonderbun ryots, though the latter pay a higher rent than the former." ' *The Rent Question*, p. 13 and 18.

"I am not in a position to judge from personal knowledge whether the condition of the ryot is such as to call for the interference of Government on his behalf: but judging by the opinions of others who are in possession of information on this point, there appears to be at least a strong *prima facie* case for a more searching investigation than has yet been instituted. There is too much reason to fear that under the Permanent Settlement as at present administered, the ryot is doomed to exist in a state of hopeless poverty and degradation, and that the settlement has fallen as far short of improving the condition of the cultivator of the soil, as of fulfilling the other intentions of Lord Cornwallis." *J. Hector's Land and Railways in India*, p. 5.

Dr. Lethbridge, the Sanitary Commissioner of Bengal, states his opinion, that "large bodies of the people are in a chronic state of extreme poverty but little above starvation point."

The Englishman, August 2, 1878, in commenting on the above, says:—"The evidence on its behalf is such as must be obvious to one, who reflects on the circumstances of the poorer cultivators and agricultural labourers of Bengal. That these classes live from hand to mouth is beyond dispute; that their standard of living is so low as to admit of no material reduction without physical distress, is equally unquestionable; and it requires but little knowledge of economics to see that people who live from hand to mouth, and whose standard of living is a minimum standard, are in such a state of poverty, that a slight rise in prices must reduce them to semi-starvation. It is a perfectly just description of the condition of people so circumstanced to say, as Dr. Lethbridge says, that they are in a chronic state of extreme poverty but little above starvation point."

"There can be very little doubt that hitherto the result of all our elaborately designed aids and protections to the ryot has been to make him in the majority of individual instances worse

off than he was before." *The Englishman, October 24, 1876.*

Hon'ble T. C. Hope, in his speech on the new Civil Procedure Code, said :—" From all parts of India, the same cry arose regarding the indebtedness of the agricultural classes, the transfer of land by sale or mortgage to the money-lending portion of the community, and the hardship which resulted from property coming into the hands of those who were not likely to be good landlords, and who simply took and held it for the purpose of making it a means of battenning on the wretched cultivators who became their tenants. Now on the subject, he had got beside him one very large and ponderous volume, which consisted of evidence taken by the Commission on the Deccan riots in the Bombay Presidency, and another equally large volume containing a series of reports and papers collected from all parts of India, which went to prove the existence of the same condition there. There was not the slightest lack of evidence, that almost everywhere the ryots stigmatized the Civil Courts as the cause of their misfortune, and as the curse of their country. He feared that he might be supposed to have used exaggerated language in the remarks, which he had felt it his duty to make. He could support what he had said by abundant proofs, but as time was short he would merely mention to the Council that Sir George Wingate, who was very well known as one of the most able of our administrators for some years in the past generation, after writing very much in the same strain as what he had now been saying, used to the ryots the following words :—" He toils that another may rest, and sows that another may reap. Hope deserts, and despair possesses him. The virtues of a freeman are supplanted by the vices of a slave." The whole tenor of his remarks was that the moneyed class even then had got the ryots completely at their mercy, and left them barely enough to keep the life in their bodies, the proceeds of their lands being almost entirely carried off. But there was, perhaps, a better and more recent authority than Sir G. Wingate. Lord Elphinstone, who after holding the Government of Madras, succeeded to that of Bombay in the troublesome times of the Mutiny, and of whom it was well-known

that for calmness, impartiality of judgment, and a capacity for seeing clearly all things around him, he had perhaps no equal excepting Lord Canning, himself remarked as follows:—‘ His Lordship in Council entertains no doubt of the fact, that the agricultural classes of the native community suffer enormous injustice from the want of protection by law from the extortionate practices of money-lenders. He believes that our Civil Courts have become hateful to the masses of our Indian subjects from being made the instruments of the almost incredible rapacity of usurious capitalists.’ Nothing can be more calculated to give rise to widespread discontent and disaffection to the British Government than the practical working of the present law.”

“ Even the most prosperous ryots of the present day have very little beyond the necessaries of life, which even the great majority cannot procure. Most of the class live from hand to mouth, and are involved in debts. Any sudden addition to their burdens (which was proposed by Sir Richard Temple in his Amendment of Rent Law) will be their certain ruin.” *The Bengalee, November 11, 1876.*

“ The picture which the *Times* draws of the Bengal peasantry from [the materials furnished in Mr. Markman’s report, is characterized by the same indefiniteness, if we may not style inaccuracy, which runs through its treatment of the various points already noticed by us. ‘ A very satisfactory improvement is noticed,’ we are assured, ‘ in the condition of the ryots of Bengal, their progress in material comfort and in respect of their rights and status, being extremely striking. By the rent laws of 1859 and 1869 a class of tenants was raised having a right of occupancy as long as they paid their rent. The great majority of the cultivators in Bengal Proper are believed to have acquired this occupancy status, while in Behar and Orissa the number is increasing.....The growth of the export trade in agricultural produce has greatly augmented the profits of cultivation to the cultivator. In these augmented profits, the landlord thinks himself entitled to share, the tenant resists the claim, and law-suits, or in some cases, violence and rioting are the result. The land-

lords are also spoken of as evincing a better appreciation of the duties of their position. There is less of the grinding, harsh and grasping unscrupulousness, which formerly too often characterized this class. They recognize the justice of allowing the cultivator a fair share in the produce of his toil; and the expediency of maintaining friendly relations with their tenantry.' These extracts taken from a single paragraph contain, it must be confessed, a rather jumbled summary of the various elements, which make up the rather stormy existence of the Bengal peasant. As to the satisfactory improvement, which is said to be visible in that existence, it seems to us, that it is for reasons which we shall proceed to state, fairly open to question by the public. It will be in the recollection of our readers, that in 1872 the Government of Bengal called upon all its District Officers for an expression of opinion on the condition of the peasantry of the province, and that as a general rule, the Collectors replied somewhat to the effect, that though few traces of wealth were observable in the outer life of cultivators, most of them seemed free from any serious embarrassment, and there seemed to be a slight improvement in the general tone of ryot existence. But this is not the only evidence bearing on the subject, that we have placed before our readers during the past four or five years. It will be remembered that the extensive indebtedness of the ryots of large tracts of country to professional usurers, who have set up as Mohajauns in village societies, has been officially placed beyond doubt. Then again when Lord Mayo in 1871 issued what is known as his *tuccavee* circular, and in it inquired whether the actual cultivators of the soil could not in some cases be induced to accept *tuccavee* advances for the improvement of their lands, the Board of Revenue replied, that the cultivating tenant usually had no such beneficial interest in the soil as would induce him to improve it. It was besides already sufficiently indebted to the Mohajaun for the means of paying rent, and carrying on his cultivation, to care to incur an entirely new class of debts to the State, even though he had any beneficial interest in the soil. The evidence thus furnished on three different occasions would seem to show, that the

condition of the peasantry is scarcely so prosperous as official optimists with a hankering after direct taxation, occasionally strive to make it out to be; that the ryot really has hardly any inducements to improve his condition, and that even disinterested State efforts, wholly disconnected with and dissimilar to the interested transactions of the Mohajaun, have completely failed in inspiring the ryot with any desire to struggle against his fate. With all this evidence before us, it seems to us, that it is a mistake to regard the peasantry of Bengal as having worked any kind of prosperity for themselves. The forbearance with which the Bengalee Landlord is credited in the above extracts, is very wellknown by every District Officer to be a fiction of the present Lieutenant-Governor's brain. No one ever heard of it before Sir R. Temple's accession to office. Ever since that auspicious event, no one has ever heard of it anywhere outside of Sir Richard Temple's resolutions, speeches, and minutes, or the quotations, which the *Hindoo Patriot* (the organ of the zemindars) makes from these official romances. And no one expects to hear anything more about it when Sir R. Temple retires from a post, whose duties he somehow does not appear quite clearly to have realized. As to the statement, that the greater number of cultivators in Bengal have acquired occupancy rights, we believe it to be entirely without foundation. On the occasion of the Pubna outbreak the fact was plainly reported to Government, that it was because one class of zemindars refused to give more than eleven years' tenancy to any class of ryots, and because another class of zemindars were exacting from their ryots *kabuleuts*, under which the ryots had been cajoled into alienating their occupancy rights, that disaffection was spreading in the minds of the cultivators. With this official history of the Pubna riots on record in its own Secretariat, the Bengal Government ought, it seems to us, to be careful not to encourage erroneous beliefs about the creation of occupancy ryots and the wonderful generosity of landlords." *The Indian Daily News, November 9, 1876.*

“The indebtedness of the cultivating classes, whose ancestral estates are in consequence gradually passing out of their hands,

through mortgages and the action of the Civil Courts, is one of the burning questions of the country. The peasant proprietary of a great part of India are being reduced to the alternative of accepting a life-long slavery on their ancestral estates, or of flight from their hearths and homes." *The Indian Agriculturist*, February 1, 1876.

A Correspondent of the *Englishman*, September 2, 1876, says:—"In his speech to the students of the Royal Engineering College, Lord Salisbury is reported to have said as follows:—'What is the reason why our rule in India is accepted so patiently, so quietly, by a vast number of millions of human beings with whom we have otherwise but little sympathy, who are aliens from us in race, in colour and creed? The reason is that under our rule they are free to exercise their industry unharassed by any excessive imposts, or any capricious exactions; and so long as that continues, they will be contented with us.' However correct this description may be in regard to other parts of India, it is scarcely applicable to the conditions of the millions of Bengal. Lord Salisbury must have lost sight of the Permanent Settlement—that famous Settlement of Lord Cornwallis by which the people of Bengal were handed, bound and fettered, to the tender mercies of a few rapacious landholders and their successors in perpetuity. What matters it, that the Government does not itself impose excessive taxation, or extort new imposts, so long as it permits others to do so? Let the dispassionate inquirer examine the circumstances of the Bengal peasantry, and he will be satisfied that there is scarcely a country in the whole civilized or uncivilized world, in which the people are so hopelessly involved, and in which greater tyranny and oppression are carried on. The ryot is allowed to live; this is a necessary concession, since it enables him to contribute to the landlord's means. The privilege is, likewise, partially secured to him by our laws; but in other respects, he is not much better off than the oxen with which he ploughs his field. His food is of the simplest, and clothing of the scantiest, character; his life from the time he can handle a spade, or direct a plough, is one of weariness and toil;

every attempt to amass means to better his condition is rendered futile by the extortionate demands of the landlord, who, on various pretences, exacts from him all he possesses short of the bare necessities of life. We have only to refer to Sir George Campbell's Circular on the subject of illegal cesses levied by zemindars to ascertain their nature and number. There is scarcely a pretence that can be thought of, that is not utilized. There is a tax on account of marriages in the zemindar's family and in the ryot's family; a tax on coming of age; a tax on the first born; a tax for providing travelling expenses for the zemindar; a tax on account of his law expenses and his Amlah; and at length as if in despair of inventing any further pretences for taxation, the cumbrous list closes with 'magon' or the begging tax. As may be surmised, the landlord is a bold beggar, and any surplus left to the ryot, after satisfaction of the other cesses, is swooped off under the last named heading. Its incidence is elastic, and it can adopt itself to the poorest circumstances so long as the smallest pittance can be extorted. These facts are not hidden; they are known and recorded in the archives of Government, and have formed the subject of detailed instructions to Commissioners and District Officers, who have admitted their utter inability to interfere. Had Sir George Campbell remained Lieutenant-Governor of Bengal, some reform might have been expected; but the evil is now acquiesced in, and with the greatest effrontery taxes and cesses of the most arbitrary nature are now levied throughout Bengal in an open manner on the plea, that they are justified by the terms of the Permanent Settlement—a settlement by which a few were enriched, but which has justly earned for us the curses of the past, the present, and the yet unborn. The position of Government as regards this settlement is certainly difficult; but we should endeavour to alleviate the miseries it has caused, and not be purposely blind to them, as it would seem we are, when we find men in the position of Lord Salisbury speaking of the unharassed industries of India, and the freedom of the people from excessive imposts and capricious exactions." *A Correspondent of the Englishman, September 2, 1841.*

“A Typical Zemindar, Rack-renter, and Oppressor’—That such should be the description given by a very able official when speaking of the Bengal Government as the manager of a great estate, seems almost incredible. Yet such is the gist of the language, that Mr. Geddes has found himself forced to use in regard to the connection of the State with the———. It is now more than two months since his report on the impending scarcity in North Behar was laid before Sir Richard Temple. We have heard it characterized by many competent to judge as being remarkably able, and as really going to the bottom of the causes, that have resulted in perennial misery in most of the Trans Gangetic Districts. It was, however, been withheld from the public, and this has been done, we are led to believe, because, besides being able and thorough, it is truthfully accurate and honestly severe. We have not received the report. We have, however, been put in possession of a few sentences extracted from it, which have induced us to seek for other sources of information. The facts we have obtained are very remarkable, and we proceed to lay them before our readers. We shall, however, in the first place, give the passages from Mr. Geddes’ report, which formed the basis of our inquiries. ‘Quite apart,’ Mr. Geddes wrote, ‘from the failure of the crop, in travelling there’—the———property—‘one had a feeling sometimes of desolateness from the fewness of the people to be met on the road, or to be seen on the *maidans*. The villages were few. The milestones on one of the principal frontier roads seemed almost a mockery. We were so much struck with the scantiness of population that, in the absence of people enough to ask about it, we began speculating to ourselves as to the cause why old fields should have been abandoned, why good wastes should not have been reclaimed. I have further to submit, that the anxiety among the population of these *pergunnahs*, as I understood their feelings, was about impending ruin, rather than impending starvation. It is true they talked of famine and death, but this was, for the most part, but a prelude to the invariable tale of oppression and rack-renting. I watched them carefully—their expression, their demeanour, the subjects up to which they led the conversation—

and the above was the conclusion that I came to. These statements are strongly corroborated by Mr. Macdonnell, the other Officer, who with Mr. Geddes formed the Commission. The ——— is included in fifty-three pergunnahs, and is extended over portions of five districts—A, B, C, D, and E, but is in most part, confined to the two first. The management since 1860 has been in the hands of the local Government, the Board of Revenue, and the Commissioner of Patna. The collection of rent has been effected in a manner calculated to entail the least possible amount of trouble on the managing officials, together with, we regret to say, the greatest amount of mischief to the tenantry. In A, B, and D, the *thikadari system* has been followed, or, in other words, the land has been let out to irresponsible middlemen, who, in many cases, have especially contracted for a large annual rent in consideration of their receiving the sanction of the ——— to enhancing the rents of the subordinate tenants. The results have been a most wholesale enhancement. The rent roll of the estate, which in 1860 was 16 lakhs of rupees, has grown to 20 lakhs, and the tenantry are 18 lakhs in arrears. In D the increase has been from Rs. 27,000 to Rs. 47,000. In C an even more objectionable system has been followed out. The pergunnah has been absolutely handed over to a European resident, an indigo-planter, who receives 10 per cent. on the collections. How far this gentleman is to blame for the fact, we do not venture to say; but the District Officers report that in ——— as in F in A, the rates of rent are from 200 to 300 per cent. in excess of those current in neighbouring estates. It was to be hoped, that these exorbitant rents might be collected with, at least, seeming moderation. Skilled European supervision, as it is euphuistically called, has, however, found violence and illegality to its most convenient agents. If a tenant or a number of tenants in any village are in arrears, a few sturdy Rajputs, or since a military element has been introduced into the management, a couple of Musulman *sawars*, are quartered on the village at harvest time, who prohibit the reaping of the crops on any part of the village lands till the arrear is paid up. Thus the

provident and the slothful, the indebted and the solvent, are all grouped together and ruined by this infamous practice. To the credit of the Civilians of Behar, it is to be stated, that they have struggled hard against it, have freely used their power as Magistrates to protect the tenantry, and have been lately thanked by Government for their action.

The absconding of the ryots has, at the same time, become so notorious, that the Police have been employed to register their flight. During the year 1874-75, in spite of splendid harvests, over 5000 families have sought refuge from English injustice in the Jungles of the Nepalesé *Terai*. It is calculated that these 5000 households thus abandoned represent a total number not less than 20,000. The tale of oppression is not yet complete. There is a single portion of the great———estate, where the people hold at reasonable rents—a fact for which they have to thank the considerateness of the ancestors of the minor Raja. Most of the estate in E district has been, or is being, devastated by the movements of the Kusi. To any one who has not seen the ravages caused by this river covering miles of country in a single year with a great bed of sand destructive of all vegetation, it is difficult to appreciate the utterness of the ruin that sometimes results. To meet this state of things, the old Hindoo management allowed a peculiar tenure to grow up, whereby the ryot paid by results, or according to the area and nature of his land actually cultivated. Such a tenure is naturally rather troublesome to work and worse of all, is in the tenants' interest. The European official management is at the present time consulting its lawyers, and selecting a few wretched tenants to harass in the Civil Courts, the grand object being to break a tenure, that has become fixed, and cannot be enhanced.

The question remains what is to be done? It is evident that the———estate has been in the bad hands for many years back. Is this to go on? Is inexperience to replace incompetence? We hope not, and we know that the Viceroy is anxious to have the late manager's place filled by an Officer, probably a Civilian, of large experience in Behar. We have heard also that local

influence is striving hard against this opinion of Lord Northbrook, and trying to waste the time till he leaves India. This design will probably fail, but even if it does not, we can promise that the management in———will be one of the first things, that we shall endeavour to bring to Lord Lytton's notice. If, however, Sir Richard Temple wishes to act forwardly and above board, we demand that the publication of Mr. Geddes' report be the first movement in that direction." *The Englishman, April 6, 1876.*

"Much as we wish that our educated countrymen should hold such Government appointments as their intellectual acquirements, social position, or high character, entitle them to hold—earnestly anxious as we are that the Government should abide by their solemn declarations, that in the conferment of offices of honor and rank in the State, no invidious distinction be observed between European and Native subjects of Her Majesty—prepared as we are and must be to agitate about this matter, so long as our just claims to high appointments in the country are not met—we must at the same time declare openly our conviction, that the grievance of the people would be slightly removed by the simple concession on the part of Government, that a few of the selected batch of Natives are raised to positions of distinction and rank. What is it to the people, if an isolated class of Natives hold appointments in the Civil Service, or having had long served under Government were promoted to posts hitherto exclusively held by Europeans? The people at large want bread—bread actually. Famines have become a recurring evil in this country. Famines occur almost every two years. There was a famine only very lately in Behar. There is now a famine in Madras and Bombay. What is to become of the people, if a famine were again to occur next year? We say that even if Government were to confer a hundred appointments upon our educated countrymen, we cannot induce ourselves to believe, that the Government by such liberal concession towards us have done the duty they owe to us. We say that it behoves Lord Lytton's Government to set earnest enquiries being instituted as to the cause of periodic famines in this country. The only strength of this country is its population,

But what for the breaking out of periodic famines in this country, and ever repeating cyclones and epidemics in various parts thereof, this over-populated country is being fast denuded of its population. Steps ought at once to be taken to arrest the evil. The people die in numbers for bread. A vast number of our population also die by epidemic and cyclone. Can nothing be done to arrest the evil. We trust such is not the case.

Not only cyclones, periodic famines, and epidemics, are causing havoc among our countrymen; the people are being materially injured by numerous taxes levied upon them in the shape of municipal imposts and road cess. They are morally injured by indiscriminate licenses granted to liquor shops and brothels. The people are suffering injury by various processes. Let the grievances of the people be removed, and we shall be satisfied. The people will bless Her Majesty when they are relieved of the burdens, that are sitting upon them heavily; they will resound her good name by echoes reverberated from all parts of the country, if the lowest of the low among them obtain means to keep their bodies and souls together, which they cannot do at present. They will look upon her not only as Empress of India, but also as Empress of their moral selves, if the incubuses now sitting upon their progress by the indiscriminate grant of licenses to liquor shops be removed by special ordinance. Is it too Utopean to dream of such events?" *The National Paper, February 28, 1877,*

"It may be safely premised or asserted without fear of contradiction from any quarter, that the condition of the people *en masse* has not in the least been improved by the newly class of zemindars, though most sanguinely aimed at by our generous Government. The primary object in framing the Permanent Settlement was simply to seek the welfare of the poor peasantry, who were hopelessly pining in poverty and wretchedness on account of the oppressions, violence, and extortions of a powerful class of landlords, who being temporary renters had no other object in view than to wrench out every cowree found in their possession. It is, therefore, established as an undoubted fact, that the country has

received no improvements from the hands of the zemindars created by Lord Cornwallis's settlement. They have rendered equal services with their predecessors; their career has been as notorious as of those whom they have succeeded. Their position under Queen Victoria, the Empress of Hindoostan, is not a jot more than of the ones, who were farewelled by Lord Cornwallis during the chartered ijardarship of the East India Company under King George III. of the United Kingdom of Great Britain and Ireland.

The zemindar is only to exert for obtaining from the ryots a principal share in the increased profits of the land, not to speak of the multifarious forms of oppressions resorted to by him for the due accomplishment of his purpose, which will be narrated in detail in a separate paper for the information of His Honor the Lieutenant-Governor of Bengal, whose name will ever remain engraved in the hearts of the oppressed 40 millions of Bengallee souls (speaking only of Bengal), should he condescend with a generous heart to save them from being devoured by the ravenous class created by Lord Cornwallis.

The zemindar has to pay to Government in 1876 the same rent fixed and paid in 1793; whereas the rent of the ryot has increased ten or sixteen nay thirty times more than what was originally settled at the time of the Cornwallis settlement. Government gets not a cowree more than the amount settled by Lord Cornwallis. Why and according to what principle of justice, the landlords of Bengal may claim more, science of logic and morality fails to reconcile the anomaly." *Babu Hurro Prosad Chatterjee's Observations on Rent Law*, p. 6.

"As a concomitant of the sterling inequality between the contributions of Bengal and Bombay to the central treasury, there is in Bengal a still more painful contrast with that Presidency itself. There we see that, notwithstanding the very moderate, not to say inadequate, fiscal burden borne by that Presidency, the masses of the people, the tillers of the soil, are, as a whole, sunk in most degrading and hopeless poverty." *Martin Wood's Bombay Impression*.

“The French Revolution was the result of hunger. The political causes which rendered the fair land of France unable to feed its children, are worth any amount of study; but the great fact, which the rulers of India ought to consider with all the earnestness that is in them, is, that Revolution which marks one of the great epochs of European history, was above all things a wild and desperate uprising of a hungry people against its masters. The then rulers of France were not the men, who were primarily responsible for the miseries of the nation. They had succeeded to a France, which a long process of mis-government had turned into a wilderness of human beings become ravenous; they represented the power that had wrought the evil, and they alone could be held responsible. They were thus in the wretched condition of being made responsible for deep-seated national diseases and calamities, which they were utterly unable to cure; which Nature alone could cure by the most violent of all social remedies; by the death and destruction of the whole established system of things, and the creation of a new social and political order; by the death-birth of a whole people.

‘Two causes,’ says M. Taine, in the February Number of the *Contemporary Review*, ‘excite and maintain the universal disturbance. The first, the permanent dearth prolonged during ten years, which, aggravated by the very violence it provokes, is about to exaggerate all popular passions into madness, and to change into convulsive staggering the whole march of the Revolution.’

When a river is flowing on a level with its banks, a slight freshet will produce a flood. So is it with the poverty of the eighteenth century. The common people, who find it hard to live when bread is cheap, feel themselves about to die when it becomes dear. Under the pressure of anguish animal instinct revolts, and the general obedience, which constitutes public peace, depends upon a degree more or less of dryness or damp, heat or cold.’

And so when the opportunity came, all France rose in the memorable Revolt of Hunger. After giving a heart-rending

description of the state of starvation, in which the multitude had fasted for years, M. Taine observes:—

‘Under Louis XIV. and Louis XV. hunger and suffering had been even more severely felt; but riots rudely and promptly repressed had only occasioned partial and transient troubles. Some rioters were hanged, others sent to the galleys, and at once the artisan, the peasant, thoroughly convinced of his impotence, returned to his stall or his plough. Where a wall is plainly too high, not one even thinks of climbing over it. But here we have the wall everywhere cracking, and all its guardians—clergy, nobility, middle class, men of letters, politicians, the very Government itself—busy making a wide break in it. For the first time the poor, the wretched, discern an outlet; they dash towards it, first in detachments, next *en masse*, and *revolt is now universal as once resignation was.*’

Surely he that runs may read a lesson for India in these vivid words.

‘When a river is flowing on a level with its banks, a slight freshet will produce a flood.’ The common people, who find it hard to live when bread is cheap, feel themselves about to die when it becomes dear.’ No words could more fitly describe the condition of the people throughout vast tracts of British India, and one must feel it time to snatch and wield the pen of the alarmist. We do not predict Revolution; we are now in the era of resignation. The walls are too high to suggest climbing the breaches do not yet appear. And the period of resignation will last so much the longer in India than in France, as the people are more patient and submissive to fate than the fiery Gallic race. But there may be a limit to resignation even in India; even in India a day of widespread revolt cannot safely be regarded as an impossibility of the future.

‘Slowly comes a hungry people, as a lion creeping nigher
Glares at one, who nods and winks behind a slowly dying
fire.’

It behoves the Government of this country to be wide awake, and to have its eyes above all things on the hungry people,

The warning that these repeated years of drought have written for us in characters so alarming, is one that, if not fully understood and acted on, may prove the prelude to the decay of the empire. The first truth that must be fully realized is this—that it is not the drought that is the origin of the evil, nor is it the drought on which we must chiefly fix our attention. It will avail us nothing when the next monsoon fails, that we can tell the number of sunsets in every year of the last half century. It would even be a slight advantage, could our philosophers enable us to predict with certainty the very year in which drought is likely to occur. The construction of railways and canals is among the best immediate means we have of alleviating the symptoms of the disease, but they are empiric remedies, which, we fear, do not go deep enough. The real evil we have to grapple with, is the widespread and helpless poverty of the masses; and we doubt even if railways and irrigation, however helpful they may be to a thriving people, whatever wealth they may bring to particular districts and particular classes, will go far towards delivering us from the million-mouthed monster—hunger. The causes of the poverty of the masses under our rule are too deep-seated to be reached by railways or canals.

The fact of that poverty is unmistakable. The river is on a level with its banks, and a freshet means a flood. The people find it hard to live when bread is cheap; when a single crop fails and prices rise, they die. At this moment they are dying in the very granaries of India, because there was a partial failure of the rains last year. The account we have recently had from different parts of Oude and the North West are of really terrible significance, when we think that only one crop, and in such a country, has been deficient. A wellknown missionary writing in our columns yesterday of what he had just seen in his district, says:—‘I do not write of hunger or pinching want; these are so common, that I pass them by; but I write of downright starvation in all its ghastly awfulness. I write of human beings—men, women (chiefly old), and children, unable to articulate, shrivelled up, dead and dying of dreadful starvation, from the inability

‘procuring a small supply of even the barest necessities of life.’ And this is the condition to which a single season’s partial drought in a country naturally rich, with railroads, rivers, canals, and a growing export trade, reduces the people. It is remarked by some, as if there were consolation in the fact, that the want and high prices are not due altogether to the drought, but to the large exports, that went out last year to the famine tracts of Southern India. But does this very fact not show, that our railways and other means of distribution are not radical remedies for the evil with which we have to cope? Wealth must have flowed into those grain-producing districts last year, while the vast exports were going on; but it did not reach the pockets of the hungry classes. The grain-dealer and the money-lender may grow fat, but the cultivator and labourer still ‘feel themselves about to die,’ when a single crop is deficient and prices begin to rise. And this is not the extent of the evil. It is bad enough that during a season of high prices, the multitude starves; but the alarming fact is, that there is such a lack of recuperative energy among them. We have before us the example of Jhansi, which we noticed prominently the other day, where nearly a decade has passed without lifting the people out of the depth into which the famine of 1868-69 plunged them. And side by side with this we have the other singular fact, that the effects of that famine have long since passed away in neighbouring villages where the conditions were precisely similar—save that they belonged to Scindiah and not to us... Now there is some reason to fear that as it has been in Jhansi, so it may be in Oude. From time to time, even before this scarcity arose, we have heard ominous warnings of growing discontent with our rule in that province. And men who know the people well, tell us that it is not disloyalty, nor anything akin to it, that is working among them. They admit that the Government is good and just, and does much to make their lot happy under it. But they say that somehow or other one effect of our rule has been, that now-a-days *they cannot get enough to eat*. Is our Government sure that it nods and winks in a self-complacent doze, there is not slowly rising to devour

it that most insatiable of all monsters—a hungry people.” *The Friend of India and Statesman, March 8, 1878.*

The zemindars themselves admit that the ryots are very poor. Read the following lines:—

“The public meeting held at the Town Hall on Saturday last was a great success. About two thousand persons were present and the greatest enthusiasm prevailed. The *elite* of native society were present, and the resolutions were moved and seconded by the representatives of different sections of the community. The speeches were to the point, sensible, temperate, and replete with facts and figures, the elucidation of which evoked loud and enthusiastic cheers. The Sheriff was in the chair; the meeting lasted for about three hours. We give the resolutions below :

I.—Proposed by Raja Degamber Mitter, C. S. I.

Seconded by Moharaja Narendra Krishna:—

‘That in the deliberate opinion of this meeting the excessive poverty of the mass of the population is the chief cause of the widespread suffering, which results from periodical drought and scarcity; and that it is imperatively necessary therefore, that the growing demand upon the Indian Exchequer for ordinary wants of the State for insurance against famine should be provided by judicious retrenchments and economical administration, without permanently adding to the burdens of the people by further heavy taxation.’

II.—Proposed by the Hon’ble Kristodas Pal

Seconded by Babu Joykissen Mukerjee:—

‘That it is apparent from the published statements and opinions of official and other authorities that, without any sacrifice of efficiency, great economy is practicable in Home Military Charges and Local Army Expenditure of India, and that in the opinion of this Meeting the principle of joint partnership on which the Home Military Charges of this country are apportioned between it and England is opposed to law and equity.’ *The Hindoo Patriot, March 4, 1878.*

The other resolutions need not be quoted. The meeting was convened by the British Indian Association. We need not tell our

readers, that these zemindars are most honourable exceptions to the rule.

“The state of the mass of the population there (in Behar) is truly deplorable.” *The Hindoo Patriot, November 12, 1877.*

The condition of the poor cannot be better described than in the words of Sismondi:—“What do we see here? All the grandeur but also all the abuse of production; every progress of industry causing a revolution in the means of living; the irregularities of competition that State naturally produced by contending interests, often more destructive than the ravages of war; we see man reduced to be the spring of a machine more intelligent than himself; human beings heaped together in unhealthy places, where life does not attain half its length, where family ties are broken, where moral ideas are lost; we see the weakest infancy condemned to labours, which brutalize its mind, and prematurely waste its strength; we see the peasant and artisan become day-labourers, the day-labourers falling into the lowest and most indigent class, and thus becoming paupers; in a word, we see here extreme wretchedness and frightful degradation mournfully counterbalance and secretly threaten the prosperity and the splendour of a great nation.

Surprised and troubled we ask ourselves, if a science which sacrifices the happiness of man to the production of wealth, which oppresses millions of creatures with labour without securing them bread, is a true science, the science which, according to the primitive sense of its name, ought to be the rule of a city and of a household? We answer no; and we utter a cry of alarm to warn the Indian Government of the danger, which threatens them. We contend that political economy ought to have for its object much less the abstract production than its equitable distribution. We maintain that all the members of society have a right to work and to happiness, as it had been proclaimed that they had a right to justice and liberty. We raise our voice against the effects of the zemindari system, and declare that the consequence of it would be to transform fields of corn into jungles, to replace men by wild beasts. We attack the abuses of competition.

and deplore the sudden ruin caused by the too frequent cries of ill-regulated industry. Good persons full of excellent intentions caused evil, and lost themselves sometimes in seeking what might augment population, sometimes what might increase wealth, whilst both, considered singly, are only abstractions, and all abstraction is deceptive. The true problem to find is the proportion of population and of wealth, which will secure most happiness to the human kind in a given space; for the object of economical science ought to be to augment the mass of happiness among men and to equalize the division of it; that of political science to ennoble the whole nation by making morality penetrate every class.

We see and shudder at the fatal effects of the zemindari system, which strip the ryot of all other property but that of his hands. We witness the progress of industry, which tends to increase the inequality of enjoyment among men, and recoil from the aspect of the hideous convulsions of wealth ill-divided. We cry no spectacle is more alarming than that which Bengal, we may say India, presents in the midst of that opulence, which at first dazzles the eye. In the capital where the most sumptuous equipages succeed one another with the rapidity of lightning, bands of beggars despair in their eyes, sitting and rambling together, do not excite a moment's attention.

In the face of such a state of things, at a period when suffering humanity has the most need, that the zemindari system, which is the cause of all these calamities, should be exposed fully, and the popular language should be told fearlessly. What, what! is zemindari system then everything? Are men absolutely nothing? It takes away from us hope, liberty, family-affection, and everything else dear to us. Our rulers absorbed by the love of the zemindari system, which they have created, neglect the creation of God, man, the object and end of all science: they being absorbed in the interests of the zemindars, forget our celestial origin and our immortal tendencies. We see here most striking contrasts of extreme luxury on the one hand, and extreme poverty on the other. The fields divided among a

few hundred great proprietors, and soon will be deemed to become an unpopulated desert, and the land will be passed over by jungles and wild animals, that take shelter in them.

The above lines may appear exaggerated to our readers, but we humbly request them to think seriously of the dreadful consequences of the Orissa famine of 1866. We also request them to draw a picture in their own minds of what has been, and would have been, the consequences of the Madras famine of 1877, if our noble and humane Government had not come forward to save the millions from starvation.

In fact, all working men, all those, who by the labour of their hands create the wealth which is spread throughout society, have ceased to have any direct right or interest in the different works, which flourish through their means. They are bound to them only by daily wages, by a contract, which they and their masters renew almost every year. Their own prudence and good conduct are no longer a security to them; their condition is becoming precarious and dependent, and it is no longer in their own keeping. At the same time they have been led into a state of continued warfare either among themselves or with their masters, to fix the rate of wages and rents; want is continually pressing on them, they under-bid and over-bid one another in the price of their labour, and in the rents of the lands; the competition ruins them, and forces them to be content with what is absolutely necessary for daily subsistence.

All the immoral consequences of increased indigence have followed this development of social wealth, which has only augmented the inequality of its distribution. In those places where the eye is most struck with the opulence of a few, the number of crimes against property particularly has increased in an alarming manner. In short the struggle among the poor always offering the most work for the lowest possible wages, has obliged them to devote their children from their earliest age to labour in the production of more and more of that wealth, out of which they are allowed wages scarcely sufficient for life. Disease and infirmity from their childhood attack these feeble labourers; they grow with them and carry

them off, or if they languish longer, it is to remain in manhood only a charge on public charity, for they have no longer strength to gain their livelihood. Who, then, has had the right to take from all these beings, who have known nothing of life but its sufferings, that portion of happiness, which a God of goodness has destined for every creature, as the condition of its creation; who shall restore it to them? Who had the right to deprive them of the joys of childhood, of free exercise and repose, of the sun and air, all necessary to the development of their bodies, of the sight of nature, of hope, of gratitude, of all the affections more necessary still for the health of the soul? Who had the right to make this sacrifice of children, more dreadful even than that which crimsoned the altars of Moloch? For intelligence and virtue, those sparks of the divinity, are here extinguished before the body.

It has been thought that these frightful evils might be remedied by generous efforts after popular instruction, by extending to all classes the benefit of education; but these efforts, praiseworthy, no doubt, are often ill-directed, and always powerless. It is doing little to teach the children of the people to read and write, if they have not the energy to wish for knowledge, nor the wisdom to choose, nor, above all, the leisure to reflect on it, and to profit by it; it is doing little to instruct them in trades, to give them some general ideas of the laws of nature, for it is only making them into mere productive machines, and increasing their power in that contest, in which they are all engaged, to under-bid one another in the price they receive for their labour. It is even doing little to teach them some of the doctrines of religion, and some of its precepts, to speak to them of a God of goodness, of a love which unites all created beings, of the duties which the desire to approach the Deity and to form ourselves on His image imposes on us, if, at the same time, we place under their eyes nothing but sufferings and acts of harshness, if their fathers and employers, the first representatives of God upon earth, whom they learn to know, never appear to them but as covetous and threatening, vigilant to deprive them of all their pleasures, pitiless for the sufferings which undermine their health. The education of life

lays hold on them, and it is more powerful than that of their teachers ; it destroys in them all veneration, all affection, all gratitude ; it breaks the springs of their souls, and leaves them nothing but sensuality and selfishness.

What an account to render to the Deity by those, who require only animated machines to produce wealth ! What an account of so many intelligent souls created for virtue, whom these men have by their love of wealth driven into inevitable degradation ! Every nation has need of internal peace, of confidence, of love among fellow-citizens ; but how shall this peace be maintained, if the production of wealth is based on an opposition of interests in each against all. A universal contest has been established among all classes, and in every class ; every one is forced to contend for the enjoyments of existence, for its necessaries, for life itself. Surely there is room to admire human nature, when even in such an order of things, there is still found in every class, among the poor especially, so much charity, so much sympathy. But the peace, the security of society, how their safeguards, have been taken away ! And if society is free, if men are told that for the well-being of all, not for the few only, is society organized, what a strange forgetfulness of its object is shown, when the health, the pleasures, the hopes, the security, the intellect, even the immortal life of the greatest part of its members, are sacrificed to the production of wealth ? It is the people, the sovereign people, who are despoiled of all that gives, not to sovereignty only, but to life itself. By reserving to themselves the exercise of will, choice, and intelligence, the zemindars refuse it to their ryots and servants, they ask from them only the employment of their muscular strength ; they lower them as much as they can to the rank of machines. It is always a grievous thing to put in competition the interest of those, who have only their hands : the first to secure to themselves the profits, stability, a safe futurity, drive the second into a state continually becoming more precarious, and according to the times and according to the measure of their power, they reduce them to slavery, to serfage, to the condition of day-labourers and servants. The time will come at last, when they will endeavour through

economy to make them disappear altogether. This degradation of the human species is a great national misfortune, for which no increase of wealth can compensate.

The innumerable illegal cesses to support the underlings of the zemindars, the carelessness and often the extravagance of the great proprietors, the cupidity of the middlemen, of whom there are often four or five between the lord and the peasant, the universal competition thus established among the poor, has deprived Bengal, the richest province in India, of all peace, of all security, of all civilization. The Bengal peasant cannot descend lower than he is.

Almost all the embarrassment which society at this day experiences, proceeds from the fact, that the three interests (those of zemindar, ryot, and labourer) instead of being united, are struggling against each other. Thence it comes that the equilibrium between production and consumption is disturbed. The soil is never better cultivated than when these three capacities are united, and when the same man is at once landowner, ryot, and labourer; social order is also sufficiently secured, when the same man labours on his own account and not for a master; but the social order is in danger when the greatest part of agricultural labour is performed by half-starved tenants-at-will and day-labourers. The precarious and unhappy state of so large a portion of the population, their open hostility against the landlords, and their want of interest in the work they perform, ought to lead our rulers, by every means in their power, to root out the system, which is the source of these calamities. The zemindari system which reduces the ryots to utmost indigence—a system which creates for some power unbounded, and for others absolute dependence—a system whose tendency is in opposition to the governing idea and passion of the age, equality—must be uprooted from the country. When we cast our eyes on the princely mansions of the great zemindars on the one hand, and on the wretched huts of half-starved ryots and labourers on the other, we cannot refrain from crying out “down with the zemindari system,” the cause of this great inequality.

The exorbitant rate of land-rent exacted by the zemindars from the ryots; and the inevitable consequence thereof—the extreme poverty and wretchedness—first deprive them of even the humblest comforts and pleasures, then of their hours of repose; they must work for the strictest, most absolute necessaries; they must give every hour of the day for reduced wages; the competition increases the land-rent and reduces the price of labour. They are forced in order to keep their body and soul together to call upon their wives and children to assist them in their field-labour. The business of the wife in the poor man's household ought to be the preparation of food, domestic arrangement, but especially the nursing of the children with affection, which binds them to their parents. But at this point of his degradation, there is no housekeeping for the poor man, no domestic arrangements requiring neatness and care. Infants of six or eight years old must be required to contribute to get bread for the family by labour, which destroys their health and brutalizes their minds. Such is the frightful progress of wretchedness produced by the competition to distribute land at enhanced rent, and to obtain hand-labour at the lowest price. It has taken from the poor all enjoyment, all family ties, and the virtues of which they are the source, all gratitude from children to their parents. It does not, however; stop here; the poor man cannot live for less than his master gives him; but he can die whenever there is a failure of a single crop." *Sismondi's Political Economy and the Philosophy of Government, with necessary alterations, omissions, and additions.*

"So far, then, we have arrived at the following conclusions: that pauperism in India has grown with the growth of large estates, that at the same time the ryots and the agricultural labourers have been reduced to a condition incompatible with the maintenance of physical strength, and in many cases, to the verge of starvation; that the poorer classes driven into the large towns, living in hovels, in darkness, ignorance, and want, constitute a breeding ground for crime and disease; that the rents derived from the soil have been diverted from its original purpose, and

appropriated by individuals to their own personal gain and advantage, to the great detriment of the public, upon whose shoulders now rests the burden of raising the revenue; that the land so appropriated has been negligently cultivated, and the produce therefrom falls far below the standard of other countries. In a word, the system has benefited none but zemindars: neither the ryots nor the Government; neither the merchants nor the consumers. Whether viewed socially, economically, commercially, morally, or politically, it has proved disastrous to the country at large. These conclusions are still further confirmed by the fact, that wherever the same system has been tried, it has produced results equally disastrous. In Republican Rome the Patricians seized the lands of the small free-holders, and drove the dispossessed and impoverished rural population into Rome. Here they bred a pauper horde requiring to be fed by State grants, and dangerous to the Commonwealth, as they ultimately proved a ready tool to be used by any ambitious general, as in the case of Marius First, and then of Cæsar. Every body knows how the tenants of Oude were turned into rebellious mob by its landholders during the mutiny.

‘There were no State-fed paupers in Rome, till the people were dispossessed of the land, and there was no need for the importation of grain, until pasturage took the place of agriculture. The Patricians, while they monopolized the land, contrived to evade the payment of the land-tax; and the very first substitute, that was attempted to be imposed in its place, was a customs duty on all foreign goods imported into Italy, and an excise duty on all home produce sold in the market.’ *Gibbon*, vol. I., p. 262.

The Indian Government, having made the Permanent Settlement with the zemindars closed up for ever the most fertile source of revenue in a fertile province. It being unable to take more from them, and, at the same time, being unable to meet the increased expenditure, has taken recourse to other means, such as, 325 per cent. salt duty, license tax, road cess, and public works cess to make up the loss by that ill-considered settlement. A very heavy responsibility has now fallen upon it, whenever there is a

failure of a single crop in feeding the vast millions :—and by the exactions of the zemindars.

Let it be asked in all seriousness, if a system which produces such results as these, can be a right one? Can we say that it is credible to our humanity, that a very large and important section of our fellow-creatures should actually be kept on the point of starvation while able and willing to work for a living?

So much for the physical condition of the agricultural labourer. His mental condition is no better. It is vain to talk to him for making a provision for his wife and children. He barely manages to obtain subsistence from day to day, and all his efforts are devoted to that one object. Life with him is a constant 'struggle for existence.' To talk of educating him under such circumstances is absurd. He has neither the time nor the means for indulging in such a luxury as education, and his children are not likely to be any better off than himself in this respect. Bad as is his condition in the present, his future prospects are still worse. The next grade above him is too high for him ever to have a chance of reaching it. He has no ambition, because he has no hope. He must drudge on in his own dull way to the dreary end, and that end is the corn-field or the workhouse.

With the lower stratum of society in such a state of physical and mental degradation, we need not wonder at the prevalence of crime. Physical privation means moral degradation. Insufficiency of food implies a deficiency of everything, that is necessary to the comfort and decency of domestic life. Can we expect the moral condition of those to be otherwise than low whose constant care it is to earn a bare subsistence? Not only is our present land system responsible for the deterioration of our field-labourers, and in a great measure for the advance of pauperism and crime, but to it we are indebted for the ever-increasing burden of taxation. It is the ultimatum of social degeneracy towards which we have been travelling ever since the ejection of the real proprietors of the land by the Permanent Settlement—by the creation of a few idle and worthless drones of society" *The Westminster Review*, vol. XXXVIII. Art. *The*

Land Que t'on in England with necessary alterations, omissions, and additions.

“Is this then the condition to which civilization should reduce the most active, the most energetic part of a nation? Should the triumph which science and art have attained over nature, have for its result to reduce the producers of all our wealth, and of all our enjoyments, to a state in which they know neither enjoyment nor repose? No: this great wound of the social body can be cured by a single stroke of pen of Her Imperial Majesty’s Secretary of State for India.” *Sismondi’s Political Economy and the Philosophy of Government with necessary alterations.*

The Material Condition of the Ryots.

“The ryot is still as primitive a creature as he was centuries ago. A somewhat long *sari* wound round the body serves as the clothing of the ryot’s wife, a scantier piece of cloth extending from the waist to the knee, and often a second bit of cloth thrown on the shoulders serves for the ryot himself. The home of the ryot generally consists of one or two huts built on raised mud platforms, and always kept exceedingly clean by the women. Well-to-do ryots have one or two huts more. Cows are kept in a small cowshed, and *Dhaki* or the husking machine is neatly planted beside the huts, and is found to be constantly at work. Mats generally serve as beds for the ryots, the *tuktosh* being used only by a few of the well-to-do peasants. A few brass utensils, some *dhan* stored in earthen jars, a plough, the brass or silver ornaments of the women, occasionally a spinning wheel, and sometimes a few kids, these added to what have been mentioned before would form a pretty complete inventory of the ryot’s property.” *Babu Romesh Chunder Dutt’s Peasantry of Bengal*, p. 66.

“The material condition of the people of Midnapur is substantially the same as that of the mass of the population of Lower Bengal. The great body of the people, if they only have their bodily wants tolerably well supplied, consider themselves well off, and care for little else. Their standard of comfort is not high.

A mud hut, a few earthen pots, a cloth to cover the head with, a meal of rice with occasional vegetables and fish, and a *hookah*, are sufficient to content the peasant castes. An ordinary husbandman usually wears a waist cloth (*dhuti*) and a small scarf over the shoulders (*gamcha*) but of coarser stuff than that worn by the shop-keeper. An average cultivator lives in a straw-thatched mud or mat hut; his furniture is of the most primitive sort, and consists simply of a box and a basket or two, a rough mat, a few earthen pots for cooking, and one or two metal cups. The cultivators eat rice and pulses of a coarser kind, and fewer vegetables, fish, and sweatmeats." *Dr. Hunter's Statistical Account of Bengal*, vol. III., p. 78.

"Hughli. An average husbandman wears a *dhuti* of smaller dimensions and coarser material, and a small *chudder* converted into a head dress and worn as turban when he is at work in the fields. The dwelling of an ordinary husbandman is much smaller and less substantial (than that of a shop-keeper) being composed simply of mud, straw, and bamboos. It usually consists of two or three rooms. The general cost of such a dwelling is about £ 2; although the houses of the more prosperous class of husbandmen sometimes cost as much as £ 15 and upwards. The furniture, if so it may be called, of an average peasant consists of a few brass and earthen-ware vessels, a stool or two, and a few mats for sleeping on. Some of the richer husbandmen also possess a large strong box, in which they keep their cloths and whatever valuables they possess, such as, their wives' ornaments, rent-receipts, &c. The food of an ordinary peasant consists simply of rice and a curry made of vegetables with occasionally a little fish." *Ibid.*, p. 328.

"Burdwan. The dress of an average husbandman consists simply of a coarse *dhuti* and a scarf (*gamcha*) thrown over the shoulders, and also sometimes worn as a turban when working in the fields. The building materials used in most cultivators' houses consist simply of bamboos, straw, and mud. The furniture found in the house of an ordinary peasant consists of a mat, wooden box, blanket, looking-glass, stone-plate, a few brass and

earthen-ware vessels, *hookah*, and his implements of husbandry
Ibid., vol. IV., p. 68.

“24 Pergunnahs. The cultivator’s hut is even more primitive (than that of a shop-keeper) and consists merely of bamboo and thatching grass or *golepatta* leaves with mud walls. The Revenue Surveyor states:—‘These huts have no windows or apertures of any kind beyond the door-way, the only ventilation being through the small space between the thatch and the top of the wall, which serves the purpose of a chimney. No whitewash within; on the contrary, the blacker they become with the smoke, the more comfortable they are considered. The outsides are washed by the females of the family with a mixture of cow-dung and mud, which, when dry, gives them a somewhat cleanly appearance. The furniture in the hut of an average peasant seldom consists of more than a common wooden chest, and a few brass plates, cups, &c. The whole family sleep on the earthen floor’” *Ibid.*, vol. I., p. 127.

“Dacca. The dress of an average cultivator is of a much cheaper description, and consists of (1) a waist band (*dhuti*), either country made or of coarse English manufacture from six to nine feet in length, but seldom reaching below the knee; (2) a handkerchief or napkin; (3) a thick cotton sheet (*galaph*) folded double, and used in winter. The females’ dress consists of a thick country made *sari*. As ornaments they wear an inferior description of nose-ring (*nath*) and anklets (*kharu*). Hindoo females of this class wear shell bracelets (*sankha*); Mahomedan women prefer lac bracelets (*churi*). The children generally go about naked till their ninth or tenth year. Sometimes but not often, they wear a very small waist cloth. As in the case of shop-keepers, the women generally do their own washing. The night-covering in winter is a quilt stuffed with rags (*kantha*) composed of old cloths and rejected household rags. It is preserved with great care, and is never washed.

The dwelling of an average cultivator generally consists of four huts built one on each side of the yard; (1) the *Barraghur* or principal apartment where the household work is performed

during the day, and where the head of the family sleeps at night ; (2) the *Rashuighur* or cook house ; (3) the *Golughur* or storehouse, and where the other members of the family sleep at night ; and (4) the *dhenkisala* or shed in which the rice is husked. Each of these houses or apartments is made to serve two or more purposes, according as occasion arises. There is no fixed rule regulating the number of houses in a cultivator's homestead. It is not unusual to find less than four houses, and it occasionally happens that a single apartment serves for a sleeping room, a store-house, and also for cooking purposes. There are no properly constructed outer and inner apartments in the dwelling of a peasant. The sitting place for the males of the family, and where friends and visitors are received, is either a shady space in the open yard, or in the verandah of the principal apartment. Besides the four houses which form his dwelling, a prosperous agriculturist has generally two sheds, in one of which the cattle are kept at night, and in the other during the day." *Ibid.*, vol. V., p. 76.

"Furreedpur. An ordinary husbandman has no furniture beyond a few mats for sitting or sleeping on." *Ibid.*, p. 395.

"Maimensingh. An average husbandman's homestead consists of two or three huts furnished with a few brass or bell metal pots and plates, and some coarse mats for sitting or sleeping upon. Occasionally he has also a chest for keeping his cloths in." *Ibid.*, p. 419.

The Three Villages.

I solemnly declare, that the following pages are the result of what I have myself seen and heard from the very ryots, who were the victims of the zemindari rapacity. The account of a very few cases only has been obtained from other reliable sources.

We promised our readers to try our best to convey to them the idea of the extreme poverty of the Bengal ryot. Here it will be our painful duty to convey it in the best way we can.

There are three villages in the district of Hughli, the names of which let us suppose to be U, N, and Y. They were one of

the estates of R———, who enhanced the rents of the ryots in the year 1850, and then let it out in *putnee* in 1854 to A, a mofussil zemindar. As soon as it came into his possession, he made serious attempts to enhance the rents of the ryots. He began to measure the lands, but to his great surprise, almost every beegha turned seventeen or eighteen cottahs instead of twenty. Consequently he was obliged to stop the measurement, and to give up his thoughts of increasing the rents of the ryots. Another reason for his so doing was, that they grew very discontented, and loudly complained of his conduct, their rents having been already screwed up to the highest pitch by his predecessor only a few years before. But somehow or other his pocket was to be filled up. He determined to make up the increase of rent by illegal cesses. In addition to the most of the illegal cesses of which we have said before, he exacted new ones from his ryots, such as, milk cess or what was paid by them for defraying the expenses of milk for his son, and *Gurubarshik* or what was paid yearly to his spiritual guide. But of all cesses there was one, which pressed heavily upon them. It was the *mathot*, which amounted to 240 rupees, and which was exacted annually from the three villages, 80 from each. Those who knew him well concur in saying, that if any complaint was made to him, he was sure to ruin one party or the other by exacting very heavy fines. That he was guided in his judgment by no other principle than that of filling his own pockets, will appear from the following example:—A ryot M fell in love with a woman of bad character, and borrowed a sum of hundred and fifty rupees from her in private. After a few years a quarrel regarding it broke out between them. She insisted upon him to pay her money. But he was in straitened circumstances, and evaded the payment. A headman of U, in order to take out something from her, went to her side, and persuaded her to punish her lover by bringing in a complaint to the zemindar, by assuring her that his influence over him was sure to enable her to recover her money. Thus M was put to great danger, and knew not what to do. At last he thought that he was unable to clear his debts, as well as to satisfy his zemindar,

so he determined to bribe him off to his side, and hush up the case altogether. He, accompanied by several others who backed him, went to his house, met with him in private, implored him to extricate him from his danger, and at last paid him twenty-five rupees. The zemindar promised to protect him, held his Cutcherry the day after, and summoned both the parties to appear before him. After a few minutes, the plaintiff was told to bring a suit against the defendant in a Court of Justice. It is needless to tell our readers, that he at first took something from her also.

Thus having made up the increase of rent by illegal cesses and heavy fines, A reigned over his ryots for five years, and died in the year 1859 leaving his only son T of five or six years old. On his death the management of his estates fell into the hands of one B. This man—a terrible man—did not endeavour to increase the rent, knowing well that it would go to the pockets of his master, who was, of course, a mere puppet in his hands. He now and then made tours through the estates, held his *gurrum* Cutcherry here and there, and exacted heavy fines from the ryots on slight pretexts. They literally trembled in his name. It is impossible to present before our readers the minute details of his oppressions. We leave it to them to judge of his conduct from the fact, that he was thrice sentenced to rigorous imprisonments varying from six months to three years. He was sentenced to three years' rigorous imprisonment for committing a very serious offence. We will give an example on what slight pretexts he exacted fines from the ryots. Once he, accompanied by other Amlahs, paid a visit to U. So long as he remained there, the ryots supplied him with all the luxuries of his table. The Pykes or peons were ordered to supply him with milk from them. One morning a Pyke got milk for his master from all the ryots except one K, who had cows. He came with a pot in his hand to get milk, but found no one in the house of K except his wife, a girl of eleven or twelve years old. K was engaged in his field-work; his mother went to the washerman's house. The Pyke asked for milk, but no body answered, K's wife being too young to speak with him. He went away and

told his master, that all had given milk except one K. Immediately two Durwans were ordered to drag him to the Cutcherry. They went straight forward to his house, and enquired of him, but were told that he was ploughing his land in such a place. They went there and dragged him with an occasional push to their master. The plough and the bullocks were left in the field. Seeing K the rage of the man of dignity knew no bounds. He began to reproach him in the most obscene language. The poor fellow trembling, with his *gamcha* (scarf) thrown round his neck, and with folded hands, addressed him thus: "Incarnation of justice! First hear me, if I have committed any offence, punish me." The Dewan stopped him and said: "If you again speak, you will be fined twenty-five rupees." He stopped. After a few minutes, he fined him five rupees, and told him to go away after paying the sum. K said: "Incarnation of justice! I have been dragged here from the field; here how shall I get money. Kindly allow me to bring it from home." The Dewan said: "I won't hear you, first pay the money, and then go away." He was thus put to great difficulty. Consequently he was detained there till 12 o'clock A.M., when he succeeded in inducing the Gomastah to stand as his security. The poor fellow with tears in his eyes directly came home, and then to the village headman, to whom he described his tale of misery. Shortly afterwards, he, accompanied by the headman, went to the Cutcherry. The headman after much solicitation proved his innocence, and induced the man of dignity to kindly accept two rupees. Here be it sufficient to state, that all the illegal cesses were paid without any opposition whatever. No one dared resist his demands however extravagant and unjust they were. In an evil moment, he committed a serious offence, and was sentenced to three years' rigorous imprisonment. The management of the estates then fell into the hands of the Naib C. He also did not endeavour to enhance the rents. Here we will give a few instances of his oppressions. The ryots all along paid *mathot*, which amounted to 240 rupees, and which was exacted from the three villages, as we have said before. C, however, thought, that he was in a position to carry

on his exactions further, so he demanded 119 rupees from the ryots of U. They formed a combination not to pay more than what was paid before. This was unbearable on the part of the man of dignity, so he determined to punish them for disobeying his orders. He personally came there accompanied by some Durwans. The two ryots, who led the combination, were chosen to be the victims of zemindari vengeance. One of them was a weaver and petty trader, whose name was J. He had in his house a bale of cloths to the value of about 100 rupees. The Naib chose him to be his first victim. At about 3 P.M. the Durwans were ordered to plunder his bale of cloths. J knew that the Naib was very angry upon him, but he did not anticipate his vengeance so soon. On the approach of the plunderers, he locked up the doors of his house, and fled away from fear of being dragged to the Cutcherry and soundly thrashed. They broke open the doors, carried the bale of cloths, and placed it before the eyes of the Naib, who was seated on a *guddee* in the Cutcherry. All the villagers were at once struck with awe. The *Gurumohashaya* was so terrified, that he closed his *patshala*, and went home. The other victim of zemindari vengeance was H. He was a petty grain-dealer, who carried on his trade by means of a small boat called *shaltee*. The value of it was about fifty or sixty rupees. Besides this the only valuable property he had in this world, was his wretched hut. The plunderers pulled away the boat to a place beyond the reach of H. It is here needless to tell our readers, that this horrible outrage in broad day-light broke down the combination. J and H, however, determined to bring a criminal suit against the offenders. But the other ryots refused to join them. However the offenders seeing their victims bent to punish them came to their senses, sent for them in private, and induced them to hush up the case. They restored to them their cloths and boat. But J suffered much loss. Many pieces of cloths to the value of about thirty rupees were taken away from the bale by the plunderers from the highest to the lowest. But the *mathot* was not to be given up. Afterwards exacted it in full, that is, 119 rupees from the ryots in that year,

with a promise that from the next year he would reduce it to a moderate sum. However he kept his promise. It is still exacted by the Gomastah.

A dispute arose regarding the boundary of U with another zemindar. T knew nothing of his estates. But his agents knew everything. The Gomastah and the headmen conducted the case, and defrayed a part of the expenses from their own pockets, and the rest from those of their master. Afterwards they exacted the whole sum (more than hundred rupees) from the ryots.

Two ryots R and G used most obscene language to each other. The Gomastah was not then in the village. R went to the house of the zemindar, presented one rupee as *nazar*, and then made a complaint against G. The case was referred to the Gomastah, who fined both the parties, R three rupees and G five rupees.

An *Aggradani* Brahmin, a fellow-villager of the Gomastah, came to meet with him in his Cutcherry. The Gomastah ordered a ryot J through a Pyke to give him a little space in his house for cooking his food. The Brahmin was acquainted with almost all the villagers. J had a cow, which gave birth to a calf, which was attacked with fatal disease on that very day. So he and all the other members of his family were very busy with it. J's father's sister was actually shedding tears sitting by the calf. J entreated the Brahmin saying that there was great danger in his house, that he could not give him space that day for cooking his food, and that as he was known to all, he might cook his food in the house of somebody else. The calf died on that day. The Brahmin came back to the Cutcherry, and told the Gomastah, that J had refused him space for cooking his food. Then he was told to cook his food somewhere else. In the evening the lordling ordered a Durwan first to exact from J his fee, and then to drag him to the Cutcherry. He carried out his orders—exacted four annas and dragged him to the Cutcherry. Seeing him the Gomastah's rage knew no bounds: he reproached him in the following terms uttered in a very loud voice:—"Your audacity is so great, that you disobey my orders, and refuse a little space to a Brahmin for cooking his food. Don't you know me? I will

make you straight with shoe-beating, &c." J tried to prove his innocence, but he was stopped and told to go away after paying a fine of eight rupees. J promised payment on the next day, and went home. This sentence was like the *strike of a sword upon a dead body*. On the next day very early in the morning, J accompanied by his aunt went to the house of their Mohajaun, told him the tale of their misery, and entreated him to protect them from the oppression of the Gomastah. He took pity upon them, personally came to the Cutcherry, and, after much discussion, induced the Gomastah to reduce the fine to five rupees. J borrowed the sum and paid it.

There were two bazars, one belonging to A, and the other to K. A dispute regarding them arose between them. The Darogah came to investigate the case. The Naib C of A tutored a ryot M to give evidence to the effect, that he used to be dragged by K's men to his bazar to sell his vegetables there against his will. M refused saying that he could not give such false evidence, still he was forced to appear before the Darogah with a threat, that if he gave evidence against A, he would feel the consequence. The Darogah asked him where he used to sell his vegetables. The witness replied that he used to sell his vegetables where he gained most. The Darogah again asked him whether K's men caught him in the way and forced him to sell his goods in his bazar. He said no. When the investigation was at an end, the Darogah went away. After a few minutes the Naib ordered four Durwans to give M a sound beating. They surrounded him and commenced beating him. Then M's rage knew no bounds. He being a very strong man girded up his loins and stood firm challenging them to approach him. C, who stood at a distance, grew very angry, and violently threw his shoes against him, which struck him on his lap. Other people came to the spot, and silenced them.

T was a typical zemindar. As soon as he arrived at the age of seventeen or eighteen, he brought a prostitute from Calcutta, and kept her for a few years. Thus having killed himself by debauchery, he seemed to have forgotten his position as a zemindar.

dar. His agents took advantage of his debauchery and inattention, and acquired wealth by robbing him and his ryots. Although he inherited estates, which brought him an annual income of about ten thousand rupees, yet he soon involved himself in debts, which it was impossible for him to liquidate out of his income. At last he was forced to sell most of his estates. Among the estates sold there was one, which consisted of the three villages of which we are now speaking. It was sold to D. Almost all the ryots thought, that if he purchased the villages, he would not oppress them. Before he purchased the estate, it had been rumoured, that it was to be sold to Babu———, who was generally known as one of the most oppressive and tyrannical zemindars. Some of the ryots were so terrified, that they requested the headmen to induce D to purchase it. There was one man E, who felt it his deep interest to induce him to be the lord of the villages. He succeeded in his attempt: the estate was purchased. E certainly induced him, that he might exercise great influence, and increase the rents of the ryots. So it came to pass. Having purchased the estate, D left the entire management of it into his hands. After sometime E sent for all the headmen to his Cutcherry and told them, that the ryots should pay five hundred rupees as increase of rent, and that they should assist him in his endeavours. They replied that they had no hand in the matter, and could give him no definite answer. They then returned home and informed the other ryots of the intention of D. They were at once struck with his conduct. They said that they had hoped much from him, but that at the very beginning, he wanted so much increase of rent, and that they knew not what he would do in future. Poor creatures! You have not yet learned, that the zemindar is the incarnation of avarice and cupidity. The headmen of U were thought by all the ryots of the three villages as learned, intelligent, and influential. The ryots of N and Y frequently used to come to consult with them, as to what course they should follow. After several weeks they came to the conclusion, that they would follow the advice of the ryots of U, and consent to do whatever they might think proper. After a few

days, a meeting of the ryots of U was held one evening, in which many ryots were absent. A few mats of very coarse material were spread, on which about twenty ryots including the headmen took their seats. It was held in open air. Two or three *hookahs* were moving around. Some were smoking, and some one was putting fire on tobacco. After a few minutes, the discussion regarding the increase of rent was commenced. A headman thus addressed the meeting: "You are all here present; the zemindar wants five hundred rupees as increase of rent from U, N, and Y. He says that the profits from the estate are very small, and that he could not keep it unless the ryots pay increased rent, what do you say about it." As soon as he stopped, a ryot, in a somewhat loud and angry tone, said: "Who will pay increased rent? There is no place for keeping the profits of cultivation. The field is inundated almost every year. The people are unable to pay even their present rent. They are starving; there is no straw over the roof of their house. He wants increased rent. If he is unable to keep his estate, why he purchased it. Let him take his lands. I will relinquish all my lands except the home-stand. It is better to be a day-labourer than to cultivate lands on such high terms. Let others do whatever they like, I will never pay increased rent." An old ryot then said: "I ask one thing. The zemindars increase the rents of the ryots year by year; but do they also pay increased rents to the Company? I have heard that the Company revenue of the village G is only 15 rupees, and that its zemindar collects 500." Some of the ryots said: "They certainly pay increased rents to the Company; it could not be, that the Company should make laws to enable them to exact increased rents from the ryots, and derive no profit themselves." The headman explained to them that the Decennial Settlement (Permanent Settlement) has deprived the Company of all increase of rent for ever. What the zemindars exact from the ryots as increased rent, goes to their own pockets. Hearing this, some of them expressed their surprise at the enormous profits of the zemindars. Again the conversation turned about the increase of rent. Some of the ryots expressed their surprise, that D should treat

them in this way. They said: "It is no fault of his, it is the fault of our lot." One of them said: "Has he purchased the zemindari for the good of the people? He has bought it for his own good. Why he would not increase the rent? Who gives up profit if he could get it?" In this way conversation went on for some time. The headman explained to them, that they had occupancy rights, and that the zemindar could not increase the rent by legal means. However as many of the ryots were absent, so they were unable to come to a definite conclusion without holding another meeting. All those who were present were requested to inform the other ryots, that nothing had been settled, and that their presence was required in the next meeting, which was to be held on such a day. Then some one was told to prepare tobacco for the last time, as all would soon go home. It was prepared. All smoked and went home at about 9 P. M.

On the fixed day, the next meeting was held at afternoon in a large outer apartment of a Brahmin's house. About fifty ryots including the headmen were present. It was held in the month of October 1873, when their minds were solely absorbed as to how they could save the crops from the drought, which was the cause of the famine of 1874. Smoking and conversation on drought and the produce of the land beguiled about an hour. One of the ryots said: "If God does not send rains soon, all the crops will be destroyed within 10 or 15 days. This is dark *kolli kalla* (the fourth age of the world). All men are now sinners. The drought is only to punish us for our sins. It is only owing to the devotion of two or four virtuous men, that the world still exists. If it is overturned, all our cares and anxieties are at an end. We are born only to pay the zemindar's rent and the mohajaun's interest." Another ryot asked: "If there be no rain, how much produce each beegha will yield. The time is so hard, that let the zemindar's rent go away, how shall we keep our body and soul together." Some one replied: "If there be no rain, all the crops will be destroyed, nothing will be yielded. Don't think, that the zemindar's rent will go away, whether you live or die of starvation, he will collect it somehow or other." Again one of them

said : " There is no hope of rain. Now we ought to take measures for saving the crops. A few days' delay will at once destroy them. If the waters of T——can be carried to the lands, the crops of twenty or twenty five beeghas may be saved." Some one replied : " How many beeghas' crops will be saved thereby ? Some will derive benefit, others will not ; and it is doubtful whether the owners of it will give their consent to carry its water to the field. If a *donga kol* (a machine for throwing up waters) be planted in ——, much good may come out." In this way conversation went on for about an hour. Then a headman thus addressed the meeting : " You are all here present : the zemindar wants five hundred rupees as increase of rent from U, N, and Y. The ryots of N and Y have consented to do what we will think proper. He says that the profits from the estate are very small, and that it is impossible for him to keep it, unless the ryots pay increased rent. Now what do you say about it." As soon as he stopped, a ryot said : " We could not cancel R——'s *pottah*. When she made the *jumma bundi*, she screwed up the rent to the highest pitch. Any addition to that would kill the people. I can't say any more ; you ask the opinion of others." Some of the ryots at once exclaimed : " Who will willingly ruin themselves and their descendants by paying increased rent to the zemindar. There is no limit of the happiness of the people ; very good, we are ready to pay him something, if he cuts a khal and makes improvements of the estate ; that he will not do, but he will want increased rent. Whence the people will pay it." Another ryot said : " We only know with what great difficulty we pay the present rent." Some one supported him by the following remarks : " There is no doubt of that. What is it to the zemindar ? He opens his lips and says pay me increased rent. He does not at all care, whence they will pay him." One of the ryots again said : " We thought we should be happy in D's talook ; how happy we shall be, we are seeing at the very beginning. It is vain to blame him. All fault is E's. He only is trying head and heart to increase the rent." Another ryot stopped him and said : " What are you saying ? All fault is D's. It is his talook. If he tells E not to

increase the rent, can he do it? D has given his consent to what E is doing." In this way conversation went on for about four hours. At last a headman said: "There is no use of much talk; let us settle the matter." An old ryot said: "The zemindar wants increase of rent. He will not easily give it up. There is no use of quarrelling with him, and ruining ourselves by false civil and criminal suits, which he is sure to heap upon us. It is better to cultivate peace and amity with him by paying him something annually by way of illegal cesses. There should be no written agreement. This is my opinion. You ask the opinion of others." The headman said: "You are all here present; what do you say about it." Some of the ryots said: "What has been said by —— is worth listening to. We are also of his opinion." The headman after a few minutes said: "150 rupees from the three villages, 50 from each, should be annually paid to the zemindar. What do you say about it." All gave their consent to his opinion. Again the conversation turned on drought and the produce of the field. Then some one was told to prepare tobacco for the last time, as all would go home. It was prepared. All smoked and went home at about 8 P. M.

After a few days, a headman accompanied by three ryots went to E's Cutcherry in Y, as representatives of the ryots of the three villages. In the Cutcherry there were many people, so they could not say anything in their presence. After conversing on various other subjects, they humbly requested E to come to a place where they would tell him something in private. E accordingly did so. One of the representatives was a good speaker. He said: "You have sent for us, so we have come. We congratulate D for being our zemindar. We have always thought, that he would make us happy. When he has left the entire management of the estate in your hands, we are sure that we will be happy. Regarding the increase of rent, the ryots of U, N, and Y, have consented to pay 150 rupees annually as your honor. Sir! The field is inundated almost every year; the condition of the ryots is wretched in the extreme. You know everything; it is needless to say anything about them. They say whence they

will pay increased rent. They are in want of food and clothing. With great difficulty we have induced them to consent to pay 150 rupees. Kindly accept it. The zemindar is the *ma bap* (mother and father) of the ryots. It is his duty to support them. You can save or kill them at your pleasure, &c. E, hearing him, said: "What are you saying? The rent of the adjacent places is four or five rupees per beegha. You are paying less than that. I don't want 150 rupees; it is better for you not to pay a single pice." In this way conversation went on for about half an hour. At last he said: "You need not pay a single pice." Thus their attempt to satisfy the zemindar with illegal cesses turned fruitless. They then returned home and informed the other ryots what had passed between them and E. The ryots grew very discontented and said: "Let him do whatever he likes; we won't pay him increased rent." Then the famine of 1874 began to tell severely upon them. Almost all the ryots fell in arrears; and the zemindar was forced to give up his intention to increase the rent for some time. He knew that the ryots would not easily pay increased rent, and that, as they had occupancy rights, he could not easily make them pay it by legal means. He asked the opinion of several pleaders on his right of increasing the rent, but it was contrary to his expectation. Consequently he was forced to give up his intention of serving notices of enhancement. He then began to think of the means of forcing the ryots to submit to his demands. He easily perceived that it was very difficult for him to increase the rent of the three villages at once, and that in doing so he would be met with strong opposition from all the ryots, which might baffle him in his object.

Once D came to Y. Some of the ryots of U went to proffer their respects to him. In course of conversation, E told D that "The ryots do not consent to pay increased rent; if it is not increased, it would be very difficult to manage the estate." Hearing him D said: "Iron does not melt unless it is put on fire," that is, the ryots will not consent to pay increased rent, unless they are oppressed. They returned home and told the other ryots, that such were D's words. They turned speechless and

cursed him and their lot. After some time E pressed the ryots of Y to pay increase of six annas per beegha. They naturally resisted him and requested the ryots of U and N to join them, but they turned a deaf ear. Still they formed a combination among themselves, and strongly opposed him. E, in order to punish them, prepared a forged bond, and brought a suit in the Munsiff's Court against one S. He thereby put him to such difficulties, that it cost him about forty rupees to rescue him from his danger, and involved him in debt, although the suit was withdrawn. It is needless to give here all the minute details of the case. It is known to almost all the ryots of the three villages. We will here mention only one case, which was dismissed. The sealed but blank receipt book of the zemindar was lost. From the day it was lost, receipts were given to all the ryots on which there was no seal of the zemindar. To punish one of the leading ryots of Y, a suit for arrears of rent was instituted against him. He paid his rent and got receipt on which there was no seal of the zemindar. E said that he had not received rent from him, and that he had given sealed receipts to all the ryots. We know that before the case was decided, he had taken away all the receipts on which there was no seal of the zemindar from almost all the ryots of U, and in their place, given them sealed ones. Three ryots of U were dragged much against their will to the Court to give evidence to the effect, that they had received sealed receipts. At first the evidence of the Naib and the Gomastah was taken. Then a Pyke of the zemindar was called in and examined. He spoke the truth, and the case was dismissed. The witnesses of U were not called in. The Naib, Gomastah, and the witnesses, then came out of the Court. The Pyke was threatened with vengeance. The first two looking upon the face of each other, laughed and said: "We have given false evidence, and yet lost the case." We have heard it from one of the witnesses. The leading ryots were thus ruined. Still E was unable to increase the rent. He then induced an influential Mahomedan to join him for forcing the ryots of Y to pay increased rent, by promising him one-fourth of it for five years. He also made a

promise, that he would not increase the rent of one A. a protege of his ally. When the ryots heard of this combination, they gave up all hope of protecting their rights. Two ryots were dragged to the Cutcherry, and forced to give *kabuleuts* at increased rents. The news at once spread throughout the village. The leading ryots advised them to lodge a complaint to the Darogah. E and his ally came to the knowledge of it, and carefully watched their movements. When they were on their way to the Thanah, they were caught and soundly beaten. They then went to the Faridar, and urged him to report the case immediately. In the meantime the zemindar's men arrived there, and threatened him if he would report the case. After a few minutes a quarrel broke out between them, and the Faridar was beaten. The poor fellow from shame did not make any noise, and hushed up everything. However E, in order to satisfy him, bribed him 12 rupees and a horse of the value of 14. After a few days E and the Mahomedan told them plainly, that if they agreed to pay increased rent, so much the better for them, otherwise they should feel the consequence of disobeying their orders. The ryots grew very alarmed and thought, that it was better for them to pay increased rent than to be insulted and harassed in this way. Almost all the ryots consented to pay it, and *pottahs* and *kabuleuts* were interchanged. After the *pottahs* had been registered, E tried to satisfy his ally by paying him fifty rupees instead of the fourth part of the increased rent for five years. He went a step further and enhanced the rent of his protege A. All this enraged him so much, that he swore to take vengeance even at the expense of his own pocket. He then sided with the ryots and swore, that he would never forsake them. They received him as their leader and followed his advice. He advised them to relinquish their lands, and they did so. Here it ought to be stated, that five or six ryots were induced to side with the zemindar. Then seven or eight false civil and criminal suits were brought against one another, which were dismissed. About eight hundred rupees were wasted away by both the parties. By far the greater part of the expenses of the ryots was defrayed by the Mahomedan.

Despair of thwarting him in his endeavours on their behalf, E at last got up a criminal case, which proves the utmost depravity of his character. He secretly instigated four ryots, who were on his side, to cut an embankment, which destroyed the crops of the ryots of many villages including Y. The poor fellows, who committed this villainy, were promised remission of three years' rent as reward for their labour. As a precautionary step, E, having made all arrangements for cutting the embankment, went to Calcutta on the day of the very night in which the villainy was committed. On his return from Calcutta after two days, he heard that the embankment was cut as had been secretly arranged. In order to punish the Mahomedan, a criminal charge of cutting the embankment was brought against him, from which he narrowly escaped after a lavish expenditure of money. We even were led to believe, that he was really guilty of it. But at last after more than a year, it has been known to be a false charge. The four ryots did not pay rent, as they were promised remission of it for three years. All of a sudden the management of the estate fell into the hands of one B, who demanded rent from them. They frankly refused to pay it on the ground, that they were promised remission of it for three years by E for cutting the embankment. But B was not a man to pay heed to any such promise on the part of E, so he exacted rent from them. However he remitted the interest of seven annas per annum, which is charged on every rupee of rent in arrears. The fact is now known to almost all the ryots of the three villages. The Mahomedan now came to his senses, thought it useless to spend money for the sake of others, and left the ryots to take care of themselves. Thus they were left to the tender mercies of E. He then took advantage of their abject position, and exacted from six to eight annas per beegha as increase of rent, and two hundred rupees as law expenses. Some were confined and soundly beaten. The demand was so heavy that eight or nine ryots left the village. There were some other causes of their leaving it. E cut their tamarind trees for burning bricks, and did not pay them a single pice. Forced labour was exacted from them. They were threatened with vengeance

whenever they said or did anything unpleasant to their master. We leave it to our readers to judge of the oppressions, which forced them to leave their dear homes.

Having thus ruined the ryots of Y, E fell upon those of N. A few months before that, he took a preliminary step in anticipation of opposition. He took a headman K of U into his confidence: he appointed him one of his Amlahs, knowing well that his influence over the ryots of U and N was very great. Indeed one of the conditions of his appointment was that he would enhance their rent. Having thus taken due care, he measured the lands of N. The ryots loudly complained that his beegha was of fifteen cottahs instead of twenty, and that no one was duly informed of the measurement. He induced its headmen to come to his side, and to assist him in enhancing the rent. E frequently sent for them to the Cutcherry, and extolled them to the skies. He instigated them to pick out quarrels with other ryots. They actually beat two of them. The poor fellows lodged complaints to him, but he turned a deaf ear. He ordered his Gomastah not to receive their rent, till they submitted to pay increased rent. He threatened them to bring suits for arrears of rent against all, and to sell their houses and every thing they possessed. He induced one of them to bring a false criminal charge against five ryots, paid all the law expenses from his own pockets, suborned the witnesses, and succeeded in putting them into jail from 15 to 21 days. It is impossible to calculate all the means, in which the ryots of N were oppressed and harassed. Some of them to avoid insult went to his side, and paid the increased rent, while others were dragged to the Cutcherry and forced to give *kabuleuts* at increased rent. In this way the rent of all the ryots except two or three headmen was increased. Wonderful it is, that though he has extorted *kabuleuts* from them, yet he has not given them *pottahs*. When they go to him for *pottahs*, they are told to pay something more as *khurcha*. Even those headmen, who assisted him in enhancing the rent, would not be able to escape from him. He has received rents from them, but has not yet given them receipts. Some of the ryots and one head-

man himself said that the zemindar had refused to give them (headmen) receipts, till they consent to pay increased rent. We place before our readers the following list of the former as well as of the enhanced rent of some of the ryots of N:—

Names of Ryots.	Former rent.			Increased rent.		
	Rs.	As.	P.	Rs.	As.	P.
S	8	12	0	12	1½	0
P	10	6	0	15	0	0
C	15	4	0	20	0	0
S	15	4	0	20	0	0
B	5	8	0	8	0	0
B	5	8	0	7	8	0
L	19	0	0	25	0	0
L	12	0	0	15	0	0
M	35	0	0	50	0	0
E	40	0	0	55	8	0
R	58	15	0	72	0	0
B	18	0	0	27	0	0
M	20	0	0	35	0	0
K	32	0	0	40	0	0
B	12	0	0	14	4	0
M	4	0	0	5	8	0
M	18	0	0	27	0	0
G	19	0	0	21	0	0

Bribes were extorted from some of the above ryots by the Amalhs. We did not care to know the rents of the other ryots of N assuming them similarly enhanced. Having thus enhanced the rents of Y and N, E thought of falling upon the ryots of U. But about seventy or eighty per cent. of the ryots of the three villages fell in arrears, so it was very difficult for him to realize them. D had some other estates, for proper management of which he has appointed B on condition, that he would not interfere with him in any way. After two or three days of his arrival, he gave strict orders to the Durwans to drag the defaulting

ryots to his Cutcherry in any way they could. One ryot was beaten on his refusal to go there. Ten or twelve defaulting ryots are always present in his Cutcherry from morning to 10 or 11 P. M. We will give an example of the manner in which he realizes the arrears of rent. One morning a ryot M was dragged by his Durwans to his Cutcherry. B said to him: "You are in arrears of thirty rupees. Why don't you pay the rent."

M. Sir! The lands do not yield good crops. The rent has been increased by one-half. I have not willingly withheld your rent. I am in want of food and clothing. The crops of the last year were sold by the Gomastah, yet I have been in arrears. I shall pay up all the arrears as soon as I will gather the next harvest.

B. I won't hear you. First pay the rent and then go away.

M. Now where shall I get money. I shall pay up your rent very soon.

B. I won't hear you. First pay the rent, and then go away. If you can't pay the rent, why don't you relinquish your lands and leave the village. Rascal! You have commenced joking with me.

M. I am dying for want of food. How shall I pay up your rent now. I will pay it within a short time.

B. If you die what is that to me. Pay up your rent and go away. If you don't pay, I will detain you whole day and night. Give an *aikrarnama*, (written agreement) that you shall pay 30 rupees on such a day.

M. Where shall I get 30 rupees now.

B. I will detain you whole day and night, if you don't pay the rent. Very good, give an *aikrarnama* of 18 rupees. If you again speak, you will be fined.

M remained silent and refused to sign the *aikrarnama* knowing well that he would not be able to pay it.

At about 3 P. M. he was forced to sign the *aikrarnama*. Modesty does not allow me to quote here the most obscene words, that are frequently used by this man to the defaulting ryots. When M was about to return home, he was told by B to take a

handful of *muri* (parched rice) and to eat it on the way. However he refused it and returned home. He told me that with very great difficulty he had got only four rupees. I do not know how much he paid to B. All the agents of the zemindars frequently use the following words, when they order their Pykes to drag the ryots to the Cutcherry:—"Go and drag——by catching his ears; go and bring——by shoe-beating. Am I his father's servant, that I shall send Pykes to him every day? How you will manage the zemindari business. If he does not come, take a Durwan with you to drag him and to exact *khurcha* from him. If you do not find him in his house, the Durwan must sit there, and exact his *khurcha*, &c."

The ryots are very unwilling to go to the Cutcherry till they are in a position to pay their rents, knowing well that they would be reproached, detained, or beaten. The rents of the ryots of ——are generally collected by the Gomastah at night. When a Pyke first comes to a ryot to tell him to go to the Cutcherry, the latter always refuses to go there saying: "I have not yet been able to procure money; go and tell the Gomastah, that I shall pay rent on such a day. What is the use of going there without money; what shall I do there."

Pyke. I won't hear you. You must go there. Once go and tell the Gomastah, that you will pay rent on such a day, then he will cease to reproach me.

Ryot. I went to the Mohajaun for borrowing money: I have not received it yet. As soon as I shall get it, I will go to the Cutcherry and pay the rent. Go and tell the Gomastah, that I shall pay the rent on such a day.

The Pyke then goes away.

After a day or two, the Pyke again comes to the ryot.

Pyke. The Gomastah has sent for you for paying the rent. You must go to him to-day. He was just before reproaching me for not being able to take you there.

Ryot. What shall I do on going there. I have not yet received money. Go and tell the Gomastah, that I shall pay the rent very soon.

Pyke. He does not hear me. You must go there once, otherwise he will reproach me.

Ryot. I shall not go there to-day. Go and tell him, that I shall go on such a day with rent.

The Pyke then goes away.

After a day or two, he comes again.

A ryot K was gossiping with me and two or three other ryots sitting in the dark. Suddenly the Pyke came and asked us from a little distance: "Is K here." K immediately told us in a whisper: "Tell him that he is not here." I, of course, remained silent not wishing to tell a lie. However one of the others told him: "He is not here."

Then the Pyke went to the other ryots.

K then spoke of the very great difficulty to which he had been put by the Gomastah. He said: "This is a great danger. Whence and how shall I pay rent. I do not know what I shall eat to-morrow."

After two or three days, the Pyke again came to K.

K was gossiping with me and three or four other ryots sitting in the dark. Suddenly the Pyke came and called him from a little distance. Hearing his voice, K went away and concealed himself for about quarter of an hour. He did so three or four times, and then paid a part of his rent.

The Pyke told one N to go to the Cutcherry three or four times, but in vain. One day he came to N and told him to go to the Cutcherry, but he refused. On this, the Pyke said: "Are you a Nawab, that I shall come to you every day. You must go to-day." N said: "You go away. When I shall be able to pay the rent, I shall go there. Go and tell the Gomastah to realize it by selling my house and everything I possess." The Pyke did not tell it to the Gomastah. After a few days, N paid a part of his rent.

When the ryots are told to go to the Cutcherry, they make various pretexts and instruct the other members of their families to tell the Pyke, that they are not at home. They also instruct the Pyke to tell the Gomastah, that he has not seen them. Pretexts are

always made at first, but as the time draws nearer, they conceal themselves. A ryot G refused to go to the Cutcherry on pretext, that there was great pain in his left leg, and that therefore he could not go there. Another ryot B concealed himself in a cowshed. The Pykes are not unoften sent to the field, where the ryots are engaged in their field-work. A ryot R with several others was digging a ditch, when a Durwan of the Gomastah went to him and told him to go to the Cutcherry. R said: "I am now engaged in my work; I can't go now." The Durwan said: "I will drag you there," and then caught hold of his hand. On this R grew very angry and threatened him thus: "Take off your hand, otherwise I will bury you in the earth." The Durwan from shame did not tell it to the Gomastah. Another ryot with a burden of straw with rice on his head was coming from the field to the *khamar* (a place where rice is threshed). A Durwan of the Gomastah stood in his way, and asked him: "By whose order you are carrying it from the field. First pay the rent, then I will allow you to carry it to the *khamar*."

Ryot. I shall pay your rent after threshing the rice.

Durwan. I won't hear you. Carry it to the place where it was.

The ryot grew very angry and said: "Give me the way, otherwise I will throw the burden on your head."

Several other ryots came to the spot and reproached the Durwan for standing in the way of a man with a burden on his head. Then he was allowed to carry it to the *khamar*. He afterwards borrowed money and paid the rent. After threshing the rice, he sold it to the Mohajaun.

In this way after various pretexts and evasions, great many ryots go to the Cutcherry with a part of their rent. At first the Gomastah refuses it saying: "What shall I do with it. You are so much in arrears, you are only paying this. I won't take it. You take it home."

Ryot. Sir! With great difficulty I have brought even this. Kindly take it. I have no rice in my house, if I take it back, it will be spent. Kindly take it. I shall pay the whole by and by.

In this way after much solicitation, the ryots persuade the Gomastah to receive their rent. Sometimes it is refused. I heard from him, that one day he gave sound beating to two ryots of N. He always realizes the arrears of rent by illegally attaching and selling their crops.

After collecting as much as he can, the Gomastah goes to Y, where B's Cutcherry is held, and gives him a list of the defaulting ryots. B then drags them to his Cutcherry, and treats them in the manner of which we have given an example to our readers. No one dares speak a single word to his Durwans. Seeing his treatment of the defaulting ryots, some of the ryots of N left it and concealed themselves for some days in the house of their relatives, reporting that they had left it for ever.

The ryots of U fell in arrears of rent, and it was thought difficult for the Gomastah to realize them. So the terrible Dewan B personally came to U, and held his *gurrum* Cutcherry in an outer apartment of a ryot's house. The demands upon most of the ryots were doubled and trebled: for every rupee of rent in arrears, an interest of seven annas per annum was charged, five annas per beegha of land were charged for repairing a small embankment, which is only five or six yards in length, and which cost only five or six rupees, *dak khurcha*, *mathot*, *tohurri*, *batta*, road-cess, peon's fees, &c. were exacted with the rent. It is needless to tell our readers, that the ryots felt very great difficulty in meeting these exorbitant demands.

B treated the ryots in the cruelest manner possible. Eight or ten defaulting ryots were always present in his Cutcherry from morning to 10 P. M. in the night. B took his seat on a *guddee* on the one side; and the ryots, some on a mat, and others on the bare ground, but all huddled together almost like statues, on the other. The Gomastah and the peons were busily engaged in carrying out his orders. Some of the ryots were forced to put their signature on an *aikrarnama* requiring them to pay their rents on a fixed day, and others were allowed to go home always with a threat of sound beating, in case they should fail to keep their promise.

A ryot fell in arrears of three rupees. He came with one rupee and twelve annas to the Cutcherry. B called out his name. The poor fellow, with folded hands, and with a *gamcha* thrown round his neck, stood up. B asked him how much he had brought. He said that he had brought one rupee and twelve annas, and that he would pay the balance after two days. As soon as he stopped, B reproached him in the most obscene language possible. The poor fellow stood almost like a statue for about half an hour, and then, after much solicitation, persuaded the Gomastah to receive his rent. Another defaulting ryot was detained from morning to 2 P. M. Modesty does not allow me to quote here the most obscene words, that were used to those ryots, who delayed the payment of their rents.

A ryot P was not at home. A Pyke was sent to his wife for rent. She said that she would pay it after two days, when her husband would return home. The Pyke came back to the Cutcherry and told B what she had said. Hearing him B in a very loud voice said: "If he dies there, shall I not get my rent?" Another ryot entreated B to remit *peadah khurcha* (peon's fee) saying: "I have paid it several times. You are seeing that I am unable to pay even my rent. Kindly remit it this time." Hearing him, B in a very loud voice said: "You will not give, your father will give. Is he your father's servant, that he will go to you every day? Why did you not come yourself to the Cutcherry with your rent." The poor fellow remained silent, and, after a short time, went home promising to pay the *khurcha*. Our readers will be able to judge of his condition from the fact, that he was unable to come to the Cutcherry with a single pice, and that he came there with a letter from his Mohajaun to the effect, that he was ready to lend him twelve rupees on jute on condition that B would not interfere with him about it in future. B wrote a letter to the Mohajaun, and the latter lent him twelve rupees.

A ryot R was beaten for delaying the payment of a fine of four rupees and four annas. The complaint against him had its existence nowhere except in the fertile brain of a headman, who

owed him a grudge.

A Pyke actually laid his hand upon the person of a woman, whose husband was not at home saying that " You have concealed your husband ; bring him out, otherwise I will drag you to the Cutcherry." He also used language to her, which is too gross and obscene to be recorded here.

Another ryot B from fear of being dragged to the Cutcherry, shut up the door of his house, and concealed himself. A Pyke and a Durwan came to his house and violently knocked at the door with their feet and *lattees*, till the poor fellow was obliged to open it and go to the Cutcherry. He was ordered to be beaten, but the order was not carried out.

Receipts were not given to some ryots, although they had paid their rents. A few have even been obliged to pay them twice. About 20 ryots of U pay road cess once to the Gomastah, and then to the collecting Sircar of the Government. Wonderful it is that almost all of them have been assessed at the round sum of one rupee per annum. The Gomastah collects road cess from all the ryots at the rate of 6 pie per rupee of rent. Once he was committed by the Munsiff to the Magistrate for collecting road cess from the ryots even before the order of the Government. He very narrowly escaped. The charge cost him about one hundred rupees. Every body says that E has created many rent-free tenures out of rent-paying lands in Y.

B exacts heavy fines from the ryots on slight pretexts. We will give two examples. A dispute regarding a tree arose between two ryots. Both of them lodged complaint to him. He told them to sign an *aikrarnama* to the effect, that he who would be guilty would pay a fine of twenty-five rupees. On this both of them said, that they themselves would decide their dispute. The complaint was withdrawn, and they were fined four rupees.

A boundary dispute arose between two ryots C and P. C made a complaint to B against P. Immediately a Durwan was sent with a letter to drag P to the Cutcherry. I read it. It was simply an order to drag P to his Cutcherry. The poor fellow

asked me what he should do. I advised him not to obey his order. On this he said: "I can't do that. It is B. If I disobey his order, I shall not be able to live here. He will cut the roof of my house, and drive me away." The Durwan exacted one rupee and four annas from him as his fee. A headman exacted one rupee from him. Another headman took one rupee from C. It is needless to give here the minute details. At first P was fined 15 rupees. After much solicitation, the sum was reduced to 5 rupees, which were paid without delay. Of course the money was borrowed from a Mohajaun.

Now we will give some examples of serious cases. A widow of bad character became pregnant. Twenty-six rupees were exacted from her paramour by E, his agents, Faridar, Chowkeedar, and the headmen. He was too poor to pay the whole sum in cash. He was forced by E to sign a bond of 18 rupees. Eight rupees paid in cash were distributed among the others according to their respective ranks. The woman died of abortion.

Three other widows, who became pregnant, were forced to sell almost all their ornaments to meet the demands of the zemindar, Gomastah, Chowkeedar, and the headmen. We have heard of many such cases. It may safely be said, that in every village one abortion occurs in a year.

Another man of dignity H fell in love with a woman of bad character. His wife naturally grew jealous of her, and induced her husband's younger brother to drive her away from the village. One night, he backed by three Pykes and a Durwan, plundered all her valuables, one of which was a gold necklace of the value of fifty rupees. She did not report it to the Police knowing well that it would be useless. After a month or so, she left the village and went to Calcutta, where she is now a public prostitute.

D is much afraid of involving himself in litigation with the zemindars of adjacent estates, who are very rich and powerful. He let a few tanks to the fishermen, who in order to catch fish threw out all the waters of one of them, when twenty-five *lattyals* hired by L drove them off, caught all the fishes, and then returned. He also dispossessed him of some other tanks.

D recovered his lost property by paying L one hundred rupees.

Some of the ryots of N cultivated the lands of an *Aimadar*. L in order to dispossess him forcibly cut all their crops. They are now fighting with each other in Courts of Justice. The lands are now lying waste.

Bribes are extorted from thieves by the Gomastah, headmen, Faridar, and the Chowkeedar. Only serious cases, such as, murder, death by drowning or snakebite, dacoity, &c., are reported to the Darogah. All other crimes are hushed up by these men by extorting bribes from the persons guilty or supposed to be guilty of them.

Fruits of trees, fishes of tanks, dried branches of trees, and bamboos, are not safe from the hands of the zemindar and his agents. We will give some instances. A Pyke plucked the tamarinds of a tree owned by a ryot without even asking him. He came to the knowledge of it, and asked him why he had plucked the tamarinds without telling him. The Pyke told it to the Gomastah. The ryot was dragged to the Cutcherry. The lordling grew very angry and told him in a very loud voice whatever came to his lips. We will quote a few of them. He said: "Your audacity is so great, that you prevent the Pykes from plucking the fruits of trees. The tree is not yours, it is the zemindar's tree. I will see any one, who will go near it." Hearing his loud voice, many other ryots came to the spot, and appeased him. He forcibly caught the fishes of a ryot's tank on a certain ceremony in his own family. He twice cut their bamboos one from each for building his house. His fuel is supplied by the Pykes from the dried branches of ryots' trees, especially bamboos. A part only of these things is given to the Gomastah, and the rest is carried by them to their own house. A ryot was fined 8 annas for opposing a Pyke while breaking the fence of his land for fuel. Formerly the ryots used to fetch water for the Gomastah; the Pykes being low-castemen were not allowed to touch the water-pots. Now he pays five rupees in a year to a poor widow, who fetches water, and performs other duties. When he neglects to cook his food at night, he

orders his Pykes to tell the ryots to bring parched rice for him. Rice, salt, oil, fish, *dal*, potatoes, and brinjals, are exacted by him when there is a marriage or other ceremony in a ryot's family. Certainly I do not grudge him these articles of food.

There are many tanks in the field, which are annually let to the fishermen, who throw out all their waters, catch the fishes, and sell them in the bazar. It is needless to give here the minute details of the harassments, to which they are subjected before they are let to them. All the agents of the zemindar and the headmen extort bribes from them. If they had had any other means of livelihood, they would never have subjected themselves to the proverbial zemindari rapacity. All these harpies and even the Pykes are sometimes supplied fishes by them.

D is a money-lender, and as such, does not scruple to charge interest from $37\frac{1}{2}$ to 75, and sometimes $112\frac{1}{2}$ per cent. per annum. The crops of many of the ryots are hypothecated to him. He buys them at a somewhat less than the market price.

We have already informed our readers, that B was appointed on condition, that his master would not interfere with him in any way. He knows that he is very much dreaded by the ryots. From the day of his appointment, the influence of E is gone. In order to increase the rent of the ryots, E appointed K, a headman of U, one of his Amlahs, whose influence over the ryots was very great. He was willingly allowed to fall in arrears of rent. However a quarrel broke out between E and K. E insisted K to increase the rent of U. The latter refused saying: "I can't do that. I have no such influence over the ryots, that I can induce them to pay increased rent." E then demanded 300 rupees including the interest and compound interest of seven annas per annum on every rupee of rent in arrears, as arrears of rent from him. K said: "I have served you two years. Pay me my salaries, then I will pay up your rent." On this E said: "One of the conditions of your appointment was that you should increase the rent of the ryots. You have not done that, therefore, I will not pay you." In the meantime B was appointed. He

heard all this, dismissed K from his service, and brought a suit for arrears of rent in the Munsiff's Court. It was decreed. K has been ejected from his lands.

Another headman of U, who has all along sided with the ryots, is now frequently sent for by E and B, say ten days in a month. Indeed the zemindar himself sends for this man, but has not yet been able to induce him to ruin the ryots of U. One day B said in the Cutcherry: "The ryots of Y and N are paying increased rents. Now I will see those of U." There is another village W, one of the estates of D. Regarding it, B said to its headmen: "You shall have to pay 100 rupees as increase of rent." They replied: "Let us ask the opinion of other ryots." On this he said: "When I have come, I will not easily give it up. I will take 100 rupees as increase of rent somehow or other."

That these men are held in great awe by the ryots will appear from the following example:—A ryot P beat one T. A headman advised T to lodge a complaint to the Faridar, who fined P three rupees, which were of course divided between them. Another ryot asked T as to who advised him to go to the Faridar. T, after much hesitation and lying, mentioned the name of the headman, who afterwards came to the knowledge of it, and fined him 8 annas for giving out his name. We could give hundreds of such instances of proverbial zemindari rapacity, but a truce to them.

The Chowkeedar of U is always a creature of the headman. He may also be called a servant of the Gomastah. He has no inducements whatever to discharge his duty satisfactorily. He is serving ten months, the salary of which amounts to thirty rupees. His collections are only five rupees and six annas. He prepared a list of his demands and collections in order to show it to the Darogah. I read it. At night he often accompanies the headman when he goes to a somewhat distant place. He sometimes takes his meal in his house. He sometimes works in the field, and sometimes makes baskets and sells them in the

market. When there is a marriage or other ceremony in the family of a ryot, he supplies the plantain leaves (of course if there be need of them), takes one or two meals, and gets a few annas and sometimes a piece of cloth as his reward. His collections are sometimes in cash and sometimes in kind. He gets something more, when bribes are extorted by Faridar, Gomastah, and the headmen, from thieves and others. The poor fellow says that he was in a better condition before, and that he has ruined himself by accepting his service. He could not resign it only because he cherishes hopes of his reward for his past services. His predecessor served for eight or ten months, collected a few rupees, and then resigned his service in disgust.

We now come to the feelings of the ryots of———against the zemindar and his agents. Although their rents have not yet been increased, yet they are cursing them by day and night, knowing well that it is now their turn to share the fate of the ryots of———. That they are held in intense hatred will appear from the fact, that if any one mentions the name of——— in the morning, he is instantly told “Don’t mention his name in the morning. You shall have no boiled rice to-day.” One day a ryot asked some one: “Have you seen———?” “Heaven forbid it; is there any man in this world so oppressive and tyrannical,” was the reply. Some of them say that when the increased rent will be demanded from them, they will not be able to pay it, and, as a consequence thereof, will be forced to leave the village. There are some others, who say: “Let the zemindar do whatever he likes, we will not pay increased rent. We will all combine and try our best to thwart him in his endeavours. We will not easily pay it. We will relinquish all our lands, and see, who cultivates them, &c.” The great topic of their conversation is the zemindar and his agents. The civil and criminal suits of which we have given some examples may appear to our readers as matters of little importance; but their decisions are as anxiously waited for by the ryots, as the result of a very great battle by the European nations. As the reading public of Europe eagerly turn the pages of newspapers, and sometimes go to the

telegraph offices in order to know its result, so our villagers do. But there is a great difference between them. There are neither newspapers nor telegraph offices here. The witnesses and the headmen often supply their place, while the news received from them is more authentic than that contained in the newspapers. On the day of judgment, some of the ryots wait till 10 or 11 p.m. in the night, in expectation of the return of the witnesses from the Court of Justice. They ask of them even the minute details of the cases from the evidence down to the feelings of both the parties. But to their great regret, they often hear of the zemindar's success. It is needless to tell our readers, that they wish his failure. When they hear of his success in a false suit, they give vent to their bitter feelings by such expressions as these: The Court of Justice is nothing but a plaything in the hands of the rich. This is dark *kalli kalla* (the fourth age of the world). Now is the triumph of vice over virtue. Wonderful it is, that the zemindars and their agents do not scruple to turn truth into falsehood, and falsehood into truth. They have no conscience. They can turn night into day, day into night, &c." Ask the ryots of Y and N, "How do you do?" You are sure to get the following answers:—"Don't put that question to us; we are gone; we have been killed at once. With very great difficulty we paid our former rent; now it has been increased by one-half; we do not know how we shall pay it. We see it is very difficult to live here. We have not yet been able to make up our minds, whether we shall live here or go somewhere else." I received the above answers, when I went to N to ascertain their former and enhanced rent. They eagerly asked me: "What shall you do with it? Will it do us some good?" I said: "I have some business with it." No one ever dreams of my compiling this volume. They cursed the zemindar, and even told me: "Some are intending to leave the village." It is beyond my power to properly represent the feelings of the ryots of the three villages. They are gossiping of the zemindar and his agents, and cursing them in the intervals within or without the walls of their huts. Even the women do not spare them. Indeed they are ten times bitter

and louder in their execrations. We will quote a few of them. "Our bones are turning ink (black like ink) by husking rice day and night, and carrying it on the head to the bazar for two pice. we are unable to buy one pice's fish for our children. So much is now demanded by the zemindar, where shall we get it, &c." Modesty does not allow me to quote here the most obscene words, that are frequently used by them, when even one anna is exacted from them in any way. If a single pice is lost, anything is bought at a somewhat dear price, they murmur whole day, and try to distribute the loss by sharing it among their neighbours.

The ryots frequently speak of their scanty means, which prevents them from making improvements of their lands. They give vent to their bitter feelings by such expressions as these: "Whence the laud will produce good crops. It has not been manured for many years. We have been speaking of throwing out the waters of———, and cutting its mud for making improvements, but owing to the want of means, nothing will be done. The productive powers of the lands have been much exhausted. Nothing will be yielded, unless they are manured. Far from making improvements of the lauds, we are unable to keep our body and soul together, &c."

We now come to the condition of the ryots of U. They cultivate two sorts of rice land, namely, *bunun* land and *roa* land. The rice is sown broadcast on the former, and it is transplanted from the seed-beds with the hand in rows on the latter "carefully ploughed, cleaned, and smoothed for the purpose." The quantity of *roa* land falls short of that of *bunun* land. The latter is situated in a very large field, which being a lowland waters run down from all sides and overflow it, say in two out of three years. It has not a single khal or drain in it, and is owned by many zemindars. We have been seeing it in this state for many years, but no one ever dreams of cutting a khal or of making other improvements in it, by which the condition of the ryots may be improved. However we must admit, that it yields *boro* rice in those years in which it is inundated; but its produce falls short of that of *aumon* rice. Sometimes it falls short of meeting the

demands of the zemindars. Regarding the harvest of the *roa* land, we may say that they reap it almost every year. Sometimes they get almost nothing, and are obliged to pay their rents from their own pockets. We have already said that as soon as the crops are gathered, the Gomastah and the Mohajaun take away the utmost possible share leaving them a very small part for keeping their body and soul together. The part generally left them barely suffices to maintain them for two or three months. The poor fellows are then put to great difficulty. They are often obliged to go to their Mohajaun for taking rice advances at 50 per cent. interest to be repaid just after the next harvest is gathered. Many also borrow money from him. We do not say that all the rice required for the ensuing months is advanced by the Mohajaun, but that the greater part of it. They have their little earnings from some other sources. All the crops, which are gathered at once, such as, rice, molasses, jute, and a few others, go to the money-lender's house, while those, which are gathered by and by, such as, brinjal, radish, and other cucurbitaceous fruits, go to that of the ryot. But the cultivation of all these crops except rice is very limited. Another important fact is, that about twenty per cent. of the ryots have no lands to cultivate them, and that the rent exacted by the zemindar from lands which produce them, is often two or three times that of rice land. Consequently the profits arising from the cultivation of these crops are very small, and barely suffice to enable the producers to keep their body and soul together for two or three months. Some of them have cows, which bring them little earnings from sale of milk. Some of them have turned boatmen. They come home when they think it necessary for cultivating the land and reaping the harvest. The women almost daily husk rice and carry it on their head to the bazar for the average earning of one anna and three pie per rupee's rice husked. We here take the permission of our readers to trouble them for a few minutes with the somewhat minute details of this trade, if it may be so called. There are two or three petty grain-dealers in ———, who carry on their trade throughout

the year. The widowed sisters and mothers of the ryots buy rice in husk from them, and carry it on their head to their house. They soak it in the water contained in large earthen pots for two days, boil it, and then dry it in the sun. This could not be done in less than five or six hours. Then three women husk it by a husking machine called *dhenki* in about four hours, or say it requires twelve hours' hard labour of a woman. A few ryots themselves are forced by their poor circumstances to husk it with their wives and sisters. This is considered very disgraceful, but they can't help it. The women generally carry it on their head to the bazar for sale. But alas! There the zemindar always stretches out his hand to snatch away about a fourth part of their little earnings: the *koyallee* exacts half a small basket of rice, the price of which is about 5 pie, per rupee's rice sold. They then return home with fish, salt, oil, or some other articles bought at a greater part of their little earnings. Thus we see, it requires about 18 or 19 hours' hard labour to earn one anna and three pie. We have seen hundreds of women carrying rice or rice in husk on their head from several miles to the bazar or to their house for this trifling gain. Some ryots bring rice in husk on the back of their bullocks from a great distance, say eight or ten miles, to their home. The women husk and carry it on their head to the bazar for sale, and earn $2\frac{1}{2}$ annas or so per rupee's rice sold. These are the only sources of income of almost all the ryots of———. Some take recourse to this and some to that. Two or three out of more than hundred ryots are not indebted to the Mohajaun. They are cultivators as well as grain-dealers.

Notwithstanding their very hard labours both in and out of the village, the condition of the ryots is wretched in the extreme. As soon as the rice left them by the Gomastah and the Mohajaun is consumed, many of them take rice advances from the latter at 50 per cent. interest. But it is not always sufficient to maintain them throughout the year. When it is consumed, they buy rice in husk from the grain-dealers assuring them that they will pay for it by husking and selling it in the bazar. But they do not

always keep their promise. Suppose that a ryot A is put to great difficulty: he has no rice in his house, and is refused advance by his Mohajaun. How he overcomes it? He goes to a petty grain-dealer, and says: "Give me four rupees' rice, I will pay you after husking and selling it in the bazar." The grain-dealer sells him four rupees' rice. A earns something by husking it, maintains himself and his family for two days, and pays him three rupees. He again buys four rupees' rice, and, after a few days, pays him four rupees. In the meantime he has consumed one rupee's rice. Again he goes to him, buys four rupees' rice, and pays him three rupees. In this way he buys twelve rupees' rice, pays him ten rupees, and consumes two rupees' rice. The grain-dealer comes to him for two rupees, but is told to wait for some days. He knows very well, that he could not carry on his trade on hard cash. Afterwards he realizes his balances, but with some difficulty. Indeed he is sometimes obliged to quarrel with his customers for realizing them. There are many ryots, who owe a few rupees to the grain-dealers, and a few owe from Rs. 10 to Rs. 15 to them. These balances are seldom realized if the trade is not carried on. They often borrow rice from each other, but in small quantities, say one day's food. It is always repaid after a few days. There are many ryots, who not unoften, especially in the rainy season, take only one meal a day. Being always in want of rice, the women cannot parch rice in quantities sufficient for the day. Consequently children often cry for *muri* (parched rice) especially in the morning and evening. If they could be silenced, so much the better, otherwise they are taken by their mothers to the houses of other ryots for borrowing it: the mother with her crying child on her breast, goes to the mistress of the next house, and says: "Lend a basket of parched rice, my child is crying for it for two hours. I will repay you just after our rice is parched." The mistress sometimes gives such answers as these: "We have no parched rice; our children are crying for it. Is there much rice in the house, that we will parch it in sufficient quantities?" The poor mother then goes to the mistress of another house, entreats her in the same way, and not unoften

gets the same answer. However she sometimes gets it from one out of five or six houses, and sometimes not. She sometimes being vexed with her child gives it a few slaps. There is a marriage or other ceremony in the family of a ryot, who has prepared some *murki* (parched rice mixed with sugar) for the purpose, almost all the mothers of the neighbouring children encourage them to beg it from his wife. The mother herself with her children not unoften goes to her and says: "Give my children a handful of *murki*." It is needless to tell our readers, that her want is often satisfied. This is not altogether bad or unexpected, as it is prepared for the purpose. But it is a matter of deep regret, that they not unoften encourage them to steal fruits. Owing to their miserable circumstances, they are unable to buy them in sufficient quantities. There is no brinjal, radish, or some other fruit in the house for condiment, mothers tell their children to steal it from the neighbouring field. Not only the children but they themselves often violate the moral principles in this respect. All sorts of fruits, which can be easily plucked, are often stolen, but in small quantities, say from one-fourth to two pounds. The ryots sometimes share in these nefarious practices. Those, who cultivate such crops, sometimes present them in small quantities to those who do not. Those who are in want of them sometimes beg from those, who cultivate them. If the mothers or their children are caught in their nefarious practices, they are almost always let off with a reproof. If a complaint is made to the Gomastah or headman, he is sure to exact fines, say from one to four rupees; if they are refused, the thief is threatened to be handed over to the Police.

We know, our legislators have long since been contemplating to levy a tobacco tax, but it seems, they little know what would be its effect upon the great body of the people, who bear the names of ryots and labourers. It is their only luxury in this world. We can positively say from our own experience, that they are much stinted in its use. If there are seven or eight ryots living very near each other, scarcely a single day will pass away in which some one will not beg a *kulki* (an earthen cup) of

tobacco from one of the others. Go to beg tobacco from the females of a house, and you are almost sure to get at first such answers as these: "We have no tobacco, our males have not smoked it for the whole day," although such is not the case. If the mistress of the house be a good woman, she will give you, otherwise she will not. The ryots seldom refuse it, if they have it in their house. In this way the ryot is much stinted in its use. But there is another circumstance, which much helps him in this respect. One of these seven or eight ryots has almost always an outer apartment, where they sit at noon and evening on a mat of very coarse material, beguile their hours in gossip, and smoke tobacco, which is supplied by him. And he does not grudge it. Indeed he considers it as one of the signs of prosperity, that his neighbours come to, and sit in, his house. When he fails to supply them tobacco, they sometimes jokingly reprove him in the following manner: "If you cannot supply ten men a *kulki* of tobacco, why have you built your outer apartment? Pull it down, and we shall not come to your house. You come to our house, we shall give you five *kulkis* of tobacco; go and prepare tobacco." He never gets angry at this, and tries his best to supply them tobacco. If he is very liberal in this respect, which he is very seldom, he puts a small quantity of tobacco in a hole cut in the wall for the purpose, that any one, who comes to his house, should get it, then all the others take advantage of his liberality, and frequently smoke there, and a few of them buy it from their own pockets. It also frequently happens, that a ryot, who has no tobacco in his house, goes to another ryot, and tells him to prepare tobacco, which he seldom refuses, if he has it in his house. In this way any one may pass a day or two without buying it. Thus we see that of all things tobacco is very frequently begged from each other, and that those who beg it are much stinted in its use. We leave it to our readers to judge what would be the effect of a tobacco tax, which some of our legislators have long since been contemplating to levy upon them. In this way some articles of consumption, such as, rice, salt, and oil are often borrowed, and

black pepper, turmeric, and capsicum, sometimes begged, of course, in very small quantities, from each other. For want of these articles in proper time, great distress is felt by all the members of the ryot's family. The rice has been boiled; but there is no oil or salt for seasoning the condiment. The poor cook is eagerly waiting for it for an hour or so. The ryot covered with perspiration comes from the field with a plough on his shoulder, keeps it in proper place and enters his wretched hut in expectation of taking a little rest. He asks for oil, that he will soon go to bathe, but where it is? It is not in his house; it is in *mudi's* shop. He tells his wife to borrow it from others. If she soon gets it, so much the better, otherwise the poor fellow must have to go to bathe unsmear'd with oil. But what is far more distressing, for want of rice his food is not prepared in proper time. Such is the case at least in from seven to fifteen days out of thirty. It is needless to tell our readers, that his food is of the coarsest kind. In this way, all the members of the ryot's family pass the year with very great difficulty, and eagerly wait for the coming harvest. Even before the rice is perfectly ripe, it is almost daily cut, brought home, threshed, and husked. The food prepared of it gives rise to bowel complaints, which are often heard at that season. But as soon as all the crops are gathered, which takes about two months, the zemindar and the Mohajaun fall upon him, and take away the utmost possible share leaving him a very small part, which barely suffices to maintain him for a month or two. Indeed many are deprived of all. We have already said, that some articles of consumption are often borrowed from each other. No one feels shame to do this. They seldom refuse to lend anything, if they have it in their house. Of course they do so, if they live very near each other. Those who take only one meal a day are much ashamed to give it out. But they never succeed to conceal it from their neighbours.

His hut is of the most primitive nature, and consists merely of bamboo, *tal* beams, and straw with mud walls. It has scarcely a window; if it has any, it is only fifteen or sixteen inches in length, and twelve or thirteen in breadth. A few houses only are

surrounded by walls. These walls, cook rooms, and *dhenkisalns* (where husking machine is planted) are often thatched with straw stubble, sugarcane, or palm leaves. For want of these things, some walls are not thatched at all, and are consigned to ruin. Some huts consist of two rooms, and some only one. Rains penetrate through the roofs of many huts. If a heavy shower of rain comes before the rainy season, it is sure to penetrate through the roofs of sixty or seventy per cent. of the huts. In the beginning of the rainy season, straw is thrust into those parts of the roofs, through which the rains penetrate. Still for want of it, many are left untouched. Metallic plates are sometimes placed on the floor just below the holes to prevent them from falling upon it. Little pools are often formed of them.

His furniture, if it may be so called, consists of a few earthen pots, metallic and stone plates, water pots, cups, mats, pillows, a *ghurrah*, and a wooden box or chest. A few sleep on *tuctoposh*, all the others on earthen floor.

Now we come to the clothing of the ryots. It is needless to tell our readers, that it is of the coarsest kind. "A somewhat long *sari* wound round the body serves as the clothing of the ryot's wife, a scantier piece of cloth (*dhuti*) extending from the waist to the knee, and often a second bit of cloth (*gamcha*) thrown on the shoulders serves for the ryot himself." But even these are not unoften wanting. Their place is supplied by rags in the most literal sense of the word. So long as they can be wound round the waist, they are not rejected. An ordinary ryot has often only one piece of cloth. He is often seen, after his bathing, to dry it in the sun, wear a *chuddler*, *gamcha*, or a piece of rag, and take his food. In the meantime, his *dhuti* is dried up. After taking his food, he changes his rag, wears his *dhuti*, and goes to work. Sometimes he is seen whole day in that ragged state. His wife too is often seen, especially after her bathing, to wear two pieces of rags. One piece serves her to wound round her waist, and the other to cover her breast and head. In that ragged state, she cooks food, and performs other household duties. When her *sari* is dried up in the sun, she

changes her rags, and wears it. She is sometimes seen to wear her husband's rags, and her husband to wear her's. Both of them are also seen to wear their children's cloths. Boys of ten or eleven years of age are often seen after their bathing to cry and very much disturb their mothers with such words as these: "What shall I wear; give me a piece of cloth." They are often obliged to take their food naked. Mothers from fear of being disturbed by their children for cloths, often tell them to go to bathe naked. The cloths are never rejected so long as they could be worn by sewing or patching. We have seen many pieces of cloths sewed from one end of the breadth to the other. The ryot often borrows cloths from his neighbours, when he goes to the house of his relatives or to some other distant place. His wife too sometimes, but not often, does the same, as she has little to do outside the circle of her wretched hut. His winter covering is a piece of cloth called *chudder*, generally three yards long and one and half broad. A few old ryots buy six yards of cloth, fold it double, and then use it. It is called *galap*. Coats are seldom used. Dirty cloths are often used. Almost all mothers send their children to the house of their relatives in a marriage or other ceremony hoping that they would present them cloths according to custom. They often murmur when their object is not gained. The ryot's wife often performs the duties of the washerman.

His bed generally consists of three mats, two of which are of very coarse material, and spread below the third, which is somewhat good, and costs him eight annas or so. When the first two which are woven by him in his leisure hours, are much torn, but not rejected, two or three bags often supply the place of the torn parts, and are carefully spread. When they are so much torn, that they could not be used as night-bed, the torn parts of them are cut off, and the rest made seats for the women and children's beds. His pillow deserves no place anywhere in this world except in his bed. It has scarcely a separate covering round it. If it has any, it is not a new piece of cloth bought for the purpose, but a piece of rag roughly wound round it. It never goes to the washerman's house. The pillow and its covering are as

dirty as possible with dust and oil. Take care not to shave it, you are sure to have a pound of dirt. It is not wanting there. His "night covering in winter" is a quilt stuffed with rags (*kantha*) composed of old cloths and rejected household rags." It has seldom a separate covering over it. A few years after it is made, torn bits hang like ropes from 2 to 12 inches long from all parts of it. It is seldom washed, for it becomes too heavy with water to be wielded with the hand, and consequently is very dirty. It is preserved with care; and lasts for a long time. It is often full of bugs. For want of old cloths to spread over it, it is kept in that abominable state. Our readers would scarcely touch it. It is seldom used in any other season.

Our readers would scarcely be able to sit here at evening, especially in the rainy season, without being very much disturbed by gnats. But many ryots have no curtain, and pass the night with very great uneasiness. Just before evening they shut up the door of their room, and scarcely enter it before they go to bed, in order to prevent the gnats from entering it. Those that have it do not wholly escape from them. There are so many holes in it, that somehow or other some of them must enter it. We have seen many curtains, which contain so large holes, that they are beyond the reach of sewing or patching. Still they are used—they are hung with separate pieces of cloths carefully spread upon them. When a curtain becomes useless, eight or ten months, nay a year or two, must pass away before an ordinary ryot could buy a new one. Some of those, who have no curtain, sleep with those who have it. It is often full of bugs.

Just at evening the ryot's wife lights a lamp and takes it once to every door. As soon as she reaches there, she makes a careless bow, and shuts it. As soon as the ceremony is performed, she extinguishes it, and lights it again at the time of supper. Rice is boiled in the dark. The condiment prepared at noon is eaten at night. For want of oil, many take their supper in the dark. In order to save it, many take their supper in the moonlight, and spread their beds before the evening or in the dark. Jute-sticks and the sugarcane after the juice has been pressed are

sometimes lighted to supply the place of a lamp.

The ryots or rather their wives, sisters, and daughters, often exchange rice for salt and oil, and parched rice, vegetables, tamarind, brinjal, &c., for fish. The ryots also often catch it.

Some are so poor, that they are obliged to pick out cow-dung from the field, and to dry it in the sun for selling it in rainy season. This is generally done by poor widows. A few ryots have been obliged by their poor circumstances to send their boys of seven or eight years of age to Calcutta, to serve in the menial capacity of *khanshamahs* for food and one rupee per mensem.

Notwithstanding the wretched condition of the ryots, they never refuse a handful of rice to the beggars, if they have it in their house. They think it as one of their religious duties. Seven or eight beggars daily beg from door to door for a handful of rice. Too many of them are able-bodied men and women. Boys of eight or nine years of age are also seen to beg.

Agricultural labourers realize their wages with great difficulty. Weeks, months, and sometimes years, pass away before they could get the price of their labour. Sometimes quarrels break out in consequence of delay in its realization.

The marriage, as it is now celebrated, is one of the sure indications of the ryot's poverty and wretchedness. It generally costs him from thirty to seventy rupees in all. Seven out of eight marriages are celebrated without any ceremony except the uttering of *montras* at the very time of marriage. Here it ought to be stated, that the marriage expenses are often defrayed by the father of the bridegroom. To avoid these expenses as well as the censure of his relatives for not inviting them, he takes recourse to ingenious tricks. The mother of the bride generally demands ornaments for her daughter to the value of from seventy-five to hundred rupees. But it is almost impossible for a victim of the Permanent Settlement to meet her demands. He deceives her in this way: he at first consents to give his future daughter-in-law most of the ornaments demanded by her mother. He makes two or three silver ornaments, borrows all

the rest from his nearest relatives and neighbours, and adorns her for the time being. After the marriage is celebrated, he divests her of all those that he can. He is then often told to keep his promise. Of course he promises to make ornaments one by one. He makes one or two more, if his circumstances allow him to do so, otherwise he never keeps his promise; indeed he is often obliged to pawn them too after a few years. Some mothers are so fond of ornaments for their daughters, that for want of them, they sometimes shut them up at the time of marriage in their rooms, and never consent to bring them out, notwithstanding the reproaches and persuasions of their husbands and others. They ascertain the prosperity or adversity of their future sons-in-law by the ornaments offered to their daughters. Bridegrooms are thus sometimes forced on that very night to look somewhere else for their brides. They seldom return home without them. The fathers of the brides are also equally unhappy: they are obliged to wander here and there in search of bridegrooms, and often succeed in a day or two in dragging home some young men to marry their daughters. Some ryots settle everything in private, and send their sons or daughters on the day of marriage to the house of their relatives to get married there. When they are censured by their neighbours or relatives, they declare themselves to be quite ignorant of everything. Some send their sons often on palanquin and sometimes on foot with only family-priest, barber, and two or three other persons. However after the day of marriage, some invite their neighbours to a mid-day meal. For want of ornaments quarrels sometimes break out not only between the parents of the bridegrooms and the brides, but also often between husbands and wives. Some are even obliged to pawn their daughters' ornaments in order to keep their body and soul together. The money expended in marriage is very often borrowed from the Mohajann. Other ceremonies are celebrated with as little expense as possible. A few only go beyond their means.

We now take the permission of our readers to trouble them for a while with some of the minute details of the condition of

low castemen, such as, Harces, Cowrahs, Domes, &c., who have no lands to cultivate. They are often employed by the ryots in their field-work. Their principal occupation is to make baskets and sell them in the market. Their monthly income seldom exceeds 4 rupees, with which they support themselves, their wives, and children. Many of them take only one meal a day. Snails, crabs, and vegetables, which cost them nothing, form a part of their food. Take a walk in their quarter, and you are sure to find heaps of coverings of snails, whose karnels have been taken out to satisfy their hunger. There is a marriage or other ceremony in the family of a ryot, who has invited his neighbours to a mid-day meal, you are **sure** to find numbers of their women to block the doors of his house, and almost to fight with each other in order to have the lion's share of the remaining part of the food. A bridegroom comes to marry his bride, and they are sure to surround him for alms. We have seen scores and hundreds of them sit in the open air with children on their breasts for hours together in expectation of a single pice. If you are in a position to exercise some influence on the mind of the bridegroom, you are sure to be besought by them to speak a few words on their behalf, whenever you happen to pass by them. If there be no enclosed space near them, they are ordered to sit in rows, that there should be no confusion at the time of distributing the alms; and they are carefully guarded at each end, lest some of them change their seats and receive it twice. Where there is an enclosure, they are ordered to enter it, and it is filled up within a few minutes. One man gives each of them one pice, and passes her out. Some after receiving the alms try to turn back and to receive it twice. They make so horrible a noise, that scarcely a word could be heard. We leave it to our readers to judge of their wants, which force them to have recourse to the means, which we have described above.

We now come to the clothing of these low castemen. They are ragged in the most literal sense of the word. We have seen some of them wear only a *coupeen* (a piece of rag) prior to cover the privities. Boys of ten or eleven years

generally go about naked. Any one who has a spark of humanity in him cannot but be deeply affected with their winter coverings. Many of them have neither *chudder* or *kantha*. A piece of rag, which scarcely covers half the body, serves for the former, and a torn mat of the most coarse material for the latter. We have seen, when the sun rises somewhat high in the sky, the children come out of the room and bask themselves in the sunshine with their hands laid on their breasts. Their hut is of the most primitive nature. It consists of one room, and is built with bamboos and mud walls thatched with straw, stubble, or palm leaves. It serves them for their sleeping, sitting, and cooking room. Almost all the Chowkedars, Lattials, and Zemiudari Pykes, are recruited from these castes.

Need we tell our readers, that these three villages are the archetype of all the villages of Bengal, nay of India too.

The Opinions of Eminent Persons on Permanent Settlement.

“In a letter addressed in 1817 to the Chairman and Deputy Chairman of the East India Company by Mr. Canning, then President of the Board of Commissioners, the following four results are stated as points upon which an agreement had been established between the Court and the Board after long correspondence and discussion :—

1st.—That the system of 1793, though originating in the most enlightened views and the most benevolent motives, and though having produced considerable good, has nevertheless been attended in the course of its operations with no small portion of evil to the people for the happiness it was intended.

2nd.—That the views and motives, which dictated the original introduction of the Permanent Settlement twenty-five years ago, would not, from the experience which has been had of it, justify the immediate introduction of the same system into provinces, for which a system of revenue administration has yet to be settled.

3rd.—That the creation of an artificial class of intermediate proprietors between the Government and the cultivators of the

soil, where a class of an intermediate proprietors does not exist in the native institutions of the country, would be highly inexpedient.

4th.—That no conclusive step ought to be taken towards a final settlement of the yet unsettled provinces, until it shall have been examined, and, if possible, ascertained by diligent research and comparison of collected testimonies as well as by accurate survey of the lands to be settled, how far the principles of a system, which would bring the Government into immediate contact with the great body of the people, can be practically and usefully applied to them.’” *Thornton’s History of India*, vol. II., p. 527.

“The Permanent Settlement has, to our painful knowledge, subjected almost the whole of the Lower Provinces to the most grievous oppression, an oppression too so guaranteed by our pledge, that we are unable to relieve the sufferers.” *Minute by Lord Hastings, dated the 31st December 1819.*

In 1832 His Lordship again wrote: “Among the questions connected with the operation of our system of revenue on the body of the people, there is a point, which has been so strongly and so frequently forced upon me, that I cannot refrain from laying my sentiments upon the subject before your honorable Board. The situation of the village proprietors in large estates, in farms and jaghires, is such, as to call loudly for the support of some legislative provision. This is a question, which has not merely reference to the Upper Provinces: for within the circle of the Perpetual Settlement, the situation of the unfortunate class is yet more desperate; and though their cries for redress may have been stifled in many districts by their perceiving that uniform indisposition to attempt relieving them, which results from the difficulty of operation, their sufferings have not, on that account, been less acute.” After adverting to numerous instances, His Lordship proceeds: “The cause of this is to be traced to the incorrectness of the principle assumed at the time of the Perpetual Settlement, when those with whom Government entered into engagements were declared the sole proprietors of the soil.

...This indefeasible right of the cultivating proprietors to a fixed share was annihilated by our directing that *pattahs* (leases) should be executed for a money payment, in which all the claims of the zemindars should be consolidated. The under-proprietor was thus left to the mercy of the zemindar, to whose demands there were no prescribed limits. The zemindar offered a *pottah* on his own terms. If the under-proprietor refused it, he was ejected, and the Courts supported the ejection...When at last the revenue of Government was affected by the confusion, which ensued, without inquiring into the root of the evil, the legislature contented itself with arming those, who were under engagements with the Government, with additional powers, so as to enable them to realize their demands in the first instance whether right or wrong, a procedure which unavoidably led to extreme and grievous oppression...If it were the intention of our regulations to deprive every class but the large proprietors, who engaged with Government, of any share in the profits of the land, that effect has been fully accomplished in Bengal. No compensation can now be made for the injustice done to those, who used to enjoy a share of these profits under the law of the empire and under institutions anterior to all record, for the transfer of their property to the Rajahs." Quoted in *Thornton's History of India*, vol. II., p. 528.

Colonel Galloway writing upon this subject says:—"I have already given Lord Cornwallis credit for his benevolent intentions, yet it must be admitted, there appears throughout the whole of His Lordship's measures a precipitancy and a want of regard for ancient rights not easy to be accounted for.....The measures adopted at that period have more the appearance of those of a good and well-meaning person accidentally placed at the head of a new nation passing his first acts of legislation, than of one charged with the Government of a people, the very slaves of method, of rule of habit, and of their institutions, whose very foibles, even absurdities, deserved consideration, because to them they are neither foibles nor absurdities, but matters of importance. How then it so happened that their most sacred, most valuable

rights should have been thus held as nothing, is, indeed, difficult to conceive." *Ibid.*, p. 529.

Sir Charles Metcalf, in a Minute dated 7th November 1817, makes the following remarks:—"The Bengal Permanent Settlement was in fact the transfer of the land-owners from the power of the Government to the power of perpetual farmers, who having no right in the soil themselves, or whatever right they may have had, if they had any, have been practically enabled by that settlement against its professed design to destroy or impair the rights of all land-owners and land-holders included within the large districts consigned to those farmers respectively.....If I am not mistaken, when the Permanent Settlement of Bengal took place, it was formed on the basis of our receiving nine or ten parts of what I should call, according to Indian notions, the Government share of the produce, and what others may perhaps call the rents, leaving the tenth or eleventh part to the person whom we choose to dub proprietor. I hope that in maintaining that a share in the produce is the acknowledged right of Government, and that the assertion of this right is the proper basis of every settlement, I shall not be misunderstood to argue in favour of heavy assessments; although I am not an advocate for a wanton abandonment of revenue, still less for throwing it away on those who have no pretensions to it; no one can be more sensible than I am of the folly and ruinous consequences to the Government as well as to the people of over-assessment. It is only by light assessments, that the people can be advanced in prosperity, and the revenue of Government increased; but in adhering to the same basis of settlement, that exists throughout India, which is alike the basis of the Madras ryotwar settlement, and of the Bengal Permanent Settlement, there is nothing to prevent the utmost liberality that can safely be afforded. The Government may relinquish any portion of its right, and grant that portion to any class or individuals; it may, if it chooses, create a new class for the purpose of receiving this rejected portion of revenue. I cannot perceive the utility of such a proceeding, but if it is thought desirable, there is nothing to prevent it in assuming the acknowledged right of

Government, as the basis of a settlement. Government, however, can only sacrifice its own rights; it has no right to sacrifice those of others. It may give up any portion of its own revenue, but it cannot justly create proprietors of the property of others. This nevertheless was done in the Permanent Settlement of Bengal, in which we not only sacrificed the prospective rights of Government for ever, but by declaring those to be proprietors, who were not proprietors, we in effect destroyed the rights of all the proprietors and cultivators, or the pretended proprietors, although such an effect does not appear to have been designed."

"It is certain that the Permanent Settlement of Lord Cornwallis was concluded under the influence of an extraordinary degree of ignorance. Little was known of the tenure by which the lands were held; little of the various rights connected with them; little of their value or their capability of improvement. The effects were in many cases such as might have been reasonably expected, though widely different from those which Lord Cornwallis contemplated. A vast amount of inconvenience and suffering is directly traceable to the system, with which the important measure of a permanent settlement was carried out. The rights of hereditary cultivators were sacrificed. From the default of the zemindars, from their incompetency, and from other causes, the office often became vested in the hands of persons, whose character or position in society commanded no respect, and who used it only as an instrument of oppression. The results in consequence of these circumstances, and of the privations and penalties, which follow in the train of litigation, were frightfully multiplied." *Thornton's History of India*, vol. II., p. 526.

Sir E. Colebrooke says:—"The errors of the (Permanent) Settlement are two-fold; first in the sacrifice of what might be denominated the yeomanry by merging all tillage rights, whether of property or of occupancy, in the all-devouring recognition of the zemindar's permanent property in the soil; and then leaving the zemindar to make his settlement with the peasantry as he might choose to require." Quoted in *Babu Romesh Chunder Dutt's Bengal Peasantry*.

“The Permanent Settlement was concluded without previous knowledge of the resources of the country and due ascertainment of the rights of the different classes of land-owners and cultivators. The zemindars were the hereditary collectors and farmers of revenue, and not the proprietors of land... This conversion of tax-gatherers into proprietors was fatal to the rights of the real proprietary body, who existed in Bengal under the names of village zemindars, cultivating zemindars, village proprietors, &c. The letters of an anonymous combatant (under the name of Agricola) dwelt on the errors and disadvantages of the Permanent Settlement. Although there are many sensible observations in these letters, as to zemindars being declared ‘proprietors of soil’—as to this measure proving ‘an almost insurmountable obstacle to secure the ryots from oppressions and its aggrandising a few at the expense of hundreds of thousands’—interfering with the rise of ‘a numerous class of yeomanry,’ and ‘blasting the prospect of exciting emulation and industry’—yet they (Members of a Committee appointed by Lord Hastings) seem to support the doctrine, that the proprietary right of the land exists in the sovereign... The Permanent Settlement, introduced no doubt from benevolent motives, was productive of serious evils. The basis on which it was formed was radically defective... That the assessment of half the gross produce as Government claim, was productive of injury to the ryot, needs no demonstration. It has been statistically shewn by Mr. Colebrooke in his ‘*Remarks on the Husbandry of Bengal*,’ that cultivators at half the produce are worse off than a labourer in the same field at two annas per diem. Lord Brougham in speaking of the Permanent Settlement says, that ‘it gave 18 shillings out of every 20s. to the Government by way of rent!’ Sir Thomas Munro observes that ‘if more than one-third is demanded as Government rent, there can be no private landed property.’... The Court of Directors seeing the effects which it (Permanent Settlement) had produced, could not but ‘lament that the objects of the Permanent Settlement, in so far as regards the security and happiness of the most numerous and industrious class of the community, have hitherto been so

imperfectly attained, that instead of maintaining their rights, we have not ascertained what they are.' The Finance Committee in their report dated 12th July 1830 say:—' In the permanently settled districts in Bengal, nothing is settled, and little is known but the Government assessment.' The Select Committee, after a patient and searching examination of the great mass of evidence taken on the subject, reported in 1832, that 'it (Permanent Settlement) does not appear to have answered the purposes for which it was benevolently intended by its author Lord Cornwallis 1792-93.' In the celebrated fifth report it is stated, that 'the Permanent Settlement has produced more distress and beggary and a greater change in the lauded property of Bengal than has perhaps happened in the same space of time in any age or country by the mere effect of internal regulations,' " *The Calcutta Review*, Vol. VI., Art. *The Zemindar and the Ryot*.

"Some observations of Sir Thomas Munro, in a minute recorded on the consultation of the Government of Madras 31st November 1824, are on this subject entirely to the point. He says:—' We are now masters of a vast territory, and we should endeavour to secure and improve it by a judicious administration. Our experience is too short to judge what rules are best, calculated for the purpose. It is only within the last 30 years that we have begun to acquire any practical knowledge; a longer period must probably elapse before we can ascertain what is best. Such a period is as nothing in the existence of a people; but we treat it as if this were as limited as the life of an individual. We proceed in a course of which we know little or nothing, as if we knew everything, and as if everything must be done now, and nothing could be done hereafter. We feel our ignorance of Indian revenue, and the difficulties which flow from it; and instead of seeking to remedy it by acquiring more knowledge, we endeavour to conquer it by the difficulties, precipitately making a permanent settlement, which relieves the Government of some part of the burden of minute and accurate investigation, which are better adapted to perpetuate our ignorance, and to oppress the people. We must not be led away by fanciful theories founded on

European models, which will inevitably end in disappointment. We must not too hastily declare any rights permanent, lest we give to one class what belongs to another. We must proceed patiently, and, as our knowledge of the manners and customs of the people and the nature and the resources of the country increases, frame gradual changes from the existing institutions such a system, as may advance the prosperity of the country and be satisfactory to all parties. The knowledge most necessary for the end is a correct knowledge of property and its assessment; for the want of this knowledge has been the cause of the public revenue, but it has not been the cause of the want of the comfort and abundance of the people. In this country, during the last century, there was much precipitation in the measures taken to be accomplished, and indeed without any other than good intentions were the system of Government in a country, which was so imperfect, to be compared with the system of Government in a country, which is so permanent; to the Government of this country, and, in our opinion, it is not within our reach. The Government of this country has been the cause of the want of the comfort and abundance of the people, though many of the measures, which have been taken, must appear to be the result of mere caprice. We have, as Englishmen, as possible in a country, which has nothing, attempted to create at once in the provinces a kind of landed property, which we have not in them; and, in the pursuit of this object, we have relinquished the rights, which the sovereign always possessed in the soil, and we have in many cases deprived the real owners, the occupant ryots, of their proprietary rights, and bestowed them on zemindars and other imaginary landlords. Changes like these can never effect a permanent settlement in any country; they are rather calculated to unsettle whatever was deemed perma-

ment.' " *Thornton's* *Principles of Political Economy*, vol. II, p. 536.

Right Hon'ble *Mr. Peel* says:—"The Perpetual Settlement must be held to have been a very improvident proceeding. Government has abandoned a large income without any sufficient forecast of the probable effects on the national wealth; and though the result may have hitherto been advantageous, and it is by no means clear that the consequences ordinarily anticipated from the permanent sub-division of property will follow, it is not the less certain that the measure was adopted on very inadequate grounds, and carried into effect with very imperfect information. It must also be admitted that we have hitherto failed to secure for the landowners of India that precision and certainty as to the other circumstances of the property, which the Permanent Settlement has given in relation to the Government demand. And since the uncertainty attending it must necessarily operate to diminish the value, to impede its free transfer, and to hinder agricultural improvement in a matter of no small discredit, it is probable that there have been certain measures, where an exact assessment had been made, the most salutary effects would have been rendered them by the proprietors.

But this remark in relation to the Permanent Settlement is necessarily connected with the realization of revenue; a full measurement and register might be equally desirable with a view to the prosperity of the people and the national wealth, although the land were wholly held rent-free. The grand objection to the Permanent Settlement is, that it has, in a multitude of cases, left the owners of the land subject to demands on account of Government revenue even less settled and defined than if we still retained the right of varying the assessment; and scarcely any one, I imagine, can doubt that the effect must have been very prejudicial to the interests of the community, and must have impeded the progress of national wealth. Whatever may be thought of the probable consequences of having the landed property of a country divided among a multitude of petty proprietors (and I do not think we have experience enough to justify any dogma on the subject), it is certain, that the existence of large zemindaries

in Bengal has had no tendency to make farms large. And if in Ireland we find that beggarly farms and a wretched people may be conjoined with domains of princely magnitude, still more may we look for poverty and distress under the zemindari system of India, so long at least as the people retain the remembrance of their rights, and cling to the fields though rendered worthless by exactions. The injustice of the thing and the mischief to the individuals thus placed in subjection to the Government assignee, are enough for condemnation. But I must further apprehend that the system must oppose a serious obstacle to the successful cultivation of new and better crops. The zemindar, who is neither agriculturist nor owner of the soil, and stands in a position little favourable to the growth of enlightened and liberal ideas, must be expected to act as a tax-gatherer, and as a short-sighted tax-gatherer, nipping in the bud the seeds of improvement; and we cannot hope that new or increased demand for the produce of the country can be met with that promptitude, which might be expected if the occupants were secured in their property, so long as the contractors for the Government revenue were on the watch for every new occasion of exaction; and the defectiveness of our revenue arrangements and the ignorance or inefficiency of our Courts permit them unjustly and arbitrarily to tax the industry of the country." *Papers laid before the Select Committee of the House of Commons*, p. 431.

Captain Duff says:—"With my limited experience, it may be great presumption to enter upon the respective merits of these endless subjects of dispute, the village settlement and the ryotwar. As to the zemindari system of Bengal, I believe most persons acquainted with its history and effects, condemn it as precipitate. A few exceptions to a general evil is no argument in favour of a system, which was founded on mis-apprehension of the real position of zemindars, and in ignorance of that of the occupiers of the soil." *Ibid.*, p. 470.

The Court of Directors in their Revenue Letter dated 15th January 1819, observe:—

"In the consideration of this subject, it is impossible for us

not to remark that consequences the most injurious to the rights and interests of individuals have arisen from describing those with whom the Permanent Settlement was concluded, as the actual proprietors of the land. This mistake (for such it is now admitted to have been) and the habit, which has grown out of it, of considering the payments of the ryots as rent instead of revenue have produced all the evils, that might be expected to flow from them. They have introduced such confusion into the whole subject of landed tenures, and have given a specious colour to the pretensions of the zemindars, in acting towards persons of the higher classes, as if they, zemindars, really were, in the ordinary sense of the words, the proprietors of the land, and as if the ryots had no permanent interest but what they derived from them. *Appendix to Report from the Select Committee, Revenue, 1832*, p. 136.

“The Board of Commissioners, in another passage of their letter, with an express reference to these village zemindars, state that ‘the mistake of making the Permanent Settlement with Rajas, as the proprietors of the whole of the lands composing their rajes were called, has chiefly affected an intermediate class, the village zemindars, to whom no compensation can now be made for the injustice done to them by the transfer of their property to the Rajas. Indeed the whole of this valuable class of landholders may be considered to be extinct in the Lower Provinces, with the exception of a few fortunate individuals, who have preserved their estates under the names of independent and dependent talukdars by the precaution of their ancestors in providing themselves with written acknowledgments of the general zemindar, who, in consequence of the interpretation put on that title, was considered by the terms of the Perpetual Settlement as the universal proprietor of the soil, and the fountain from which alone any other person could derive a property.’ These village zemindars were no other than those ryots of the villages, who are distinctly described by the Board of Commissioners in their official correspondence and by Lord Hastings in his minute, as the real proprietors of the land in their respective occupations.” *Ibid.*, p. 137.

“It is very proper” says the legislator Mr. Thakeray in his paper of the 4th August 1807, “that in England a good share of the produce of the earth should be appropriated to the support of certain families in affluence, to produce senators, sages, and heroes, for the service and defence of the State; or, in other words, that great part of the rent should go to an opulent nobility and gentry, who are to serve their country in Parliament, in the army and navy, in the department of science, and in the liberal professions. The leisure, independence, and high ideas, which the enjoyment of this rent affords, have enabled them to raise Britain to the pinnacle of glory. — May they enjoy it! But in India, that haughty spirit of affluence, and deep thought, which the possession of it sometimes gives, ought to be suppressed. They are directly opposite to our power and interest. The nature of things, and the experience of all governments, render it unnecessary to discuss this subject. We do not want generals, statesmen, legislators; we want industrious husbandmen. Again it is our duty to consider the happiness of the mild, industrious race, which Providence has placed under the British Government before revenue or any other objects. The domestic happiness, independence, and leisure of a country life, which the distribution of land in the ryotwara system alone can confer on the multitude, make this (ryotwara) system superior to any system. It may be considered an experiment; however, I think that Government can and ought to extend this happy system to these provinces.” Quoted in the *Principles and Policy of British India*, p. 21.

“It has been said,” remarks Sir Thomas Munro, “that there can be no proper subordination without just gradations of rank in society; and that zemindars are required in Indian society to accomplish this desirable end. But this opinion is completely contradicted by experience; for there is not a people upon earth, among whom there is greater subordination than among the Hindoos, who never saw proprietary zemindars until they were created by the Company’s Government.” *Ibid.*, p. 60.

Sir Thomas Munro, in his Minute dated the 31st December 1824, says:—

“ If we create zemindars and turn over to each of them some hundreds of ryots, we should commit a great injustice, because we should enable the zemindars in time to degrade the ryots from the rank of tenants-in-chief to that of tenants-at-will, and often to that of mere cultivators or labourers.”

“ So far from the Permanent Settlement being the work of the Company's officers, it is well known, that it originated with certain members of the administration in England: the Code prescribing the course of fiscal management to be adopted, was drafted in England, and was brought out by Lord Cornwallis in Bengal. By the provisions of this Code, the rights, privileges, and interests of the whole agricultural community of the Bengal Provinces were annihilated, while the Company's Judicial Officers, who were all sworn to decide according to its dictates, were compelled to apply the whole force and power of the Courts of Law in aid of the work.” *Preface to A Memoir on the Land Tenure and Principles of Taxation.*

“ The investiture of privileges, which the zemindars had not originally possessed, which further inquiry would have proved that the Government had not a legal right to bestow, coupled with the confusion necessarily resulting from the abolition of all previously recognised interests and customs by the introduction of a Code professedly based upon the principles of the feudal system and of the common law of England for the Government of a people to whom the anomalies of the one and the monstrous absurdities of the other had been hitherto unknown, generated all the evils, which, in the present day, embarrass the revenue authorities in the permanently assessed provinces.” *Ibid.*, p. 91.

“ It is contended, with reference to the circumstances under which the British nation, through the Honourable East India Company, acquired dominion in Bengal, as also to the provisions of the several Acts of Parliament for the Government of the country in force, previous to 1793, that those, under whose directions the injunctions on which the Code is based were drawn up in Europe long previous to their application in Bengal, and who, by pledging themselves to pass them when returned for that purpose to

Europe, had bound those who were to enforce them in India to carry them into effect, possessed no authority under any known law or prescriptive right to reduce, by a single stroke of the pen, the agricultural community of a whole nation from the state of allodial proprietors to that of serfs and tenants-at-will.

It is further contended, that if the two Honourable Houses of the British Parliament had been made aware of the actual state of proprietary right, the interests of the real owners of the soil would have been effectually protected against the introduction of a system, which is in opposition to all previously subsisting institutions and customs of the country; especially had it been known, as it now is, that it originated (see *An Enquiry into the Nature of Zemindari Tenures* by J. Grant) in the almost unsupported opinion of an individual member of the executive revenue administration of the day, against the deliberate determination of all his colleagues confirmed by an implied unanimous decision of the superior preceding Government, who in 1786 (Proceedings of the President and Council, 19th July, 1786) expressly with a view to a general reform in the revenue management, had established the office of Chief Sheristadar for the enforcement of the true, practical financial system of the country, under the authority and in the spirit of the Act of Parliament passed in the year 1784. Had that office been allowed to work, the objects contemplated in its institution must have been attained; so admirably were the arrangements calculated for the acquisition of them, that it is not too much to say, that by its operations the condition of the peasants would have been improved, and many sources of public income fraudulently withheld would have been restored without interfering, in the slightest degree, with the rights and interests of any individual of the agricultural community." *Ibid.*, p. 126.

"To escape from the trouble of enquiry, and to avoid the determination of rights absolutely lost, we granted to the zemindars the exclusive privilege of what? Not of collecting according to any fixed principle, but according to that usage, which had brought the country to the brink of ruin. We confirmed

to them the right of the usual extraordinary system, and compelled the cultivator by law to submit to it. As a simple example of this truth, let us suppose that a cultivator had paid, during ten or fifteen years, one year with another, at an average of hundred rupees; that calamities, such as, loss of cattle, loss of children or relations who formerly aided him, were followed by low price of corn, as it is clear the first grade to inability to pay had already come upon him. The zemindar, however, insists on his making good his payments of one hundred rupees! The cultivator borrows for one or two years money to do so, rather than be expelled from his lands, or than go into a Court of Justice. At length unable to hold out any longer, he refuses to take the zemindar's agreement; and the latter, in his proprietary capacity, ejects the occupant. The latter now appeals to the Court; he states, with truth, that he and his ancestors have occupied the same land for ages; that he is no longer able to pay annually what may be the amount of an average of years, but he demands the right of occupancy, the right to mortgage, to sell, or to let his lands himself; and I contend, those occupants whom we have seen denominated Malicks, Asbrafs, Baugdars, Meerasdars, or under whatsoever name we find them in all parts of India, have these rights. In this view of the case, I would appeal to the whole judicial service of Bengal to know whether or not the sentence of the Court would not be passed in favour of the zemindar against the ryot. It could not be otherwise: for the regulations require that the zemindar should be recognised, not as a farmer of revenue, but as a proprietor of land." *Briggs' Land Tax in India*, p.p. 357-58.

"In the bold project (Permanent Settlement) he (Lord Cornwallis) did not anticipate the injury he might be doing to others. His mind dwelt chiefly on the oppressions the zemindars had in some instances suffered by the sale of their private landed estates inherited perhaps from a long line of ancestors; and his plan now proposed to render them also masters of the districts they managed. In this he perceived that the cultivators would be virtually placed at their mercy; but he thought

that laws might be framed to protect them in their just rights, which he deemed to be little else than those of cultivating serfs attached to certain estates, with the privilege of enjoying just sufficient to enable them to live in health." *Ibid.*, p. 181.

"The principal zemindar was supposed to pay to the Government nearly as much as the country could yield; in order to enhance the value of his bargain, he underlet to several other contractors at an advance. Each of these again underlet, and so on till the smaller renters had to realize sometimes fifty or cent. per cent. of what the cultivators were supposed to pay. But the rates were not fixed by law, and custom had long sanctioned the exaction of the whatever the strong could extort from the weak. ...Such a description of the insecurity of the country and of crime is exhibited in the judicial reports up to the year 1810 (seventeen years after its introduction) as is scarcely to be found in the annals of any civilized country in a period of profound domestic peace. If we view the plan of Lord Cornwallis in the abstract, as a scheme for protecting the actual property that existed in his time, and for amending the condition of the whole people, we may, with safety, pronounce it to have entirely failed. The Permanent Settlement is truly pronounced by a powerful writer of the present day to be 'a proceeding, the apology for which may be good intention, but which could have been conceived only by political presumption, and executed by absolute power.'" *Ibid.*, p. 189.

"The Hindoo local institutions suffered a violent shock in the introduction of the Permanent Settlement of 1793....A decree which transferred them (ryots) formally from the protection of Government to the hands of those whom they looked up to as guardians, seemed not an unnatural transition from voluntary submission to permanent serfage." *Ibid.*, p. 217.

"It is really wonderful, that the Bengal Government should still have persisted in describing as proprietors the zemindars, who received only one-tenth of the collections." *Ibid.*, p. 172.

"The following observations on this subject by one (Mr. Thackeray) of the most acute Revenue Officers of Madras, appear

to be in point:—‘The laws and customs, which keep great estates together, originated in pride and fear. They were only suited to and admitted into countries, where the sovereign power was weak. The great improvements in the Police as well as agriculture of Europe have chiefly arisen from the breaking up of those overgrown estates. It may be said, that great estates never existed in India: but the same kind of policy which kept them united so long in Europe, produced Poligars, Rajahs, and Zemindars. Force, official convenience, and defence, under weak Governments, seem to have produced these monsters in civil society; but as they were all Officers of Government, pensioners, or petty princes, they seem neither to have claimed nor exercised the rights of property in the soil, nor did they interfere further than to receive the Sircar rents from the ryots: they affected, and still affect, the style of princes. Where such people existed, it was proper to keep them quiet, and convert a dangerous chieftain, if possible, into a country gentleman of large estate; but it was in itself inconsistent with prospects of agricultural improvement. It might be State policy, but it was not immediately adapted to increase the produce of land or the general opulence. To make a petty prince, a great Military or Police Officer, the landlord of an immense tract of country including towns, and rivers, and forests, and mountains, and roads, might have been prudent, just as war, as expense, as sacrifice of territory, are sometimes prudent: but it could never effect the improvement of agriculture, or increase the general prosperity, except indirectly, by securing the State from the opposition, and even rebellion, which those chieftains might have excited. It, indeed, produced advantage to the country by limiting the demand: but demand may be limited without creating great landlords, or rather great farmers of revenue. To convert an hereditary office, a jurisdiction, or military district (an office which, at most, could be considered a kind of incorporeal property), into a parcel of land, into absolute partible property in the soil, appears to be doing what the policy of Europe had been labouring for ages to undo.’” *Ibid.*, p. 368-70.

“The evil of other systems (than the ryotwar) is, that it removes the ryot from all communications with the Government agent.” *John Sullivan, Esq. Answer to Question 26. Minutes of Evidence taken before the Select Committee of the House of Commons, 1832.*

“It has always been found by experience, that the departure from the ryotwar settlement has invariably been attended with pernicious consequences to the revenue.” *Ibid. Ibid. 104. Ibid.*

“I believe all the functionaries of the Bengal Government are of opinion, that the grossest injustice has unintentionally been done to the cultivators by the Permanent Settlement.” *David Hill, Esq. Ibid. 1233. Ibid.*

“The zemindari system was always extremely unpopular.” *Ibid. Ibid. 1276. Ibid.*

“It (Permanent Settlement) led to the greatest possible inequality, and left everything in a state of utter darkness and confusion.” *Holt M'kenzie. Ibid. 2581. Ibid.*

“Infinite mischief. Greater injustice, indeed, no Government ever inflicted upon a country.” *Ibid. Ibid. 2591. Ibid.*

“The effect of the (revenue) system I have thus alluded to, is, in every part of India, universal poverty and ignorance, as regards the great mass of the people. It has been observed by all of our ablest public servants; it is a manifest consequence of our revenue systems, and most observable where those systems (zemindari systems) prevail. The case is different in some of the great commercial towns or capitals, such as, Calcutta, Madras, and Bombay, where commercial enterprise is, generally speaking, much more lightly taxed.” *R. Rickards, Esq. Ibid 3961. Minutes of evidence taken before the Select Committee of the House of Lords, 1830.*

“The cause of the failure (of the Permanent Settlement) is to be found in the following lines:—‘Extravagance and recklessness in the owners as well as preceptoriness in the enforcement of the demands of the State, incredible mismanagement, stupendous frauds on the part of the subordinates, unparalled litigation on the one hand, or mere neglect of rights and responsibilities,

on the other, sundered and split up the immense tracts of country for the revenue of which a few had been liable, into hundreds of smaller and more convenient estates." *The Calcutta Review*, vol. XXX., p. 9.

"The Permanent Settlement of Bengal stands as a beacon to all future generations to warn Europeans from regulating Indian affairs after merely English standard. Lord Cornwallis, its founder, a novice to India, had in his head the English beau-ideal of forming a body of men corresponding to English landed gentry—he therefore made the zemindari system. Hear what the Missionaries in their petition to Parliament in 1853, say of it:—

'The experience of sixty years proves that the zemindari system tends to demoralize and pauperise the peasantry, and to reduce the fair and fertile land of Bengal to a condition similar to that under which Ireland suffered so grievously and so long.'

Mr. Halliday, Lieutenant-Governor of Bengal, writes similarly:—'Throughout the length and breadth of the country, the strong prey almost universally upon the weak, and power is but too commonly valued only as it is turned into money.'

Mr. Raikes of N. W. Provinces, one well acquainted with landed tenures, in his work on that subject, thus describes it:—'The philosophy of the Permanent Settlement was that of the old schoolmen, a dogma was taken up, and matters were driven into an agreement with it. The projectors forbade and eschewed local enquiries of a close and searching nature. They forgot the ground on which they stood to look for analogies which had no existence. Full of theoretical justice, they did solid wrong; full of real benevolence, they spread ruin and desolation around. The mass of the agricultural communities were given over, tied hand and foot, to soi-distant zemindars, who had no real and permanent rights, and no bowels for the people.'" *Ibid.* vol. XXX., p. 3.

"Such a loss of revenue' remarks Miss Martineau commenting on the Permanent Settlement, 'was never suffered by any Government; and this sacrifice was made, she observes 'without any

beneficial effect on the public interest as far as it is perceptible common observation.’” *Ibid.*, vol. XXXVIII., p. 127.

“In a country like this where commercial enterprise is miserable, the fate of the land determines the fate of society. In India the question affecting land affects the well-being of native society; it regulates the happiness of millions; it controls their criminal statistics, and can arm or disarm the energy of the class to whose labour society is so greatly indebted. Whether for good or for evil, the treatment of the land question in India has marked epochs in her social history, which cannot escape the notice of even a casual observer. The solution of this difficulty cannot any longer be deferred without also deferring the progress of a people painfully backward in enterprise. Land has of late acquired a value, which renders it a matter of the last importance, that it should no longer be allowed to deteriorate under influence of imperfect legislation. ‘Who is not weary and sad,’ asks Miss Martineau, ‘at the mere mention of land tenures in India?’ Whatever may be the nature of the feeling roused by the ‘mere mention’ of the subject, we cannot deny that the evil which so thoroughly pervades it has grown to such dimensions as to leave us no other option but a speedy and practical treatment of the disease.” *Ibid.*, p. 110.

“Loaded on the one hand, as we are, with a splendid blunder (Permanent Settlement) which narrow expediency rejects, but honor compels us to uphold; and plunged at the same time into recurring deficit with an increasing expenditure; we have been driven, almost in despair, to seek a remedy in every plausible artifice, that skill or experience could suggest. The permanent land settlement of this country is the stumbling block of innovators, the temptation of financiers, the glory and disgrace of our administration. The sub-infeudation of landed tenures, the direct progeny of that settlement, is a fatal poison that permeates the very source of our popular life. The land revenue regulations of our early Government are the quicksand of Bengal. The difficulty was created by the Lord Cornwallis’s Code of 1793; it became evident under the Huptum and Puchum Regulations of 1799

and 1812; it became prominent on the occasion of Mr. Princep's law legalizing sub-infeudation in 1819; its resolution grew complicated on the enactment of the settlement regulations of 1822 and 1833; it became insoluble on the codification of the rent and revenue laws of 1859.

It is on this rock, that our most gifted administrators have split, that our successive financiers have been nearly wrecked, that not the least able of our publicists lies stranded and forlorn. But any one who has had practical experience in the collection of land revenue in this country, who has been able to see with his own eyes the interwoven intricacy of our local landed tenures, and who is not unaware that all rights in relation to property are social in their destination and subordinate in every case to the duties of which they are the counterpart, is less likely to view the existing organism with proclivities panic-stricken, hostile, or destructive. Legally and morally the learned Member of Council has expounded in his place an interpretation of our obligations under the settlement, to which, few, who have read it, we conceive, can take exception. We have, it is clear from that exposition, the legal right to abrogate the settlement if we think fit; but we have not the moral power.

The direct taxation of the last ten years is a truly desperate remedial attempt to escape from the consequences of this dilemma. It has, as we know, failed flagrantly. It deserved almost to be unsuccessful. But the circumstances of its failure are so important as to call even in this place for a passing notice. It failed, indeed, rather from the mode of its operations than from its inherent weakness, or, as some have alleged, from its inappropriateness to Bengal. It could never have succeeded under the peculiar accidents of its introduction. It was the child of an emergency, without financial precedent, abnormal, half-hearted, and, therefore, injudicious. It is the disastrous nature of direct taxation neither to correct nor modify its own defects, and even when most moderate in its incidence, to influence indirectly all orders and ranks of the community. The manner of our operations under the income tax has fostered this tendency among us without restraint. It is

needless to describe those operations here. It is needless almost to indicate their effect. We are suffering from them even as we write. There is now a sentiment of uneasiness, a feeling of insecurity and dissatisfaction, a general distrust of Government in these provinces, that it will take years of studied reaction and careful management to obliterate." *Ibid.*, vol. LIII., p. p. 295-97.

"In treating this subject, I must do—what nothing short of the most earnest and deliberate conviction could surmount my reluctance to do. I must avow my dissent from the opinion of many of those, for whom I entertain the most cordial regard and respect. I disapprove of that territorial system, which is called in Bengal the 'Permanent Settlement.' I look upon it as both impolitic and unjust. It is impolitic, because it is unjust, it is adverse to the recognised maxims of the country; it is impolitic, because it is subversive of the rights of the people, and injurious to the advance of their prosperity. It is unjust, because it violets the ancient and indefeasible title to property—because it takes violently from one man what does belong to him, and gives it arbitrarily to another, to whom it does not belong, and this, not in a few insulated and individual cases, but universally to the farthest limits of the soil. Where the permanent system has been established, not one inch of soil remains in the hand, in which we found it, and to which it rightfully appertains. This is making rather a summary use of the name of justice." *Extracts from Letters of Civis on Indian Affairs.* *Ibid.*, vol. XIII., p. 417.

"The Permanent Settlement was concluded with the above-mentioned mixed body of zemindars, as they were called, all holders of subordinate rights being left to find a remedy against the exactions of the zemindar in a civil suit. The disastrous consequences are well known. Courts flooded with suits to such an extent, that candidates for justice could hardly expect a hearing within the term of their natural lives, attested the ruin of the ryots; while the evil effects of the measure on the very proprietors who had been created by our fiat, were shown by the almost universal destruction, that had befallen them by the tenth year from the settlement.

Even now after the lapse of three-fourths of a century, Bengal officials and statesmen again conspire to do so who believe in the possibility of a landed aristocracy in India. The aristocracy under an alien rule is more ignorant than in our late acquisitions; an ever-widening separation between the rich and the poor; extreme luxury side by side with extreme squalor; endless litigation between landlord and tenant; a body of proprietors still (with a very few most honourable exceptions) illiberal and untrustworthy, doing nothing for the land or the people that support them, and responding to no call either for exertion or generosity;—these are signs of social rottenness, which may well make statesmen pause with anxious circumspection before they again commit the destinies of a province at the keeping of its landed magnates.

The evil results of the mistakes, that had been made in Bengal, declared themselves so early as to lead to a re-action in the policy adopted in our very next acquisition." *Ibid.*, vol. XLVI., p. 448.

"In all that the author (Sir George Campbell) says (in his *Modern India*) regarding the imperfect information on which that great measure (Permanent Settlement) was devised, perfected, and carried out, we concur. The boundaries of estates were not defined; the capabilities of the land had not been ascertained. The rights of under-tenants and small proprietors were not protected. Lord Cornwallis vainly imagined, that a landed aristocracy in Bengal would furnish, in every generation, numerous specimens of the gentlemen of the old school. The zemindars of the present day are an 'unthrifty, rack-renting' set of people, who oppress their tenants, and only care to make the largest profit possible. Many of the advantages calculated on by the founder of the system, have proved visionary. In all this we agree with Mr. (now Sir) George Campbell, who laments over slighted opportunities and great changes neglected, and who is lost in astonishment at the haste and presumption with which so important a measure was disposed of. He also says that the rights of the cultivators have been 'utterly swept away.'" *Ibid.*, vol. XIII. p. 465.

“Subsequent experience has brought the innumerable defects and anomalies of that hasty arrangement (Permanent Settlement) to light, and induced the Court of Directors to resolve that they will never again allow their hands or those of their successors to be tied up in this manner. There is every reason to believe that this was one of the most injudicious measures ever adopted by our Government. The land revenue was fixed for ever at a time when the capabilities of the land were unknown, and the extent of estates unascertained, and two-thirds of Bengal was a jungle. The most tempting opportunities were afforded for the exercise of fraud and collusion between the zemindars and the Native Officers of the Collectors; and colossal fortunes were made at the expense of the State. *There have been large fortunes amassed in solitary instances since that time. Sir———’s Moonshee is reputed to have made eighty lakhs of rupees out of his influence with his master; but no such general opportunity of fortune-making as that which occurred in the days of the Perpetual Settlement, has turned up since. One Collector’s Dewan is known to have received a bonus of a lakh of rupees for striking out a cypher, and reducing the annual rent of an estate from tens of thousands to thousands.* The burden of taxation was unequally distributed on the land. When the Collector’s Officers were well bribed, estates were assessed to a low rent; in other cases, the annual demand was screwed up too tightly to stand. The settlement was of course binding only on one party, that is, on the Government. It established the maximum, which Government was at liberty to demand, but not the maximum which the landlord was obliged to pay. In every case of over-assessment, the landlord threw back his estate on the hands of Government; and there was no power in the State to compel him or any one else to pay the high rate fixed on it for a continuance. The rent in all such cases was lowered, and thus the Permanent Settlement, so far as the interests of Government were concerned, was very speedily broken up. It was imprudent to limit the income to the revenue of only one-third of the land. As the Government in its haste to promulgate this measure

dispensed with all definition of boundaries, it is now too late to ascertain what extent of land was included in the original settlement with the view of drawing a revenue from the rest." *Ibid.*, vol. III., p. p-189-91.

"The Permanent Settlement, with all its faults, endeavoured to do so (to secure the cultivator's rights) in the recognition of the *Khudkasta* tenure. The grand error was in making the settlement perpetual. The start was false. On an unsound foundation a fabric has been erected too substantial to be knocked away as rubbish, but thoroughly unsatisfactory and unsafe as an institution....The land-tax, as constituted in Bengal, bears too as heavily on the Government as on the governed, the revenue being cramped by an impost which has no elasticity; the Perpetual Settlement limiting it to a fixed amount altogether unconnected with the prosperity of the country....'Under the old native dynasties,' observed an experienced planter, 'they (ryots) had been ground to the dust. Many of the worst features of those cruel despotisms were grafted on the zemindari system. Though nominally under the British Government, the ryot was the slave of the zemindar. When he came under the control of the European, he could not readily realize the change, and even under the most favourable circumstances, the native servants of the European zemindars practised, unknown to their masters, much injustice on the ryots. The Government system of collecting the land-tax confirmed, if it did not increase, the zemindar's power. The quarterly instalment of rent must be paid in by sunset of a certain day, or the estate was sold, while punctuality was so ruthlessly exacted from the zemindar, it was necessary to give him power of immediate realization from the ryot. The law was strong, and the illegal power exercised under its shelter was ten-fold more so.'" *Ibid.*, vol. XXXIII., p. 323.

"In the face of Russia,—the champion of peasant proprietorship,—we cannot have a feudal policy in India; it would be downright infatuation. Russia suppressed the Polish insurrection mainly by her principle of peasant-proprietorship, which enabled the Polish peasantry to oust the Polish landlords—land-

lords who wielded their power very like the Bengal zemindars. In the Mutiny an Englishman enrolled a corps of 500 Kols as a body-guard at an expense of ten rupees each per mensem. They executed their task, and were afterwards rewarded by being allowed to loot some of the rebellious zemindars." *Ibid.*, vol. IXL, p. 111.

"The cause of this failure" (of the Permanent Settlement), observed the Committee that sat in 1830, "may be ascribed, in a great degree, to the error of assuming at the time of making the Permanent Settlement, that the rights of all parties claiming an interest in the land were sufficiently established by usage, to enable the Courts to protect individual rights, and still more to the measure, which declared the zemindar to be the hereditary owner of the soil."

"There was an opportunity in India, to which the history of the world presents no parallel. Next after the sovereign, the immediate cultivators had by far the greatest portion of interest in the soil. For the rights (such as they were) of the zemindars, a complete compensation might have easily been made. The generous resolution was adopted of sacrificing to the improvement of the country the proprietary rights of the sovereign. The motives to improvement, which property gives, and of which the power was so justly appreciated, might have been bestowed upon those, upon whom they would have operated with a force incomparably greater than that with which they could operate upon any other class of men; they might have been bestowed upon those from whom alone in every country the principal improvement in agriculture must be derived—the immediate cultivators of the soil. And a measure worthy to be ranked among the noblest that ever were taken for the improvement of any country, might have helped to compensate the people of India for the miseries of that misgovernment they had so long endured. But Lord Cornwallis was an aristocrat, and aristocratic prejudices prevailed." *Mill's History of British India.*

"The measure (Permanent Settlement) proved a total failure, as to the main effects, which its well-meaning promoters expected

from it. Unaccustomed to estimate the mode in which the operation of any given institution is modified even by such variety of circumstances as exists within a single kingdom, they flattered themselves that they had created, throughout the Bengal Provinces, English landlords, and it proved that they had only created Irish ones. The new landed aristocracy disappointed every expectation built upon them. They did nothing for the improvement of their estates, but everything for their own ruin. The same pains not being taken, as had been taken in Ireland, to enable landlords to defy the consequences of their improvidence, the whole land of Bengal had to be sequestered and sold for debt or arrears of revenue, and in one generation, the ancient zemindars had ceased to exist. Other families, mostly the descendants of the Calcutta money-lenders, now occupy their place, and live as useless drones upon the soil, which has been given up to them. Whatever the Government has sacrificed of its pecuniary claims for the creation of such a class, has at the best been wasted.

In the parts of India into which the British rule has been more recently introduced, the blunder has been avoided of endowing a useless body of great landlords with gifts from the public revenue; but along with the evil, the good also has been left undone. The Government has done less for the ryots than it has required to be done for them by the landlords of its creation. In the greater part of India, the immediate cultivators have never yet attained a perpetuity of tenure at a fixed rent. The Government manages the land on the principle on which a good Irish landlord manages his estate: not putting it up to competition, not asking the cultivators what they will promise to pay, but determining for itself what they can afford to pay, and defining its demand accordingly. In some places it makes its arrangements with the ryots individually, in others with the village communities leaving them to apportion the demand according to usage or agreement. Sometimes the rent is fixed only for one year, sometimes for three or five; but the tendency of recent policy is towards long leases extending in the northern provinces of India:

to a term of thirty years with condition of renewal for twenty more. This arrangement has not existed for a sufficient time to have shewn by experience, how far the motives which the long lease creates in the minds of the cultivators, fall short of the beneficial influence of a perpetual settlement. But the two plans of annual settlements and of short leases are irrevocably condemned. They can only be said to have succeeded in comparison with the unlimited oppression which existed before. They are approved by nobody, and were never looked upon in any other light than as temporary arrangements to be abandoned when a more complete knowledge of the capabilities of the country should afford data for something more permanent." *Mill's Political Economy*, vol. I., p. p. 393-95.

"His Excellency (Lord Cornwallis), no doubt, thought to make English landlords of the zemindars of Bengal; but it is patent to the world, that he succeeded only in making Irish ones. It is asserted, however, that the interests of the cultivators were sacrificed to those of the landlords, and that other errors were committed in the manner of carrying out this measure, that fully account for its failure. With the light of present experience, such errors, it is stated, would not be permitted to take place, and it is confidently believed, that by their avoidance in future all objections to a similar attempt now being made would be removed. It is further advanced, that notwithstanding the notoriously depressed condition of the cultivators, a creation of wealth has taken place in Bengal, that contrasting with other parts of India is truly remarkable. I fully admit the increase of wealth, but to what, I would ask, is it due? It is due not to the activity, energy, and enterprise of an enlightened landed proprietary, but to the extraordinary fertility of the Ganges Delta, its greater freedom from famines, and to those gains from an increase in the area of cultivation, to which the landlords of Bengal had no right or title, and which, however, was the intention of the framers of the law of 1793. It is seen in no other light than the illegitimate and unjust gains of a few individuals, who have monopolized the whole of the surplus of the country."

of a favoured class. In the year 1793 30,000,000 acres of land were under cultivation in Bengal, and in the year following the land revenue was £3,235,259. In the year ending the 30th of April 1857, or ten days before the outbreak of the rebellion, 70,000,000 acres were under cultivation in Bengal, and the land revenue was £3,295,378. Had the excess of 40,000,000 of cultivated acres been assessed at the nominal rate of one rupee an acre, it would have yielded, with little expense, with less trouble, and with no dissatisfaction to the people, a clear revenue of four millions of pounds per annum. Seventy years have elapsed since the year 1793, and taking but one-half of this period, the accumulation of the illegitimate annual gains of the landholders of Bengal, if hoarded, would represent £140,000,000 sterling, a sum far in excess of the entire present debt of India, the interest of which the whole community have now to pay. This is certainly a very startling fact, and though it need not follow, and it is not proposed, that permanent settlement would be made with the proprietors of estates including any large area of uncultivated land taken in connection with the admittedly depressed condition of the cultivators, and the deplorable state of the public works, and the internal commerce of the Province, it is sufficient to upset any general conclusions drawn from the general premises, regarding the effects of Lord Cornwallis's settlement, in its relation to the wealth of the country. True it may be said, that the free gift of large tracts of waste land has accelerated their cultivation; but the reclamation of wastes is not a portion of this side of the question. It has no concern whatever with it.

It is undoubtedly to this cause mainly, if not entirely, that the accumulation of wealth spoken of has taken place in Bengal, and that this wealth has centred in a favoured class, which forms but a very limited portion of the community, will not be disputed. Were it otherwise, the measure would never have been open to those objections, which, in my humble judgment, are fatal to the successful adoption of a similar policy in the present circumstances of India. Were, for instance, the land tenure throughout India ryotwary, as in Madras and Bombay, and the great bulk

of the revenue payers industrious peasant proprietors, like those of Norway, Switzerland, Belgium, and many parts of France and Germany, the gain being to the actual cultivators, a large portion of the increase would find its way back to the soil, and the injustice to the community being confined within the narrowest possible limits, the evil would, in great measure, be counterbalanced by a corresponding amount of good in the increased prosperity and happiness of the great mass of the people. But Englishmen, proverbially disinclined to see good in any systems other than their own, do not believe in peasant proprietary tenures, because they no longer exist in England; because they are constitutional; and because they can not understand them." *Dr. Nassaw Lees' Land and Labour of India*, p. p. 168-71.

A writer reviewing *Dr. Nassaw Less' Land and Labour of India*, says:—"It is unfortunately but too patent at the present day how in their blind admiration of English systems and in their short-sighted determination to adopt them to India, Lord Cornwallis and his advisers in granting the Permanent Settlement of Bengal, committed an egregious mistake, the evil effects of which can scarcely be overstated. Dr. Lees rightly points out 'the increase of wealth in Bengal is due not to the activity, energy, and enterprise of an intelligent landed proprietary, but to the extraordinary fertility of the Gangetic Delta, its greater freedom from famines and to those gains arising from an increase of the area of cultivation, to which the landlords of Bengal had no right or title, and which, however upright the intentions of the law of 1793, can be viewed in no other light than the illegitimate and unjust alienation of the property of the whole community for the benefit of a favoured class.' In 1793 there were thirty millions of acres under cultivation in Bengal; in 1859 there were no less than seventy millions without any corresponding increase in the Government revenue. Supposing the difference to have been assessed at the nominal rate of one rupee per acre, Dr. Lees estimates that the Government must have surrendered by this measure no less a sum than one hundred and forty millions sterling, which might fairly have been brought into the coffers of

the State. This fact is in itself sufficient to account for a great portion of the wealth, which has centred in the zemindars. Now the question which arises is this:—what has the State or the country gained by this act of renunciation? If it is argued that it has placed the zemindars in a better position to contribute to the State necessities, Dr. Lees would retort by quoting the opposition raised by them when called upon to aid in defraying the charges of the village watch. In 1859 too, when the income tax was proposed, the zemindars of Bengal 'claiming immunity under the very Act that effected, it may be said, the creation of their wealth, stoutly resisted its incidence loading the Government with accusation of injustice and bad faith in lieu of those outpourings of gratitude and substantial donations, which might have been looked for.' But what, on the contrary, is the action of our Government? While the whole labouring community is forced to give up to the State a portion of its hard-earned income under the misnomer of a license tax, the drones of society who are living on the fortunes, which the liberality of the Government has enabled them to amass, are exempted from the payment of a single rupee. Or have the mass of the people benefited one jot or one tittle by the Permanent Settlement of the Government revenue? Is the Bengal ryot in any sense a richer, a happier, or a better man than his neighbour in the North West? Is he at all better educated? Have the zemindars 'aided in improving the means of land or river intercommunication; have they made roads, built bridges or canals; have they established hospitals for the sick, alms-house for the poor, caravansaries for the weary and exhausted; have they assisted in the maintenance of an efficient Police; have they built colleges or schools, or attempted to improve the existing wretched village *patshallas* of the country, or expended any portion whatever of their accumulated savings in elevating morally or intellectually their less fortunate fellow-countrymen; have they given long leases to their tenants on such terms as have enabled them to improve their holdings and attain a small degree of prosperity; have they built houses for them, drained or bounded their lands, or in any way, cared

for their comfort or welfare ; finally have they shewn a particle of that enterprise, energy, and activity of character, which in other countries tend to divert the surplus wealth of one section of the people into channels from whence all derive advantage, and to which England owes her finer roads, her many railways, her steam companies, her mining, iron working, and other companies ? And who will not reply with Dr. Lees ' They have done none of these things.' ” *The Calcutta Review*, vol. VL., p. 403.

“In continuation of our observations on the nature and character of the Anglo-Indian Government, we now proceed to consider the present system of land taxation and investigate how far it is established on just and equitable principles.

Every one conversant in the history of this country must be aware, that for a long series of ages, the land-tax has constituted the principal of public revenue. The causes which led to the adoption of this peculiar system are obvious to common observation. The long abstemious habits of the people, the few articles which are necessary for their sustenance, and the poor habitations (devoid alike of furniture and decoration) in which they are generally accustomed to live, precluded the possibility of introducing those subsidiary imposts and excises, which, in countries where the people have attained to any degree of refinement, constitute the principal items of the public revenue. Luxury was not unknown in India at the time when this system of land taxation first came into operation, but it was almost exclusively confined to the narrow circle of the opulent few. When we add to this the general insecurity of life and property under the iron sway of the Moslem rulers, it would appear quite evident, that the accumulated hoards had never been brought into active employment with a view to reap the benefits of a productive soil and a genial climate, to stimulate commercial enterprise, encourage manufacturing skill and thereby create a general demand for the luxuries and elegancies of life. Such being the simple habits of the people, it was impossible for the State to derive a large revenue from any other source than the one which has been adopted from time immemorial.

Since the acquisition of the Dewanny of this country by the Company, they have endeavoured to introduce such a rate of assessment, as in their opinion seemed best calculated to secure to the State an ample revenue, and promote the agricultural and commercial prosperity of the country. The charge of the local administration they entrusted to men of distinguished ability and high respectability, but the misfortune is that the settlement they made was, for the most part, based on conjectural estimates of the gross produce of the soil and partial surveys of the extent of the zemindaries, with the proprietors of which they entered into engagements without sufficient consideration. In proof of our assertions relative to conjectural estimates, partial surveys, &c., we need only cite the fact, that to this period there is not a single district within the Company's immense territories in India, with the real resources of which the local Government is perfectly acquainted. The system, though beneficial in its tendency, is so incapable of being enforced by salutary laws, and so open to corruptions and abuses, that it can not effectually promote the interests and welfare of all classes of the people connected with the soil. The European functionaries may be upright, active, and faithful, but their example seldom or never influences the conduct of their native subordinates. Bent on the acquisition of lucre, either by fair or unfair means, the chicanery and malversation of the latter cannot be effectively checked by protective or preventive enactments.' Hence a system, replete with justice, wisdom, and sound policy, has been prostituted to ends of oppression and corruption.

If we look a little deeper into the causes of this lamentable miscarriage and disappointment, it will clearly appear that the zemindars in entering into engagements with Government, exerted the utmost ingenuity, which fraud and collusion could suggest, to keep the Government in the dark about the actual produce and resources of the land. An officer of Government and a zemindar must act on friendly terms for the purpose of enforcing an equitable and efficient system of revenue administration, but in the settlement of this country the latter withheld all

information of the real state of the land from the former. In Bengal as well as in the ceded and conquered provinces, it has of late been discovered, that vast tracts of land existed, which were never brought under the rental of Government, and of which nothing was known at the time of the formation of the Permanent Settlement. These new tracts are now distinguished by the name of Towfeer lands, meaning an excess over and above those which had been duly assessed. In Lord Moira's able minute on this subject, he expressed his decided conviction, that extensive portions of land of this description exist in many provinces, which were never entered and registered in the original village records. Thus it would appear from a due consideration of all the circumstances bearing on the point, that the present system of land taxation, though equitable in its principles, and beneficent in its purport, has nevertheless been rendered subservient to purposes of malversation, abuses, and oppression. In spite of the peremptory injunctions and enlightened views coupled with humane intentions of the Court of Directors to afford every possible protection to the helpless ryots, *the powerful zemindar, 'the Bengal Babu, the new Malik, the absolute Lord of the soil,' oppresses them with perfect impunity, without reflecting for a moment that he owes everything to the sweat and labour of these helpless men.*" *A Native Correspondent of the Calcutta Courier, May 12, 1840* quoted in the *Friend of India, May 14, 1840.*

"The defects of the Permanent Settlement were becoming more and more apparent every day, and could no longer be overlooked. Several of the most intelligent of the Judicial and Revenue Authorities made representations on the subject, which laid bare the system of enormous exactions and oppressions that were being practised upon the ryots.." *Babu Sunjeeb Chunder Chatterjee's Bengul Ryots, p. 44.*

"The prodigious blunder of Lord Cornwallis ought to be a living warning against all hasty legislation, especially by alien legislators. He virtually ignored all rights of the cultivators, and as if to give the zemindars the freest scope for extortion

actually dis-established the canango system of his predecessor. Seldom in the annals of any country has hasty legislation been productive of effects so calamitous as the ill-conceived permanent settlement." *Babu Romesh Chunder Dutt's Peasantry of Bengal.*

Hé thus curses Lord Cornwallis:—"On the head of Lord Cornwallis will rest the blame, that the extortion of the zemindars and their underlings has not to the present day ceased—that the ill-feeling between the ryot and his master has advanced with the advance of years. On his Lordship's head will rest the blame, that the most fertile source of revenue in a fertile country has been closed up for ever,—that the extention of cultivation has increased, not the wealth of the cultivators; but of a class of idlers, the zemindars, with a two anna or one anna share of the ancestral estate. On his Lordship's head rests the blame, that we do not yet see the faintest glimmerings of rural civilization, that the ryot of the present day is as thoughtless and improvident a creature as he was centuries ago, despite the notions of enlightenment imported from the west, despite the energetic efforts of English administration to remedy the defect."

Babu Bankim Chunder Chattetjee, the greatest novelist of the day in Bengal, editor of *Bungo Dursana*, and high Officer of Government, says:—"We are not malicious of the zemindars; we have never been injured by any of them. Perhaps we will be disliked by them for writing this article—we will be reproached, ridiculed, insulted,—will be disliked by our friends. Some will characterize us as ignorant, malicious, and lying. If that happens we cannot help it. If *Bungo Dursana* does not endeavour to relieve the distressed—if it hesitates to speak the truth out of complaisance, then sooner it disappears from Bengal the better for it."

It then speaks the truth in the following manner:—"Law—it is a luxury—which the rich enjoy at a great cost. As for the zemindars' virtue and compassion—their another name is selfishness—to drive the screw as far as possible; when it cannot be driven, then they begin to play. By driving it again and again,

they have appropriated to themselves the greater part of the wealth arising out of increased cultivation....Living in water: who quarrels with the alligator?

Animals are opponents of animals; men are opponents of men; Bengal zemindars are opponents of Bengal ryots. It is true, they do not devour them in its literal sense; but it would have been better and an act of kindness for them to drink their life-blood than what they do. The ryots have long since been living by borrowing money and paying interest at the rate of fifty per cent. per annum. In many cases, the zemindar himself is a money-lender. He himself robs the ryot, reduces him to extreme poverty and wretchedness, lends him money, and at last charges interest at fifty per cent. The fields do not yield good crops every year. There are excessive rain, untimely rain, flood, drought, and insects, which injure them. The money-lender lends money to the cultivators if there be a prospect of good crops; else he does not. Then they become helpless—they die of starvation with their families. The zemindars, with a very few exceptions, are not, in such critical times, the object of people's hope. The Police cannot protect the ryots from the oppression of the zemindars; it is in their pay—receives presents twice or thrice a year....The zemindar oppresses him (ryot) in such a manner, that it is better for him to hang himself. It is impossible to calculate the means, in which they squeeze the life-blood out of the ryot. He pays the zemindar's income tax; and the latter gets something more as his profit. Government has not yet ordered the road cess to be collected; but some zemindars are collecting it. They have been invested with powers to do so, but not more than 3 pie per rupee of rent. A certain zemindar is now in prison for collecting four annas per rupee. One of them having subscribed a certain sum of money to a hospital fund, ordered his underlings to collect it from the ryots. Somehow or other the project fell to the ground; but the hospital cess (if it may be so called) was collected for a long time at the rate of one anna per rupee of rent.

Lord Cornwallis having fallen into a great mistake effected

the complete ruin of the people: having ejected the real proprietors of land, he made it over to the tesildars. The Permanent Settlement is the permanent settlement of the fall of Bengal. It is a permanent stain on the British rule in India. The Act X of 1859 is only a good road to the increase of rent. There are very few ryots in Bengal, whose rents cannot be increased by its help. But we have still something more serious to tell. The British power is irresistible. The whole of Asia trembles in its very name; but why the oppressions of the weak zemindars practised upon the ryots have not been checked? The king of distant Absynnia lost his kingdom for having oppressed a few Englishmen. But why the zemindars are oppressing millions of ryots with perfect impunity under the very shade of the Viceroy's palace? Why they forcibly drag them to their Cutcherry, imprison them, collect money by beating them, plunder their crops, eject them from their lands, and thus effect their complete ruin with impunity? Those who deny these facts have no knowledge of the mofussil.

We, with folded hands, cry to the British people for the sake of sixty millions of Bengal ryots—we pray they be happy—the British rule be for ever—they look upon them with favourable eye. The laws and the Courts of Justice are only the instruments of oppression of the ryots in the hands of the zemindars. The Permanent Settlement ought to have been made with the ryots instead of with the zemindars. Then it would have been free from defects. It is, as at present framed, unjust and full of mischief. Is there anything in this world more unjust than to see a few zemindars roll upon heaps of wealth, and sixty millions of ryots die of starvation? For this reason the Permanent Settlement of Lord Cornwallis is most objectionable. If it had been made with the ryots, we would have seen sixty millions of people happy instead of the vory rich few.” *The Bungo Darsana*, vol. I. Art. *The Bengal Ryot*.

To strengthen the opinion of Babu Bunkim Chunder Chatterjee, we quote here the following remarks upon him by Babu Romesh Chunder Dutt, C. S.:—“The long experience of Babu

Bankim Chunder Chatterjee in the executive service, his powers of close observation and sustained thought and correct generalization and his earnest regard for truth are so well-known, that we do not make any apology for quoting the following. We may add that the sentiments contained in the following fairly represent the general impression on the subject among all executive officers that we have come across—among all officers, namely who live in the mofussil and see with their own eyes the real state of things.”

“It is impossible to forget, that at the time of the Permanent Settlement, the ryots—to use the expression of the great historian of India—‘were handed over in the gross to the zemindars’; and that little attention was paid but to the interest of the landed aristocracy.” *The Friend of India, January 9, 1840.*

“The great defect of the settlement in the Lower Provinces was that, through the want of any adequate provision for the protection of the ryots, they were delivered over wholesale to the tender mercies of the zemindars; and from being in many cases proprietary cultivators sunk into a state of vassalage.” *Ibid, April 23, 1840*

“The Permanent Settlement is a monument of short sightedness of Lord Cornwallis and the imbecile advisers of his Government.” *Ibid, March 4, 1876.*

“It is well known to all readers of the Cornwallis Code of 1793 and the correspondence on the subject of the Permanent Settlement, that the Company, in determining to limit its own demand, resolved to protect all subordinate holders. Their words were these, and they are as finely expressed as a not dissimilar statement in our own Magna Charta.

‘Leave no ambiguity as to our right to interfere from time to time, as it may be necessary, for the protection of the ryots and subordinate landholders; it being our intention in the whole of this measure effectually to limit our own demands, but not to depart from our inherent rights, as sovereign, of being the guardians and protectors of every class of persons living under our Government.’

Moreover Article VII. of Regulation I. of 1793 enacts as

follows :—‘ It being the duty of the ruling power to protect all classes of people, and more particularly those, who from their situation are most helpless, the Governor-General in Council will, whenever he may deem it proper, enact such Regulations, as he may think necessary for the protection and welfare of the dependent talookdars, ryots, and other cultivators of the soil; and no zemindar, independent talookdar, or other actual proprietor of land, shall be entitled on this account to make any objection to the discharge of the fixed assessment which they have respectively agreed to pay.’

Again in their original Kabuleuts, the zemindars stipulated ‘to show implicit obedience to all Regulations, which have been, or may be, prescribed by Government concerning the rents of the ryots and the collection from under-tenants and agents of every description, as well as from all other persons whatever; the fullest confidence being entertained that all such Regulations will be consonant to equity, and for the general benefit of the community.’

From these quotations nothing could well be clearer than that, in fixing the revenue Government fully reserved its right to interfere for the protection of every class of cultivators and to fix the rents that they should pay; and it is further clear, that the zemindars stipulated to show obedience to such Regulations as might be enacted for the purpose. It is true that for years no such interference was made, and the provision became almost a dead letter; but it has never been erased from the Statute Book, and the long deferred promise was partially fulfilled in 1859, when a very definite protection was given to one class of ryots with the concession of occupancy tenures.

But the zemindars now exclaim against the concession as an infringement of their rights, which it clearly was not; and they have, in every possible way, endeavoured, first to obtain enhancement, and secondly, failing the former, to break occupancy rights. Perhaps class feeling in part influences them, and perhaps they may sometimes be entitled to enhancement, but the ryot thinks the other way; and in many parts of the coun-

try, the aspect of affairs is very unpleasant. On both sides of the Gangetic Delta, the quarrels which have arisen from the conflict of classes on the subject of rents, in Sonhalia and in Dacca, are a matter of grave concern and lively alarm. Government has, therefore, been evoked on the part of the zemindars to settle the difficulties, and its own concern for the peace of the country will compell it to take some decisive step to appease excited spirits. The difficulty is a two-fold one, having reference firstly to the adjustment, and secondly to the realization of rents...The zemindar claims to exercise those powers of sale, eviction, and compensation of rights, which the Government itself exercises over its defaulters. Government has a fixed revenue to collect, while the zemindar has a fluctuating one... Without discussing these wild demands (of the zemindars) no summary procedure, however mildly exercised, could fail to be most rigorous on the cultivators of the soil, to whom the land is the chief source of subsistence. So long as the battle of the rents is fought in the Civil Courts, Government may stand by indifferent, but do they think it possible that the agency of the Government Executive Officers will be employed, first of all in settling the land and then in collecting the revenue for the zemindars, *in amount ten or twenty times the Government revenue*, and content itself with the rough and unsatisfactory settlement of the last century? To undergo such trouble and expense simply for the sake of the zemindar is impossible in the present state of things. The zemindars would gain enormously by such a summary procedure, and they must be content to resign some of the profit to Government. The zemindars advocate this scheme, because they say, the Government revenue is endangered by the occupancy rights which are gradually formed. Such a statement is utterly groundless." *Ibid, December 9, 1876.*

"The unsatisfactory mode in which the Decennial Settlement was converted into the Permanent Settlement, and the ignorance, haste, and selfishness of the original measure have resulted in great evils to the country. We aggravated the evil by shutting ourselves out from all sources of information in

Bengal, as to matters connected with the land, till the rude awakening of the mutiny made us eager to do justice to the cultivators of the soil, and we yielded to them the occupancy tenure, which was their birth-right. To protect this, the ryots had, during seventy years, waged a losing battle with the middlemen, to whom we had made them over as so many serfs. Their masters now raise the cry, that the serfs have been emancipated in defiance of the engagements made by us nearly a century ago, and are so ungrateful to their former masters, that they no longer yield them the whole portion of the surplus produce of the soil, and, in fact, that they will not yield them a pice more than the law actually compels them to do so, but appropriate the produce for themselves. The zemindar loudly bewails his wretched lot, decries the cumbrous procedure and tardiness of justice, which leave the profits of cultivation to the enterprising cultivator himself, instead of transferring them by a rapid and summary procedure to an absentee, an idler, an extravagant and indifferent receiver of rents, who is accustomed to call himself owner or proprietor, and who claims all the privileges, but exercises none of the duties of ownership. The zemindars declare enhancement suits to be things of the past, as no Court can possibly decide the amount under the authorized rule of proportion. Whilst the zemindar laments the good old times, the ryot is by no means satisfied, and he looks on the 'ryots' charter' as a very dubious protection to him. He feels his position by no means assured, his rights are not recorded, he is liable to constant enhancement, and to avoid trouble and loss of litigation, he is content to pay illegal cesses which cannot be enforced at law, but which he cannot, any the less, refuse to pay as a sort of chout or blackmail, to pacify the zemindar and his amlah, whom he fears no less than his ancestors did the Mahratta horsemen. What these cesses are we hear from time to time, and in a recent Government resolution it was mentioned that a popular zemindar was known to have exacted from his ryots four times the value of the cess (road cess). This statement is followed by the pregnant remark: 'If the independence of the

ryots be so great, as it is sometimes stated to be, it seems remarkable that they should submit to such a demand.' If the truth were known, it would be seen (and this instance confirms our statement) that they are not independent, but that a general war is raging between the zemindars and the ryots wherein, according to the relative local strength of the parties, the victory inclines now one way now the other....But we hear only one side of the question. The zemindar has a voice, has his organs in the press, his wealthy spokemen. The millions of ryots have only their poor dumb mouths. We hear of the defeats of the zemindar, but his victories are prudently hushed, and the first thing which we generally know of his exactions in a village is the fact, that his peons have been soundly thrashed by the villagers.

Thus then both parties—the zemindar and occupancy ryot—are dissatisfied with the present state of things, but besides these, there are other parties, who are equally dissatisfied. There is the non-occupancy ryot (the new fangled euphemistic term for that wretched creature, the tenant-at-will). The zemindar has his Permanent Settlement, the occupancy ryot has his land and his occupancy right; but the tenant-at-will has nothing but what the zemindar's amlah will leave him—enough namely to support his own existence and that of his family. Still a fourth party exists, who are dissatisfied with the present state of things. They are the Government and all thoughtful and disinterested people in the country, *who see with horror the state of our agricultural population, and the reckless waste of Government dues, and the ignorance of all matters connected with the land.*" *Ibid, December 2, 1876.*

"All the friends of the rural population of Bengal are, I believe, convinced, that there is no hope of its ever attaining a happy and prosperous condition, so long as the present zemindari system remains in force. I for one am convinced that although that system is less atrocious in itself than negro slavery was, yet it is equal to it in being an insurmountable obstacle in the way of the social and moral improvement of the ryot population. And

I have no doubt, that sooner or later the system must give way before the united efforts of an enlightened philosophy." *A Correspondent of Ibid, June 14, 1849.*

"On the Irish Church Bill, Mr. Gladstone said :—'When property had been given for purposes, that had not been attained, and could not be attained, it was the duty of the legislature to see that it was not wasted, and if it becomes mischievous, to take it away.' And this principle was acknowledged and acted upon by both Houses of Parliament. Again J. S. Mill says :—'All laws or usages which favour one class or set of persons to the disadvantage of others, which chain up the efforts of any part of the community in pursuit of their own good or stand between those efforts and their natural fruits are (independent of all other grounds of condemnation) violations of fundamental principles of economical policy. Let it be shewn on what possible authorith there is for calling (by Sir Richard Temple) a fat Chetty the great landed aristocracy of Bengal, entitled to be maintained and supported at the expense of the whole community, and to keep any number of his fellow-creatures in a worse condition than slavery under the protection of the British Government in India, because an absurd settlement was made a hundred years ago, the provisions of which the zemindars have notoriously violated, while they have the effrontery to tax the Queen of England with a breach of faith, if any attempt is made to correct their mal-practices.'" *Another Correspondent of Ibid., September 28, 1875.*

"Too many people are very much vexed with the Permanent Settlement of Bengal; they try their best to do away with it," *The Shomeprokash, February 19, 1877.*

"Nobody requires to be told, that the Permanent Settlement of Bengal has only benefited the landlords, and that the unhappy ryots are only at liberty to till their fields on terms, which, in ordinary seasons, barely admit of their keeping body and soul together. The recent scarcity has only shewn, how entirely the poor agriculturists of Bengal depend on good seasons for their miserable existence. The failure of a single

crop means death to most of them—or rather a helpless dependence on Government charity. Thus the Government pays away with both hands in Bengal. 1st.—It relinquishes its fair share in the Land Revenue of the fertile province. 2nd.—It has to spend the revenue of other provinces in the duty of feeding the millions, that are pauperised by the exactions of landlords, who themselves hold their grants on eminently favourable terms. It appears, therefore, that the Permanent Settlement no longer concerns Bengal alone, but that it deeply affects the poorer provinces of India, which have to make good the shortcomings of Bengal zemindars. In strict justice to India as a whole, the question should no longer be treated as a purely provincial one...Failing spontaneous justice from the ruling powers, the only resource left to the ryots is that of agrarian agitation, and such agitation can hardly injure people, who have nothing to lose, but their miserable lives. Agrarian disputes, due to the rapacity of landlords, would cause most mischief to the landlords themselves, and a time may yet come, when the rural population of Bengal will clamour for justice as loudly and successfully, as did the serfs of France in the early days of the Great Revolution." *The Indian Observer, January, 9, 1875.*

“‘Every shilling,’ says the *Indian Economist*, ‘expended by the State on works of improvement in Bengal since 1792, has been a plain fraud upon the rest of India, because we abandoned, in that province; in that year, all right to share in the increased value of the soil.’ Nor does this convey the whole indictment. Inasmuch as Bengal does not contribute its fair proportion to the imperial expenditure for defence etc—and this failure has necessitated or may necessitate the imposition of general taxation (such as, the income tax to meet the deficiency in the revenues arising therefrom—to that extent (less the amount of such taxation falling upon Bengal itself) has the rest of India been, and will still continue to be, defrauded.” *Ibid* 1874, p. 205.

“Besides as pointed out by Mill in his condemnation of the Permanent Settlement, the persons affected by an interference with

that engagement are not such as possess any political importance, or who enjoy the sympathy of the population of Bengal, 'mostly the descendants of Calcutta money-lenders, or of native officials, who had enriched themselves under the British Government,' they 'live as useless drones on the soil, which has been given up to them. Whatever the Government has given up of its pecuniary claims for the creation of such a class, has at the best been wasted.'

Lord Cornwallis distinctly pledged his own and all succeeding Governments to a finality of demand upon the incomes of the Bengal landholders for ever; and though 'for ever' is a term, which humanly and certainly politically has a limit, still there is no ground for affirming that, that limit has been reached now or at any other fixed period. We stand then in the face of the following dilemma: on the one hand, a vast blunder whose consequences are growing, and must continue to grow from day to day more grave—ruinous economy, dangerous taxation, gambling finance—and on the other, a breach of faith with a body of Bengal landholders. Are the interests of the country to be postponed to those of such a body? The time will arrive sooner or later (after infinite mischief has been done by delay) when the Permanent Settlement must be perforce swept away. These are the questions to consider." *Ibid.* 1874, p. 223.

"Lord Cornwallis employed three years in endeavouring to acquire information on the subject to serve as the basis of a settlement. The fee simple of the land has always been considered as belonging to the sovereign, but the Court of Directors, acting on a generous and enlightened policy, determined to confer it on the zemindars, and thus give them a permanent interest in the soil. The land thus became real property, and a large and opulent class of landholders was thereby created. The relationship between the zemindar and the ryot was an important question, and involved in great perplexity, which has not yet been removed. The zemindar had always squeezed out of the ryot everything, that could be realized, leaving him little beyond a rag and a hovel.....He (Mr. Shore) argued that the Government had only the roughest estimate of the capabilities of the

land and of the collections, that the land revenue formed the bone and muscle of the public resources, and that it was preposterous to fix the revenue for ever without any definition of the boundaries of the estates, and when a third of Bengal was a jungle. As to the public spirit of the zemindars, which the Permanent Settlement was expected to foster, he justly remarked that the whole zemindari system was a mere conflict of extortion on the one part and resistance on the other, and that it was vain to hope for any improvement...It is now universally felt that the permanent character given to it was an egregious blunder." *Marshman's Abridgment of the History of India*, p. p. 226-27.

"Only one good result has come out of the Permanent Settlement, and that is, the zemindars regularly pay revenue to the Government. If any one falls in arrears, his zemindari is at once brought to the hammer and sold to the highest bidder; and all confusion is at an end. But the zemindars notwithstanding the immense advantages they have derived from the Permanent Settlement, never care, owing to their idleness, ignorance, and excessive desire for luxury, to make any improvement whatever in their estates. Up to this time no one has cast his eyes on the happiness and welfare of the ryots. They are rather becoming more oppressive day by day." *The Shulava Shama-chara*, Bhadra 25, 1280 Hegira.

"In Lower Bengal, the Permanent Settlement of Lord Cornwallis was one of the most disgraceful blunders ever perpetrated by men pretending to be statesmen, and involved a numerous and industrious people in misery and ruin." *The Westminster Review*, vol. XXXVII., p. 60.

"Will any one assert, that the conditions of the Permanent Settlement herein embodied have been fulfilled? That the settlement should prove beneficial to the country generally was, clearly enough, as much a condition of it as that a fixed sum should be paid annually to the public treasury. Had Lord Cornwallis to meet to-day, as the Queen's (now Empress's) representative, the men with whom he made the settlement, he would address them thus:— You have not fulfilled your part of

the bargain; the State has done what you have failed to do. Your lands have not increased in value or productiveness through any efforts of your own, and you have done nothing to mitigate or avert famines in any appreciable degree. The State has still to bear the cost of these as it has to bear the cost of those works, by which famines may be prevented, or their dreadful consequences arrested, and by which also the value of the lands have been enhanced. The object of the settlement was to promote 'the ease and happiness of the people,' to increase the commerce and wealth 'of the country,'—not alone the ease and happiness, or the wealth of a particular class. The land was committed to you as a trust, subject to certain obligations. How have those obligations been discharged? They have fallen on the State, which has had to undertake what you have failed in. Whether your failure is attributable to your inability to do what was expected of you, or to wilful omission, matters not so far as the State and the interests of the people whom it represents are concerned; the State has to bear the cost, and therefore must resume the land." *Hector's Land and Railways in India*, p. 14.

Sir George Campbell says :—"Although at the time of the Permanent Settlement, the collection of the land revenue was made over to the zemindars, and certain proprietary rights were assured to them, still, as the Lieutenant-Governor has several times had occasion to point out, nothing was further from the intentions and acts of the Government of Lord Cornwallis and his immediate successors than to bestow on the zemindars an absolute property in the English sense, or 'abstain from interference between Landlord and Tenant' according to the phraseology of more modern days. This much any one who will take the trouble to read the Regulations of 1793 and the following years may see for himself. Those early Regulations were most careful in their provisions for restraining the zemindars and protecting the ryots. The zemindars were prohibited from ousting the ryots or from taking rents in excess of the rates established by custom for each local division or pergunnah. They were bound to maintain the village accountant or Putwarce, and to file full

accounts of their demands and collections with the Canoo-
goes or superior accountants and record keepers of sub-division
under the collector, who was thus to have complete information
of all revenue affairs and easy means of reference in regard to
all questions of rent rates, &c. The general power of inter-
ference on behalf of the ryots was reserved by express enactment,
and a registry of all rights and obligations was to have been com-
piled. This last great work, however, was never carried out.
Various attempts were made to organize a canoongo establish-
ment in different parts of the country, but there was difficulty
about funds, and the arrangements were never completed till, a
generation later, a time came when different ideas prevailed,
when Canoongoes were abolished, Putwarees discharged, when
zemindars were considered to be landlords in the English sense,
and interference between landlord and tenant was said to be
contrary to the laws of political economy. Meantime it had also
become in most instances quite impossible to use the zemindars
as administrative instruments. Most of the original zemiudars
failed to pay, and their estates were sold and split up. By the
operation of the Hindoo and Mahomedan laws of inheritance
and a vast system of sub-infeudation, the rights in the land have
come to be held by many sharers and in many gradations of
over and under holders; and as mere property those divided
rights are held in very many cases by speculators, women, chil-
dren, and others, from whom no administrative help could be
expected. It may be said too that while there has been a gene-
ral tendency much to insist upon, and indeed exaggerate the
rights and privileges conferred on landholders by the Permanent
Settlement, there has been at the same time an equal disposi-
tion to forget, evade, and ignore the terms, conditions, and obli-
gations attached to those rights and privileges by the very
Regulations, which conferred or confirmed them. The idea of
property has become stronger and stronger, and idea of obli-
gation attached to the functions of landholder has become
weaker and weaker. It may be said, that every point about
which there could be any doubt has been allowed to settle

itself in favour of the landholder and against the public.

Thus, then, it has happened that in the provinces which we have held the longest of any in India, we have less knowledge of, and familiarity with, the people than in any other province; that British authority is less brought home to the people; that the rich and strong are less restrained, and the poor and the weak less protected than elsewhere; and that we have infinitely less knowledge of statistical, agricultural, and all other facts." *The Administration Report of Bengal, 1871-72*, p. p. 43-4.

Lord Lawrence in this evidence before the East India Finance Committee of 1873 said:—"The Permanent Settlement was made when large portions of the country were waste and unreclaimed, and it was accompanied by no real investigation into the rights and interests of the different classes who were connected with the soil. The settlement was in many instances made with the wrong parties, while the rights of those who had the strongest claims to consideration were set aside or not recorded, &c."

"In a late article we briefly noticed the errors of the original settlement of the Lower Provinces. It began in ignorance, and we have deliberately shut ourselves off from all information as to the tenures or acres of estates. No enquiry was made into the rights of the cultivators, but they were left at the mercy of the middlemen. With studied magnanimity, at the expense of others, we declared, it was our intention of never interfering again in matters connected with the land....Further we might take (at the time of passing the Act X of 1859) a higher ground and say, that we had done a terrible act of injustice to vast millions of the people by the ill-considered pledge of 1793, and that there was no merit in keeping to a promise like that we then made. In keeping it, we resemble the ancient knight, whose

Honour in dishonour rooted stood,

And faith unfaithful made him falsely true.

Should, therefore, the Permanent Settlement cease to be of general benefit to the community, it is clearly within the power of Government to terminate it.

With the Government demand absurdly limited, with the value of silver falling, with the Courts overburdened with suits, that they cannot properly decide, with cultivators refusing their rents in some parts of the country, in others miserably rack-rented, with uncertainty and confusion in all matters connected with administration, and with such terrible elements of disorder lying beneath our feet—is not the one thing necessary a resettlement of the land.” *The Statesman, October 25, 1876.*

“One hundred and four years after having ‘stood forth as Dewan of Bengal,’ the Government is nearly as ignorant on all subjects connected with the land, as it was in the year 1770. Just as then in its ignorance, it tried first a quin-quinennial, then a decennial, and then a permanent, settlement, and was satisfied with none, because no thorough enquiry into the whole land question of the provinces had been made—so now, nostrums are being promulgated as panaceas every few years for the evils, that afflict the people. The ryots’ charter of 1859, the rule of proportion of 1865, the transfer of rent suits to the Civil Courts in 1869, Sir Richard Temple’s preference rate to occupancy ryots in 1876, all shew insufficient knowledge of the circumstances and customs of the people; such knowledge being only attainable by a complete resettlement of the land.

How much money is now annually wasted in deciding what is, and what is not, a fair and equitable rent, and upon the unworkable rule of proportion, which was laid down in the famous rent case of Thakurani Dassi... Though the proportion rule was practically proved as impossible to enforce, as the rule based on Malthus’s definition of rent, and the Courts are supposed to have very generally neglected it. Practically the result has been that where the zemindar is strong, the demand for land great, and the village feeling weak, the zemindar has either raised the rents, or has taken an increase in the shape of abwabs and cesses.

Among an agricultural population, evils affecting the land administration really affect the whole community. A single general principle can hardly be applied to remove them, and in fact a complete resettlement is necessary. In the interest of the

ryot then, we claim a resettlement of Bengal. The occupancy tenant is in many cases harassed with cesses, and is perpetually subject to demoralizing and expensive litigation. The class is set against class. The zemindars' factions against the ryots. The zemindar looks upon the ryot as one from whom he should get as much as he can; the ryot thinks the zemindar one to whom he should pay as little as he can. The one is a refractory slave, the other too often a tyrant." *Ibid.*, November 17, 1876.

"Nothing could well be more calculated to bring vividly back to men's minds the exceeding folly of the land policy of Lord Cornwallis than the present position of the silver market. A gradual fall in the value of silver, though its effect on a fixed land revenue would be just as certain, might very well fail to impress the imagination, or the importance of the loss might be veiled by the simultaneous expansion of other sources of revenue. But a sudden fall like that with which we are now threatened, which, indeed, unless the price of silver should rapidly recover, may be said to have actually occurred, brings us at once face to face with the fact, that its land revenue system, and particularly that part of it which is called the Permanent Settlement, bars the Government of India from the benefit of that process of adjustment by which, in the long run, increase in the quantity of its silver receipts would neutralize the diminution in their intrinsic value.... We have no hesitation in saying, that political morality and humanity alike require that, if the value of the rupee continues to fall, or if even its present diminished value proves permanent, it should review its land revenue system. It would be the wickedest cowardice and the height of political insanity to blink the necessity under such circumstances." *The Englishman* quoted in the *Hindoo Patriot*, April 10, 1876.

"It (the enhanced value of the land in Bengal) is attributable to one cause alone—the security derived from British protection. As a fact they (zemindars) have done nothing to improve the cultivation of the land, but have ever offered, and still offer, all conceivable opposition to the settlement of English colonists. They have not even ameliorated the condition of the poor ryots—

one of the principal objects that Lord Cornwallis and his advisers had in view, when they entered upon a contract, that was faulty in its very conception. The Permanent Settlement was concluded in ignorance of the most essential points of the bargain, and has been violated in spirit and letter, and there is not a Court of Equity in the world, that would not declare it null and void. It was undoubtedly the impression of Lord Cornwallis's Government, that the zemindars would reside upon their estates, occupying their time and thoughts in increasing the yield of the soil, and in improving the condition of their tenants and labourers. The understanding has, in no respect, been carried out, and the agreement is violated by the laches of the zemindars. Compensation will naturally have to be made to these beneficiaries to a limited extent. These are not times to stand upon a vain sentimentality, and of all classes of men, the Bengal zemindars are, as a body, the least worthy of special sympathy and consideration." *The Bombay Gazette* quoted in the *Englishman*, August 25, 1876.

The Evil Effect of the Luxury of the Zemindars.

"The profusion of the rich, far from being of any advantage to the poor, is really one of the greatest calamities, that can befall them. It is impossible that the demand for labour can be increased without an increase of capital. Wherever the parsimonious principle predominates, capital increases, and as capital increases, the demand for labour is increased, the existing inhabitants are better provided for, and their numbers are increased; on the contrary, wherever profusion and wasteful expenditure predominate, capital is diminished, the inhabitants are daily worse and worse provided for, and idleness, pauperism, and disease prevail." *M'Culloch's Political Economy*, p. 414.

* "Luxuries are no benefit but an injury, when they are indulged in at the expense of more important considerations; when they lead to expenses beyond means, to deferred payments, to undischarged debts. Besides the supply of luxuries to the rich employs a very small portion of the working classes of the community; it is the supply of necessaries and comforts to the middle and lower

classes, which is the great benefit to the producers. In proportion to the greater quantity of these, which those classes can demand, is the prosperity, not only of commerce, manufacture, and agriculture, but also of the revenue." *Sismondi's Political Economy and Philosophy of Government.*

The Fallacious Doctrine that Mutual Necessities will drive the Zemindars and the Ryots to an Amicable Settlement.

There are many persons, who are of opinion, that there is no necessity on the part of Government for interference with the rights of the zemindars in order to protect the ryots from their tyranny and oppression; and that their mutual necessities will drive them to an amicable settlement. That such a doctrine is fallacious will appear from the following observations of Lord Hastings:—"The reciprocity is not, however, so clear. The zemindar certainly cannot do without tenants, but that he wants them upon his own terms, and he knows that if he can get rid of the hereditary proprietors, who claim a right to terms independent of what he may vouchsafe to give, he will obtain the means of substituting men of his own: and such is the redundancy of the cultivating class, that there will never be a difficulty of procuring ryots ready to engage on terms just sufficient to ensure bare maintenance to the engager."

The Evil Effect of the Low Salaries of the Zemindars' Underlings.

Our Cornwallis aristocrats, who spend money like water in marriages, *natches*, dissipation, and in other luxuries, are very sordid either in making improvements of their estates, or in adequately paying their underlings. They pay them salaries, which generally fall short of what the Government pay to their menial servants. These underlings, in order to recoup themselves, prey upon the helpless ryots. This low remuneration is the root of another great evil, which has seldom been noticed in any book or newspaper, which we have come across; and that evil is keeping down the salaries of the accountants of the merchants, shopkeepers, planters, and manufacturers. These gentlemen know

very well, that the zemindars pay their underlings salaries generally varying from two to eight rupees per mensem. Consequently they naturally expect, that they also should get men of like abilities at the same remuneration; while their accountants are well aware, that so long as low salaries are paid by the zemindars to their agents, they cannot expect higher or rather adequate pay from their masters. Consequently they are obliged to accept whatever terms their masters are pleased to offer them. These being too low to support themselves and their families, they also, like the agents of the zemindars, are obliged to take recourse to unfair means: they exact in too many cases bribes and *dustoories* from the labourers, workmen, and others, who work under them. That this practice is carried on in broad day-light, and is often attended with fraud, lying, and so forth, both on the part of those who exact and of those from whom they are exacted, is a fact, the truth of which, no one, who is acquainted with the ins and outs of the native life, can deny. Thus the low salaries paid by the zemindars to their agents have for their effect not only the demoralization of the two great classes, but almost of the whole nation. We recommend those of our readers, who are desirous to comprehend fully the evil effects of which we are speaking, to read attentively the Indigo Commission Report, 1860. We can assure them, that at least half of the most horrible outrages, that have been and are still being perpetrated by the planters and the zemindars, has its root in the low salaries paid by them to their agents. The following remarks made by the Commissioner of Chota Nagpore Division are entirely in point:—

“ When the zemindars profit so far by their education as to cease being bribe-givers, the educated Police will cease being bribe-takers; when zemindari Amlah cease to look upon oppression as a legitimate concomitant of power, our Police Amlah will cease to think harshness to villagers and abuse of their authority excusable; when zemindari peons, Post Office peadahs, Civil Court process-servers, and Chaprassies, cease exacting *douceurs* in the shape of *choraki*, *talabana*, or *salami*, our Constables will cease demanding from the people anything in excess of their

wages. I do not defend such mal-practices: I condemn them, and would punish those who commit them with unsparing severity. But such mal-practices as I have referred to above exist as a custom of the country; and the Police, like other natives of the country, commit them, and they will continue to commit them, in my opinion, to some extent, in spite of the restraints of discipline and the vigilance of their superior officers, as long as the commission of such offences is customary amongst natives of the country, who are not in the Police." *The Bengal Police Report, 1877, p. 123.*

The Foolish Doctrine that the Extension of Advantages to the Ryots would make them Indolent and less Productive.

"The foolish doctrine grounded on the assumption that to give the ryots more than the bare and miserable subsistence allowed them by the zemindars, would not make them more happy, but as they were indolent and improvident, it would only render them less productive; and that happily for the country, the profit left by the permanent assessment on the land, had not exclusively centred with the ryots, met with merited condemnation at the hands of the Court of Directors and the Indian Government. The Government of Lord Moira observed that 'The Vice-president in Council is little disposed to believe, that any rules will be required to guard against the extension of too great advantages to the ryots; still less can he for a moment admit the position, that the native of India, by a strange perversity of nature requires the stimulus of misery to goad him to exertion, and that he must for ever remain insensible to the benefit, however great and manifest, which industry holds out to him. The influence of such an opinion must extend far beyond the question under discussion, and would in fact destroy the moral improvement of the people. It appears, however, to the Vice-president in Council to be altogether at variance with the acknowledged principles of human nature. In point of fact, too, the experiment has never been tried; on the contrary, it may be much more justly said, that the characteristic indolence and imprudence of

the Indian peasantry are the necessary results of the circumstances of their situation; and it would be unreasonable to expect the efforts of industry or the cares of prudence from persons, who cannot but feel, that the laws are insufficient to protect them in the enjoyment of the fruits of the one, and still more to secure them the more distant advantages of the other.'” *Babu Sunjeeb Chunder Chatterjee's Bengal Ryots.*

“A very complete detail of the conduct adopted by the zemindars in his district is given by the Magistrate of Raugpur; and the anxious desire he expresses to remedy the existing evils arising out of our ignorance of the rights of the peasantry is likewise creditable to his head and to his heart. He very justly rejects with indignation the cruel and unjust, I had almost said, stupid notion, that heavy taxation on the poor is requisite to excite them to labour. Mr. Sisson says:—‘It is argued by many that the native of Asia requires a stimulus of a peculiar nature to goad him to exertion; in him the order of human nature is reversed; and however great and manifest be the advantages which industry may hold out, such are his indolence and apathy, that under no circumstances will he exert himself further than barely to keep himself and his family from starving. The sentiment has gained much ground of late, and the arguments it affords its advocates are at the present moment held forth as conclusive against the policy of bettering the condition of the poor. It is seriously maintained, that nothing short of State bankruptcy would follow any measures, that might be adopted to restrain the zemindar from exaction, and that the higher the industry of the tenant be taxed, the more he will exert himself, and by consequence, the better will be his condition.’” *Briggs' Land Tax in India, p. 206.*

The Impossibility of Putting a Stop to the Arbitrary Exactions of the Zemindars by a Reference to the Courts of Justice.

In order to protect the ryots from the arbitrary exactions of the zemindars, the Government has, from time to time, enacted laws and regulations, but they have all been turned by them

into additional means for squeezing their life-blood. The fact is, that hundreds of Acts will be of no use whatever in restraining the zemindars from oppressing the ryots till they are removed. Any measure referring the latter to the Courts of Justice to seek redress for the exactions of the former is sure to end in failure. This will appear from the following observations of Mr. Leycester, Senior Judge of the Sudder Dewanny Adawlat, on a Draft Regulation by Mr. Harrington:—"The evil to be remedied here is arbitrary and illegal exactions from the ryots by the zemindars against which this proposed regulation presents no remedy more effectual than existed before. No remedy can be at all effectual that refers them to our public functionaries, even though their present number were to be multiplied ten-fold; we have to do with a people eminently qualified to cheat, and be cheated, to suffer and to practise extortion, before whom honesty and dishonesty are held in equal honor. Written engagement alone can bind these people." *Revenue Letter to Bengal, dated 9th March 1831, para. 18.*

"Mr. Ross, another Judge of the Sudder Dewanny, likewise recorded his dissent; so did some others. The Draft Regulation, therefore, remained unpassed." *Babu Sunjeeb Chunder Chatterjee's Bengal Ryots.*

The Sacrifice of Truth by the Zemindari System.

It is a fact, the truth of which is undeniable, that during these eighty-four years, the Courts of Justice have been overwhelmed with both civil and criminal suits; and that in by far the greater part of them, the zemindars and the ryots were concerned. The number of suits has been so very great, that several writers have characterized the Bengallis as a litigious people. But their assertions, if scrutinously examined, will be found to be quite groundless. The truth is, the zemindari system has been the most prolific source of litigation: the relations between the landlord and the tenant have been left so un-defined, and their respective rights so unascertained and founded upon such impracticable theories, that it would have been most wonderful,

if the Courts were not overwhelmed with suits. In order to form a correct idea of the terrible sacrifice of truth, that has been made by the zemindari system, we must have the statistics of both the civil and criminal suits, that have been instituted in them during these eighty-four years, to say nothing of the still greater number, which will never see the light, and from which the parties escaped by bribing the Police or otherwise; and also we must have to ascertain the exact number of falsehoods, that were fabricated in a single suit. But it is needless to tell our readers, that all this is as impossible as to count the number of worms and insects in Bengal, we may say, in India. And for this terrible sacrifice of truth, the Bengallis have often been characterized as liars, forgers, perjurers, and so forth. But if we trace the source of this lamentable state of things, we cannot lay blame at their door—at their character and habit. It has often been asserted, and perhaps with truth, that sixteen annas were and are still sufficient to hire as many suborned witnesses. But what, we ask, is the foundation of the monument of this terrible sacrifice of truth? It is the zemindari system—it is the extreme poverty of the ryots and the labourers, and the formidable power, which the zemindars and their underlings exercise over them. It is an undoubted fact, that the native gentlemen of good and independent position think it beneath their dignity to appear in Courts of Justice as witnesses, and avoid them with all their power, if they can help it. It is also a fact, the truth of which no one can deny, that the ryots in general never seek the protection through Courts of Justice, unless they are forced to do so by the exactions of the zemindars and their underlings, nay they also think it beneath their dignity to appear in Courts of Justice as witnesses, and try to avoid them with the best of their means. We have many times heard them speak of those, who gave false evidence, with intense hatred. If those who characterize the Bengallis as fond of litigation and lying, make a searching enquiry into the motives of the witnesses for their giving false evidence, they will surely find, that the contending parties, especially the zemindars, force them to appear in Courts

with threats, that their refusal is sure to meet with terrible vengeance. They will also find, that there are very few ryots or labourers in Bengal, who can disobey, without great sacrifice of their interests, the orders of the zemindars and their underlings, when they are required to give false evidence in Courts of Justice. It will also be found, that the witnesses in good many cases give false evidence in Courts not to gain money to add to their store, but to save themselves from starvation. If the condition of the large number of *lattials* or clubmen, who in order to protect the interests of their masters, the zemindars, so often shed their blood, mutilate their limbs, lose their lives, and overwhelm the Courts with criminal suits, be enquired into, it will surely be found, that there is no other alternative left to them but to starve or obey the commands of their masters. The poor ignorant people of Bengal, and we may say, of India, are not the *Munis* of ancient days and martyrs of truth, that they will sacrifice their material interests and die of starvation for its sake. To guard ourselves from being misunderstood, we distinctly state that we are not hereby encouraging those who give false evidence: our object is to lay the axe at the root of this lamentable state of things. We now place before our readers the following extracts, which will confirm our views on the subject:—

“The regulations by rendering almost every cause appealable, serve to increase the spirit of litigation, and to diminish the estimation in which it may be desirable that the authority of the District Judges, as the representatives of Government, should be held.” *J. Rawlins, Esq.*

“From the ill-suited system of a succession of stages of appeal rendered still more so by contradictory decisions, the contentious propensity in the inhabitants is encouraged and increased into a spirit of boundless litigiousness” *John Melville, Esq.*

Speaking of the Bengal Regulations Sir Henry Strachey observes:—“In the enactment of some of those laws to which I have alluded, the Bengal Government proceeded upon the supposition of the great number of suits being caused entirely, or for the most part, by the spirit of litigation; it is but a small

proportion of the suits, that can be ascribed merely to the quarrelsome disposition of the prosecutor."

Sir Thomas Munro alluding to the immense number of suits in Bengal, says :—" But the evil, it has been asserted, is unavoidable, and springs from the litigious spirit of the people of India. Had this been their real character, it would have appeared when they paid nothing for trials. I have had ample opportunity of observing them in every situation, and I affirm that they are not litigious. I have often been astonished at the facility with which suits among them are settled, and at the fairness with which the losing party acknowledged the claim against him."

" The well-known consequences which ensued in Bengal on the imposition of what is called the institution fee by Lord Cornwallis, which in one day caused, as is stated, fourteen thousand cases to be struck off the file in a single Court only, afford the most undeniable proof of the fact, that the stamp duties do keep back an immense number of suits. The Select Committee also, in the Fifth Report, alluding to the mass of suits with which the Courts were inundated shortly after their establishment, and to the various means which were resorted to relieve them, observed :—" But the most effectual relief from the inconvenience sustained was the enactment of Regulation XXXVIII. of 1795, which revived the deposit fee or commission paid on the institution of each suit, and in other respects rendered the proceedings costly to the party cast or non-suited. The imposition of this expense was expected to repress litigation in future, and with respect to the causes already instituted, they were for the greater part got rid of by a requisition for the deposit fee to be paid on them within a limited time."

In Bengal the total number of causes discharged from the file having been in 1804, the latest year for which I have found any account of them, by European agency 15,029, by native agency 101,595. (Fifth Report, p. 169). The diminution of time would be another beneficial consequence of facilitating the adjudication of civil suits in this country, as we are told that

it is not unfrequently the case for parties, when they have a difficulty in getting their disputes decided to decide them themselves, and be brought to the benches of the peace to the criminal side of the Court instead of the civil. Judicial selections, vol. II., p. 20." *An Enquiry into the Alleged Proneness to Litigation of the Natives of India*, p. 44.

"The extension of the novel rights to the whole body of revenue collectors induced them to encroach on the ancient privileges of the minor landholders, who were now constituted by law their tenants. These attempts at innovation led at first to resistance, and eventually to reaction. The regulations and Courts of Justice invited complaints almost without costs; and the Judge of *Bardwaná* alone had upwards of thirty thousand causes on the file two years after the Permanent Settlement was made." *Fifth Report*, p. 145, Appendix No. VI.

The Permanent Settlement, the Greatest Obstacle to Commerce.

The Permanent Settlement has destroyed the commercial faculties of the people. As soon as a person acquires a considerable sum of money either by Government service or by any other means, the first thought that takes possession of his mind is to buy estates, and to rise to the position of a great landlord. And there are two principal causes of it. The first cause is the strong desire natural to an oriental mind for exercising great authority over the people, and making his name an object of terror to them. All this could not be done but by being a great landlord. The second cause is the increase of wealth. It is true that commerce is the source of prosperity. But it has its advantages and disadvantages. Its advantages appear however great to a European mind, they are certainly looked upon by the people of this country as mean and inconsiderable, while its disadvantages—hard labour, troubles, anxieties, and occasional loss—are an object of terror to them. But not so is the zemindari. It is looked upon by them as the goose giving them golden eggs every day. Thus weighing calmly in his mind the advantages and disadvantages of commerce, the rich man purchases estates,

and turns a landlord. However it rarely happens to his lot to buy them at more than a profit of from four to eight per cent per annum. But it is almost impossible for a man of senseless cupidity to be satisfied with that, and to live in content and happiness in a country, where the interest generally varies from twenty to hundred per cent. per annum. He looks with contempt upon the four or five per cent interest, which all the capitalists of the civilized world draw from the investment of their capital either in Government papers or in railway shares. He at first purchases estates of so small a profit, simply because he knows very well that he will be able to increase it by enhancing the rents of his tenants. As soon as the estates come into his possession, he bends his thoughts to screw out the utmost farthing from them. To do this, he is always ready to lose his sense of virtue, justice, truth, and all other noble attributes of human nature—to cut the crops, to plunder and burn the villages, to beat and imprison the ryots, to forge documents and bring false civil and criminal suits, to shed blood and take life of his fellow-creatures, and, in short, to commit many other atrocities, which no pen or tongue could fully describe—till they submit to his demands however extravagant they are. In this way, by enhancing the rents of his ryots, and making his name an object of terror to them, the zemindar increases his profits, entrusts the management of his estates to his agents, and then sits in his palace actually doing nothing in this world, but enjoying luxuries, killing himself by debauchery, and taking upon his head their just curses by day and night. The zemindari is thus held in highest honor and looked upon as the most profitable speculation, while commerce is regarded as mean and bringing small profits. And this prejudice has made so firm an impression upon the minds of the people, that almost all those who acquire a considerable sum of money, purchase estates and turn landlords, while others would prefer a service of twenty rupees to commerce bringing them fifty. Another important point connected with this subject should not be lost sight of. Commerce requires capital, but we ask, where it is? It is not in the hands of the

people, who are to make proper use of it, but it is in those of a few idle and worthless drones of society, as instruments of tyranny and oppression. We firmly believe, that so long as the zemindari system will be maintained intact, the people will never be able to accumulate capital, and consequently commerce will never prosper. We also believe, that this want of capital is driving hundreds of thousands of men to glodly accept services, which barely enable them to keep their body and soul together. Thus we see that the wealth in the hands of the rich men of this country, instead of being a source of prosperity by laying it out in commerce, turns one of the greatest calamities that befall it.

The Famine and the Zemindars.

This is a subject, the searching enquiry of which shows the almost depravity of human nature, and proves incontestibly the unexampled and most senseless cupidity of the zemindars by their appropriating to their own private use lakhs of rupees, which the Government remitted through them in 1866 to the starving millions of Orissa. They also pocketed the advances they had received to them. There is no atrocity in this world, which may not be perpetrated by them. We can certainly lay at their door a part of the terrible calamity, which had befallen that unfortunate province. This will appear from the following lines:—

“In Orissa, however, the case is in many respects different and worse than it is in Bengal. Not only has it been established that illegal exactions have there been carried to a monstrous point, but the enquiries on this question, and the separate enquiry regarding remissions of Land revenue specially granted by Government on account of the famine of 1866 on the express condition that the rents of the ryots should also be remitted, show conclusively that, as a rule, the zemindars did not give either the remissions or the advances they received to the ryots, but continued to collect their rents. Further in some parts at any rate, the Government settlement made direct with the hereditary ryots has been utterly set at naught; the Government leases have been

taken from the ryots; the rents fixed by the Government Office have been increased many-fold; and the main object of the extension of the settlement for a fresh term of thirty years after the famine, viz. permitting the ryots to hold on at the old settlement rates, has been utterly defeated." *The Administration Report of Bengal, 1872-73.*

Although their shameful conduct was thus prominently brought to light, yet they did not scruple in the least degree during the famine of 1874, to resort to means for filling their pockets at the expense of the Government and the people. In order to show their outward patriotism, they presented an address to our noble Government upon its duties in that calamity, but were justly reminded of their own obligations in mitigating the sufferings of the people and preventing its dreadful consequences. Their unwillingness to help their tenantry in any way became so manifest, that Lord Northbrook, in order to rouse them from their lethargy, at first determined to take measures, which would compel them to do their duty towards the ryots pauperised by their exactions. However His Lordship changed his mind, and put moral force upon them. This will appear from the following lines:—

"Lord Northbrook held out a threat if the zemindars will not make advances to cultivators from their own funds, or accept with alacrity the assistance offered by the Government for this purpose, he will pass a law compelling them to do so. His Lordship said: 'If these expectations should be disappointed, and difficulty is found with regard to security, a law will be made directly to cultivators, His Excellency is ready to consider whether some legislative provision should not be made to the effect that the landlord shall stand security for the redemption of the ryots.'

In order to stimulate the zemindars to acts of munificence, the Government of India ordered suspension of the revenue in certain cases. The Government letter said: "In some particular circumstances, some zemindars have experienced difficulty in paying the instalments of the revenue, owing to the actuality which is usually observed among the ryots. In such cases the Go-

verment would by no means desire to adopt the coercive measures which are authorized by law, and is ready to suspend some reasonable period, within which the zemindar might discharge fully his obligations to the State. But it would, on the other hand, be necessary, that this measure should be restricted to cases, where by reason of his exertions for the public benefit, the zemindar might be in temporary difficulty. And it is to be understood that the occurrence of scarcity is not by itself a reason for postponement of revenue instalments in Bengal and Behar, where the land revenue has been permanently settled at rates, which represent a small portion of the revenue, which would have been realized under temporary settlement, or of the rent paid by the land.

But it is not inconsistent with these principles that the State should deal liberally with those zemindars, who may have distinguished, or who may yet distinguish themselves, by employing labour on works of permanent improvement of the land, or importing grain for distribution, or sustaining their ryots in a season of difficulty—or by any act of munificence towards their tenantry, or of charity towards the people in reference to the scarcity, which may be shewn to the satisfaction of the Collector.

In such special cases the Collector should refrain from the application of any coercive process in respect to unpaid arrears of the instalment now due (12th January 1874), and may exercise a discretion in postponing the discharge of part or whole of the coming instalments of 25th March and 23rd June. Care should be taken that this course is adopted only in the cases specified above; and each case where the Collector may exercise this discretion should be afterwards reported for the information of the Divisional Commissioner and the Board of Revenue.

Ordinarily the arrear would have to be discharged together with the subsequent instalments, but the Collector might, with the sanction of superior authority, distribute the instalments over a longer term not exceeding two years from the date of the original postponement." *The Hindoo Patriot, January 20, 1874.*

We leave it to our readers to judge from the following extracts how far the zemindars fulfilled the noble expectations of His Lordship:—

Babu Romesh Chunder Dutt, C.S. writes in his *Peasantry of Bengal*:—“In this calamitous year (1874) when the Government of India and the Government of Bengal tried head and heart to save millions from starvation. What did our zemindars do? A few enlightened zemindars remitted or promised to remit a portion of the rent due. Self-seeking and selfishness, a cruel disregard for the sufferings of the ryots, a most startling unconsciousness of the moral duty imposed on every one at this terrible season—these characterize the mass of the zemindars.... Not twenty miles from where we are writing, a rich and heartless zemindar has been for the last several years harassing his ryots in the cruelest manner for increase of rent. Some of the ryots have left the country—others are imprisoned—all have been ruined and impoverished. And this calamitous year has been chosen as a fitting occasion to heap fresh cruelties on the heads of the ryots and thus bring them back to their accustomed servitude.” The learned author asks: “Is this an isolated instance?”

The London Correspondent of the *Indian Observer*, *January 31, 1874*, says:—

“A word of warning to the zemindars. According to the Calcutta correspondent of the leading journal, the native landed proprietors, with a few notable exceptions—three in all—are holding back and neglecting their obvious duty to their tenants in particular, and to their poor countrymen in general. The zemindars of Bhangulpur are especially gibbeted and held up to scorn and disgust as refusing to do anything for their tenantry. If this be so, and no body here questions the fact, it is well that the consequences of such atrocious perversity should be clearly understood. It would be better for these men to rise in open rebellion against the British Government than to shrink from the task of alleviating the sufferings of their poorer neighbours. In this country all are agreed that human life must be saved at

any cost. The maxims of justice, the laws of political economy, the necessities of the State, must all be subordinated to this great end and object. When the proper financial means, we shall all contribute according to our means to save from destitution and death our Asiatic brethren and fellow-subjects. But we shall not permit any dereliction of duty on the part of those, who are bound to initiate works of relief and to strain every nerve to grapple with the terrible foe. The Permanent Settlement may be said to be on its trial far more truly and literally than was Constitutional Government in Prince Albert's eyes at the commencement of the Crimean War. Let the zemindars hold back and refrain from a little self-denial in order to help those who are entitled to look to them for aid, and I would not give them three years' purchase for the permanence of their settlement. If they would have their rights respected and maintained, they must fulfil their incidental responsibilities. It would be easier to root out an indolent, grasping, sensual, self-indulgent plutocracy than it was to disestablish the Irish Church."

An 'experienced' Correspondent of the *Friend of India*, January 22, 1874, says:—"What annoys me is the way in which some of the wealthy zemindars are behaving. For instance Babu———, the wealthiest zemindar near me, has, I hear, collected 12 annas of his rents, and his peons are out for two annas more. This I heard from some of his ryots. You will open your eyes considerably when I tell you, he is an 'Honorary Magistrate.' Thus we have men of this sort working directly in opposition to Government, and it is impossible to expect Government to do every thing necessary to ward off the famine, unless all join in helping."

The *Times* says:—"It is disheartening to observe indications that the Government will not be supported as it ought by the wealthier Natives of the Presidency. There have been, indeed, some noble examples of liberality both among Hindoos and Mussulmans; but a telegram from our Correspondent announces that the neighbouring zemindars have informed the authorities that they will neither take advances nor help the tenantry.

Such conduct deserves the severest reprobation. But the Government and the people in general have the strongest possible claim on these zemindars. We do not grudge them their Permanent Settlement, though we cannot help recollecting by what sort of misconception they were put into the position of landholders. But it excites reasonable indignation when we hear that an Association of them lately had the coolness to present an address to the Indian Government upon its duties in this crisis. They were then justly reminded of their own obligations. The Legislature, they were told, had made over to them the greater part of the land revenue,—a gift carrying with it the care of the estates and of the many people by whom the revenue is produced, and in a time of distress the Government must look very much to the Landlords of Bengal to aid these poor people.' To do so is at once a moral obligation and a measure of prudence; but it would seem, the obligation is rarely felt, and the mass of proprietors deem it perhaps futile to provide against natural calamities. At all events they expect the Government to meet the whole emergency, and this is probably another consideration, which tends to encourage hesitation in our authorities. Our Correspondent, in his last letter, said that all over Behar they had become saturated with these two ideas,—a crisis is coming worse than in 1866, and the Government stores which they see being prepared on all sides will save them alike from death and the traders' rapacity. English administrators have an instinctive wish to stimulate people to help themselves. It is no doubt our duty to encourage such energy, and if the zemindars neglect their duty, it may become a question whether some means cannot be devised for awakening their sluggish consciences." Quoted in the *Friend of India*, February 5, 1874.

The *Amrita Bazar Patrika* deprecates "as quite inconsistent with the existing state of this country about to be ere long plunged into the horrors of a severe famine the frivolity and eagerness for pleasure and amusement shown especially by the residents of the metropolis, when the money thus extravagantly

squandered in these troublesome times may be more beneficially used in saving the lives of thousands of people perishing from starvation." *Ibid, February 12, 1874.*

"Many cruel zemindars being engaged in helping the ryots from fear of Government, are effecting their complete ruin. They are drawing money from the Government on pretence, that they will advance it to the ryots without interest, but they are settling the interest, and then lending them money. He who is kindly not settling the interest, is exacting *nuzzur* and advancing Government money to them. It would have been better for the ryots, if the zemindar alone had exacted it. There is no hope of getting money unless the Amlahs are paid something. The zemindar declares and orders the Pandit of his school to write to the newspapers, that he is continually distributing rice among the ryots. It is true that the people are taking rice advances, but on the *bari* system. If any one says that he is taking advance on such terms, he must be fined. A certain zemindar heard, that at such a critical time such a one was not at all in distress: that he was living with his family in happiness. A certain attendant informed him, that he had money, and that why he did not drag him to his Cutcherry and exact it from him? The zemindar dragged him to his Cutcherry and told him:—"See my son! the zemindar is the father and mother of the ryot, it is his duty to help him in his distress; at this critical time, I am obliged to spend much, so you must give me something." Hearing this the ryot turned speechless. After a moment he said: "Sir! I support my family by daily labour; I never saw the face of five rupees at a time, how can I give you money?" The zemindar turned a deaf ear and said: "If you don't pay the money, you must have to go immediately to the dark room." The ryot said: "I have no money, consequently you cannot get it, even if I were murdered." The zemindar ordered his Durwan; he took him to the dark room and beat him. The ryot remained there almost dead, yet he was not released. His relatives, seeing no means, sold his cow, calf, and other things, paid the zemindar fifteen rupees, and then released him after two days. They advised him to bring a charge against him, but he

dared not lodge complaint. Therefore we also dare not publish the name of the zemindar, who is a fiend in human form.

We humbly request the public and the Government not to believe, that the zemindars are helping the ryots. Because many zemindars on pretence of helping them are effecting their complete ruin. The names of really patriotic zemindars will not remain unknown. They should be respected both by the public and the Government. Let all the people of the country reproach those vile, human-blood-thirsty, monster-like zemindars, who are the thorns of society, and can beat the ryots for money in this critical time. There are such places in the mofussil, that if any one commits a murder, it does not reach the ears of Government. There the Police is the only hope; even that is in the hands of the zemindars. We burst into tears even to describe the miseries of the ryots of those dark places. We have seen some places, where the zemindar was soundly beating a ryot. We forbade, we shed tears; he laughed and took him to a distant place. We told the Darogah of the Thanah; he laughed and said: "The zemindar has not sat to practise virtue, unless he does so, money will not be realized. Not a single witness could be found against him, therefore I do not take up the cases."

In how many such places, the zemindar is effecting the complete ruin of the ryots, who can tell that? "The zemindar is helping the ryot" hearing these words our heart beats; they remind us, that the zemindar on this pretence will effect his complete ruin. Therefore let the Government and the good zemindars unite and punish the cruel ones, (the editor should remember that there are very few good zemindars in Bengal), otherwise the name of the zemindar will never be spotless. The ryots are not so terrified by the famine as by the oppressions of the zemindars. Is there no means for relieving the distress of these oppressed ryots? Let the Government soon find it out, and make them happy." *The Shalava Shamachara, Jaisto 20, 1281 Hejira.*

We now come to the most important part of the subject. First we place before our readers the following extracts from the

Report of the Land Revenue Commission for the Year 1874-75—

“The table in the Appendix (Table IV) shows the number of notices of enhancement served (by zamindars) through Collectors, in accordance with the procedure of Act VIII. (B.C.) 1869, both during the year of report and during the preceding year. It will be observed that on the whole there is a very general increase in the number of notices of enhancement.

The number of notices of enhancement issued in 1873-74 and 1874-75 was 6,521 and 9,313 respectively.

The Collector of Nuddea thinks that the more pressing anxiety of distress diverted the minds of the ryots from their quarrel with the zamindars...One notable exception to the tranquility of the Division was the———state in Jessore, where the endeavour to force enhancement has led to a serious disturbance. The zamindar appears to have been to blame.

Chittagong Division. The marked increase in the number of notices of enhancement in the district of Tipperah indicates the unsatisfactory state of things, which there exists, the landlords pressing for increased rent, the ryots combining to resist.

In the Burdwan Division there was a considerable increase in the number of notices of enhancement, and a decrease in the number of notices of relinquishment. The increase in the former ‘may’ says the Commissioner, ‘probably be attributed to the rise in the price of produce and to the fact that *the landlords have taken advantage of the circumstances of their tenantry in consequence of the scarcity to serve notices of enhancement on them.*’ The excess of notices of relinquishment over those of enhancement is probably due to unfavourable seasons.

Patna Division. A large increase in the number of notices, both of enhancement and of relinquishment is observable in the Patna Division.

In Murshedabad the number of notices of enhancement, which had been steadily decreasing, has again risen during the year of report. A similar increase and decrease in Maldah is supposed by the Collector to indicate a greater demand for land

In Dinagepur the Collector attributes the decrease in the number of both kinds to hard times. In Rungpur, Rajshahi, and Bogra, there was an increase in the number of notices of enhancement."

Now let us see how far these 9,343 notices of enhancement affected the interests of the ryots. We will here quote the words of Babu Parbati Charan Roy, a 'small landholder.' He says:— "In order to have the total number of the cases, in which enhanced rates were claimed, it will be necessary to add to the above, kabuleut cases and those for arrears of rent at enhanced rates, instituted after service of notice. Taking the number of such cases to be half of the former (notices of enhancement), the total of both classes would be about" 14,014. Let us assume that decrees for enhancement were granted in 707 cases, and 707 cases were dismissed. "These, however," to use again his words, "do not represent the actual number of enhancements, that have taken place in consequence of these decrees. For when a decree is obtained against one ryot in a village, all the others in that and the surrounding villages generally settle their differences according to it." Assuming the number of villages, which settle their differences according to one case to be five, we come to the conclusion, that rents were enhanced in 35,035 villages. Again assuming forty ryots in a village, 35,035 villages represent 14,01,400 ryots or 70,07,000 men, women, and children. Thus we see that the rents of 14,01,400 ryots were enhanced by legal means in the year of famine, and as many as 14,01,400 more were put to troubles, anxieties, and expenses of lawsuits. For when a zemindar serves notices of enhancement, the ryots often combine, and fight him in Courts of Justice, by distributing the law expenses among themselves according to their respective holdings. Moreover they were harassed by their zemindars in thousand ways and some of them certainly left their dear homes. Besides there were many zemindars, whose very names rendered it unnecessary to serve notices of enhancement, and frightened the teantry to submit to their demands. We know, a certain zemindar made serious attempts to enhance the rent of his ryots, but did not succeed only because they fell in arrears, and, with

very great difficulty, kept their body and soul together. However he has now succeeded in increasing it in two out of three villages. In this way the zemindars counteracted the noble efforts of the Government for saving the millions pauperized by their exactions from the dreadful consequences of the famine. These 9,343 notices of enhancement, independent of all other oppressions, indisputably prove, that the zemindars are not at all fit to be maintained any longer at the expense of the country, and that they ought to be at once removed. However, we must admit, that there were a few zemindars, who really helped the poor. With regard to the honors showered upon them by the Government, Mr. J. Hector very justly observes: "Nothing can appear more inappropriate to any one acquainted with the obligations laid on the zemindars by the terms of the Cornwallis Settlement than the praise lavishly bestowed upon them for the paltry sums which they expend on works of a public character. A few thousands—very rarely a few laks—are given in this way by men, who, we know, have pocketed many millions at the expense of the country." *The Land and Railways in India*, p. 20.

The number of the zemindars, who really helped the people, may appear large on paper, but let the Government publish the names of those, who did nothing, and of those who counteracted its noble efforts by enhancing the rents of the cultivators, and we shall not be at all surprised to learn, that the former will not be a thousandth part of the latter.

Wonderful it is that notwithstanding their disgraceful conduct in thus thwarting the measures of Government, they succeeded in inducing a belief, that they had fulfilled the obligations laid on them by the terms of the Permanent Settlement—had remitted rents, given rice advances to the ryots, established *annachatras* (places where boiled rice is freely distributed to the poor)—and saved the millions from the worst death of starvation. And we are not at all surprised at their success, when we recollect in our minds the net of illusion—the big Associations and the *Hindoo Patriot*—which they have spread. The former, in order to show the outward patriotism of the zemindars

came forward, at the very outset, with a petition in their hands to advise the Government upon its duties in the crisis, while the latter filled his columns with long articles raising them to the skies. He even invited letters from his followers in order to enable him to throw dust in the eyes of the Government. All letters full of patriotism, which had their existence probably nowhere except in the fertile brain of his correspondents, were 'prominently inserted' in his columns. Among the numerous articles, that were published in the *Hindoo Patriot* of 1874, our readers will find one headed 'The Vindication of the Permanent Settlement.' They will also find here and there such sentences as these: 'In times of scarcity the zemindars are a strong prop of the people.' 'They have fulfilled the expectations of Lord Cornwallis.' 'They ought to be honoured by the Government for their liberality.' Our readers will be surprised to learn, that he has not yet ceased to prove his skill in the arts of flattery. He says:—"In permanently settled Bengal the zemindars *always* grant remissions of rent in times of drought and flood, and that Government has always exhorted them to do so." *The Hindoo Patriot, February 26, 1877, p. 100.* Need we tell them, that all these remissions of rent, rice advances to the ryots, and *annachattras*, had their existence nowhere except in the fertile brain of our *Patriot*. Is it not a matter of great surprise, that those who in this way betray the interests of their country as well as their conscience which God has implanted in them, should assume the name of the *Hindoo Patriot*? Their presumption is nothing but a disgrace to those heavenly words.

However the columns of the *Hindoo Patriot* having been thought inadequate to fulfil their object—to represent them as patriots—the zemindars presented an address congratulating the Government of the success they had gained over the famine by saving the lives of the poor millions from starvation.

Such is the way in which the zemindars succeeded in inducing a belief, that they had vindicated the Permanent Settlement, although they secretly counteracted the noble efforts of the Government by enhancing the rents of the ryots.

We here take the opportunity of offering our most sincere prayers to God to confer His highest blessings upon the Government and all those, who made noble efforts to save the poor millions from starvation.

The Zemindars are the Opponents of the Ryots.

In all matters concerning the happiness and well-being of the people, the zemindars are the first to claim the lion's share — it is owing to their exertions and expenditure of capital that cultivation has increased; it is they who have constructed roads, khals and embankments, and established schools, colleges, and hospitals; it is they who always fight with the Government for the interests of the people; their Associations are the the mouthpiece of British India; their *Hindoo Patriot* comes out every Monday morning 'to oppose lawfully, constitutionally, and loyally such measures of Government as in their humble judgment run counter to their (people's) interests;' it is they who first came forward to advise the Government upon its duties in the famine of 1874; it is they who 'always grant remissions of rent in times of drought and flood,' and are a strong prop of the people in times of distress; in short they are their *ma bap* (mother and father). We are not indulging ourselves in vain imaginations: we have read several times the *Hindoo Patriot* representing the zemindars as the *ma bap* of the ryots. Yes, he is quite right, alas! not in the sense in which those heavenly words are commonly used, but in the sense of some reptiles, which devour their young ones. We leave it to our readers to judge from perusal of this volume, whether they are their *ma bap* or devourers. That they are opponents of the ryots will appear from the following extracts:—

"In the seventh paragraph of Sir Thomas Munro's despatch to Mr. Petrie, dated the 26th of August 1805, he says:—'There is not the same necessity in this country as in Europe for a body of great or rich landlords: and even if such a body could be raised up, it would most probably in the end be productive of more harm than good; because great landholders would in time

become impatient of the dominion of a foreign sovereign, and their wealth and the smallness of their numbers would enable them to form combinations, which a class of cultivators have neither the means nor the wish of attempting...Great landed property in possession occasions turbulence and insubordination in the holder.' ” *The Principles and Policy of British India*, p. 9.

Welby Jackson, Esq., Commissioner of Murshedabad, writes:—
“In the present state of the country, I look on the zemindars as the opponents of the cultivators, not the protectors of their interests; the zemindars are continually trying to shake the permanency of the old resident ryots’ tenure, the only permanent interest in the land now existing (besides that of the Government), while the ryots are endeavouring to retain it; the Government is bound to protect them, and interested too; for rack-renting, the general practice of the zemindars, where they can have recourse to it, is far from conducive to the improvement of the land.” *Papers Regarding the Consequences to Under-tenures of the Sale of an Estate for Arrears of Revenue*, p. 51.

“They (zemindars) very naturally resist any attempt on the part of Government to increase the revenue, and assert that the lands which the Government claim a right to assess, were included in their several estates at the time of the Permanent Settlement.” *R. D. Mungles, Esq. Answer to Question 637. Minutes of Evidence taken before the Select Committee of the House of Lords, 1830.*

“The people are particularly oppressed; and from particular circumstances I do not conceive that the zemindars are attached to Government.” *Hon’ble M. S. Elphinstone. Ibid. 2497. Ibid.*

“They (zemindars) set themselves to baffle the Government in all attempts made to discover the actual condition and rights of the great body of the people, though such attempts be professedly and actually directed to the better administration of justice. They appear to have been very successful in their resistance to all such measures, and so far have been, I think, very

mischievous." *Holt M'Kenzie. Ibid. 2632. Minutes of Evidence taken before the Select Committee of the House of Commons, 1832.*

"When in consequence of the inefficient state of the Police, especially of the village watch, thefts, gang-robberies, and dacoities, had increased to an alarming extent in parts of Bengal, and Government sought all the assistance it could obtain in righting the evil, it was alleged by the zemindars 'that Government were bound to defray the entire expenses of the Police establishment, and had not even the right to insist on the appointment of the village watchmen, if the communities considered their interests did not require it.' It would be monstrous to suppose that the Bengallis, a race wholly devoid of physical courage, who have ever been at the mercy of the stalwart race of Northern men who chose to invade them, should be protected both in life and property at an enormous cost to Government; that the State should be saddled with the debt of a hundred millions sterling on this score; and they contribute nothing to its liquidation. It is wholly inconceivable out of India, that persons situated as are the zemindars of Bengal,—persons who, as before shewn, within little more than a quarter of a century, have been permitted to accumulate a hundred and fifty millions sterling over and above their legitimate gains, should be unwilling to aid a Government, which had successfully strained every nerve to save them and their property from destruction. Yet in 1859, when an income tax was proposed, the zemindars of Bengal not only declared themselves such but claiming immunity under the very Act, that effected, it may be said, the creation of their wealth, they most stoutly resisted its incidence loading the Government with accusations of injustice and bad faith, in lieu of those out-pourings of gratitude and substantial donations, which might have been looked for. Behind such facts as these, the confident expectations of Lord Cornwallis vanish into the thinnest of thin air; and with them before us, I would venture to ask, what solid ground have we on which to rest the shadow of a hope, that the future of the present will bear better fruit?" *Dr. Nussaw Lees' Land and Labour of India, p. 177.*

The Bengal Spectator, January 1, 1843.

The Agrarian Rising.

Our readers will easily perceive on perusal of the following pages, that the agrarian risings owe their origin solely to the exactions and oppressions of the zemindars. Is there anything in this world more to be regretted than to see a people celebrated for their peaceful habits and living under one of the most civilized and enlightened Governments in the world, driven to rebellion by the proverbial rapacity of an 'indolent, grasping, sensual, self-indulgent plutocracy,' whom a single stroke of its pen can root out at any moment? We humbly request our readers to think seriously of the oppressions, to which they had been subjected before they rose against the order of society. These agrarian risings indisputably prove, that universal disaffection prevails throughout the country. It is most humiliating to the Indian Government, that it has not taken a single measure to protect them from their tyranny and oppression. Instead of rooting out the evil, it is only adding fuel to the fire. As if to mock the misfortunes of the peasantry, the Bengal Government is proposing measures, which have no other object in view than that of binding the chains more closely round their feet, and of filling the coffers of the zemindars. The more the breaches of peace are committed, the heavier are the burdens imposed on the people. We have heard of risings of Chiefs and Sirdars, but where it is recorded, that the peaceful cultivators of the soil rose against the Government under which they had to fight for their rights and privileges? Whatever view others may take of them, we look upon them as forerunners of the bright prospects, which the ryots are almost sure to enjoy in no distant future. We see in them the bright days, when they, instead of being the oppressed, down-trodden, half-starved, and discontented tenants-at-will of the zemindars, as they are at present, will be welfed, happy, and contented peasant proprietors.

The Pubna Agrarian Rising.

in Pubna, Bogra, and other places, comparatively new landlords not only raised the rent and simultaneously increased the illegal cesses, but strove to use our registration system and the Munsiff's Court as means for deceiving the peasantry into signing agreements to pay past cesses and all future taxes, as part of the rent. Mr. Nolan, a young civilian, first exposed the fraud and violence in Serajgunge. The advent of the road cess woke up the peasantry to their rights, and they formed a league reporting the fact to the authorities. The rascaldom of the district, and doubtless, some of the respectable tenantry took advantage of the excitement to plunder or pay off old sores. But there was marvellously little violence compared with the example set by the zemindars." *The Friend of India, 1874, p. 4.*

"Meanwhile the unsettled questions between landholders and ryots have been brought into prominence by what are known as the Pubna rent disturbances. It appears that the zemindars have been in the habit of levying very heavy illegal cesses. More recently, probably alarmed by the inquiries into these cesses, and foreseeing the effect of the obligation to return a statement of rents, by which they would be bound in case the road cess (already in operation in the neighbouring districts but not in Pubna) was extended to Pubna, the zemindars became anxious to consolidate the cesses with the rents, and to take the opportunities of obtaining at the same time a large increase of rent. But they had not served the legal notices of enhancement, by which enhancement must be proceeded, and legal means would be tedious, expensive, and difficult in these days when the ryots of Eastern Bengal have learnt to unite for common action, and the Courts have expounded the laws in a manner favourable to the ryots for which the landholders were not prepared. In this dilemma they attempted to obtain their object by irregular and illegal pressure. Some of the more unscrupulous zemindars certainly put on much improper pressure of this kind, and attempted by this means to obtain very unfair, extortionate, and illegal documents binding

the ryots to pay largely increased rents, to pay all cesses imposed or to be imposed by Government, whether on the occupier or the owner, to surrender the right of occupancy in case of difference with the zemindar, and altogether to place themselves at the landlord's mercy. There can be no doubt, that in thus attempting to overrule the law, and obliterate the rights of the ryots, some of the zemindars acted very illegally, and that the first fault lay with them. Then there was a violent and threatening outbreak, of which, of course, many bad characters took advantage. The rioters never for a moment resisted the authority of Government, they never went further than to report that the zemindars were to be abolished, and they were to be the Queen's ryots. Then the peace was completely restored without military or other extraordinary aid, and the rioters have been duly punished." *The Administration Report of Bengal, 1872-73.*

"The real origin of the dispute," says Mr. Nolan, the Magistrate of Serajgunge in Pubna, "is to be found in the frequent enhancement of rents and illegal exactions in Esafshahi Pergunnah." Quoted in the *Bengal Magazine*, No. XIV., p. 21.

"We have received the official reports on the late riots in the Pubna district. It will be well to state the plain facts in connection with this outbreak for the information of our readers. The reports consist of the papers submitted by Mr. Molony, the Commissioner of the Rajshahi Division, Mr. Tailor, Magistrate of Pubna, and Mr. Nolan, Assistant Magistrate of Serajgunge. Of these, Mr. Nolan from his frequent contact with the several parties concerned, speaks sometimes in the style of a partisan. His intense sympathies with the ryots lead now and then to assume as if the whole fault lay on the zemindars. Now though advocates of the ryots as Mr. Nolan himself, we think we have no right to vindicate them even in those enormities and excesses, which they have practised in defiance of the law. For their manifold grievances and the oppressions of which they have been the victims, they should be carefully heard by the paternal Government; but on the principle of giving every one his due, we should also be prepared to listen to what the zemindars have

to say in reply. So far as it has been ascertained, we may say with perfect safety, that the responsibility of the rising rests with the zemindars, or we should say, their agents. It is they that have made the ryots furious, and it is they that should be held responsible for the consequences that have followed. We can safely accept such facts as have come to the notice of Mr. Nolan in his judicial capacity, and reading them aright, we find, that we can come to no other conclusion. The agrarian movement originated in the Pergunnah Esafshahi, a large district in Rajshahi, which contains 272 separate estates and 695 villages. The five principal estates are owned respectively by the A——— of B———, the C——— of D———, the E——— of F———, the G——— of H———, and the J——— of K———. Of these, says Mr. Nolan, 'the A——— are more to be trusted than any of the zemindars,' and the E——— are probably the worst. Mr. Nolan says he had to punish a member of this family under a section of the Penal Code for encouraging by his presence the plunder of the house of a considerable headman. '——— is known to have maintained a body of dacoits and thieves to harass the ryots of a rival sharer. During this year, their people killed an up-country Burkundaz of the A——— in a land riot, and by a spear wound: another man was also killed in a similar way in the same year.' 'The G——— once sent a band of up-countrymen with swords to make the ryots pay income tax. The Burkundaz looted——— village three years ago, and killed a ryot with a spear in the fight. The agents of the C——— kidnapped a ryot this year, and kept him ten days in confinement.' Judging from cases which have come before him judicially, Mr. Nolan thinks that 'the zemindars of Esafshahi are a turbulent set of men without any respect for law, and very little for life in their dealings with their ryots and with one another.'

The immediate cause of the collision between the zemindars and the ryots was the enhancement of rent. The old rent of the land was a rupee; but this was subsequently enhanced in various ways, some legal and some illegal. It is extremely diffi-

cult now to say what was the legal rent. To the old rupee rent there would, for instance, be an increase of 8 annas made fifteen years ago and regularly paid of late, 4 annas demanded seven years ago and paid except in one bad season, and four annas demanded in 1870 and only paid one year. There would also be some illegal cesses. In this case the zemindar would say, that the rent was 2 rupees, the ryot that it was one rupee, and perhaps a Court might decide, that it was one rupee eight annas. Such was the condition of the District, when the zemindars thought last year to ask for further concessions from the ryots. An increase of eight annas, then of four annas, was demanded upon a rent already high. *Kabuleuts* were asked from the ryots, by which a disputed cess might be made legally permanent, and a promise extorted to agree to pay all taxes, which might hereafter be imposed. There was also a clause in most of the *Kabuleuts* empowering the zemindars to eject the ryots whenever they might quarrel. At first the ryots gave way for the most part. Several hundreds registered the *Kabuleuts*, and others seemed to prepare to do so. Only certain villages resisted the demands. The ryots of two of these villages were sued for rents in the Munsiff's Court. They only deposited in the Court the sums which they considered due; but the cases were decided in favour of the zemindar. In December 1872 the decisions were reversed by the Judge of Rajshahi, who only decreed the amounts deposited. The cases disposed of by the two decisions numbered 129. The rate claimed by the zemindar in one instance was Rs. 5-10, and that decreed by the Court was Rs. 2-8. The effect of these decisions was instantaneous. The ryots of the neighbouring villages who were not so fortunate, caught the reaction, and a general conflagration soon broke out." *The Indian Mirror, July 25, 1873.*

The Disputes Between the Zemindars and the Ryots.

There are two principal causes of the disputes between the zemindars and the ryots of this country. The first cause is the accumulation of colossal wealth in the hands of a few ignorant

and grasping zemindars, and the second the extreme poverty and wretchedness of the ryots. The zemindars being possessed of vast wealth, which has been forced into their pockets by the ill-considered Permanent Settlement, have naturally grown turbulent and impatient of the authority of Government. They think, and perhaps rightly too, that they are in a position to take the administration of justice into their own hands, and to do whatever they like in the Mofussil with perfect impunity. Impressed with this notion, and backed by hundreds of *lattyals*, they defy the authority of Government, treat its laws and regulations as not worth the paper on which they are written, commit thousand atrocities, but worst of all, frequently enhance the rents. The ryots know very well, that their masters have already reduced them to extreme poverty and wretchedness by screwing up their rent to the highest pitch, and that any addition to it means death to them. Forcibly drag them to the Cutcherry, give them sound beatings, imprison them, cut their crops, plunder their houses, and commit other atrocities; they will patiently bear them all as being temporary evils; but try to enhance their rents, and thereby to ruin them and their descendants for ever, and they will be the last men in the world to submit to you without a struggle. But the zemindars care very little whether they keep their body and soul together, or die of starvation; they care only money and nothing else, and they know how to extort it. They also know, that money makes every thing. It turns day into night, night into day, truth into falsehood, and falsehood into truth. It turns Courts of Justice into instruments of oppression and into means of filling the coffers. It even enables the perpetrators of the most serious crimes to escape with perfect impunity. And the zemindars have enough of it. Impressed with this notion, and backed by hundreds of *lattyals*, as we have already said, they demand, with commanding tone, the increase of rent. The ryots naturally resist them, form combinations to which they rest their last hopes, and fight their opponents in or out of Courts of Justice. It is here needless to tell our readers, that the zemindars are the aggressors, and that in the end the ryots

are very often forced by thousand ways to submit to their demands. In this way the disputes between the zemindars and the ryots have divided Bengal into two great camps, which have terrible reprisals to make against one another. Serious riots and breaches of peace, bloodshed and murder, plundering and burning villages, cutting crops and other atrocities of a like nature, are a daily occurrence. But our rulers instead of rooting out the cause of all these calamities, are only adding fuel to the fire. The more the breaches of peace are committed, the heavier are the taxes imposed on them. As if to mock the misfortunes of the peasantry, the Bengal Government is proposing measures, which have no other object in view than that of binding the chains more closely round their feet, and of filling the coffers of the zemindars. From a close observation of the conduct of the Government towards the zemindars and the ryots, it seems as if they conquered Bengal to fill the coffers of the former, and to reduce the latter to extreme poverty and wretchedness. Does any one doubt, that if this state of things be allowed to continue, there will be, at no distant future, one of the greatest agrarian risings ever recorded in history? With these remarks, we place before our readers the following extracts, which will serve to throw much light upon the subject:—

“The Lieutenant-Governor observes with satisfaction, that notwithstanding the unsettled relations which exist in many parts of the Dacca Division between Landlord and Tenant, there have been no agrarian disturbances arising out of them.” *The Calcutta Gazettee, August 23, 1876.*

“A correspondent at Furreedpore thus writes under date the October 23, 1876:—The zemindars of————in the district of Furreedpore were disturbed with internal and incessant quarrels with each other, in which blood was not very unfrequently shed. The District Officer seeing no hope of bringing out reconciliation between the zemindars, and being unable to prevent the more powerful and rapacious parties from encroaching upon the rights of their weak neighbours, has at last attached their zemindari and appointed Mr. Owen, the late District Superintendent of

Police of Furreedpore, as manager for the better and peaceful administration of the estate'." *The Hindoo Patriot, October 30, 1876.*

"In consequence of the frequent breaches of the peace and serious riots, which occur between the rival factions of the zemindar of——— and the talookdars and others, owners of the villages of——— and——— in the——— Sub-division in the district of Backergunge, the Lieutenant-Governor has sanctioned the employment for a period of six months of a special Police force consisting of a head constable and ten constables to be quartered in the said villages. The cost of the force will be assessed and levied from the inhabitants of the villages in proportion to their respective means." *The Statesman, November 7, 1876.*

"With a view to the preservation of the peace in the villages of——— and———, Backergunge, where a dispute exists regarding the possession and rents of certain lands and tenures, the Lieutenant-Governor sanctioned the employment, for a further period of four months, of a special Police force consisting of one head constable and four constables quartered at those villages. The charges will be levied from the villagers." *The Indian Daily News, November 9, 1876.*

"The disputes between landlords and tenants still continue in Eastern Bengal, for we see that an extra Police force of fifteen Policemen is to be quartered for six months at the villages of A, B, C, and D in the Furreedpur district at a cost to the inhabitants of rupees 1,091, as the villages are reported to be in a disturbed and dangerous state owing to the existence of disputes regarding rent. There has been already too much minute writing and reporting upon this rent question, and it is hoped that Mr. Eden will at once turn his attention to the settlement of this vexed question." *The Englishman, January 24, 1877.*

"Fourteen villages in the——— Sub-division of the Backergunge district being in a disturbed and dangerous state owing to the existence of disputes regarding the possession of lands and collection of rents, an extra Police force of two head

constables and fifteen men is to be quartered on the said villages for twelve months, at a cost to the inhabitants of Rs. 2,843." *Ibid.*, June 28, 1878.

"As there is still imminent danger of breaches of the peace between the zemindars and ryots in the villages of S and A in the Ferozepur Sub-division of Backergunge, an extra Police force of one head constable and ten constables is to be quartered on them for an additional period of six months." *Ibid.*, August 1, 1878.

"It (the division of the land among the zemindar's descendants) does very frequently create great disputes, for the landed property is so much in fictitious names and so intangible, that difficulties constantly rise." *Thomas Fortesque, Esq. Answer to Question 2322. Minutes of Evidence. Revenue. Commons, 1832.*

"It is admitted on all hands, that the relation between the zemindars and the ryots is daily becoming more and more unsatisfactory, and is fast verging to a crisis. We may certainly blame the ryots to a certain extent for their conduct, or we may blame the zemindars,—but the root of this evil is undoubtedly to be sought for in the revenue laws of the country and the system of their administration. Indeed nothing reflects so unfavourably on the British system of revenue administration in India as the fact that, among a race of peasantry so peaceful as that of Bengal, feuds and rioting and landed disputes are a daily occurrence. The Bengali is so naturally averse to actual violence and warfare, that so long as there is the remotest possibility of justice being obtained at a court of law, he will not go to actual fighting; and it is only when our Civil Courts literally scare away with a cheerless prospect of delay and expense, that he involuntarily has recourse to the last means left." *The Bengal Magazine, No. 17.*

Sir George Campbell says:—"The disturbances which took place among the Southals have been already noticed under 'Political;' but inasmuch as the origin of their grievances was ultimately connected with the administration of the land, some

mention of the matter in this chapter is desirable. The Sonthals are by nature a sort of backwoodsmen. They are most industrious and even skilful, clearers of the jungle and reclaimers of the soil, but they do not cultivate highly when the ground is reclaimed, and very much averse to paying high rents. They fairly think the land is his, who first tilled it; that they have a sort of property in the land, and should be called on to pay only the plough tax, which is familiar to them. If pressed beyond that, they would rather retreat further into the woods and make new reclamations in places where they would not be molested. Unfortunately, however, they have reached the extreme limit of retreat, and now find themselves on the borders of the plains of the Ganges at the very place where competition for land is keenest, and where rack-rents are screwed up to the highest pitch. Nor, like the Hindoos with whom they are brought in contact, are they prone to litigation; on the contrary, they are most averse to it. Notwithstanding our legal system, they are at a perpetual disadvantage with their zemindars, who both know it thoroughly and work it unscrupulously. To the Sonthal the Government is the lord of the soil, the fountain of justice: and it is a thing which he vainly tries to comprehend why the demands of the Government on the zemindar should be limited, while claims of the latter against himself are absolutely without bound. Another grievance is to be found in the conduct of those farmers, to whom large tracts of villages are made over by the zemindars, and whose single aim is to squeeze out of the cultivators the greatest possible amount, and who in consequence have resort to full renting the Sonthals and harassing them by constant enhancement. *For instance in the year 1861, an European planter took a farm of certain land in Sonthalia, the rental of which in the hands of the late native owner was stated to have been from Rs. 12,000 to Rs. 14,000 a year; in the course of three or four years, he raised it to Rs. 60,000, the result being Sonthal gatherings and threatened disturbances."* *The Administration Report of Bengal, 1871-72.*

His Honor again says:—"In the south-eastern districts of

the Delta, where, as in most districts of Bengal Proper, the agricultural ryots are chiefly Mahomedans, it is the fashion, whenever a landlord quarrels with his tenants to stigmatize the latter as 'Ferazees,' a sect professing reformed tenets and doctrines of equality, and to attribute to their conduct a political character. Such was the case in the Backergunge district, where a difference arose between the ryots and a European lessee to whom a great Government estate had been farmed in the time of the Lieutenant-Governor's predecessor; and in another more case on the estate of a great European landlord in the Dacca district, where a serious breach actually occurred. In both cases, however, it turned out that there was a good deal to be said on both sides. In the Backergunge case especially it appeared that the demand of the landlord for an enhanced rent was not in the present season warranted by law, and that he could only proceed by regular process, after giving due notice, to try his right to enhance in the following year. The Lieutenant-Governor resisted somewhat strong representations of the necessity of extraordinary measures, refusing to adopt them till they were shown to be necessary, and the result was that the ryots paid quietly the old rents, which they were legally bound to pay, and say that they are ready to contest the question in the Courts as regards the future. There is, however, no doubt, that the people of these tidal districts are hot-blooded and pugnacious more than other Bengalees, and more given to the use of arms, which they possess in abundance.

Although there is, the Lieutenant-Governor believes, no serious element of disaffection in their religion *per se*, still the Ferazee doctrines, which so many of them profess, might, in the event of serious agrarian questions, form a bond and rallying cry among them, and this part of the country is thus not without some elements of political anxiety." *The Administration Report of Bengal, 1871-72*, p.p. 22-23.

His Honor again observes:—"Unless we are prepared to grapple with the whole of an enormous subject, there is much to be said for a policy of 'masterly inactivity.' From time imme-

morial there have been serious rent disputes in different parts of Bengal, and not unfrequently they have settled themselves to a degree, which one might hardly have anticipated when things were at their worst. Only last year there were very serious rent disputes in Backergunge accompanied by serious criminal charges. The Lieutenant-Governor was much pressed to interfere actively, and to send additional judicial machinery without delay." *Ibid*, 1872-73, p. 34.

We extract the following para from the *General Administration Report of the Dacca Division, 1872-73*:—

Para 46. "The state of feeling between ryots and zemindars is gradually attracting attention in several places from the frequency of violent collisions. Last year there was the difficulty at T——, which had been commenced the previous year. Then there have been disputes on the Megna in Dacca, lately Mr.——'s property, and now I hear of increased number of suits in the Civil Court. Suits in Courts of Justice we seek not to prevent, but the violent collisions between combinations of ryots and their landlords' *laltials*, and the fire raisings by which the ryots on strike seek to hinder any from siding with the landlord, are subjects, which will have to be considered seriously long before. The plan of operations is simple. When a village has gone on strike, the landlord singles out a few of the leading men, and bribes them to his side with a false measurement with a *null* of length greater than that used in the village, or he throws in a few beghas of land into his *pottah* under the denomination of 'kyfeut' or 'hajut' or 'Oozoree' or some other fancy name. These men then go to Court ready to swear anything against the men on strike, and in a day or two some of them find their houses burnt down about their ears."

Next we extract the following passages from the *Land Revenue Administration Report of the Lower Provinces for the Year 1874-75*.

"The greatest number of notices of enhancement were served in the Jessore, Chittagong, and Tipperah districts. In the first of these districts, though the number of notices was 1,028, there does not appear from the Reports of the District

Officers to be any general ill-feeling between landlords and tenants; but in Tipperah the feeling has been most bitter, though the disputes are said to be now gradually setting.

In several districts of the Rajshahi and Dacca Divisions there have been serious disputes between the zemindars and cultivators, chiefly arising from attempts to enhance rents otherwise than by resort to law. These disputes first arose in the———Sub-division of the Pubna district, and thence spread to the neighbouring districts. Violence was resorted to in some cases, and the question threatened to be very serious, but by vigorous action on the part of the Executive Officers, tranquility was speedily restored, and the parties were induced to refer their disputes to the Courts. The litigation thence resulting, which at one time seemed likely to become excessive, had almost ceased before the close of the year owing to the prevailing scarcity, but the Commissioner of Dacca seems to anticipate a renewal of the disputes when the people recover from the pressure of the present hard times. Mr. F. R. Cockerell, the Commissioner of Dacca, observes:—‘ In Backergunge where rents are already proportionably higher than elsewhere, the disposition to apply the screw is far more apparent. The cause of this is probably to be found in the ryots’ greater resistance to illegal cesses and abwabs in Backergunge than in other districts. There can be no question that the two things are closely interwoven. The landlord must get his quota of the improved value of land and its produce in some form or other. As a rule, in this part of the country at least he prefers the old form of irregular cesses letting the tenant sit at a light rental; but a resistance to the payment of cesses and virtual attempt on the part of the tenant to evade in any form his increased liability for his occupancy, must eventually lead to grave complications. At present, in the great majority of cases, the ryot is ready to acquiesce in the old established customs as to abwabs, and jealously resists encroachments on his land tariff. But now that the school master is abroad, there is no saying how long this state of things—this tacit understanding and the observance of it—will be maintained.

In Orissa the principal increase (in the number of rent suits) has been in Puri and Balasore, chiefly in the latter district, and the increase in both districts is almost solely caused by the large number of suits for ejectment brought. In Chota Nagpur, the increase in the number of suits brought was almost entirely confined to Manbhoom, where the number of suits before the Courts arose from 1467 to 1682; the suits brought were almost all simple demands for arrears of rent due. The Commissioner, however, remarks, with reference to the very large number of suits in this district, that the '—————of—————, the principal landholder of the district, has been for some years past continually in legal warfare with his ryots, and the relations between landlords and tenants are generally not satisfactory in Maubhoom.' With reference to the causes, which have led to this state of things, the Deputy Commissioner attributes it to the fact that 'payments of rents, according to measurements, can scarcely be said to exist, while rates vary capriciously, being nowhere assessed on any intelligible principle; so that some pay more, and others less than they ought.'

The marked increase in the number of notices of enhancement in the district of Tipperah indicates the unsatisfactory state of things which there exists, the landlords pressing for increased rent, the ryots combining to resist.

'In Pubna,' says the Commissioner, 'the large decrease under this head (notices of enhancement) is apparently due to the settlement of the difference, which existed between the zemindars and the ryots of Pergunnah Esafshahi, &c., and which does not appear to have died out entirely. It appears from a report of the Magistrate of that district to the Inspector-General of Police, that the ill-feeling is constantly cropping up. Quite recently a case of riot with murder occurred. A party of disaffected ryots went to cut the crops of a ryot, who would not join their combination against the zemindar, and being opposed, the owner of the crop was severely beaten, which caused his death a few hours afterwards. Rattening is understood as well here apparently as in Europe. Towards the close of the year, signs of disaffection were also shewn by the ryots of some villages in the district of Bogra. My predecessor

directed the Magistrate to inform the ryots that they must pay the rents paid in previous years, and that any breach of the peace would be promptly suppressed. From the latest accounts received from the Magistrate, it would seem that the previously existing ill-feeling is abating as regards the relations with their landlords of the ryots of the villages "A, B, C, and D," and that they have to some extent yielded the point of contention between them and their zemindars.'

The Commissioner of the Dacca Division writes:—

'In many cases refusal to pay a cess is followed by notice of enhancement of rent. In Dacca a large number of notices were issued by the purchasers of the estates of———. In Mymensingh there is a very marked increase in notices of enhancement, and a very marked decrease in notices of relinquishment... A spirit of continual resistance has manifested itself in several places among the peasantry, and breaches of the peace have threatened. In one place in the Dacca district, on the churs of the Megna, the feeling was so strong, that the Commissioner himself repaired with the Magistrate Collector to the spot, and both parties were induced to refer the vexed question to arbitration, and to abide by the decision of a *panchayet*. At the date of writing his report, the Commissioner was anxiously expecting the award from which he hoped good results. A rumour spread by ill-disposed persons on the occasion of the visit of the Governor-General to Dacca to the effect, that His Excellency 'has accepted the ryots' memorial against enhancement, and that Her Majesty the Queen had ruled that all enhancements were illegal, and that no tenants should pay more than five annas per beegha of cultivated land,' contributed to embitter the dispute. The Dacca Collector's office was besieged for days by ryots who had heard the report, and a notification had to be issued contradicting it. This calmed the excitement.'

Next we extract the following passages from the Police reports:—

Rioting and Unlawful Assembly.

The Inspector-General of Police in his Report for the year

1874, says :—“ It is gratifying to find that there has been a steady decrease in this crime as the following numbers show :—

Year.	Cases.	Year.	Cases.
1871	... 2502	1873	... 2108
1872	... 2336	1874	... 1810

The districts which rank foremost under this head are the following, viz. :—

DISTRICTS.	1872.	1873.	1874.
Backergunge	... 483	367	363
Dacca	... 158	225	180
Furreedpur	... 95	112	140
Mymensingh	... 201	244	173
Tipperah	... 132	109	138
Pubna	... 495	293	114
Rangpur	... 158	107	108
Jessore	... 267	143	189
Naddea	... 108	84	107
Midnapur	... 53	84	68
Murshelabad	... 75	75	71
Bogra	... 84	111	68
Gya	... 60	101	87
Chittagong	... 132	82	66
24-Pergunnahs	... 179	65	64
Noakhalli	... 66	32	61
Tirhut	... 69	96	56
Purneah	... 206	96	58

Presidency Division. This Division has not maintained its calm to be congratulated on its impunity from riots. There has been a considerable increase under this head in all districts of the Division except the 24-Pergunnahs, where the zemindars are reported to be quiet and peaceably disposed. Nearly all are connected in some way or other with dispute about land, for the possession of which fighting in the open is found preferable and less expensive than fighting in Court. In the Jessore district boundary disputes seem a frequent source of quarrel.

In———of Jessore, a Mr.———went to a village to

ascertain the names of the persons who had constructed a bund. He was resisted and forced to take to the water; his servants were beaten. In———Sub-division, the most important numerical increase occurs, *viz.* 30 cases. ————purchased the putnee of———and endeavoured to raise his rent-roll. Resistance was naturally offered, and, in a dispute in which spears and *lattees* were used, one———was killed.

The Dacca Division takes such a very leading position under Class I (offences against the State) that it deserves a table to itself showing how these offences are distributed through the several districts. It will be observed that more than one-third of the entire number of offences committed in the whole province is shown against this Division.

DISTRICTS.	The average of four preceding years.	Instituted in 1874.
Dacca ...	202 $\frac{3}{4}$	229
Furreedpur ...	100 $\frac{1}{2}$	153
Backergunge ...	393 $\frac{3}{4}$	378
Mymensingh ...	251	193
	—	—
Total ...	948	953

The invariable habit of the people in this part of the country is to use spears, *lattees*, and not unfrequently fire-arms in their fights... In Backergunge all the riots with one exception were caused by quarrels either between zemindars, or between zemindars and talookdars. Regarding the frequency of riots in this district, the Magistrate remarks:—‘The numbers reported form only a small part of the riots which actually occurred. Not one-half of the riots which occur in this district ever appear in a Court of Justice, because of the extraordinary abilities of the people in the art of lying and concealing cases. A part of this is also, no doubt, attributable to the corruption and incompetency of the lower orders of Police.’ *We believe such is the case in all the districts of Bengal.* The italics are ours.

Chittagong Division. Here, as elsewhere, riots are chiefly caused by disputes regarding land, disagreement between landlords,

between landlord and tenant, and frequently also on account of oppressive acts by the former. The Sub-division of B——— and Thannahs C——— and T——— are the localities which produce the greatest number of riots.”

Next we extract the following passages from the *Report of the Police of the Lower Provinces for the Year 1875*.

“ *Rioting and unlawful assembly. Cases 2045.*”

“ The number of cases declared to be false was 26·4 per cent. against 32 per cent. in 1874; and the number of persons convicted was 5,479 against 5,227 of 1874, and 6,186 of 1873. The largest numbers occur in the following districts:—

Fackergunge.	Dacca.	Gya.	24-Pergunnahs.
Mymensingh	Noakhalli.	Rajshahi.	Murshedabad.
Furreedpur.	Pubna.	Patna.	Bogra.
Jessore.	Nuddea.	Sarun.	Midnapur.
Tipperah.	Rangpur.	Shahabad.	Burdwan.

In the above list all the districts which figured in 1874 appear, with the exception of Chittagong, Tirhut, and Purneah, but with the addition of Burdwan, Rajshahi, Patna, Shahabad, and Sarun.

Chota Nagpur Division. There were several cases ending in loss of life, but convictions having been obtained of the more heinous charges of murder and culpable homicide, the cases have been shewn under those headings. It is satisfactory to notice that severe sentences were in several instances awarded, which will go far towards strengthening the hands of the executive in dealing with this offence. In one case a zemindar, who was not personally present, was sentenced to four years' imprisonment and a fine of Rs. 2,000, and the sentence was confirmed on appeal by the High Court.

In Rajshahi there is rather a serious increase, which is attributed by the Magistrate to a quarrel between two zemindars. This quarrel is going on. The convictions are, however, most satisfactory.

In Noakhalli there has been a very remarkable increase, the number of true cases having risen from 37 in 1874 to 79 in the year of report.

The following rather singular case, which occurred in Sarun may be mentioned:—On the 7th September 1875, some ryots of village————were transplanting rice, when some men from village———— armed with swords and other weapons and headed by a man named————, came to the field of one A, and asked him why he was cultivating against orders. In the dispute which followed, A was speared and three other men wounded with swords. A's body was taken away by the rioters, and the wounded conveyed by their fellow-villagers to the Police Thannah. The Judge acquitted the prisoner on the ground, that the story was absurd, and the riot out of all proportion to the cause of quarrel; that three men would not wait the attack of 500. The Judge summed up, the assessors agreeing, that 'the man has been killed is certain, and a body has been brought to the hospital, and the four wounded plaintiffs have evidently received severe sword cuts; but I do not think that one single statement that the witnesses have made, as to by whom, or how, when, where, or for what quarrel these injuries were inflicted, is true.'

In the Dacca Division fourteen cases were attended with loss of life, *viz.*, five in Backergunge, four in Mymensingh, and five in Furreedpur; convictions were obtained in 12.

15 men killed in riots.

8 „ „ „ disputes about possession of land.”

Dacca Division. The Inspector-General of Police in his Report for the Year 1876, says:—“I think with a vigorous use of the provisions of the law as to taking security to prevent breaches of the peace from zemindars and their Cutcherry Amlah, who are generally at the bottom of such disturbances, the quartering of punitive Police, and the employment of special Constables, more should be done to stop riots than has been done. The number of cases of rioting and unlawful assembly reported in 1876 was 761. No less than 27 of these cases of riot were attended with loss of life, *viz.* :—

In Dacca	...	1	In Mymensingh	...	5
„ Furreedpur	...	8	„ Tipperah	...	2
„ Backergunge	...	11			

Almost all these cases had the usual origin—disputes about land.” *The Bengal Police Report, 1876*, p. 30.

Minor Offences Against the Person.

“The number of cases in 1875 is 9,862.

In Burdwan Division the number of cases is 1164. The largest increase under this class has occurred in Hughli, and is principally found under heading ‘wrongful and unlawful confinement.’ Most of these cases occurred in the Sub-division of M———, and are said to be due to irritation subsisting between the zemindars and the ryots of that quarter.

Dacca Division. Average of five preceding years is 4024 cases.

The number of cases instituted in 1875 is 3,966. This is the Division from whence proceeds the bulk of the complaints regarding the unsatisfactory nature of the relations between landlord and tenant. This is the class of crime, which is more than others affected by such relations. If, then, the tenant’s relation to his landlord has of late years been changing for the worse to any perceptible extent, we certainly ought to see the effect of such a change in the figures of the foregoing table. The large number of acquittals observable in Dacca is accounted for by the number of compromises, that are made in cases of wrongful restraint. This seems to me a result, that can reasonably be expected to occur every year. A ryot is often naturally undesirous to proceed to the length of a conviction against his landlord, and frames his course of action accordingly.

In Tipperah there was a large increase under this latter heading, and, indeed, the unsatisfactory relations between landlord and tenant, which, as remarked in previous years, prevail in the Division, are the leading causes of this description of crime being so frequently committed. The convictions have been nearly 60 per cent., which is satisfactory. There has been a very large increase in Noakhalli. The Magistrate attributes this to the unsatisfactory relation between landlord and tenant.

Some *lattials* in the employ of one———, zemindar of A and B, seized two *bidrohi* (rebellious) ryots on the road, and

carried them off from place to place for 29 days. The Police were not informed until the men had been missing for 17 days. Finally, finding the Police were on the track, the offenders made over their prisoners to a Chowkeedar in the Rajshahi district with directions to report them at the Police stations as vagrants. Five arrests were made and some convictions, but unfortunately evidence has been wanting to implicate the zemindar, who was, of course, the chief offender.

Cases of illegal confinement used to take a rather prominent position in the criminal annals of by-gone years.

Cognizable crime.

Division.	1874.	1875.
Burdwan Division	15,942	18,259
Presidency „	16,851	18,953
Rajshahi „	15,347	15,797
Dacca „	17,513	19,516
Chittagong „	2,332	3,611
Patna „	27,748	22,720
Bhaugulpur „	12,580	9,741
Orissa „	4,657	7,586
Chota Nagpur „	5,781	5,145

Non-cognizable crime.

Division.	1874.	1875.
Burdwan Division	16,042	15,892
Presidency „	14,815	15,294
Rajshahi „	7,188	7,404
Dacca „	25,228	26,063
Chittagong „	6,550	6,642
Patna „	7,603	7,801
Bhaugulpur „	8,638	8,980
Orissa „	5,993	5,762
Chota Nagpur „	2,000	1,828

The ratio between convictions and acquittals is a most serious blot upon our system of criminal administration.”

Though the number of both cognizable and non-cognizable crimes reported was vast, yet it falls into insignificance when we

compare it with what were actually committed. We see in Mofussil, that a very small portion of them, say one-fifteenth or so, reaches the Courts of Justice. If we trace the source of this vast number of crimes, we find it to be the zemindari system. Rioting, unlawful assembly, murder, bloodshed, grievous hurt, receiving stolen property, plundering and burning houses, cutting crops, wrongful and illegal confinement, and sound beating to extort confession and money, are its direct, and dacoity, robbery, and theft, are its indirect, results. We do not say, that all of these crimes are the result of the zemindari system, but that by far the greater number of them owe their origin to it. The Inspector-General of Police very justly observes:—"It is accepted as a Police truth of universal application, that want (*the offspring of the zemindari system, the italics are ours*) is the greatest instigator of theft. The natural instinct of a hungry person is to supply himself with food obtained from wherever he can get."

The *Indian Daily News*, November 7, 1876, says:—"We all know that the embers of a slumbering agrarian disturbance are to come across all over the country, and that unfortunate coincidences may any day kindle them into an uncomfortable fire."

Sir William Muir in his speech on the new Civil Procedure Code said:—"The subject had engaged attention as far back as he could remember, and particularly during the events of 1857-58, when the ousted proprietary bodies throughout the country formed one of the most dangerous sections of society. Sale had everywhere ruined numerous hereditary proprietors and village communities, and everywhere had changed them from a contented and faithful yeomanry into a repining and disloyal body of cultivators ever brooding over their grievance and pre-disposed on the first opportunity to break out into lawless acts. When deprived of their proprietary title, they were still, as a rule, left in the cultivating occupancy of the soil powerless for good, but most active and vigorous for evil—a rankling sore in the side of Government."

The Ryots are not Primarily Responsible for the Excesses They Sometimes Commit.

It is one of the acknowledged principles of human nature, that one should consider himself possessed of great virtues, and try his best to persuade every one with whom he comes in contact to believe that in all his dealings with the world he has always been on the right side, and that those who differed with him had been on the wrong, even if he is really one of the greatest scoundrels, that world has ever produced. The zemindars of Bengal form no exception to the general rule. Though they (with a few honorable exceptions) have, by their most horrible oppressions and outrages, spread ruin and desolation throughout the land, violated the conditions of the Permanent Settlement in spirit and letter, and reduced the vast mass of the people to extreme poverty and wretchedness, yet they always come forward and give out to the world, that it is by their exertions and expenditure of capital, that the cultivation of land has increased, that they have, by cutting khals, making embankments, remitting rents in the years of drought and flood, and by various other means, bettered their condition and placed them above the reach of starvation. In short they do not at all scruple to say, that they *were* the *ma bap* of the ryots. But a change has taken place in the meantime. Now they loudly accuse the Government for passing the Act X of 1859, and thereby disturbing the cordial relations, which existed between them and their ryots. It has, by that Act, taken away the formidable powers with which they were invested by the Huptum and Panchum Regulations, and given them in their stead increased facilities for enhancing the rents of the ryots. They resent the former and ignore the benefits of the latter. It is vain to expect that the zemindars of Bengal should not take advantage of the facilities afforded to them for enhancing the rents of the ryots. Although they have, since the passing of that Act, considerably raised their rents, yet they loudly accuse the Government for taking away their arbitrary powers and subjecting them in every case of enhancement to the decisions of

the Courts of Justice, and the ryots for resisting their sweeping demands. As a consequence of the wholesale raising of rents, the disputes between the zemindars and the ryots have assumed a formidable aspect, and sometimes led to rioting and breaches of peace. Although the former have, by their inconsiderate acts, almost driven the latter to agrarian rising, yet they do not at all scruple to declare themselves perfectly innocent, and to throw the whole responsibility upon the heads of their poor victims. Their organ ably conducted by unscrupulous men boldly proclaims to the world, that the ryots have thrown off their former allegiance to the zemindars, grown turbulent, and combined to ruin them: they withhold their rents, throw away the measuring ropes, soundly thrash their men, drive them away from the villages, plunder their *Cutcheries*, and bring false criminal charges against them. In short they are represented as the scapegoat of all the calamities, that have befallen Bengal. In order to avert these evils, our zemindars, with patriotism throbbing in their breasts, are making utmost endeavours to induce our rulers to grant them increased facilities for enhancing the rents of the ryots and collecting them with the least possible trouble. They have their Associations and newspapers to thrust in their claims before the Government and the Calcutta public, who are generally ignorant of the real state of things in the Mofussil. A belief is even gaining ground amongst them, that the ryots, especially those of the eastern districts, are a very turbulent set of people, often form combinations, and ruin their masters by withholding their rents and committing other excesses. Sometimes they are even represented by the unscrupulous advocates of zemindari interests as a strong party. We admit, that they *sometimes and in a few cases* (we lay stress upon the italics) commit excesses. We shall try to prove, that they are, on the whole, very innocent, and that their masters most aggressive, tyrannical, and arbitrary. It is a fact, the truth of which no one can deny, that the zemindars are the strong party, and the ryots the weak, and they are universally represented to be so; and it is also true, that whenever the

strong come in contact with the weak, the latter must suffer, and will never dare resist the just demands of, and raise their hands against, the former. Nay it is natural, that the weak should obey the strong, and not turn against them till they are grievously oppressed. Hence we may conclude, that in all the disputes between the zemindars and the ryots, the former must have been aggressive, tyrannical, and arbitrary in their conduct towards the latter. Nothing shews this more decidedly and clearly than the eight thousand notices of enhancement on the average, which are annually served in the Courts of Justice, the raising of rents by sheer force, and the innumerable illegal cesses exacted from the ryots by their masters. Notwithstanding all these, the zemindars and their advocates do not at all scruple to find fault with the ryots. One of the charges prominently and boldly brought against them, is, that they withhold their legal rents. A charge more groundless could never be brought. It is most absurd in its very face. The existence of the innumerable illegal cesses levied by the zemindars from the ryots throughout the province has been universally acknowledged, and is no longer a matter of dispute. It is a fact, the truth of which no one can deny, that the ryots pay these cesses almost without complaint and it is also true that they do so only to satisfy their masters and to avoid their vengeance. Now we humbly request our readers to think calmly, whether it is possible, that those, who pay innumerable illegal cesses without hesitation, could dare withhold their legal rents. To our mind it is wholly inconceivable that they could do so. If there is any truth in this charge, it is this: the zemindars for purposes of their own—for enhancing the rents of the ryots—refuse their rents, loudly proclaim to the world that their legal demands have been withheld, and bring suits in the Courts of Justice, the real object of which is not so much to recover the arrears, as to ruin them by the expenses of litigation, and thereby to compell them to pay enhanced rents. It is needless to tell our readers, that they need make examples of only four or five ryots in a village. So much for the withholding of the rents by the ryots.

Another charge, which is also frequently brought by our unscrupulous patriots against the ryots, is, that they form combinations, and harass their masters. We admit that they do so. But we ask for what? Not for withholding the legal demands of the zemindars, not for resisting the innumerable illegal cesses, but for preventing the wholesale raising of their rents. And who can blame them for that? Generally they do not resort to violence. They form combinations peacefully, lawfully, and, we may say, constitutionally, only to save them from ruin, starvation, and death, but alas how often in vain! We here again admit, that they sometimes commit excesses. Drag them to the *gurrhum* Cutcherry, extort illegal cesses, distrain their crops, beat them, use abusive language to them, they will patiently bear them all as being temporary evils; but try to enhance their rents, or to eject them from their lands, and thereby to ruin them and their descendants for ever, and they will be the last men in the world to submit to you without a struggle. And if you blame them for that, you must also blame human nature. Who in this world willingly brings ruin upon his own head, takes his oppressor on his lap, and exhausts on him all his caresses? Who lets off opportunities of taking revenge on him, who oppresses him from his birth to his death? You may well talk of the Police, the Courts of Justice, and the vaunted British Government; but what are they to the poor ryots? They are nothing but fearful engines of their oppression directly or indirectly. Our readers may think, that we have used very strong language, but we humbly request them to judge of its truth by a perusal of this volume. But to return to the subject. Notwithstanding the combination of the ryots to resist the sweeping demands of the zemindars, the latter have succeeded in reducing the former to extreme poverty and wretchedness. Now we ask our readers what would have been the consequence if they had not formed combinations among themselves, and opposed their oppressors in their attempts to screw out their life-blood? Most probably many of them would have disappeared from the face of the earth. The Courts of Justice and the vaunted British Government have

done very little in curbing the senseless cupidity of the zemindars. Indeed they have helped them in their attempts to aggrandize themselves at the expense of their tenants. If there is any check upon them, it is the combination of the ryots. If we compare their excesses with those of their masters, how infinitesimal they will appear. How many instances have been recorded in which they took the law into their own hands? Can they not be counted on the fingers while those of their oppressors by the millions. We doubt very much whether there are any other people on the earth, who would have suffered so much for so long a period in the hands of a few aristocrats without committing thousands of serious breaches of peace. Need we tell our readers, that the oppressions of the zemindars would have been sure to give rise to a great revolution, had they been committed in any European country? In Bengal they have given rise, we are very glad to say, to only peaceful combinations among the ryots. Failing spontaneous justice from the ruling authorities, the only recourse left to them to save them from the horrible oppressions of the zemindars—to save them from starvation—is combination. Can any man in his senses blame them for that? Is it possible for men to fold up their hands, willingly submit to the extravagant demands of their oppressors, and thus pave their way to starvation, when we see the lower animals form combinations among themselves to withstand the attack of their enemies? Certainly not. Their very conscience—we may say their very human nature—points out to them the combination as the only means left to them to save them from the worst death of starvation. Our readers may think, that we are hereby encouraging the ryots to resort to violence, and to fight successfully to assert their just rights. No. We are far from doing that. We are only saying, that men in general are very much disposed to take the law into their own hands, when they see the Courts of Justice virtually shut up against them. In order to guard ourselves from being misunderstood, we sincerely and distinctly say, that we do not sympathize with those ryots, who take the law into their own hands and commit breaches of peace.

Indeed we shall be very glad to see them severely punished. We do not say that all the zemindars are wolves, and that all the ryots lambs. We admit that there are a few zemindars, who really do good to the people, and deserve the approbation of all, and that there are a few ryots, who sometimes commit excesses and harass their masters but not without provocation. No one is more well aware of the fact than the ryots themselves, that their welfare much depends upon the good will of the zemindars; and they try their best to cultivate peace and amity with them, but the latter do not take their circumstances into their consideration, and drive them by frequent enhancement of rent to take the law into their own hands. When they find to their great misfortune, that nothing but a good round sum in the shape of enhancement of rent will satisfy them, then they form combinations among themselves, defy their masters, and sometimes resort to violence. They resist their extravagant and unjust demands sometimes by relinquishing their lands for a few years, throwing away the measuring ropes, beating and driving the *Amlahs* and peons from the villages, and often by depositing their rents in the Courts of Justice instead of paying them to the *Gomastahs*. This sort of combination is not confined to the ryots of Bengal alone. It invariably follows the reduction of wages of, and is very common amongst, the workmen of Europe, where it generally goes by the name of strike. Our readers are too well aware of the excesses with which it is attended there to need any description of them from us. Be it sufficient to state, that military aid is not unoften called in to suppress them, and that they very greatly exceed those of the victims of the proverbial zemindari rapacity. We do not wish to trouble our readers with further remarks of our own, but we humbly request them to judge of their truth by a perusal of this volume, and to think calmly and seriously, whether it is possible for the weak to raise their hands *in the first instance* (we lay stress upon the italics) against the strong without provocation. That the ryots never commit excesses till they are grievously oppressed, will appear from the following passages:—

Babu Romesh Chunder Dutt, c. s. in his *Bengal Peasantry* says:—"We have the very highest authority for stating, and we state the fact emphatically, that ryots will not turn against their masters till the latter first turn cruelly oppressive."

Babu Bunkim Chunder Chatterjee admits that the ryots sometimes commit excesses, but he says:—"We are bound to state, that they never turn against their masters unless they are oppressed in the first instance." Babu Romesh Chunder Dutt wishes "to draw particular attention to it, the truth of which is undeniable."

Babu Sunjeeb Chunder Chatterjee writes in his *Bengal Ryots*:—"It not unfrequently happens, that the zemindar actually refuses, for purposes of his own, to receive from the ryot the rent due to him, in order to entail upon the ryot, on the plea of non-payment, the serious consequences of ejection or the like. Act VI of 1862, therefore, considerately provides, that in such a case, the ryots shall deposit with the Collector the sum due from him as rent, and the Collector shall give him a receipt thereof."

Babu Peary Chund Mitter writes in the *Calcutta Review*, Vol. VI., p. 352:—"We have heard of more instances than one of the ryots having, of their own accord, raised subscriptions among themselves to extricate their zemindars from pecuniary difficulties. This may be quoted as a proof of one of the beneficial effects of cultivating amity with the ryots."

Babu Nil Comul Mukerjee says:—"The ryots never grudge to pay their legal dues. But when told to pay something in addition, they do grudge; and the result is that they will fall out whenever the agents (of the zemindars) will want something more." Quoted in the *Indian Mirror*, August 13, 1873.

The *Shomeprokash*, September 20, 1875 has the following:—"The zemindar's oppression is not the only cause of the agrarian rising. There is another cause, and that is, the oppression of the money-lender. The ryots do not grudge to pay something more than the just demands of the zemindar and the money-lender, if their circumstances allow them to do so. But on too

many occasions, they do not take them into their consideration; their inconsiderate acts drive them to rebellion."

"If the rent be not enhanced, the ryots are willing to keep quiet." *The Hindoo Patriot*, (the organ of the zemindars) July 22, 1878, p 337.

The zemindars do not Command the Sympathy of the Public.

"We deny that the landowners of this country as a body are entitled to much consideration. They have grossly abused their trust and shirked their responsibilities; they claim that the land, their property, should be treated as ordinary property, while they prevent, by their opposition to Government as well as to the people, its being improved; they have been themselves very grasping and intolerant; to a man they offer all conceivable opposition to almost all measures of Government however calculated to do public good: they refuse security of tenure to the ryots, which is one of the main elements of increased production; they prefer their subserviency to increased productiveness; they prefer their grounding down to dust to their happiness and welfare; they subject them to every ingenuity of oppression for extorting from them increased rents and innumerable illegal cesses; nay further they drag them to Civil Courts for exacting illegal cesses ingeniously consolidated with rents; they harass them by impossible conditions and plunder their crops and houses; they consider them as only created to fill their coffers, and to pander to their vice and luxury; they (with a very few honourable exceptions) have shewn their utter heartlessness and unexampled cupidity during the famine of 1866 by appropriating to their own use lakhs of rupees remitted and rice-advances made to the ryots by our paternal Government, and by enhancing their rents in 1874; they have shewn gross dishonesty by wilfully neglecting to pay the Government revenue and repurchasing the estates sold to the highest bidders in fictitious names that they might be able to increase the rents of the ryots, and by throwing worthless lands into the hands of Government. As a class they produce nothing, and are rather a great hindrance in

the way of producers of the staple food of the nation. Their training and education fit them for nothing else but for enjoying luxuries and enhancing the rents of their ryots and for throwing dust into the eyes of Government. Their whole life incontestibly proves how little we should lose if we get rid of them altogether." *The Westminster Review*. Vol. XXXVIII. Art. *The Land Question in England with necessary alterations and additions.*

Our readers will find many passages in this volume to the effect that the public have very little sympathy with the zemindars.

Who will Charge the Government with Breach of Trust, if it Cancells the Permanent Settlement ?

It seems from eighty-four years' policy of masterly non-interference on the part of our rulers, that the vain sentimentality of breach of trust in cancelling the Permanent Settlement has taken a firm hold of them. But we ask, who will charge them with it? Read the petition of the Missionaries for a Royal Commission to Enquire into the Condition of the Bengal Ryot; read the articles of the widely-circulated Indian newspapers; read the innumerable extracts from reviews, magazines, and other periodicals; read the minutes of the high Officers of Government; read the vast mass of evidence given by eminent persons before the Select Committees of both the Houses of Parliament; read the opinions recorded by them after mature deliberation; read the opinions of the historians, speakers, essayists, as well as of the great political economists and other writers, whose writings we have freely quoted. But reader! We hope you will excuse us, when we say, that however great your mind may be, you will never be able to form an idea of a thousandth part of the loud and deafening shouts of joy and acclamation of the vast millions when they will be emancipated from the grasping slavery of the zemindars, and taken under the direct and benign care and protection of Her Most Gracious Imperial Majesty, under whose sway it has pleased Almighty God to place them. "The charge of violated faith, which cannot be supported, will come with a bad grace from those who form

but a fraction of the population, and who have not kept faith with the terms of the contract by which so much was conceded to them on the understanding that they should concede something to others in their turn. And the expense and trouble to Government and its Officers will be little or nothing, as the work of Collectors themselves has been gradually decreasing, and as Officers, with the powers of a Deputy-Collector, are already scattered over a district by twos and by threes." *The Calcutta Review*, Vol. XXIX., p. 152.

The Demands of the Poor.

"It is the common interest of society, which demands that the agricultural producer should be amply remunerated; that he who raises the fruits of the earth should retain a sufficient share of them; without this we cannot reckon either on the regularity of production, or on stability of price, or on being independent of foreigners in times of scarcity; and this perfect certainty of subsistence is of more importance than anything else. The legislator's aim ought to be to preserve for them as large a part of the wealth which they produce as is consistent with the continuation of labour; to settle in the country the greatest possible number of persons, for with an equal income the poor man will there enjoy more health and happiness than in town; to develop their intellect as much as coarse bodily labour will allow; lastly, and above all things, to cultivate and strengthen their morality. To do this, he must feel, that he must give stability to the way of life of the husbandman, favour all those contracts which give him a permanent interest in the soil, discourage all those which make his condition precarious, and which leave him uncertain as to the morrow, for morality is intimately united with the memory and with hope; it is nourished by duration; it becomes nothing to him who considers only the present moment. This ample remuneration, this participation of the greater number in field-labour, this stability in the condition of the rural population, will appear to him much more important than a rapid creation of wealth; he will attach,

perhaps, still more importance to not multiplying motives to strife and rivalry in the most numerous class in the nation. He will regard as the system of cultivation most favourable to the comfort and happiness of all, that which will unite most closely the interests of peasant proprietors and labourers. He must feel that the more a system of cultivation raises the condition of the cultivator, the more ease and independence it gives him, and the more will he combine that intelligence and good will with his work, which will secure its success.

If you reduce the ryots and labourers to the strictest necessities, if you accumulate in the hands of a few zemindars colossal wealth, if you multiply without measure those productions of industry, which are only suited to those, who can live at ease, then where is the use of offering to the nation more sources of enjoyment, if you are to destroy those who are to benefit by them? It is then the happiness and ease compatible with manual labour, which should be secured to the husbandman; in his house, in his cloths, in his tools, he should have everything which contributes to health and comfort, but nothing which pretends to elegance, or which nourishes delicacy. He must have them first of all for himself that he may be happy; for other producers that he may be a profitable consumer; for the revenue that he may contribute to it without being straitened; for the whole of society that he may labour with cheerfulness and ease.

In the eyes of the moralist, in the eyes of the true legislator, the fundamental idea of civil society is the right of every man to improve his condition resulting from this simple fact, that each man forms a part of this civil society. Men have associated together only from the hope of improvement and happiness; to purchase these they submit to the authority of one another; on this condition only is social power legitimate. They must perceive that there exists in society an already numerous class, which has a tendency to become more so every day, to whom the present order of society does not give the enjoyment of any of the fruits of the association; these are men.

who creating wealth by the labour of their hands never participate in it. Not only have they no property, they have no certainty of a livelihood; habitually reduced to the commonest food, to the most miserable lodging and clothing. That class of working men to whom have been given the names of ryots and labourers, comprises the most numerous and energetic class of the population of the whole of India. It comprehends all those who work in the fields as well as in towns. They are cut off from all the benefits of civilization; their food, their dwellings, their cloths, are insalubrious; no relaxation, no pleasures except occasional excesses, interrupt their monotonous labours; the introduction of the wonders of mechanics into the arts, far from abridging their hours of labour, has prolonged them; no time is left them for their own instruction, or for the education of their children; no enjoyment is secured to them in those family ties which reflect their sufferings; it is almost wise in them to degrade and brutalize themselves to escape from the feeling of their misery; and that social order which threatens them with a worse condition for the future, is regarded by them as an enemy to combat and destroy. This is not all; whilst their own distress is increasing, they see society overcome, as it were, by the weight of its material opulence: they are in want of everything, and on all sides their eyes are struck with what is everywhere superabounding.

The progress of civilization and industry has multiplied all the products of human labour applicable to the uses and habits of man: the poor man in exchange ought to obtain his share of these products; and this share ought to comprehend food, lodging, and clothing sufficient for the preservation of health. Civilization has developed in him the love of society; the poor man, who labours, has a right to a share of social pleasures; he has a right to those relaxations and enjoyments without which life is a burden. The application of science to the arts, and the inventions of machines of continually increasing power, have multiplied indefinitely the results of the employment of human strength for the common advantage; the poor have a right to their share

in this advantage; they have a right that the development of mechanical power should procure them rest. Civilization has developed cultivation and power of mind; it has raised the intelligence of man, it has placed him likewise on the way to obtain a higher moral state. The poor man has a right also to his share of the enjoyments and virtues acquired by intelligence; he has a right to education for his children; to a share of instruction in his riper age, that the progress of thought may not increase the distance which separates him from his fellow-men. Sensibility also is developed with civilization; by it are increased the importance and the charms of domestic life; the poor man has also a right to have his share in the happiness of domestic ties; he has a right that his wife and children should multiply his chances of happiness rather than those of suffering. Social order considers it of the first importance, that stability, security, that tie which cements the present with the past and the future, should be guaranteed to the citizen. The poor man who labours has a right, that his future also should be secured to him; that his condition may place within his reach also those two feelings equally essential to happiness, confidence in the advantages he possesses, and the hope to ameliorate them still more. We repeat it, it is this participation of the poor in the advantages of progressive civilization, which appears to us to be the object towards which all political economy should tend; an object completely wanting in the zemindari system, which deprives the poor of their just rights in those advantages." *Sismondi's Political Economy and Philosophy of Government with necessary alterations.*

The Hindoo Patriot and Sir George Campbell.

It was certainly at an evil moment, that Sir George Campbell was nominated to the Lieutenant-Governorship of Bengal. His Honor thoroughly studied the thousand evil effects of the Permanent Settlement, and of the miserable condition of its victims. The education and moral training, the selfishness and senseless cupidity of the zemindars were not unknown to him. He knew

that they were spreading, by their most horrible oppressions and outrages, ruin and devastation throughout the land, and that the ryots were verging to starvation. Hence he deeply sympathized with the latter, and made utmost endeavours to protect them from the oppressions of the former. In order to expose the selfishness of the zemindars, he ordered careful enquiries to be made into the illegal cesses exacted by them from their ryots. He gladly took the opportunity of the road-cess declaration to make the ryots distinctly understand, that they were not to pay a single pie in excess of their jumma and the road-cess to their masters. He went a step further: he took measures to give them education! This was unbearable on the part of our *Patriot*. His rage knew no bounds. It began to manifest itself in the most violent attacks made upon him on the slightest pretence. Our readers will be astonished to read the columns of the *Hindoo Patriot* during His Honor's administration filled with articles, which were solely prompted by an intense hatred for him. Wonderful it is, that it, like the fire of husk of rice, still burns in him, and manifests itself on the slightest opportunity. We can positively say, that the unpopularity of Sir George Campbell chiefly owes its origin to the tirades of this sham *Patriot*, who comes out every Monday morning in the name of the *Hindoo Patriot*. We think if the public had supported him in his measures of reform, he would have done much for the oppressed and down-trodden millions of Bengal. But it was his misfortune to become an eyesore of the *Hindoo Patriot* and the zemindars, who ruled the public opinion and made utmost endeavours to hoot him out of Bengal. They most violently attacked him in every step; and His Honor broke down. He did not even dare abolish the illegal cesses, and retired without finishing his term of office amidst their curses and execrations. On behalf of the vast millions of Bengal, we here take the opportunity of offering our most sincere prayers to God to confer His highest blessings upon him for the noble efforts he made to protect them from the oppressions of the zemindars. With these remarks we place before our readers

a few specimens of the most violent attacks of the *Hindoo Patriot* upon Sir George Campbell.

“Personal Government is working in Bengal with a vengeance. The Lieutenant-Governor delights in a strong executive, and the executive seem to be conscious of the importance attached to them. There are not cases wanting in the heart of the capital and its immediate neighbourhood, shewing the gravest oppressions and abuse of power from the too much confidence placed in the executive.” *The Hindoo Patriot, March 17, 1873*, p. 123.

“With feelings far from agreeable we recur to this subject (Personal Government). If an apology for our so often harping on this painful theme is wanted, it will be found in the vast amount of injury with which our country is threatened under the vigorous Personal Government, which has come into fashion under Mr. Campbell’s regime.” *Ibid., March 24, 1873*, p. 135.

“As he (Sir George Campbell) is impulsive in temper, so he is impetuous in style. He has a very exaggerated notion of his own qualities, and he has not the art of concealing. On the contrary he delights in thrusting himself forward in season or out of season. It is not his habit to state plain facts in plain language.” *Ibid., May 19, 1873*, p. 231.

“We thank the *Englishman* for inviting us to explain the scope of the series of articles we are publishing under the head of ‘Personal Government’. We must, however, at the outset express our regret, that our contemporary despite his English instinct for fair play, should impute us motives, which are as foreign to us as they are to him. He says that these articles have been prompted by ‘an intense hatred for Sir George Campbell and every body belonging to him, who disbelieves in the British Indian Association.’ Nothing distresses us more than to have to protest, as it has been our painful duty to do almost week after week, against the pernicious tendencies of his rule. We challenge our censor to cite one word in our criticisms, which may be called unparliamentary or personally disrespectful to Sir George Campbell.” *Ibid., June 23, 1873*, p. 291.

The *Englishman* wrote:—“If Sir George Campbell had not

exposed the selfishness of the zemindar, if he had not insisted upon carrying a thorough comprehensive scheme of local taxation, if he had abandoned his project for giving elementary education to the masees, we should have heard much less of the evil effects of Personal Government."

"Will Heaven take pity upon the zemindars of Bengal, and send down some scourge to sweep them off the face of the earth? Otherwise no safety for them from the wrath of Sir George Campbell. The necessity of Heaven's interposition will be perceived not only from what has already been published, but also from the subjoined resolution, which the Lieutenant-Governor of Bengal has recorded on the so-called illegal levy of market dues and mooring rents by the zemindars of Bengal.

RESOLUTION.

JUDICIAL DEPARTMENT.

Police, Calcutta, the 27th June 1873.

Read again—Circular No. 1 of the 6th June 1873 to the address of all Commissioners of Divisions.

Read also—The Commissioners' replies thereto, the whole having reference to the levy by the zemindars and others of cesses, which were prohibited by Regulation XXVII. of 1893.

Resolution—'In consequence of reports submitted to Government, the Lieutenant-Governor was led to believe that the practice of levying duties in hants, and tolls or mooring dues on rivers, and other duties, was very widely prevalent, notwithstanding the prohibition of such practices contained in the law, and in spite of the compensation granted under the above Regulation. The Commissioners of Divisions were therefore requested after communication with the Collectors to furnish a full report (1) as regards the degree and manner in which tolls and duties are levied, and their character and effect, and (2) the form which legislation should take, if necessary, to put a stop to such practices.

The replies of the Commissioners have now been received and considered by the Lieutenant-Governor.

These papers abundantly show that in spite of stringent legal prohibition and of the compensation given to zemindars, market, boat, and other dues levied by zemindars flourish universally in Bengal, &c.’

Notwithstanding his vehement denunciations of the zemindars and assertion of rights regarding market dues and mooring rents, and other proprietary rights in the above resolution, His Honor has pretty nearly left the things as they were.

No wonder that the zemindars would cry for relief from heaven. They would, as we have said above, prefer a scourge, which would at once put an end to their existence, to the moral torture, which their appointed ruler and guardian is inflicting upon them. It may be a sport to the high personage, but it is death to them.” *The Hindoo Patriot, August 4, 1873*, p. 363.

“Any change after Sir George Campbell will be hailed as a relief.” *Ibid., December 8, 1873*.

We leave it to our readers to judge whether Sir George Campbell did anything wrong by recording the above resolution, and thereby deserved the tirades we have quoted above.

We request our readers to see the date of the following lines:—“With all his ability, vigor of mind, determination of character, and courage, he (Sir George Campbell) broke down because he was ignorant of the province and people.” *The Hindoo Patriot, February 5, 1877*, p. 93.

Next we proceed to place before our readers the following passage from Mr. J. Hector’s *Land and Revenue in India*, which will show the way in which the *Hindoo Patriot* conceals the real state of things:—“A statement of the audacious character regarding the effect of the [] on the revenues of the country occurred [] of the 25th January last (1875). [] formed, the organ of the zemindar []

‘The Permanent Settlement [] with revenue from other sources [] The

following comparative statement shews what we mean :—

Province.	Receipts.	Charges.	Surplus.
Oudh.	£ 1,553,309	605,185	948,124
Central Provinces. „	1,039,326	749,728	289,598
British Burmah. „	1,218,102	655,560	562,542
Bengal.	„ 16,740,427	5,664,569	11,075,858
N. W. Provinces. „	5,769,706	2,447,065	3,322,641
Punjab.	„ 3,634,067	2,340,934	1,294,133
Madras.	„ 8,092,427	5,827,104	2,265,323
Bombay & Scinde. „	9,061,851	7,245,250	1,816,601

It will be seen from the above, that Bengal is the best paying province.'

The impression conveyed, and intended to be conveyed, by this statement, is, that it is the Permanent Settlement, which has enabled Bengal to pay so much more to the general revenues than the other provinces; but if we analyze the sum of 16 millions paid by Bengal, we shall see that the Permanent Settlement has done no such thing. The sum is composed of the following items:—

Land	...	...	£ 3,950,000	(gross).
Excise	...	...	„ 755,000	„
Customs	...	...	„ 1,078,000	„
Salt	...	...	„ 2,572,000	„
Opium	...	...	„ 6,898,000	„
Stamps	...	...	„ 795,000	„
Total			£ 16,048,000	

The remaining £700,000 is made up of miscellaneous receipts, such as, forest, marine, &c.

The largest item is the £ 6,898,000 yielded by opium, and this includes what is received from the North Western Provinces, whose contribution, for some unexplained reason, is credited to Bengal in the revenue accounts. But what, in all the world, has the Permanent Settlement done for opium? Opium, we know, is a Government monopoly, and Government advances the money necessary for its production. The salt revenue cannot be said to

owe anything to the settlement, and small as the receipts from customs are, they include the duty paid on imports taken by the North Western Provinces and Punjab. The statement that 'the Permanent Settlement has enriched the treasury with revenue from other sources' is therefore opposed to the facts."

To guard us from being misunderstood, we distinctly state that we do not hereby mean, that Government should raise the land revenue of Bengal to eight or nine crores of rupees. We have quoted it only to expose the misrepresentations of the *Hindoo Patriot*.

The Central Provinces.

"Sir Richard Temple's settlement of the Central Provinces has turned out a blunder; instead of prosperity, it has brought forth misery and mischief; the country is impoverished; the peasantry are flocking out of it, and here is the last year's Administration Report giving new proofs to those who still doubted, that Sir Richard's boon has proved a curse." *The Friend of India*, November 11, 1876.

"The cultivators of these two districts (Chanda and Nimar) owe it to the *Indian Economist* alone, that they are now partially protected from the oppressions of the new zemindar class created by the settlement throughout the whole of the Central Provinces. It is extraordinary to ourselves, that the Government does not see the justice and necessity of instantly making a similar modification of these miserable settlements throughout all the other districts of the Provinces. The last report by Mr. Morris confirms to the letter all the *Economist's* warnings about this famous settlement; and instead of undoing the wrong, while the knowledge that it is a wrong is fresh in the minds of all classes in the Province, we prefer to close this chapter of our rule as an unpleasant one, and to leave the next and succeeding generations for all times to reap the results of what we have in our folly sown. The entire settlement ought to be revised everywhere at all costs, and its evils undone, though every Malgoozar in the Province went into rebellion. What are these hundred thousand men to

is compared with the millions of the people and their descendants for all time? We have done a great and cruel wrong in the provinces." *The Statesman*, November 4, 1874.

"The last Central Provinces Report 1874-75 shows clearly that the Government is bound at all costs to revise our late fata settlements of those Provinces, before the rights so universally conferred upon the Malgoozars thereby at the cost of the cultivators obtain a prescriptive title. The settlement is hardly yet ten years old, and for the last seven years we have at intervals called attention to the fatal errors of which it is an expression. Insane as are the rates at which the land has been leased until the close of the century, it would be unwise perhaps to leave those rates as they stand; although as a result the Provinces promise to be a heavy burden upon the Imperial Treasury for the next thirty years owing to the land having been settled at rates that occasion a deficit of nearly £1,000,000 sterling a year in the annual provincial balance sheet. That part of the mischief is perhaps irremediable. It was done with eyes wide open under the assurance of Sir Richard Temple, that if we would only give the land away for nothing, the people would grow so wealthy, that we should with ease obtain through the Custom House and Excise twice the revenue we abandoned in the land. The next step was to stereotype the poverty of the cultivators in a mass for all time by converting the village Patels or Malgoozars into actual proprietors of the soil; thus reducing the whole body of ryots mediately or immediately into tenants-at-will under them. The third astonishing error was the including an enormous area of the waste land around every village in the Malgoozar's proprietary right; and the last was the offering the remainder of the waste lands, a vast area, in fee simple to any one who liked to apply for them *with a State pledge never to impose either tax or rental upon them*. We do verily believe, that the world has never seen an era of unwisdom in fiscal subjects at all approaching the 14 years' financial rule of India beginning with that weak man Sir Bartle Frere, and winding up with Sir Richard Temple's finance ministership. Our exposure of the

waste land policy of the Government led to the withdrawal of the whole Code on the subject three or four years ago." *Ibid* November 25, 1876.

The Ryotwar System.

John Sullivan, Esq. in his evidence before the Select Committee of the House of Commons appointed in 1832, said:—"I consider the ryotwar settlement to be the best.

The ryotwar was the old system under the Native Governments, upon which we have improved.

The ryotwar system provides for a participation by Government in the waste lands as they are brought under cultivation.

Its effect is to increase the produce and increase capital and with capital, trade naturally grows and consumption increases.

The ryotwar system has always been found more productive in revenue than the other systems." *Answers to Questions 12, 13, 49, 61, and 103. Minutes of Evidence, Revenue, Commons.*

"In the best regulated ryotwar districts, the efficiency of the village Police is as remarkable as the want of all organized corruption, and the consequent morality and character of the people." *A. D. Campbell, Esq. Ibid. 2423, Ibid.*

A writer in the *Calcutta Review*, Vol. XVII. says:—"The revision of the assessment of the Madras Provinces is a measure, which has been advocated through a long series of years by the ablest and best members of the Madras Government.... We have shewn that every Collector from the time of Colonel Reid to the present day has suggested measures (for reducing the land-tax) which we advocate, and that Governor after Governor, Munro, Lushington, and Elphinstone, have supported them. The Home Government is surely prepared to deal impartially with its provinces, and we have, therefore, full confidence that brighter days are at hand.

To us we own, that the state of the district (of Salem) appears to afford clear proof of the decided failure of the zemindari system in Madras though tried under the greatest advantages.

The previous survey assessment and careful registry of rights have prevented many of the consequences, which followed upon this great and well-intended measure in Bengal and N. W. Provinces, and ought, if anything could have done so, to have secured the success of the system; but still it has failed. We cannot attribute the failure to over-assessment, for under a ryotwar system, many of the estates have exhibited a marked, steady, and most satisfactory recovery from the state into which the Mutahdars had brought them. Its failure was owing, generally, to the avarice and oppression of the Mutahdars, to the want of irrigation, and to their grasping demands upon the people.

To illustrate this point, let us examine the history of some of the Mutahs. It will be remembered, that they were handed over to the Mutahdars at a fixed assessment, generally 10 to 16 per cent. below the collections made under the ryotwar system; but they reverted to Government in a ruined condition. Their gradual recovery under ryotwar management, though no relaxation of demand was conceded, is, we think, a triumphant proof of the effects of limited field assessment and tenure direct from Government.

There is, most certainly, nothing in the character of the Mutahdars generally calculated to exert a beneficial effect on the people. With some few exceptions, what Francis Horner describes as that odious character, which an increase of wealth without an increase of knowledge is sure to generate, is typical of these factious landlords.

The effect of the system on the Police of the district has been most unfavourable. We believe that it is not more strongly ingrained in the minds of Englishmen, that the legislative power and the executive should be distinct than it is in that of the Hindoo, that the person to whom he pays rent is the person from whom he is to expect protection, and to secure this protection he must obey his zemindar's orders. By the zemindari system this enormous prestige is transferred from the Government to the zemindar, or from a responsible servant of the Government to an irresponsible private individual, from a man whom

Government can remove to one upon whose character alone, it depends whether he shall assist in putting down robberies, or whether he shall organize them."

Sir Thomas Munro says :—" As there is everywhere plenty of good land lying uncultivated, which any person may occupy on paying the Sircar rent, it is evident that no ryot will hold land of another, and pay an addition of five or six per cent. upon the Sircar rent, when he may get land of the same kind without paying any such increase." Quoted in the *Principles and Policy of British India*, p. 43.

THE PEASANT PROPRIETORS.

The Productiveness of Small Farms.

"Anywhere in the neighbourhood of Zurich, in looking to the right or to the left, one is struck with the extraordinary industry of the inhabitants. In the industry they shew in the cultivation of the land, I may safely say they are unrivalled. When I used to open my casement between four and five in the morning to look out upon the lake and the distant Alps, I saw the labourer in the fields, and when I returned from an evening walk long after sunset, as late perhaps as half-past eight, there was the labourer mowing his grass or tying up his vines. But there are other and better evidences of the industry of the Zurichers than merely seeing them late and early at work. It is impossible to look at a field, a garden, a hedge, scarcely even a tree, a flower or a vegetable, without perceiving proofs of the extreme care and industry, that are bestowed upon the cultivation of the soil. If, for example, a path leads through or by the side of a field of grain, the corn is not, as in England, permitted to hang over the path exposed to be pulled or trodden down by every passer-by; it is everywhere bounded by a fence; stakes are placed at intervals of about a yard, and about two and four feet from the ground boughs of trees are passed longitudinally along. If you look into a field toward evening, where there are large beds of cauliflower or cabbage, you will find that every single plant has been watered. In the gardens which surround

Zurich are extremely large, the most punctilious care is evinced in every production that grows.

The vegetables are planted with seemingly mathematical accuracy; not a single weed is to be seen, nor a single stone. Plants are not earthed up as with us, but are placed in small hollows, into each of which a little manure is put, and each plant is watered daily. Where seeds are sown, the earth directly above is broken into the finest powder; every shrub, every flower is tied to a stake; and where there is a wall fruit, a trellice is erected against the wall to which the boughs are fastened, and there is not a single twig, that has not its appropriate resting place." *Inglis's Switzerland and South of France*, vol. I., p. 22-23.

In another place he says, when speaking of the Eugadine (with respect to which he had previously stated that the whole of the land belongs to the peasantry). "I did not sufficiently enlarge upon the industry of the inhabitants, but it deserves a eulogistic. There is not a foot of waste land in the Eugadine, the lowest part of which is not much lower than the top of Snowdon. Wherever grass will grow, there it is; wherever a field will bear a blade, verdure is seen upon it; wherever rye will succeed, there it is cultivated. Barley and oats have also their appropriate spots; and wherever it is possible to ripen a single patch of wheat, the cultivation of it is attempted." *Ibid.*, p. 145-46.

Mr. Laing confirms these statements, and applies the description to Switzerland generally. "The spots of land" he says "show the same daily care in the fencing, digging, weeding, and watering. The owners have a kind of Robinson Crusoe industry about their houses and little properties; they are perpetually building, repairing, altering, or improving something about their tenements." *Notes of a Traveller*, p. p. 354-55.

"In Germany, Mr. Howitt, after mentioning that the land 'is for the most part in the hands of the people,' and 'parcelled out amongst the multitude,' describes the peasantry as labouring 'early and late, because they feel that they are labouring for

themselves.' 'There is not an hour of the year,' he adds, which they do not find increasing occupation. In the depth of winter, when the weather permits them by any means to get out of doors, they are always finding something to do. They carry out their manure to the lands while the frost is in the ground. If there is not frost, they are busy clearing ditches and felling old fruit trees, or such as do not bear well. Such of them as are too poor to lay in a sufficient stock of wood, find plenty of work in ascending into the mountainous woods and bringing them down for fuel. It would astonish the English common people to see the intense labour with which the Germans earn their firewood. In the depth of frost and snow, go into any of their hills and woods, and there you find them hacking up stumps, cutting off branches, and gathering, by all means, which the official wood-police will allow, boughs, stakes, and pieces of wood, which they convey home with the most incredible toil and patience.' *Howitt's Rural and Domestic Life of Germany*, p. 44.

As Mr. Inglis had declared the industry of the small proprietors of Zurich to be 'unrivalled', so Howitt calls the small proprietors of Germany, 'the most industrious peasantry in the world,' the truth being, as Mr. Mill aptly observes, in commenting on this work of Mr. Howitt's that 'whoever is acquainted with only one region in which there are peasant proprietors, invariably thinks the peasantry of that particular region the most industrious in the world.' Enough surely has now been said to prove that there is no vice with which small farmers are less justly chargeable than with idleness, and it cannot be necessary to produce other witnesses in their favour from the Channel Islands, the Tyrol, or from the Saxon colonies of Transylvania.

It appears then that the disabilities represented as inseparable from the condition of small farmers have no real existence, and that there is really nothing to prevent persons of that class from practising the most approved methods of cultivation. They are not necessarily poor, but on the contrary, as their rate of profit is higher, are likely to be relatively richer than large farmers; they can lay out more money on their land in proportion to its

extent ; they can use more manure ; they can buy for themselves all ordinary agricultural implements ; and, by combination among themselves, can obtain the use of the most costly machines or effect the most expensive improvements ; the idea of their being prevented by want of space from varying their crops, is merely fanciful ; and although they may be able to carry the division of labour as far as might be desirable, their disadvantages in that and all other respects is much more than counter-balanced by the superiority of their industry. No fields can be more carefully tilled than theirs ; nowhere is the ground more frequently turned up, more thoroughly drained, or kept freer from weeds. The small farmer may be ignorant, may work with bad tools, and may not distribute his labour in the most economical manner ; but with all his stupidity and awkwardness he nevertheless contrives to make his land yield more than a large occupier with all his skill could obtain from it. This has already been shown to be the case, and it is, indeed, so well known to all who have taken the trouble to inquire into the matter, that if the question at issue between large and small farms were to be determined by their respective amounts of gross produce, a verdict would infalliably be given in favour of the latter.

That is the best system of agriculture, not which provides for one class at the expense of another, but which insures the largest amount of happiness to all. The cultivators of the earth are not as they are too often represented, little better than machines, whose business it is to raise food for the rest of mankind, and whose consumption of part of what they themselves produce, is to be regretted as a national loss, a deduction from the sum of national wealth, and is, consequently, to be restricted as much as possible. Their office is not, no matter by means of what self-privation, to provide the largest possible surplus produce for other classes. They are themselves, not less than artisans and manufacturers, constituent parts of the community, and it is essential to national welfare, that they equally with the others should be maintained in plenty and comfort." *W. T. Thornton's Plea for Peasant Proprietors.*

The Social Effects of Peasant Proprietorship.

“The small landowner can more easily bear the expenses of cultivation, of procuring proper implements and manure, of drainage and irrigation, and he can keep more livestock. A small leaseholder can lay out more money on his land in proportion to its extent than a large occupier; but a small proprietor can spend more than either. He has, besides, a very much stronger motives for effecting improvements. ‘A small proprietor’ says Adam Smith ‘who knows every part of his little territory, who views it with all the affection, which property, especially small property, naturally inspires, and who, upon that account, takes pleasure not only in cultivating, but in adorning it, is generally of all improvers the most industrious, the most intelligent, and the most successful.’ Young exclaims: ‘Give a man the secure possession of a bleak rock, and he will turn it into a garden,’ there is ‘no way so sure of carrying tillage to a mountain top as by permitting the neighbouring villagers to acquire it in property. The magic of property turns sand to gold.’

‘The peculiar feature’ says Mr. Laing, ‘in the condition of the Swiss population—the great charm of Switzerland, next to its natural scenery, is the air of well-being, the neatness, the sense of property imprinted on the people, their holdings, and their plots of land. The spirit of the proprietor is not to be mistaken in all that one sees’. In the whole of the Engadine, the land belongs to the peasantry, and ‘in no country in Europe,’ says Mr. Inglis, ‘will be found so few poor as in the Engadine.’ ‘The happiest community,’ says Mr. Hill, ‘which it has ever been my lot to fall in with, is to be found in this little island of Guernsey.’ ‘No matter,’ says Sir George Head, ‘to what point the traveller may chose to bend his way, comfort everywhere prevails.’

The people of Guern are as well clad as lodged. The working dress of the men, who wear a short blue frock over their other cloths, is not indeed very becoming, but it is never ragged; and on Sundays they don a suit of broad cloth, while their wives and daughters, of course, make at least an equal display of the outward symbols of respectability.

What makes the evident affluence of these islanders a still more gratifying spectacle, is its utmost diffusion. Beggars are utterly unknown, and their absence cannot be wholly accounted for by the interdict enacted against them; for in England, where their profession is equally illegal, not a day passes without your meeting several, whereas in the Channel Islands not one is ever seen.

It is especially deserving of notice, that the prosperity of Guernsey is not only great, but has long been steadily advancing; in other words, that the progress of population has been less rapid than the progress of wealth." *W. T. Thornton's Plea for Peasant Proprietors.*

The Moral Effects of Peasant Proprietorship.

"Honesty, sobriety, and loyalty, duly combined with independence of spirit, are pre-eminent in peasant proprietors. Honesty, in the most common, if not the most exalted, acceptance of the term, signifies little more than respect for the rights of property, and none are so likely to pay such respect as those who have property of their own which they wish to see respected. A peasant proprietor may be said to feel as well as to understand his moral obligations. His anxiety to preserve his own rights from invasion informs him that his neighbours are similarly solicitous, and he knows that unless he abstains from molesting them, he cannot reckon upon their forbearance. He teaches his children the same wholesome lessons. Provided he holds his land by a secure tenure, incessant diligence commonly rewards him with the competence he deserves, and busy as he is, he could, no doubt, if so disposed, steal a minute now and then to take off a dram; but he values money too highly to squander it on intemperance either in meat or drink. His fault is rather to be too sparing in his diet. He has a blazing hearth (speaking of cold countries) and a neat parlour of his own, and sitting there with his family about him, has no wish for a change of scene or company.

Deriving their support from their own resources, they can

indulge in the pride of self-dependence, and scorn the idea of owning their subsistence to charity. Neither desiring the favour, nor fearing the enmity of their richer neighbours, they can accost them without servility. Not that the possession of property in giving them independence, renders them insubordinate: while it permits them to respect themselves, it teaches them also to respect the laws.

A mere day-labourer, half-employed, and wretched-paid, who is compelled to apply to the neighbouring landowners for a livelihood, and obtains from them only a miserable subsistence, not unnaturally regards his employers as oppressors, takes every opportunity of showing his spite against them by wanton aggressions, and is ever ready to listen to the harangues of seditious demagogues. But a peasant proprietor has no such cause for envy or animosity against the owners of larger estates, but is rather disposed to join with them in repelling any attack on their common rights; he is deeply interested in the preservation of tranquility, and proportionably fearful of civil convulsions, in which he might lose his all. He molests no one, who does not molest him; and as for politics, provided neither his privileges nor his prejudices be attacked, he cheerfully leaves them to those who have more taste and capacity for their discussion. Throughout western Europe, from the Polar to the Mediterranean seas, wherever there are peasant proprietors, there likewise is an orderly and loyal rural population. In the Channel Islands, Norway, Belgium, Switzerland, and Germany, there are no rick-burners, no breakers of thrashing machines, no riots among the country people, and no secret disaffection. The peasantry are thriving and content, and sincerely attached to the laws under which they enjoy so much happiness. Even France presents no exception to the truth of this remark. Popular outbreaks are certainly of frequent occurrence there, but they do not take place in the rural districts. Among the incidental advantages possessed by small proprietors, should be mentioned one enjoyed by them in common with small tenant-farmers and allotment holders, *viz*, the facilities which their social situation affords for the moral and

technical training of their children. The latter instead of being suffered to run wild, or instead of being locked up to keep them out of harm's way, are almost constantly under the eyes of their parents. They follow their father to his work and think it as good as play to perform the light tasks he assigns them. Gardening and the care of poultry and animals, favourite companions with all children, afford them at once exercise and amusement, and afford also uses for offal and their refuse, which would otherwise have been thrown away; and these pursuits are not the less cheerfully followed because they are perceived to be profitable, to lighten the common toils, and to increase the common stores. The girls, besides, help their mother indoors, and in the same pleasant and uncscious manner are initiated into the mysteries of house-keeping, and taught the important secret how to make home happy. Such constant co-operation of all the members of a family tightens the bonds of affection and promotes domestic harmony, and more directly favours the adoption of early habits of industry and frugality, and imparts early instruction in those particular kinds of information, which are most likely to be practically useful in after-life." *W. T. Thornton's Plea for Peasant Proprietors.*

Extract from the Etudes, vol. II, p. 169.

"Whilst ancient Europe was divided among small free agricultural nations, their prosperity was increasing with wonderful rapidity; cultivation extended from the plains even to the summits of the mountains, all the means of increasing the fertility of the land were successively discovered, all the productions of the soil which could satisfy the taste of man were, by turn, called into existence; that Campagna of Rome now so desert, made wholesome by the breath of man, was covered with so close a population, that five acres were supposed to be amply sufficient for the support of a family; in spite of frequent wars this population increased continually; as a hive of bees gives out a swarm every year, so it was necessary for every city after the development of one generation to send out a colony; and this colony

recommencing social progress after the same principles with peasant proprietors and expecting every thing from agriculture, rapidly advanced towards the same prosperity. It was then that the human race spread itself over the face of the earth, and that in reciprocal independence, in the bosom of abundance and of virtue, those nations grew up, whose fate it was, at a later period, to become the sport of politics and of war:

That rural happiness, the picture of which history presents to us in the glorious times of Italy and Greece, is not unknown in our age. Wherever are found peasant proprietors, are also found that ease, that security, that independence, that confidence in the future, which assure at the same time happiness and virtue. The peasant who does, with his children, all the work on his little inheritance, who neither pays rent to any one above him, nor wages to any one below him, who regulates his production by his consumption, who eats his own corn, drinks his own wine, is clothed with his own flax and wool, cares little about knowing the price of the market; for he has little to sell, and little to buy, and is never ruined by the revolutions of commerce. Far from fearing for the future, it is embellished by his hopes; for he puts out to profit for his children, or for ages to come, every instant which is not required by the labour of the year. Only a few moments stolen from otherwise lost time are required to put into the ground the nut, which in a hundred years will become a large tree; to hollow out the aqueduct which will drain his field for ever; to form the conduit which will bring him a spring of water; to ameliorate, by constant attention, all the kinds of animals and vegetables by which he is surrounded. This little patrimony is a true saving bank always ready to receive his little profits, and usually to employ all his leisure moments. The everlasting power of nature makes them fruitful, and returns them to him a hundred fold. The peasant has a strong feeling of the happiness attached to the condition of proprietor. Thus he is always eager to purchase land at any price. He pays for it more than it is worth, more than it will return perhaps; but what a reason he has to esteem at a high price the advantage of

thenceforward always employing his labour advantageously, without being obliged to offer it cheap; to find always his bread when he wants it, without being obliged to buy it dear.

It is Switzerland particularly that must be gone over: that must be studied to judge of the happiness of peasant proprietors. Switzerland must be known to be convinced that agriculture practised by those, who gather the fruits of it, suffices to procure great comfort to a very numerous population; great independence of character, the fruit of an independent situation; great exchange of what is consumed, the consequence of the well-being of all the inhabitants even in a country where the climate is rude, the soil moderately fertile, and where late frosts and uncertain seasons often destroy the hopes of the labourer. Whether we pass through the cheerful Emmenthal, or bury ourselves in the most distant valleys of the canton of Berne, we cannot see without admiration, without being affected, those wooden houses of the least peasant, so vast, so well closed, so well constructed, so covered with carvings. In the interior every detached chamber of the numerous family opens into large corridors; each room has only one bed; and it is abundantly provided with curtains and with coverings of the whitest linen; furniture, carefully kept, surrounds it; the closets are full of linen; the dairy is large, well ventilated and exquisitely neat; under the same roof are found provisions of corn, of salt meat, of cheese and of wood; in the stables are seen the most beautiful cattle in Europe and the best attended to; the garden is planted with flowers; the men as well as the women are warmly and properly clad—the last preserve with pride their ancient costume, and bear in their countenances the marks of vigour and of health; they are striking from that beauty of feature which becomes the character of a race, when for many generations it has suffered neither from vice nor from want. Let other nations boast of their opulence; Switzerland may always with pride place its peasantry in opposition to it.

The peasant proprietor is, of all cultivators, the one who obtains most from the soil, for it is he who thinks most of the

future as well as being the most enlightened by experience ; it is he who also makes the greatest profit of human labour, because dividing his occupations among all the members of the family, he reserves some for every day of the year, so that there is no waste time for any one ; of all cultivators he is the happiest ; and at the same time in a given space, land, without being exhausted, never produces so much food, or employs so many inhabitants as when they are proprietors, lastly of all cultivators the peasant proprietor is the one, who gives most encouragement to commerce and industry, for he is the richest. Shall we conclude from this that all proprietors should also be labourers ? No : we take society as it is, with poor and rich, and we believe this variety of its conditions most advantageous to its development." Quoted in *Sismondi's Political Economy and Philosophy of Government*, p. p. 193-95.

The Condition of the French Peasantry before the Revolution of 1785-88.

"The fiscal and feudal oppression under which the peasantry groaned would be sufficient of itself to account for their depression. Among other grievous taxes were those on land and on the profits of farming, to which they alone were subject, the clergy and gentry being exempt. These taxes, besides being very onerous were not even of fixed amount. The rates were altered from year to year at the discretion of the intendants and their deputies, who, in assessing districts or parishes, professed to be guided by the appearance of the crops, and in assessing individuals by the stock upon their farms. It was the interest, therefore, of every farmer to appear to have as little stock as possible, and consequently to employ as little as possible in its cultivation, and none in its improvement. The game laws were still more outrageous than those respecting the collection of revenue. There were numerous edicts, which prohibited weeding and hoeing, lest the young partridges should be disturbed ; steeping seed, lest it should injure their health ; manuring it with night-soil, lest their flavour should be spoilt by their feeding on the corn so treated ;

mowing hay before a certain time, or removing stubble, lest the birds should be deprived of shelter. Add to this, the forced labour imposed by Government, and the fines and services arbitrarily exacted by lords of manors, and it need not again be asked why the French peasantry, even such of them as cultivated their own lands, were, in every sense of the term, miserable farmers. The only wonder is that their industry could survive amongst circumstances of such discouragement. The misery to which the peasantry had been reduced, had had the usual effect of increasing their numbers. 'The swarms of people were incredible.' The inheritor of a scrap of ground had scarcely any alternative but to attempt to subsist upon its produce. To sell it would in general have been to deprive himself of his only means of livelihood; for he could not hope to obtain employment as a hired labourer." *W. T. Thornton's Plea for Peasant Proprietors*, p. 114.

"In many provinces of France, before the Revolution, a vicious system of taxation on the land, and still more the absence of redress against the arbitrary exactions which were made under colour of the taxes, rendered it the interest of every cultivator to appear poor, and therefore to cultivate badly. The only insecurity which is altogether paralyzing to the active energies of producers, is that arising from the Government, or from persons invested with its authority. Against all other depredators there is a hope of defending oneself. Greece and the Greek colonies in the ancient world. Flanders and Italy in the middle ages, by no means enjoyed what any one with modern ideas would call security; person and property were exposed to a thousand dangers. But they were free countries; they were neither arbitrarily oppressed, nor systematically plundered by their Governments. Against other enemies the individual energy which their institutions called forth, enabled them to make successful resistance: their labour, therefore, was eminently productive, and their riches while they remained free, were constantly on the increase. The Roman despotism putting an end to wars and internal conflicts throughout the empire, relieved the subject population

from much of the former insecurity, but because it left them under the grinding yoke of its own rapacity, they became enervated and impoverished until they were an easy prey to barbarous but free invaders. They would neither fight nor labour, because they were no longer suffered to enjoy that for which they fought and laboured." *Mill's Political Economy*, Vol. I., p. 138.

"'Sire'" wrote Fénelon to Louis XIV "your people whom you ought to love as your children, and who have hitherto been so devotedly attached to you, are dying of hunger. The cultivation of the fields is almost abandoned; the towns and the country are depopulated; all trades languish and no longer support the workmen.' Such was France a century before the Revolution. With the Revolution, however, came a change; the law of primogeniture was abolished, and the large estates were broken up. The effect was magical. In little more than half a century after this period, France had doubled her population, and quadrupled her agricultural produce." *The Westminster Review*, Vol. XXXVIII., p. 252.

The Condition of the French Peasantry after the Revolution.

"Peasant proprietorship did not obtain a fair trial in France, until the worst abuses of tyranny and feudalism were swept away at the Revolution, and its history since that period is consequently deserving of special attention. That the condition of the French peasantry, whether proprietors or field-labourers, if not yet perfectly satisfactory, has been steadily improving for many years past, is evident from the testimony of all who have themselves examined it. The opposite opinion is maintained by those only who have made their researches in books, instead of amongst the people. M. Clement consulted the opinion of the aged cultivators and workmen of different places, all of whom, without a single exception, agreed that the classes of the population who have only their wages, and are consequently the most exposed to indigence, are much better fed, lodged, and clothed, than at the commencement of the century. 'With a tolerably intimate knowledge' says Mr. Inglis, who had traversed great part

of the continent on foot, and whose evidence is the more valuable, because having no favourite theory to support, and being little more than a keen and shrewd observer, his impressions were always perfectly unbiased, 'and distinct recollection of the lower orders of France, I am inclined to assert that, upon the whole, the French peasantry are the happiest of any country in Europe.' (*Switzerland and South of France*, Vol. II., p. 269) While passing through Languedoc, Inglis particularly remarked the 'very enviable position of the labouring class. A day-labourer received two francs. The people appeared to be well off, and paupers were rare. He did not see one *miserable* between Carcassonne and Toulouse. The peasantry are observed to be most prosperous in those parts of France in which the largest proportion of them are proprietors.'

Mr. Henry Bulwer remarks that by far the greatest number of the indigent is to be found in the northern departments, where land is less divided than elsewhere, and cultivated with larger capitals. (*Monarchy of the Middle Class*, Vol. II., p. 107.)

Mr. Birkbeck noting that on the road from St. Pierre to Moulins, 'the lower classes appeared less comfortable,' found on enquiry that 'few of the peasantry thereabouts were proprietors.' *Birkbeck's Tour in France*, p. 30.

Mr. Le Quesne, who, when asking the causes of the smiling productiveness of Anjou and Touraine, received for answer that the land was divided into small parcels, noticed that the houses of the country people there were remarkable for their neatness, and indicative of the ease and comfort of their possessors.

Mr. Birkbeck said 'I have inquired, and every body assures me that agriculture has been improving rapidly for the last twenty-five years; that the riches and comforts of the cultivators of the soil have been doubled since that period, and that vast improvement has taken place in the condition and character of the common people. On my first landing I was struck with the respectable appearance of the working class: I see the same

marks of comfort and plenty wherever I proceed. I ask for the wretched peasantry, of whom I have heard and read so much, but I am always referred to the Revolution; it seems they vanished then. The labouring class here is certainly much higher on the social scale than with us. Every opportunity of collecting information on this subject confirms my first impression, that there are very few really poor people in France. In England, a poor man and a labourer are synonymous terms; we speak familiarly of *the poor*, meaning class; not so here.' (*Tour in France*, p. p. 11-12.)

Mr. Cabbett was surprised to find that the 'labouring people or peasantry had usually cows of their own, sometimes one, sometimes two or three, besides pigs; he could not help seeing that their dress was better than that of labourers in England, and that their breakfast of cabbage soup, bread, and wine, was a thousand times better than the cold potatoes and tea' with which people of the same class in this country often prepare for a hard day's work. He saw besides 'a great many beggars, but not more of them' he acknowledges, 'in the country parts of France than he would have seen in England if travelling along the same high road,' and he adds, 'there is this important difference between the appearance of beggars in France and England: a very large portion of our beggars are neither aged nor infirm, while in France there is scarcely any object of this description, that is not old or in some way incapable of earning a living. The greater part of the English beggars beg because they cannot get employment, and the beggars of France beg because they are unfitted for employment. It is the state of society in England which creates the beggar, while in France it is his inability to render society any service.' (*Ride through France*, p. 210.)" *W. T. Thornton's Plea for Peasant Proprietors.*

The Effects of Peasant Proprietorship on New England, Russia, North America, and Norway, and on the Continent Generally.

"New England in the North, and Maryland and Virginia in the South, were both colonized about the same period by people

of the same race, speaking the same language, and under a similar form of Government. In the South the land was originally parcelled out into vast estates on the English model. But the early settlers or their descendants could do nothing with the large properties without labour, and free labour was not to be had in a country where there was no land available for settlement. Hence slavery became a necessity in the South. In the North, on the other hand, where the land was taken in small sections by actual cultivators, slavery was unknown, wages were uniformly high, agricultural settlements made rapid progress, and the country became prosperous to an extraordinary degree." *The Westminster Review*, Vol. XXXVIII., p. 252.

Russia. "It was found necessary to re-distribute the land among the peasantry (of the Crown Provinces of Russia) in order that all should contribute their fair share to the public revenue. This was accordingly done, and the happiest results followed. Within seven years after the re-imposition of the land tax, and re-distribution of the land, the crown revenues had increased from thirty to forty per cent.; the cultivation of tobacco had not only increased in quantity but the quality and price compared with former times had increased seven-fold; the manufacture and sale of improved agricultural implements had increased six-fold; and the quantity imported, three-fold; while at the same time the revenue from forests, pastures, and waste land belonging to the Crown, had nearly trebled. Such was the result of the change in the tenure of land in the Crown Provinces. But at this time no change had yet taken place in the land system of the provinces of the Empire, where territorial magnates ruled supreme. Here the ancient communal system had been destroyed, and the right of possession in the soil withdrawn from the peasants, who were reduced to a condition of serfdom. Industry continued to languish, agriculture declined, and those portions of the country altogether presented a striking contrast to the Crown Provinces, where the communal system had been restored to its full vigor." *Ibid.*

"I lay no stress" says Mr. Mill "on the condition of North

America, where, as is well-known, the land, wherever free from the curse of slavery, is almost universally owned by the same person who holds the plough. A country combining the natural fertility of America with the knowledge and arts of modern Europe, is so peculiarly circumstanced, that scarcely anything, except insecurity of property or a tyrannical Government, could materially impair the prosperity of the industrial classes.

One of the countries, in which peasant proprietors are of oldest date, and most numerous in proportion to the population, is Norway. Of the social and economical condition of that country, an interesting account has been given by Mr. Laing. His testimony in favour of small landed properties both there and elsewhere is given with great decision. I will quote a few passages.

‘If small proprietors are not good farmers, it is not from the same cause here, which, we are told, makes them so in Scotland—indolence and want of exertion. The extent to which irrigation is carried on in these glens and valleys shows a spirit of exertion and co-operation’ (I request particular attention to this point) ‘to which the latter can show nothing similar. Hay being the principal winter support of live stock, and both it and corn, as well as potatoes, liable, from the shallow soil and powerful reflection of sun-shine from the rocks, to be burnt and withered up, the greatest exertions are made to bring water from the head of each glen, along such a level as will give the command of it to each farmer at the head of his fields. This is done by leading it in wooden troughs (the half of a tree roughly scooped) from the highest perennial stream among the hills through woods, across ravines, along the rocky, often perpendicular, sides of the glens, and from this main trough giving a lateral one to each farmer in passing the head of his farm. He distributes this supply by movable troughs among his fields, and at this season waters each rig successively with scoops like those used by bleachers in watering cloth, laying his trough between every two rigs. One would not believe without seeing it, how very large an extent of land is traversed expeditiously by these artificial showers. The extent of the main troughs is very great. In one glen I walked ten miles, and found

it trenched on both sides : on one, the chain is continued down the main valley for forty miles. Those may be bad farmers who do such things ; but they are not indolent, nor ignorant of the principle of working in concert, and keeping up establishments for common benefit. They are, undoubtedly, in these respects, far in advance of any community of cotters in our highland glens. They feel as proprietors, who receive the advantage of their own exertions. The excellent state of the roads and bridges is another proof that the country is inhabited by people who have a common interest to keep them under repair. 'There are no tolls.'

On the effects of peasant proprietorship on the continent generally, the same writer expresses himself as follows :—

'If we listen to the large farmer, the scientific agriculturist, the English political economist, good farming must perish with large farms ; the very idea that good farming can exist, unless on large farms cultivated with great capital, they hold to be absurd. Draining, manuring, economical arrangements, cleaning the land, regular rotations, valuable stock and implements, all belong exclusively to large farms worked by large capital, and by hired labour. This reads very well ; but if we raise our eyes from their books to their fields, and coolly compare what we see in the best districts farmed in large farms, with what we see in the best districts farmed in small farms, we see, and there is no blinking the fact, better crops on the ground in Flanders, East Friesland, Holstein, in short, on the whole line of the arable land of equal quality of the continent from the Sound to Calais, than we see on the line of British islands opposite to this line, and in the same latitudes, from the Frith of Forth all round to Dover. Minute labour on small portions of arable ground gives evidently, in equal soils and climate, a superior productiveness, where these small portions belong in property, as in Flanders, Holland, Friesland, and Ditmarsch in Holstein, to the farmer. It is not pretended by our agricultural writers, that our large farmers, even in Berwickshire Roxburghshire, or the Lothians, approach to the garden-like cultivation, attention to manures, drainage, and clean state of the land, or in productiveness from a small space of soil not originally rich,

which distinguish the small farmers of Flanders, or their system. In the best farmed parish in Scotland or England, more land is wasted in the corners and borders of the fields of large farms; in the roads through them, unnecessarily wide because they are bad, and bad because they are wide in neglected commons, waste spots, useless belts and clumps of sorry trees, and such unproductive areas, that would maintain the poor of the parish, if they were all laid together and cultivated. But large capital applied to farming is of course only applied to the very best of the soils of a country. It cannot touch the small unproductive spots, which require more time and labour to fertilize them than is consistent with a quick return of capital. But although hired time and labour cannot be applied beneficially to such cultivation, the owner's own time and labour may. He is working for no higher returns at first from his land than a bare living. But in the course of generations fertility and value are produced; a better living, and even very improved processes of husbandry are attained. Furrow draining, stall feeding all summer, liquid manures, are universal in the husbandry of the small farms of Flanders, Lombardy, Switzerland. Our most improving districts under large farms are but beginning to adopt them. Dairy husbandry even, and the manufacture of the largest cheeses by the co-operation of many small farmers, the mutual assurance of property against fire and hail storms by the co-operation of small farmers—the most scientific and expensive of all agricultural operations in modern times, the manufacture of beet-root sugar,—the supply of the European markets with flax and hemp by the husbandry of small farmers—the abundance of legumes, fruits, poultry, in the usual diet even of the lowest classes abroad, and the total want of such variety at the tables even of our middle classes, and this variety and abundance essentially connected with the husbandry of small farmers,—all these are features in the occupation of a country by small proprietor farmers, which must make the enquirer pause before he admits the dogma of our land doctors at home, that large farms worked by hired labour and great capital can alone bring out the greatest

productiveness of the soil, and furnish the greatest supply of the necessaries and conveniences of life to the inhabitants of a country.'

M Raw in his little treatise 'On the Agriculture of the Palatinate' bears testimony not only to the industry, but to the skill and intelligence of the peasantry; their judicious employment of manures, and excellent rotation of crops; the progressive improvement of their agriculture for generations past, and the spirit of further improvement which is still active. 'The indefatigableness of the country people, who may be seen in activity all the day and all the year, and are never idle, because they make a good distribution of their labours, and find for every interval of time a suitable occupation, is as well known as their zeal is praiseworthy in turning to use every circumstance which presents itself, in seizing upon every useful novelty which offers, and even in searching out new and advantageous methods. One easily perceives that the peasant of this district has reflected much on his occupation: he can give reasons for his modes of proceeding, even if those reasons are not always tenable; he is as exact an observer of proportions as it is possible to be from memory without the aid of figures: he attends to such general signs of the times as appear to augur him either benefit or harm.' *Raw*, p.p. 15-16.

But the most decisive example in opposition to the English prejudice against cultivation by peasant proprietors, is the case of Belgium. The soil is originally one of the worst in Europe. 'The provinces,' says Mr. M'Culloch, 'of West and East Flanders and Hainault, form a far stretching plain, of which the luxuriant vegetation indicates an indefatigable care and labour bestowed upon its cultivation; for the natural soil consists almost wholly of barren sand, and its great fertility is entirely the result of very skilful management and judicious application of various manures.' (*Geographical Dictionary, Art. Belgium.*)

The writer observes that the Flemish agriculturists 'seem to want nothing but a space to work upon: whatever be the quality or texture of the soil, in time they will make it produce something.

The sands in the Campine can be compared to nothing but the sands on the sea-shore, which they probably were originally. It is highly interesting to follow step by step the progress of improvement. Here you see a cottage and rude cow-shed, erected on a spot of the most unpromising aspect. The loose white sand blown into irregular mounds is only kept together by the roots of the heath: a small spot only is levelled and surrounded by a ditch: part of this is covered with young broom, part is planted with potatoes, and perhaps a small patch of diminutive clover may show itself: but manures, both solid and liquid, are collecting, 'and this is the nucleus from which, in a few years, a little farm will spread around....If there is no manure at hand, the only thing that can be sown on pure sand at first is broom; this grows in the most barren soils; in three years it is fit to cut, and produces some return in fagots for the bakers and brick-makers. The leaves which have fallen have somewhat enriched the soil, and the fibres of the roots have given a certain degree of compactness. It may now be ploughed and sown with buckwheat, or even with rye without manure. By the time this is reaped, some manure may have been collected, and a regular course of cropping may begin. As soon as clover and potatoes enable the farmer to keep cows and make manure, the improvement goes on rapidly; in a few years the soil undergoes a complete change: it becomes mellow and retentive of moisture, and enriched by the vegetable matter afforded by the decomposition of the roots of clover and other plants....After the land has been gradually brought into a good state, and is cultivated in a regular manner, there appears much less difference between the soils which have been originally good, and those which have been made so by labour and industry. At least the crops in both appear more likely alike at harvest than is the case in soils of different qualities in other countries. This is a great proof of the excellency of the Flemish system; for it shows that the land is in a constant state of improvement, and that the deficiency of the soil is compensated by greater attention to tillage and manuring, especially the latter.

The Flemish farmers and laborers live much more economically than the same class in England: they seldom eat meat except on Sundays and in harvest: buttermilk and potatoes with brown bread is their daily food...Accordingly they are gradually acquiring capital, and their great ambition is to have land of their own. They eagerly seize every opportunity of purchasing a small farm, and the price is so raised by competition, that land pays little more than two per cent. interest for the purchase money. Large properties gradually disappear, and are divided into small portions, which sell at a higher rate. But the wealth and industry of the population are continually increasing, being rather diffused through the masses than accumulated in individuals.'

Mr. William Thornton in his *Plea for Peasant Proprietors* speaks of the island of Guernsey in the following terms: 'Not even in England is nearly so large a quantity of produce sent to market from a tract of such limited extent. This of itself might prove that the cultivators must be far removed above poverty, for being absolute owners of all the produce raised by them, they of course sell only what they do not themselves require. But the satisfactoriness of their condition is apparent to every observer.' *Plea for Peasant Proprietors*, p. 99.

An authority, on this point, not to be disputed, is Arthur Young, the inveterate enemy of small farms, the corypheus of the modern English school of agriculturists, who yet, travelling over nearly the whole of France in 1787, 1788, and 1789, when he finds remarkable excellence of cultivation, never hesitates to ascribe it to peasant property. 'Leaving Sawve' says he 'I was much struck with a large tract of land, seemingly nothing but huge rocks; yet most of it inclosed and planted with the most industrious attention. Every man has an olive, a mulberry, an almond, or a peach tree, and vines scattered among them; so that the whole ground is covered with the oddest mixture of these plants and bulging rocks, that can be conceived. The inhabitants of this village deserve encouragement for their industry; and if I were a French minister, they should have it.

They would soon turn all the deserts around them into gardens. Such a knot of active husbandmen, who turn their rocks into scenes of fertility, because I suppose their own, would do the same by the wastes, if animated by the same omnipotent principle.' *Arthur Young's Travels in France*, Vol. I., p. 50.

Again 'Going out of Gauge, I was surprised to find by far the greatest exertion in irrigation, which I had yet seen in France; and then passed by some steep mountains highly cultivated in terraces. Much watering at St. Lawrence. The scenery very interesting to a farmer. From Gauge to the mountain of rough ground which I crossed, the ride has been the most interesting which I have taken in France; the efforts of industry the most vigorous; the animation the most lively. An activity has been here, that has swept away all difficulties before it, and has clothed the very rocks with vendure. It would be a disgrace to common sense to ask the cause; the enjoyment of property must have done it. Give a man the secure possession of a bleak rock, and he will turn it into a garden; give him a nine years' lease of a garden, and he will convert it into a desert.' *Ibid.*, p. 51.

Sismondi says:—'In the countries in which cultivation by small proprietors still continues, the population increases regularly and rapidly until it has attained its natural limits; that is to say, inheritances continue to be divided and sub-divided among several sons as long as by an increase of labour each family can extract an equal income from a smaller portion of land. A father who possessed a vast extent of natural pasture, divides it among his sons, and they turn it into fields and meadows; his sons divide it among their sons, who abolish fallows: each improvement in agricultural knowledge admits of another step in the sub-division of property. But there is no danger lest the proprietor should bring up his children to make beggars of them. He knows exactly what inheritance he has to leave them; he knows that the law will divide it equally among them; he sees the limit beyond which this division would make them descend from the rank which he has himself filled, and a just family

pride, common to the peasant and to the nobleman, makes him abstain from summoning into life children for whom he cannot properly provide. If more are born, at least they do not marry, or they agree among themselves which of several brothers shall perpetuate the family. It is not found that in the Swiss Cantons, the patrimonies of the peasants are ever so divided as to reduce them below an honourable competence, although the habit of foreign service by opening to the children a career indefinite and uncalculable, sometimes calls forth a superabundant population.'

As the result of this enquiry into the direct operation and indirect influences of peasant properties, I conceive it to be established, that there is no necessary connection between this form of landed property and an imperfect state of the arts of production: that it is favourable in quite as many respects as it is unfavourable, to the most effective use of the powers of the soil; that no other existing state of agricultural economy has so beneficial an effect on the industry, the intelligence, the frugality, and prudence of the population, nor tends on the whole so much to discourage an improvident increase of their numbers; and that no other, therefore, is on the whole so favourable in the present state of their education, both to their moral and their physical welfare." *Mill's Political Economy, Art. Peasant Proprietors.*

"No manual labour maintains health, vigour of body, and cheerfulness, so well as agriculture; none, by its variety, develops so much intelligence; and when the soil is cultivated by small proprietors, none affords to those who live by the labour of their hands, so much security for the future, so little jealousy among persons in the same employment, so little seduction to vice, and so much morality." *Sismondi's Political Economy and Philosophy of Government, p. 169.*

The Condition of the Irish Peasantry.

"The actual occupiers of the soil, far from being landowners, are not even leaseholders, but are rackrented tenants-at-will. In this single phrase may be found a complete explanation of all

the evils of their condition, and all the defects of their character. They are indolent, because they have no inducement to work after they have obtained from their labour wherewithal to pay their rent, and to save themselves from starvation. Whatever additional produce they might raise, would only subject them to further exactions. They are careless of the future, because they cannot, by taking forethought, improve the gloomy prospects of the morrow; they are reduced to the verge of destitution, because they are permitted to retain no more of the fruits of their labour than will barely suffice for their subsistence; and they set at naught all other laws, divine or human, partly in obedience to the first law of nature, that of self-preservation, and partly because familiarity with misery has rendered them desperate." *W. T. Thornton's Plea for Peasant Proprietors*, p. 187.

The Land Tenure.

"A survey of the whole question of tenure leads to the conclusion, that wherever the land is of easy access and widely distributed among the inhabitants of a country, the soil is well cultivated, and the people industrious, prosperous, and contented. On the other hand, wherever the land is in the hands of a few large proprietors, cultivation is checked, and the mass of the people are idle, indigent, and improvident. All suggestions or proposals of a remedial nature must be guided by this general conclusion. To find a remedy in this case, therefore, we have but to ask, what system of tenure and mode of distribution in regard to land will best promote the national welfare?"

In the ordinary state of society two things are requisite for productive farming: (1) farms must be of moderate extent, so as to be within the means of a large body of proprietors; (2) and there must be security of tenure for the cultivator. Both these essentials are obtained under the peasant proprietary system. Security of tenure is perfect where the land belongs to the person who cultivates it; and small holdings are well cultivated because they are easily managed, and are within the means and capacity of the average standard of men who engage in husbandry.

M De Lavelaye, an eminently impartial authority lays down 'The smaller the farm the greater the produce of the soil' as a rule which holds good all over the continent. 'We are not farming,—they (the tenants of Ireland) frankly admitted to Mr. Caird when remonstrated with for their backwardness—'we are not farming, and we know we are not farming; we are only taking out of the land what we can get from it at the least cost, as we do not know how long we may remain in possession, and have no security for what we might be disposed to invest in improved cultivation.' Who can blame them? What man in his senses would do otherwise? The tenant is ready to spend his capital in the purchase of manure, improved farm-implements, steam-engines, and all the stock in trade requisite for the effective working of his farm; he is even willing to undertake the landlord's duties, to drain the stiff clay and effect other permanent improvements. But the landlord stops the way. He will neither furnish the capital himself, nor allow others to do it for him. He will neither give the money nor the security, and until he is removed, all hope of progress must be abandoned." *The Westminster Review*, Vol. XXXVIII, p. 255.

The Moderate Assessment of Land Revenue Essential to National Prosperity.

Henry Newnham, Esq. in his evidence before the Select Committee of the House of Commons, 1832, said:—"It has been stated by Mr. Mill and by other persons, who have been examined, who were acquainted with the proceedings of the Company, that directions have been given, and that utmost anxiety been expressed on the part of the Company, that a moderate assessment of land revenue should prevail, and that in every case in which the over-assessment was found to exist, or even supposed to exist, liberal abatement should be made, and this under a conviction, that nothing tended so much to diminish the revenue to be collected for the Company as over-assessment; and that on that account, as well as from a sincere wish that the cultivating ryots should always be in comfortable position and be kindly treated in every case, a

moderate demand should be made." *Answer to Question 2767. Minutes of Evidence. Revenue. Commons, 1832.*

"An equal and moderate assessment has more effect" says Sir Thomas Munro, (*Judicial Selections*, Vol. IV., p. 79) "in preventing litigation and crimes than all our civil and criminal regulations, when the lands are accurately surveyed and registered. The numerous suits which occur where this is not the case, regarding their boundaries and possession, are prevented; and when the assessment is moderate, every man finds employment, and the thefts and robberies, which are committed in consequence of the want of it, and of other means of subsistence, almost entirely cease." Quoted in *An Inquiry into the Alleged Prowess to the Litigation of the Natives of India*, p. 46.

Sir Thomas Munro wrote in 1821:—"The task of improving our resources is one of much greater difficulty than that of maintaining the peace of the country, and this difficulty arises principally, from the assessment being, in general, too high with respect to the condition of the people; so that in many districts, in order to have a further increase, we must begin by making a present reduction of our revenue, because the extension of cultivation, from which the increase of revenue must result, cannot possibly be expected under the present assessment. The Presidencies of Bengal and Madras were acquired under circumstances, which have ever since continued to influence their revenue systems. Bengal acquired at once the dominion of rich and fertile provinces, yielding a revenue much beyond its want; it had, therefore, no occasion to enter into any minute examination of the assessment; it was satisfied with what it got from the zemindars, and let them in possession of the lands on very easy terms. Madras, on the contrary, rose amidst poverty and many struggles for existence. It was never able to pay its establishment; it acquired its territories by slow degrees, partly from the Nizam, but chiefly from Mysore; and though the assessment had already been raised too high by those Governments, its own pressing necessities did not permit to lower the demand, but forced it to enter into the most rigid scrutiny of the resources of the

revenue in order to keep it up; and there has, in consequence, always been a pressure upon the ryots, which nothing but necessity could justify. The present secure state of India will, I hope, enable us to lower the assessment gradually in all those districts in which it is too high. This may be done without materially affecting the general amount of the revenues by taking the districts in succession, two or three at a time, and letting them make up, by additional cultivation, the reductions of their assessments, before it is extended to others. We shall, by this means, ultimately increase the land rent, and in a much greater degree, the customs and every other source of revenue; and we shall render the payment of them much lighter to the inhabitants, because they will be enabled to augment the stock from which they are paid. I expect from a reduction in the assessment, that land will, in time, be everywhere regarded as hereditary private property by the ryots; that their circumstances will be so much improved, as to enable them to pay the revenue in all seasons, good or bad; and that the country will be able, when war happens, to bear a temporary additional assessment, as a war tax, and save us from a great part of the heavy expense which we have already been obliged to incur on account of loans." Quoted in the *Calcutta Review*. Vol. XVII., p.p. 315-16.

The Extreme Necessity of Conferring Proprietary Rights upon the Indian Cultivators.

Mr. M'Culloch writes in his *Essay on Taxation*:—"There is little or rather no prospect of any real improvement being effected in India without an entire change in the present system of holding land. The grand object should be to give the ryots or cultivators a right of property in their holdings. Rents are greater than they ought to be."

"The abstract theory" says Mr. J. Mill, "now acted upon by the Governor-General, namely, that the highest improvements in the cultivation of the land can be expected from none but the proprietors of the soil, was just in itself, and a truth of no small importance. But though proprietors alone have sufficient motives

for the highest efforts in cultivation, the Governor-General and his ministerial and directorial masters, who concurred with him, ought to have reflected that there are sorts of proprietors; and that it is not from every sort that any improvement whatsoever, or any attempt towards improvement, is to be expected. They might have reflected for how many centuries the soil of Poland has been private property, or the soil of Russia, and how little in those countries of anything like improvement has yet taken place. They might have recollected, that the nobles even of France, where knowledge was so far advanced, had, for many centuries, before the Revolution, enjoyed the property of the soil of France, and the agriculture of France still continued in the most deplorable condition. There are three sets of circumstances whose operation, where it is felt, prevents the improvement of the soil at the hands of its proprietors; first, ignorance; secondly, possessions too large; and thirdly, too much power over the immediate cultivators. The last is by far the most important circumstance, because men, with very few exceptions, as education and Government have hitherto moulded their minds, are more forcibly drawn by the love of absolute power, than by that of money, and have greater pleasure in the prostrate subjection of their tenants than the increase of their rents. When our countrymen draw theories from England, it would be good if they understood England. It is not because in England we have landed aristocracy that our agriculture has improved, but because the laws of England afford to the cultivator protection against his lord. It is the immediate cultivators who have increased so wonderfully the produce of the land in England, not only without assistance from the proprietors, but often in spite of them.

The proprietors of the land in England, even to this hour, exhibit one of the strongest proofs, which can be adduced of the ascendancy which is exercised by the love of dominion over the love of improvement, and of wealth. No principle is more thoroughly established, and indeed more universally admitted than that the law of entails, and leases of a long duration, to the injury of the cultivator, is essential to all spirited

and large improvement. But the proprietors of the soil in England complain that leases render their tenantry too independent of them, and the greater proportion of the land of England is cultivated on tenure-at-will. If the gentlemen of England will sacrifice improvement to the petty portion of arbitrary power, which the laws of England allow them to exercise over tenants-at-will, what must we not expect from the zamindars of Hindoostan with minds nurtured to habits of oppression, when it is referred to themselves whether they shall or shall not have power over the miserable ryots, to whom the law is too imperfect to yield any protection.

The effect of ignorance with respect to improvement is too obvious to require illustration. But it may be remarked, that it operates with peculiar efficacy in augmenting the force of the most powerful of the causes by which the proprietors of land are made to prevent improvement. The love of dominion has always the greatest sway in the most ignorant state of the human mind.

The effect of large possessions in preventing those efforts and sacrifices on which improvement depends, deserved profound consideration of the Indian legislator. It cannot escape the feeblest powers of reflection, that the man who enjoys a vast accumulation of wealth must regard with comparative indifference small acquisitions; and that the prospect of increasing his great revenue by slowly adding the painful results of improvement cannot operate very powerfully on his mind. It is the man of small possessions, who feels most sensibly the benefit of petty accessions. It is on the immediate cultivator, wherever the benefit of his improvement is allowed to devolve in full upon himself, that the motives to improvement operate with the greatest force. That benefit, however, cannot devolve upon him in full, unless he is proprietor as well as cultivator of his fields; and hence in part the backwardness of agriculture in some of the most civilized portions of the globe. There was an opportunity in India, to which the history of the world presents no parallel. Next after the sovereign, the immediate cultivators had by far the greatest portion of

interest in the soil; for the rights of the zemindars (such as they were), a complete compensation might have easily been made; the generous resolution was adopted of sacrificing to the improvement of the country the proprietary rights of the sovereign. The motives to improvement which property gives, and of which the power was so justly appreciated, might have been bestowed upon those upon whom they would have operated with a force incomparably greater than that with which they could operate upon any other class of men; they might have been bestowed upon those from whom alone, in every country, the principal improvements in agriculture must be derived, the immediate cultivators of the soil; and a measure worthy to be ranked amongst the noblest that ever was taken for the improvement of any country, might have helped to compensate the people of India for the miseries of that misgovernment, which they had so long endured. But the legislators were English aristocrats, and aristocratical prejudices prevailed." *Mill's History of the British India*, Vol. III., p.p. 275-77.

"The chief point" says a distinguished statesman, "to be kept in view, and the object to the attainment of which the Government should direct its attention, is not whether a certain number of fields are assessed in proportions unequal to another but whether the land is taxed above its ascertained value, or beyond its powers of production. It matters little in comparison, whether it can be made to pay more, but whether, in the eyes of a forbearing landlord, it ought to pay less. In what degree the fertility of the soil may be increased by the application of more labour, more capital, and more skill, it is impossible to calculate; for although most of the operations of husbandry, the drill, sowing, succession of crops, fallows, and dressing, have been known and practised in this country from a very remote era, expensive improvements in agriculture have never yet found their way to India. But putting aside these considerations, as every ryot is aware, that his field will give him greater or less returns in the proportion that he attends to the culture of it, and knows that the soil will differ every way from the soil adjoining it,

is more or less irrigated and manured, it may be safely asserted, that no equality of assessment can ever be introduced, and it may be well questioned, whether if it were practicable, it would lead to more prosperity.

It can never be too often repeated, that the great object of our administration of the land revenues of India should be to confirm private property in the soil where we have found it, and to create it where it does not yet exist by lowering the land-tax. The business of altering the demand upon the land according to its annual fluctuations, is not the business of a Government, but should be wholly and unreservedly left to the private ryot, who, by degrees, under a lenient collector and a light land-tax, will become in every district a proprietor." Quoted in the *Calcutta Review*. Vol. XVII., p. 327.

"The political argument for a permanent settlement with peasant proprietors came with great force from Lord Lawrence: 'These consist of the flower of the population. From them all the native soldiers and the native officers come; and they are the men on whose conduct and loyalty and general contentment with our rule so much depends; and, therefore, in my mind, to conciliate them by a permanent settlement would be a matter of the very highest importance.' Rather than not have perpetuity of assessment, Lord Lawrence would accept it in the modified form of one based on the price of agricultural produce at distant intervals. But he stoutly defended one upon a money assessment. He showed the importance to themselves and to the stability of our rule of thus relieving the poverty of the people. Thus only would they be enabled to keep their land, which our severe tax of 60 per cent. of the net produce and our rigid rules force them now to dispose of to the money-lenders in spite of their saying 'we would sooner sell sons and daughters than part with our land.' Lord Lawrence declared, as we have so often done, that 'the contentment of the agricultural population is the main security for the maintenance of our rule in India. Nothing could happen in India if the agricultural population as a whole were on our side. On the other hand, the alienation of the land

was a reason why many of the people joined against us in the mutiny, who would otherwise have been on our side, at Allahabad and Cawnpur, and in Bundelcund and other places it was said during the mutiny, that the great feeling was against the village bankers and the Government civil courts." *The Friend India 1873*, p. 1436.

England's Duty to India.

There are two principal causes of the most wretched condition of the Indian ryot. The first cause is the excessive land-tax and the second the exorbitant rate of interest. We shall try to prove, that these two have caused his ruin, and will suggest means to remedy the evil. The Permanent Settlement of Lord Cornwallis is the first cause, and from it, arises the second. The former hands over the sixty-six millions of Bengal, bound hand and foot, to the tender mercies of the zemindars, and ties up the hands of Government; and the latter to that of the money-lenders. The zemindars, with the unlimited powers given them by that settlement, are exacting the utmost possible rent from the ryots; and the Government, being unable to take more from them, and, at the same time, unable to meet the increased demands of the State, is taking from the other provinces more than what is due. Our readers will be able to understand the undue proportion of land revenue from the following table:—

	1871-72.	Bengal.	Bombay.
Land revenue (net)	£ 3,651,556.	£ 2,744,060	
Area in square miles	230,832.	127,532	
Population	66 millions.	13¼ millions	

	1871-72.	Madras.	N. W. P.	Punjab.
Land revenue (net)	£ 4,016,555.	£ 3,682,588.	£ 1,763,587	
Area in square miles	141,746.	80,901.	101,752	
Population	30 millions.	30 millions.	9½ millions	

The disproportion is great. It becomes especially marked on comparing Bengal with the North Western Provinces, which, with a population of less than one-half that of Bengal, and an area of little more than one-third, contributes more than the latter province. Bombay, with only $13\frac{1}{4}$ millions of population, and an area of 127, 532 square miles, pays £2, 744, 000 to Bengal's £3, 651, 000 from a population of 66 millions and an area of 230, 832 square miles. Madras, with a population of 30 millions, covering 141, 746 square miles, pays more than Bengal". *Hector's Land and Railways in India*, p. 10.

The zemindars of Bengal pay a small revenue to the Government, and exact the utmost possible rent from the ryots, as has been said before: they pay $3\frac{1}{2}$ crores of rupees, and exact 60 crores from them. Thus they pocket the vast sum of $56\frac{1}{2}$ crores as profit. Hence it is manifest, that they take three times more from Bengal than the Government from whole India by way of land revenue! It is also manifest, that, on the whole the Government is not a loser: it makes up the deficiency in Bengal by exacting from other provinces more than what is due. It ought to be stated here, that the ryotwar system prevails in all the British possessions in India, except Bengal, Oude, and Central Provinces. Thus the interests of the Indian ryot alone have been sacrificed: thus the excessive land-tax has been thrown upon his shoulders; and its result is, he being unable to meet the demands of the zemindars as well as of the Government, resorts to borrowing. The money-lenders, seizing the opportunity, make the best use of it: they charge interest from $37\frac{1}{2}$ to 100 per cent per annum on money lent. The ryot cannot get money at less interest. If he is unable to pay the rent, he is sure to be cruelly burdened by the zemindar or rather his underlings, and to be dragged to the civil courts to pay the arrears with the cost of the suit. As soon as the crops are gathered, the zemindar and the money-lender fall upon him, and take away the utmost possible share leaving him a very small part for keeping his body and soul together. The part of the crops generally left him is barely sufficient to maintain him for a month or two. After that, he is again forced

to have recourse to borrowing. Thus he is year by year involved in debt; thus his miseries know no bounds; thus he is far from keeping any thing in store for future. And if there be a scarcity or famine, he is sure to be its victim. The years of scarcity or of famine generally yield one-fourth of the crops, which even falls far short of meeting the exorbitant demands of the zemindars. If the Government steps in to his aid, he is saved, otherwise he is sure to die of starvation. Hence it is manifest, that the excessive land tax is one of the main causes of his suffering or of his death; and the cause of that heavy tax is the Permanent Settlement of Lord Cornwallis. We firmly believe, that the Orissa famine of 1866 would have been attended with perhaps eleven or twelve hundred deaths instead of with so many lakhs, if that settlement were made with the cultivators direct, and that the Government would have most probably escaped an everlasting stain upon the British rule in India with the money spent in that calamity; and that for a similar reason, there would have been in the late famine of 1874 no death at all instead of the few scores, with the Government aid of a few lakhs instead of nine crores.

At present the Indian ryots are sorely vexed with the zemindars as well as with the Government, and are on the verge of rebellion. The Pubna and Deccan agrarian risings, the great disputes at present raging between the zemindars and the ryots of eastern Bengal, and the rebellious spirit of the Sonthals, are incontestible proofs of the great disaffection of the Indian ryots. Who knows where this will end? If this state of things be allowed to continue, does any one doubt, that at no distant future, there will be one of the greatest agrarian risings ever recorded in history, when we see, that the exactions of the zemindars as well as of the Government have actually driven the most timid and cold-blooded ryots of India to rebellion? Disputes not unoften ending in bloodshed and death, ruinous litigation, sacrifice of truth, and destruction of the commercial faculties of the people, are some of the sad results of the ill-considered Permanent Settlement. He who is acquainted with the results, cannot but come to the conclusion, that the English conquered Bengal, as it were, for the sole benefit of the zemindars.

dars and for the ruin of the Bengal, and, to a certain extent, Indian, cultivators.

It is a matter of very highest importance to reduce the land-tax, as the weaver castes of India, who formerly earned their livelihood by their profession, have now been forced by Manchester to cultivate lands for keeping their body and soul together. Thus a greater demand than ever has now been made upon them, and the zemindars seizing the opportunity are making the best use of it—are increasing the rent. They “do not contribute a fair share to the imperial revenue; they are, in fact, reaping all the benefits derivable from living under a strong and enlightened Government, without paying anything like a due proportion of the cost of administering justice and of preserving the country in a state of security and peace. They have, moreover, paid no part of the outlay on public works, by which their lands have been improved. To the enhanced value of those lands they have in no way assisted; they are indebted for it to the Government, which has given them security in the possession of their property; which has opened up markets at home and abroad for the sale of their produce, and which has provided new means of communication by which those markets may be reached.” *Hector's Land and Railways in India*, p. 11. Thus we see, that the public works constructed at the expense of Government, and the piece-goods of Manchester have indirectly served to fill the pockets of the zemindars at the expense of the ryots.

It has also been truly asserted, that Act. X of 1859, which was intended to afford some means of protection, has been turned by the artifices of the zemindars into an additional method for squeezing the life-blood out of the ryot. The fact is, that hundreds of Acts will be of no use whatever so long as the Permanent Settlement remains untouched.

It has been said before, that the Government of India spent in the late famine of 1874 about nine crores of rupees in feeding the unfortunate millions pauperized by the exactions of the zemindars. It is a fact, the truth of which no one can deny, that at least one-third of this vast sum was squandered, and that

two-thirds only reached the people for whom it was spent. Thus strictly speaking, six crores were sufficient to prevent the dreadful consequences of the famine. The Government has, by those measures, added about forty lakhs of rupees to its annual expenditure by way of interest of that sum. And as these forty lakhs have been and will ever be annually exacted from the people for whom they were spent, so they have become additional burdens upon them. From the above lines, we do not in the least degree detract from the good measures of 1874. If we add to these forty lakhs the exactions of the zemindars, we can only come to the conclusion, that the poverty and the wretchedness of the ryots will increase with the advance of years. Now we have statistically proved, perhaps, to the satisfaction of our readers, that the zemindars exact 60 crores of rupees annually from the ryots of Bengal. If we subtract $3\frac{1}{2}$ crores from this vast sum as Government demand, the remainder will be $56\frac{1}{2}$ crores. If the Permanent Settlement had been made with the ryots direct, instead of with the zemindars, these $56\frac{1}{2}$ crores would have remained in the hands of the people as a means for hooting out the famines from the shores of India, instead of in those of the zemindars, as instruments of tyranny and oppression. In the face of these facts, can any man, with a whit of sense in him, say that the Orissa famine of 1866 would have been attended with 1,200,000 deaths, and that the Bengal famine of 1874 would have cost the Government nine crores of rupees? Therefore the Government, having handed over the sixty-six millions of Bengal to the tender mercies of the zemindars, has, as a consequence thereof, tarnished for ever the British rule in India in 1866, and suffered a loss of nine crores in 1874. And it must have to feel similar consequences in future, if the Permanent Settlement—if the zemindari system—remains intact. From the year 1874, it virtually gets $3\frac{1}{2}$ crores minus forty lakhs as land revenue from Bengal. Thus it will, by eight or ten such famines, lose all that it receives as land revenue. And it suffers so much for whom and for what purpose?—For filling the coffers of a few idle and worthless drones of society. And as if to mock the misfortunes

of the unfortunate peasantry, the Government makes up the loss by the Permanent Settlement by levying salt duty of 325 per cent., license tax, road cess, and the public works cess, from the very people, who have been pauperized by the exactions of the zemindars.

There are many thoughtful men, who think that irrigation is the panacea of all the calamities, that now befall India. But we do not fully concur with them. There is no doubt, that it will prove a great help to the increased production, and, therefore, to the enhanced value of land. But in seasons of drought, many canals would be almost dried up, and would fail to serve the purposes—to irrigate the land—for which they are being advocated. There is another circumstance, which will powerfully counteract the benefits, which will be derived from it. The enhanced value of land will stimulate the zemindars to make utmost endeavours to extort increased rents from the ryots, and thereby to deprive them of all benefits arising from it. And who will doubt, that they will succeed in their attempts? The disputes regarding the unearned increment between the zemindars and the ryots of eastern Bengal give incontestible proofs of the truth of these remarks. Thus we see, that so long as the zemindari system will be maintained intact, the irrigation will be of little benefit to the great body of the people, for whom it is being advocated. With the reduction of land-rent, the exorbitant rate of interest, which has given so much trouble to the people as well as to the Government, and which was the cause of the Deccan agrarian rising, will itself be reduced. Another salutary effect of it should not be lost sight of. The necessity of cutting khals to prevent the recurrence of famine and the cost of meeting it will be, no doubt, reduced to minimum.

All efforts of Government to lay its hands into the pockets of the people by direct taxation will be surely attended with unpopularity and oppression, so long as the zemindars will be kept in their present position. Levy an income tax upon them, and they are sure to reimburse themselves by taxing the unfortunate millions, who have been handed over to them by

tively inconsiderable section? Shall the interests of the many be sacrificed to the interests of a few? The obligation to dispense justice between man and man is of more authority than all laws and contracts whatsoever. It is for this that Governments exist: not for an obstinate adherence to arbitrary and unlawful engagements executed through ignorance or selfishness. The natural rights of man cannot be abrogated by legislation. The right to live and to enjoy life is of Divine origin, and therefore paramount and inalienable. The instrument under which the landlords claim an exceptional and unjust title is invalid, because it claims to strip our common humanity of a right, which no man can take away.

Of course there will be started the usual objection of the large party, who would rather maintain wrong, which they call peace, than make a sacrifice to right it. 'Think of the injury' they say 'to the new proprietors, who have bought land at the present market rates.' Let the injury be admitted, and there is at most a case for compensation, none for perpetuating the wrong. And sooner the wrong is set right, the smaller will be the accumulated injury to be repaired, and the amount of compensation, which may be justly claimed, not by landholders alone, but likewise, it should be noted, by the great body of non-landholders, who have been oppressed all these years by disproportionate taxation.

But from what source is the compensation to be made? If real property must be compensated out of personal property, from what source shall personal property recoup itself? For it would be too absurd to say, that personal property must again be taxed to repay itself. The difficulty suggested in this question indicates all the more strongly the necessity for an early settlement of claims, which only increase with time. The question of compensation, moreover, gives rise to the further question—Of whom may compensation be fairly claimed? By whose fault has a portion of the community been permitted to escape payment of its fair contribution to the general expenditure, and the other portion been burdened with the payment of more than its

Neither of the parties concerned—from whom alone the necessary assets can be realized—had any part in making the inequitable law, which has entailed this difficulty on the present generation; while the men who passed the law, for which they are accountable, are beyond reach. The stern moralist and humanitarian cannot approve the disposal of rights and interests without the consent of their owners by strangers against whom there is no remedy or appeal. For the consequences of their own acts, the people may be justly held to be jointly and severally responsible. But can they rightly be made to suffer for the acts of another?

The remedy is plain. A representative constitution is the only condition, which can insure the possession of equal rights and the greatest possible happiness. But the savage element of selfishness and cruelty is still too strong, and the moral sense and sympathetic feelings are still too weak to permit the hope, that might will surrender to right. There is no such mental obliquity as that which Self interposes against the perception of equal rights. There is no unwillingness like the unwillingness of the dictator to lay down his dictatorship, or admit another to a share of his authority. And many and frivolous are the excuses, and great are the powers of self-delusion and misrepresentation, with which self-constituted authority has ever sought to persuade the world, that it would not be good of individuals or communities, that they should manage their own affairs in their own way, and do with their own as may seem best in their eyes. For see you not how these self-made executors contrive to apportion the common heritage of Heaven to man in such a way as to leave but a small remainder for the millions after allotment has been made among a few hundreds or thousands who think best, that they should have absolute authority over the earth and its teeming inhabitants.

Another objection remains "If Government is to repudiate its obligations cancelling to-day the bond which it executed the day before, there must be an end of all faith in the promises of the Government, and there will be no certainty in commercial transactions, if they do not cease altogether." The form in which this

objection is put conceals more than one assumption and illegitimate conversion of terms, and it is incumbent on us to weigh well each word and its implied thought, if we would expose that dexterous shuffle of phrases by which hundreds are imposed upon for one, who is misled by direct false reasoning.

First, there is the assumption, that the repeal of a particular law, which is shown to be unjust and unwise, is the same as the constant or frequent displacement of one law by another. The implied apprehension is that, one such act will be the precursor of many, and there will be no assignable limit to the continual reversal of one enactment by another if the competency of the Government to make frequent and radical changes in laws is once admitted or allowed. The obvious answer is that the repeal of one law does not necessitate the repeal of other laws; that the history of the legislation of a country reveals the fact that radical changes in the political constitution occur at very distant periods, while the great body of legislative enactments consists only of slight and gradual modifications of old laws—the reflex action which corresponds to the slow development of the national character; that an intelligent and just Government is not likely to cancel its engagements except on the strongest grounds of justice and enlightened policy, seeing that the most ignorant and selfish of rulers are notoriously careful not to commit any such flagrant or frequent breaches of faith as would inevitably endanger the continuance of their rule; that whatever the danger or the sacrifice incurred in cancelling an engagement, the purchased experience will be useful in making Government most careful in regard to any future pledge it may give or obligation it may contract; and that, to conceive a Government as constantly or frequently committing the most serious mistakes—which can be repaired only by repeated revocations, involving enormous sacrifices of money and the public credit, and attended with grave political dangers—is to conceive a Government incompetent to rule, and deserving to be superseded by a better Government. Next, there is the transparent fallacy of regarding the public act of the people's representative—such as an equitable redistribution

of the public burdens among the whole community—in the light of a private contract which an individual executes for his personal benefit, or as the repudiation by Government of a money obligation for value received, for the discharge of which the public faith has been pledged. To permit either of two contracting parties to fulfil the terms of his contract, as he may find it his interest to do, would be an undoubted wrong to the other contracting party, and the inevitable result would be the suspension of all trade. The act of a Government, however, when it is not the act of an interested party representing interests which conflict with the interests of the nation, must be considered the act of the whole community, or of a majority consenting to the act of their representative for their collective benefit; or, more strictly, what may seem at the time in their then state of knowledge to be for their benefit. The Government, *per se*, is an abstract symbol, without any personal interest in what it enacts or annuls; and considered as one body, the nation at large, in whose behalf and with whose consent any law is made or annulled, cannot have conflicting interests. An Act, such as a redistribution of the public burdens on an equitable basis, is entitled to be held an act done in good faith, and it would be a gross perversion of terms to call it a breach of faith as though the Government were repudiating the payment of a debt. The landholder's claim to the exceptional privilege of being assessed on a portion only of the value of his property, as against the claim of the bulk of the community to be relieved of the extra taxes on personal property imposed on them to make up for the defective contribution of real property, has no resemblance to the repudiation of a public debt due to the public creditor for money advanced to the Government on the faith of public credit.

Then, it is to be noted especially, that the repeal of the Permanent Settlement Law would be a return to the straight line of impartial justice, not a deflection from that line. A departure from the strict line of duty, in itself wrong, is open to further objection, that each such deviation leads to further deviations. On the contrary, every return to the right path serves more

nearly to establish the inclination to continue in that path. The repeal of an unlawful regulation, which unjustly favours a section of the community at the expense of the nation, would be the assertion, once for all, of the right to equal justice from which it would be extremely difficult, if not impossible, again to depart. The fallacy of the objection consists in not distinguishing between the tendency of a deviation from the right to repeat itself, and the closer approximation to right which is the effect of a reverse action. The lesson of history is that whereas every act of despotism unrestricted is the precursor of fresh acts of despotism, the freedom, on the other hand, of the English constitution has been secured and established by successive vindications of the right from Magna Charta up to the last Reform Bill and the disestablishment of the Irish Church.

To recapitulate. The Permanent Settlement Law is an unlawful engagement and of no effect, because the representatives of the people then living gave away to certain persons and their heirs after them for ever that which did not belong to the people of that generation to give away for ever. The law is an unjust law, because it exempts precisely that portion of the community, who have benefited most from the common field of labour, from contributing their due quota towards the public expenditure; while it levies additional taxes from the bulk of the people—owners of personal property, who have not derived from the common fund the amount of benefit, which has accrued to real property. The Permanent Settlement Act is a violation of the first principles of justice and taxation, which demand that each individual of the community shall be taxed in proportion to the value of his property, in the enjoyment of which he is secured by the collective industry of the whole community. While the profits accruing to personal and real property are taxed alike through the indirect taxes which affect their owners as consumers, and through the income tax on profits or income, property in land—the cost of maintaining which is distinct from the cost of protecting personal property—is further justly liable to a property tax proportioned to the present value of the land, as representing the

value of the accumulated labour expended in creating and maintaining it. The land-tax as distinguished from the taxation of personal property possessed alike by landholders and non-landholders, is recognized in all countries as the just contribution of a certain portion of the gross produce levied by the whole communities through their representatives, in return for the exclusive possession conferred on the individual landholder by the community to whom of right the land belonged in common; and the justification of a land-tax is equally the justification of an enhanced rental varying with the increased value of the land. The claim of new landholders, who have bought the land at the higher rates consequent on the smallness and fixity of the Government demand under the Permanent Settlement, can be no other than a claim to compensation, not a claim to the perpetuation of public wrong done by an unjust law. The cancellation of an unjust law is the paramount duty of Government, which exists solely for the administration of equal justice; and a charge of breach of faith would properly lie against the wilful perpetuation of a public wrong, not against the annulment of an unlawful and unjust promise unwillingly made in an age of comparative ignorance. The question 'Shall Government be unfaithful to its engagement with the landholders?' is answered by the question, 'Should Government commit the greater breach of faith of unjustly levying taxes on the non-landholders, who constitute the bulk of the nation, in excess of the quota for which they are fairly liable?' The redistribution of the public expenditure by their own representatives in due proportion among the members of the community, is by no means analogous to the repudiation by an interested party of a bond for which a valuable consideration has been received. Change to be injurious must be a change from right to wrong, not from wrong to right, a departure from the right path, not a return to it; and an unlawful engagement which violates higher obligations, is an engagement more honoured in the breach than in the observance. The objection that the violation of one pledge is likely to lead to fresh acts of violation, and to beget a want of confidence in the Government, would be applicable to the

case of an interested party who may be tempted to swerve from the path of justice for the sake of a personal advantage; not to the impartial judgment of a disinterested umpire, vindicating the claims of justice, and affirming once for all the only equitable principle on which the public burdens should be adjusted for the future. Finally, a grave political error must be repaired, an enormous injustice must be removed at any cost; and those who are but too fearful of the effect of the violation of an unjust pledge, which should never have been given, have only to consider, that the progress of civilization and good government has always lain through the successive rectification of past errors, and a closer approximation to the ideal of justice after each departure from her stern requirements. But the Government must take the people into its confidence. Public opinion must be enlightened, and its support secured. The reasons which demand the recall of a public pledge must be set forth and clearly understood. The dumb classes, who have till now borne, without complaining so as to be heard, their hard lot of poverty and suffering—which but too many ignorantly regard as their normal and inevitable condition—must be taught their rights as well as their duties as citizens, and they must be encouraged moreover, nay invited, to represent their claims to equal justice, as against the self-assertion and unjust claims of the screaming classes—the upper ten thousand. Government would then command, in the reasonable cries for equal justice to the yet unrepresented millions, the irresistible strength and moral support which may be needful for undoing the unrighteous work of the Permanent Settlement; for surely the approving voice of the nation is more than the feeble clamours of a self-seeking class.

The unprecedented succession of year upon year of drought and famine and the yearly increasing dearness of the necessaries of life rising at a much faster rate than wages have yet risen, is filling the country with sadness and discontent, though as yet the low mutterings of the suffering poor appear not to have reached the ears of the Council Chamber. What to them are railways and telegraphs, the great highways of commerce and

the diffusion of education, to which our Legislators proudly point as the work of their hands? They only contrast their present condition with the past, when grain was cheap, and when they used to enjoy their native sports and pastimes, all of which are fast dying out with the decay of the princes and nobles who supported them—and nothing to replace their loss! By whose fault all this suffering has been entailed on them, and what are the causes and remedies thereof, it is not *their* duty to find out. *Their* part is but to obey and suffer, and how great their sufferings are they would say if they had an organ through which to say it. And who would listen to them if they had aught to say in this matter, and they said it? For are they not accounted an ignorant people who cannot think and act for themselves, and so other people must think and act for them? And it is so good of them to do it too. Nor is it any use for the Government to say it cannot. For the people might well reply, why then have our rulers undertaken to do what they cannot do, and why are they paid for doing work which they do not do.

If you will put your hands into a man's pocket, he will want to know the reason why. Before the natives of British India can be expected to respond to a call for more money in the shape of a direct contribution, they must know what has been done with all the money you had before; and what you mean to do with the ordinary collection of the empire in the future. The balance sheet of the empire must be laid before them or their trusted representatives, not in its present English form, which they are unable to understand; but in a form and in a language and character, which shall be perfectly clear and intelligible to them. What do the people of India yet know of the financial condition of the empire, or of the crisis to which you appeal in justification of the tax? They know nothing of your receipts and expenditure—how much is received or spent, and in what way it is spent, legitimate or illegitimate. Can you justify to them the heavy cost of the Abyssinian war as a charge upon India, or the addition of fifty lakhs a year to the pension of the Mysore family? The Home charge of seven millions a

year, or the wasteful expenditure of the Public Works Department, with its high estimate and bad work which has to be pulled down and done over again? As they have not the means of learning, or the inducement to learn, what is the actual revenue of the empire, their imagination, naturally enough, supplies the absence of facts, and the imaginary total far outstrips the actual. On the other hand, as they see and hear of a part only of the whole expenditure, they naturally take the part for the whole, and they will not believe that the cost of Governing India is anything so large as it is represented to be. It is very difficult, therefore, for the native population to believe, and, in fact, they do not believe, that there is not a very heavy balance of profit which goes somewhere, or that there can be any necessity for exacting a direct contribution from them.

Finally, as all good is only relative, no law is good absolutely. To be a good law, it must be good in relation to the present condition and requirements of the people. Unless the law is adapted to those conditions, it is a bad law however good the law may be relatively to other conditions. How then is the particular adaptability in this instance to be predicated, and how is a full and accurate knowledge of the conditions to be acquired, unless you go to the fountain head and hear, out of their own mouths, what the people or their trusted representatives have to say for them selves? The heads of the people must be taken into consultation. Without this you do but legislate in the dark, and vainly plume yourselves upon measures which, in your conceit, you designate as calculated to effect immense good; but which the people, if you gave them the opportunity, would satisfactorily prove to you, were working for themselves and for the country incalculable harm." *The Westminster Review*, Vol. XXXVIII., p. p. 25-30.

"Where was it, we ask, ever heard except in India, of the proposals that have constantly been made in this country from the days of Lord Cornwallis, that the 19th century should legislate for the 20th, and affect the power of depriving the descendants of the present generation of *their* right to govern

themselves, and to tax the land or anything else in the way, that may seem best to them for their interests? Where the state has made ill-advised grants, or rash bargain with individuals or classes, it is necessary to grant proper compensation, but to talk of 'laws' or 'settlements' as irrevocable, is the drivell of twaddlers only.

Men commonly speak of the Permanent Settlement of these provinces as irrevocable; but if they mean thereby anything more than that the state would have to give equitable compensation to the class or classes injured by its subversion, they ought to be put into Bedlam. 'A law' wrote the Edinburgh Reviewers some years ago 'is proposed to a legislative assembly, who are called upon to reject it upon the single ground, that by those who in some former period exercised the same power, a regulation was made, having for its object to preclude for ever or to the end of an unexpired period, all succeeding legislators from enacting a law to any such effect, as that now proposed. Now it appears self-evident that at every period of time, every legislature must be endowed with all the powers, which the exigency of the times may require; and any attempt to infringe on this power is inadmissible and absurd. The sovereign power at any period, can only form a blind guess at the measures, that may be necessary for any future period; but by this notion of immutable laws, the Government is transferred from those who are necessarily the best judges of what they want, to others who can know little or nothing about the matter. The thirteenth century decides for the fourteenth. The fourteenth makes laws for the fifteenth. The fifteenth hermetically seals up the sixteenth, which tyrannizes over the seventeenth, which again tells the eighteenth how it is to act under circumstances, that cannot be foreseen, and how it is to conduct itself in exigencies which no human wit can anticipate.'

'Men' says Mr. Bentham in his Book of Fallacy 'men who have a century more of experience to ground their judgments on, surrender their intellect to men who had a century less; and who unless that deficiency constitutes a claim have no claim to preference. If the prior generation were, in respect of intellectual qualifications, ever so much superior to the subsequent generation—if it understood

so much better than the subsequent generation itself interest of that subsequent generation—could it possibly be an equal degree anxious to promote that interest, and consequently equally attentive to those facts, with which, though in order to form a judgment it ought to have been, it is impossible that it should have been, acquainted? In a word, will its love for that subsequent generation be quite so great as that same generation's love for itself? Not even here, after a moment's reflection, will the assertion be affirmative. And yet it is their prodigious anxiety for the welfare of that posterity, that produces the propensity of these sages to tie up the hands of this same posterity for evermore, to act as guardians to its perpetual and incurable weakness, and take its conduct for ever out of its own hands.' 'If it be right that the conduct of the 19th century should be determined not by its own judgment, but by that of the 18th, it will be equally right, that the conduct of the 20th century should be determined not by its own judgment, but by that of the 19th. And if the same principle were still pursued, in process of time, the practice of legislation would be at an end. The conduct and fate of all men would be determined by those, who neither knew nor cared anything about the matter; and the aggregate body of the living would remain for ever in subjection to an inexorable tyranny exercised, as it were, by the aggregate body of the dead.'

The despotism of a Nero or Caligula would be more tolerable than an irrevocable law. The despot, through fear or favour, or in a lucid interval, may relent; but how is a dead Legislature to be awakened from the dust in which they repose—the jobber and the patriot, the speaker and the door-keeper, the silent voters and men of rich allusions? 'Cannings and cultivators Barrings and beggars, making irrevocable laws for men who toss their remains about with spades, and use the relics of these legislators, to give breadth to broccoli, and to aid the vernal eruption of asparagus.' An irrevocable law—a law that is to bind future generations is a self-evident absurdity. There is nothing in the Cornwallis settlement of 1792, that the legislature

of the present age is bound to respect in the least ; still less is there in this recent settlement of the Central Provinces. To abrogate either, it is necessary only to grant proper compensation to the classes with whom the ill-advised settlement was made. The modifications that have been made in the Chanda and Nimar settlements should be made throughout the whole, while the memory of the wrong is still fresh in the mind of every one, and the conscience of all classes will approve what is done. Our readers would be amazed to read the Administration Reports of these Provinces in the last few years, the efforts that have been necessary to make the Malgoozar even understand the rights, that the settlement has conferred upon him ; and as for regarding the settlement as irrevocable, it is the wisdom of the usual official Indian order and nothing else." *The Statesman, November 25, 1876.*

We have already said, that the first and chief means of improving the most wretched condition of the ryots is to repeal the Permanent Settlement, and to take them direct under the care and protection of the Government. To compensate the zemindars, it should set apart for ever three crores of rupees annually as pension to be distributed among them all in proportion to their present income, and appoint the worthy ones as collectors of revenue. It should also distinctly declare, that all appointments relating to the collection of land revenue shall be given to the zemindars in preference to others, provided they be found worthy. In answer to the charge, which will, no doubt, be brought forward, that the compensation is inadequate, we will say, that no Government in the world will ever be able or willing to compensate fully a very small body of landholders, (whom John Stewart Mill, the greatest authority in political economy, styles as the idle and worthless drones of society) whose annual profit most probably exceed the vast sum of fifty-six crores of rupees, to the detriment of interests of 200 millions of people ; and which sum was, as it were, forced into their pockets by a settlement, which we will characterize as the grossest and most gigantic blunder ever perpetrated and maintained intact by

legislature in the whole civilized world, and in this enlightened nineteenth century. The most cogent argument in dealing with compensation to them, is, it must be remembered, that they are at present obtaining profits at the rate of from 15 to 200 per cent per annum from the money first invested by them in land, as by far the most of them purchased their estates long before. Too many of them have also purchased Government papers and other valuables solely out of the profits even after defraying the expenses of their luxury. The three crores as pension per annum to be distributed among them and fifty lakhs more from appointments will be, no doubt, five per cent. on capital first invested by them in land. But what is still more forcible, they have been allowed too long to fatten at the expense of the country as well as of the Government.

Suppose that the Government has committed a mistake, and its result is the ruin of the millions, is it consistent on its part to maintain it intact? What is the fundamental principle of the institution of Government? Is it for the luxury of the few, and for the misery of the millions? Can any man in his senses answer yes? It is most probable, nay almost certain, that the English will reign in this country for several centuries, when the comparatively weak and effeminate Mahomedans ruled it for five or six hundred years. We ask whether the Government will be able to maintain that settlement so long as they will remain here. We see, that all things created by almighty God die after a few scores of years, is it possible, that a most absurd settlement of a vain man will remain intact for ever or for several centuries? Were the Secretaries of State for India and Viceroy and Governors General born and bred in a village of Bengal, and had seen, with their own eyes, the condition of the ryots, and been uninterested in land, they would have certainly torn it into thousand pieces long before. The Government has shewn a master-piece of non-interference in this matter; but were the zemindars in its position and the ryots in theirs, they would have repealed it seventy or seventy-five years since.

If it is argued, that the Government has no right to take away what it has given, we will refute that argument by quoting one of the highest authorities in the world. The Right Honourable W. E. Gladstone, in his speech on the Irish Church Bill, said:—"When property had been given for purposes, that had not been attained, and could not be attained, it was the duty of the legislature to see that it was not wasted, and if it becomes mischievous, to take it away." The principle was acknowledged and acted upon by both the Houses of Parliament. From the general argument let us come to the particular case of the Permanent Settlement. The land of Bengal was given to the zemindars, in the words of the father of that settlement, for the "ease and happiness of the people," but it "has produced" to use the words of the celebrated Fifth Report "more distress and beggary, and a greater change in the landed property of Bengal, than has perhaps happened in the same space of time, in any age or country, by the mere effect of internal regulation." Thus we see that the "purposes" of Lord Cornwallis "have not been attained, and could not be attained," and that it is the "duty of the legislature to take it (land) away."

The argument that the vast sums exacted by the zemindars from the ryots as land-rent and illegal cesses are spent in the country, and that, therefore, there is no necessity for repealing the Permanent Settlement and removing them, is scarcely worth a hearing. Still we would refute it. The luxury of the zemindars, which wastes away the greater part of them, is one of the greatest calamities, that befall the country, and does not contribute, in the least degree, to the comfort and happiness of the millions, who produce them, while not a small part is locked up in various shapes in iron chests, which only engenders pride in the minds of their possessors. But what is still more forcible, the Mahomedans should have a preference to the English, because what the former collected was spent in the country, while part of what the latter bring into their treasury, reaches the shores of England.

Though we blame Lord Cornwallis for his ill-considered

Permanent Settlement, yet we should not forget, that he was a man. To err is human, and we do not wonder, that he committed a mistake; but to adhere to it after it has been detected, is at once absurd and out of the acknowledged principles of human nature.

Those who are of opinion, that the Government will be guilty of a breach of trust in repealing the Permanent Settlement, should consider, that the zemindars have been guilty of breach of trust, are still being so, and will ever be so first on their part,—that the obligations imposed on them by it have not been fulfilled, are not being fulfilled, and will never be fulfilled. Those obligations have now fallen on the state, which has had to undertake what they have failed in. They were expected to improve the condition of the ryots, and to seek their happiness and welfare; but on the contrary, alas! credulous Lord Cornwallis! they have trampled your vain expectations under foot, and proved their unexampled selfishness by screwing sixty crores of rupees annually out of the life-blood of the most wretched millions of Bengal. Oh poor ryots! what great sin you committed in your former births, as to deserve such punishments in the hands of your relentless zemindars and their underlings? The zemindars have also incontestibly proved their total unfitness for the powers conferred upon them by that settlement. Can any right-thinking man, in the face of these facts, charge the Government with a breach of faith, if it be set aside?

If the Government really wishes to save the people of India from the worst death of starvation, and not to drift itself into insolvency, let it root out the zemindari system from India and confer proprietary rights upon the actual cultivators. Then and then only it will be able to give a death-blow to that worst enemy of mankind—to that giant famine—which has commenced to devour the unfortunate millions of India at intervals of two or three years. We humbly request all the real well-wishers of India to think seriously and calmly of the gigantic evils, which have resulted from it during the last eighty-four years, even under the benign rule of one of the most civilized nations

in the world, and also of the injurious effects both upon the bulk of the people and upon the Government, if it is allowed to prevail for even forty or fifty years more. One of the inevitable consequences will be either the worst death of starvation of the millions, or the insolvency of the Government. Either of them will be attended with most serious calamities, the magnitude of which it is impossible to conceive in our mind. Now as the Government has commenced to feed the millions to save them from the dreadful consequences of famine whenever there is a failure of a single crop, it is most probable, that it will drift itself into insolvency, or very heavy taxes will be levied from the people. But the remedy of all these calamities lies within the power of Government, and that remedy is to root out one by one the zemindari system from all provinces of India wherever it prevails.

Were the oppressed and down-trodden millions of Bengal in a position to demand compensation from the Government for the terrible injustice, that has been done to them during the last eighty-four years by handing them over to the tender mercies of the zemindars—by ejecting them from their allodial rights, and subjecting them to proverbial zemindari rapacity,—it would shrink with horror at the very outset of the calculation of the mountainous sum, that it has invested the zemindars with powers to exact from them. Even the most stone-hearted would break down under the calculation of the terrible loss that they have suffered at their hands. Is there any Government in the world, which can fully compensate them for their loss and sufferings? Certainly not. Balance the terrible injustice, that has been done to them—balance their loss of hundreds of crores of rupees, that have been extorted from them; balance the terrible loss of life with which the Orissa famine of 1866 was attended; balance the everlasting stain upon the glory of the British nation, that has been the just consequence of that loss of life, to say nothing of eight or nine crores of rupees, which were spent in the famine of 1874; balance the thousand atrocities, to which they have been subjected by the zemindars and their underlings, on the

of our fruits of labour, not that we shall be turned into instruments of vice and luxury of the zemindars, and suffer moral degradation, not that we shall work in the fields like beasts, create wealth, and yet die of starvation, but that we shall enjoy all our just rights and privileges, and live in comfort and happiness. The Permanent Settlement will ever be recorded by all right-thinking men as the blackest spot and everlasting stain upon the glory of the British nation for the unfortunate manner, in which it sacrifices the interests of two hundred millions of Indian cultivators, who look up to them for protection. Is there anything in this world more to be regretted than to see the vast millions of India—richest India—die of starvation, and that under the rule of one of the most civilized nations in the world?

Let there be a permanent settlement direct with the cultivators provided with a modification (as the expenditure of Government must increase in time) of slight increase, say 6 or 9 pie per rupee, after a lapse of seventy or eighty years, and the land revenue of Bengal be raised to $6\frac{1}{2}$ crores at the maximum. Then there will be a surplus of 3 crores, which should be annually distributed among the zemindars according to their respective income. The land revenue of other provinces should be reduced by two crores, which the Government could easily effect by reducing the expenditure of its various departments. Thus justice with regard to the land revenue will be done to all the provinces of India in proportion to their area and population. The permanent settlement should also be extended to the other provinces provided with the above modification. At the time of increase there should be no necessity for remeasuring the land. The cultivators, with the proprietary rights conferred upon them, will try their utmost to make improvements of their holdings, without which hundreds of Land Improvement Acts will be of no use whatever. Then the land will certainly produce abundant crops. India (which the *Times* designates as the land of famine) will wear a quite different shape, and, in fact, be a land of plenty. With the proprietary rights conferred upon the two hundred millions of cultivators, the foundation of the

If the empire in India will be stronger than ever. The oppressed and down-trodden millions, who are now suffering moral degradation by pandering to the vice and luxury of the zemindars, by giving false evidence in courts of justice where they are dragged by them, and by not shrinking, owing to their extreme poverty and wretchedness, to lose their sense of virtue for trifling gains, will shake the earth by their shouts of joy and gratitude to Her Majesty, make utmost endeavours to improve their lands, and hoot out famines from the shores of India. They will no longer look upon the English as foreigners filling their own pockets at their expense, and treating them as hewers of wood and drawers of water; they will consider them as their greatest benefactors in this world sent down from heaven to relieve them from their sufferings and distress; they will no longer grudge their chain of dependence; indeed they will consider it as one of gold. Instead of rising against them, as they did in 1857, they will join them in repelling their common foe from India. With the land in Bengal, Oude, and Central Provinces redeemed the Government would only clear its path for any exigency whatever, that may be in store for it in future. Those who will be able to carry out this measure will reign in the hearts of "millions on millions living and millions on millions unborn" Their names will be engraved there in golden characters. Then and then only the true glory of the British administration in India will be resounded throughout its whole length and breadth. The zemindars will certainly suffer considerable loss, but they are a drop in the ocean. Sooner they are removed from their present position for which they are utterly unfit, the better for the people as well as for the Government. The oppressed and ignorant masses of India will rise to rebellion, but they will never raise their voice. It is most surprising, that a measure, which is financially, commercially, morally, and what not, a failure, has been allowed to spread ruin and desolation throughout the land for eighty-four years. It is needless to tell our readers, that the Government is, no doubt, strong enough for rooting out the zemindari system: its few words are only wanted to emancipate

the ryots from the grasping slavery of the zemindars. If the Government hesitates in this matter, we strongly urge it on behalf of the down-trodden millions to appoint a Royal Commission to enquire into their condition, and into the results of the Permanent Settlement in all its bearings with other provinces of India.

We will certainly ill-discharge our duty towards the vast millions, whose cause we are now advocating, if we do not offer our most sincere and heart-felt thanks on their behalf to those noble-minded and kind-hearted gentlemen, whose writings, speeches and evidence, fill this volume. We firmly believe, that time is not very distant, when God will smile upon them—when their noble efforts for alleviating the distress and the sufferings of the poor millions will be crowned with success. We deeply regret that many of them are not in this world to share in their shouts of joy. May they enjoy eternal peace and happiness in heaven. We offer our most sincere prayers to God to confer His highest blessings upon those, who are now living. May they enjoy long life and happiness.

“The feeling of sympathy for the people of this country is growing and strengthening here and elsewhere. Those who will gather and stand firm to advance their interest—to penetrate deeply into the nature and depth of their grievances—to trace every effect to its cause—to subject every evil to the best possible remedy—those who, thus informed of the *exoterics* and *esoterics* of the zemindari system, will carry on the work of reform—uninfluenced and undaunted—will not only have the approbation of their own conscience, but have the heart-felt blessings of millions on millions living and millions on millions unborn heaped upon them. Ignorance and iniquity may for a time darken the dominion of God, but they must give way to the effulgence of knowledge and truth. Improvement is destined to roll on ; and the causes interrupting its bright career will not, be perpetual. Such has been and will be the course of events. In the application and devotion of our heart and zeal to what ennobles man and extends the moral kingdom of God, we

may feel assured that, in every movement we make, every step that we take, we act, as it were, under providential direction :—

‘Heaven’s banner is over us.’

The God of Providence smiles upon such efforts—we meet with tokens of his goodness and favour; and success, sooner or later, is certain.” *The Calcutta Review*, Vol. VI., p. 352.

T H E E N D