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DEDICATION.

TO THE RIGHT HONBLE LORD NAPIER AND ETTRICK, K.T

DEAR LORD NAPIER,

You have been kind enough to allow me to inscribe to you these memorials of the most distinguished of your predecessors in the Government of Madras.

I asked your permission to connect your name with this work, knowing that you entertain a genuine admiration of the character and policy of Sir Thomas Munro; and in availing myself of that permission, I cannot abstain from expressing my conviction that there is no British Statesman, at the present time, who possesses so thorough a knowledge of our great Indian dependency, her people, and her wants, as that which your Lordship acquired when filling the post in which Munro died, and that few politicians have so consistently acted upon the principle, long recognized by the most eminent men of all parties, but nowadays too often forgotten, that India should be regarded as beyond the scope of English party politics.

Believe me,

Dear Lord Napier,

Yours very sincerely,

A. J. ARBUTHNOT.

NEWTOWN HOUSE, NEAR NEWBURY,

4th March, 1881.

MAJOR-GENERAL
SIR THOMAS MUNRO

BART., K.C.B.

GOVERNOR OF MADRAS

SELECTIONS FROM HIS MINUTES AND OTHER
OFFICIAL WRITINGS

EDITED

WITH AN INTRODUCTORY MEMOIR AND NOTES

BY

SIR ALEXANDER J. ARBUTHNOT, K.C.S.I., C.I.E.

A NEW EDITION

WITH A MAP

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VII

P R E F A C E.

More than half a century has passed by since the publication of Mr. Gleig's *Life of Sir Thomas Munro* made the English public acquainted with the services, and to a certain extent with the opinions, of a statesman who has long been regarded as one of the ablest of the many able men who have taken a part in founding and in administering our British Indian Empire. Mr. Gleig's work contains copious extracts from Sir Thomas Munro's private correspondence and several specimens of his official writings; but anything like a complete selection from the latter was necessarily beyond the scope of a work designed rather to instruct and interest the general reader, than to serve as a book of reference for the administrator. It has, however, long been felt, and especially by those whose official position has given them access to Munro's papers, that a compilation of them, so selected and arranged as to present a tolerably complete record of his views and policy, could not fail to prove of much practical value to all whose business it is to study Indian questions, whether as administrators or as critics. A suggestion to this effect, made by the Madras Government some years

ago, was approved by Sir Charles Wood (now Viscount Halifax), then Secretary of State for India, and the work of editing the papers was entrusted by the Madras Government to two gentlemen in succession, both of whom, owing to different causes, were unable to proceed with it. On my retirement from the Council of the Governor of Madras, towards the end of 1872, I undertook to execute the work, and had made some progress in it, when my appointment to the Council of the Governor-General obliged me in a great measure to suspend it, and I was only able to resume it after my return from India a few months ago.

The papers contained in this volume have been selected from a considerable mass of papers. They are arranged under five heads: Revenue, Judicial, Political, Military, and Miscellaneous; and they comprise, it is believed, all the more important of the official papers left on record by Munro. They embody his views on the land tenures of the south of India, and especially on the ryotwár system of land revenue, with which his name and authority have so long been identified; his opinions on the judicial and police administration, on the treatment of native feudatory chiefs, on native education, on the employment and advancement of natives in the public service, on the native army, on famines, on the press, and, in fact, on most of the important questions which then, as now, engaged the attention and taxed the powers of the rulers of India. The compilation includes a valuable

MEMOIR.

CHAPTER I.

Birth of Munro—Parentage—School and College life—Appointment to the Madras army—Arrival at Madras—State of India in 1780—British possessions in India—Weakness of the British position in all the Presidencies—Confederacy between the Mahratta chiefs, the Nizam and Hyder Ali—Critical position of Madras—War with Hyder Ali and Tippoo Sultan—Remarks on Colonel Baillie's defeat—Inefficiency of Sir Hector Munro and of the other generals, except Coote—Munro's early rise in the estimation of his military superiors—His proficiency in the Oriental languages—His views on public affairs—On the comparative importance of Tippoo and the Mahrattas—On the possible results of the French Revolution—His mode of life when in garrison with his regiment—His poverty—Second war with Tippoo—Munro's remarks on the Treaty of Seringapatam—On the policy of an extension of territory.

THOMAS MUNRO was born at Glasgow on the 27th of May, 1761. His father, Mr. Alexander Munro, was a Glasgow merchant trading with Virginia. Thomas Munro attended the Grammar School at Glasgow, and at the age of thirteen entered the College and University of that city. He was considered at school not particularly studious, but decidedly clever, always maintaining a high place in his classes, though he studied but little out of school hours. At College he developed a taste for reading, which he appears to have retained to the end of his life. His favourite studies were history, especially military history, mathematics, and chemistry. While still a mere lad, he commenced the study of political economy. He was at the same time a keen reader of poetry and romance, and had a turn for languages which stood him in good stead in after life. At the age of sixteen, with the help only of a grammar and dictionary, he acquired a sufficient knowledge of the Spanish language to enable him to read 'Don Quixote' in the original. He also made some progress in French and Italian. He was

appended to the Minutes I have received valuable aid from my old friend and former colleague in the Legislative Council at Madras, the Honourable Vembákam Rámiengár, one of the ablest native officials in India, whose honourable and useful career may justly be cited as one of the many instances which the history of British Indian administration has supplied of the soundness of Munro's view, that we should not be 'satisfied with merely securing our power and protecting the inhabitants of India; but that we should endeavour to raise their character and to render them worthy of filling higher situations in the management of their country, and of devising plans for its improvement.'

A. J. ARBUTHNOT.

be pursued towards Tippoo and the Mahrattas, on the question of subsidiary forces, and generally on the political prospects and requirements of British rule in India up to the date of its consolidation by the war with the Mahrattas in 1817 and 1818.

The Memoir also contains some explanatory observations on questions connected with the revenue and judicial administration which are discussed in the Minutes, and which, involving as they do allusions to facts and circumstances unfamiliar to those who have not gone through an Indian training, appear to require some explanation.

One word as to the spelling of the native names. The plan which I have generally followed has been to adopt the system of spelling which was introduced by Sir William Jones, and which is generally observed by continental writers on India, except in the case of names such as Madras, Bombay, Hyderabad, Trinopolis, Hyder, Tippoo, etc., etc., which by long usage have become stereotyped according to the mode of spelling adopted by the English at an early period of British Indian history. This is the plan which has lately been sanctioned by the Government of India for official use, and it is upon this plan that the spelling of native names is regulated in the district and provincial Gazetteers now in course of preparation. But in one or two cases, owing to the fact that a portion of the Minutes was printed before the question of the transliteration of native names had been finally settled

by the Government of India, there has been a deviation from the plan now laid down. For instance, the principal town in one of the districts commonly known as the Ceded Districts, has been spelt Ballári, whereas Bellary, the spelling long recognized by established usage, is that which has been prescribed by the Government of India. Here, however, I may mention that Ballári was the spelling invariably adopted by Munro. Another deviation from the established plan occurs in the printing of the native names mentioned in the letters of the late Duke of Wellington, which are given as footnotes to the Memoir on pages lv.—lvii. It appeared to me that it would be more interesting to most readers if these letters were printed without any sort of alteration, especially as two of them do not appear to have been published on any previous occasion. The originals are in the manuscript library of the British Museum, and were brought to my notice by Mr. R. Garnett, the present Superintendent of the Reading Room. My acknowledgments are due to Mr. Garnett for his kind assistance in this and in other matters, and also to several of the officials at the India Office, including Mr. Pedder, the Revenue Secretary, Mr. Charles Prinsep, Mr. Peters (now retired), Dr. Rost, the Librarian, and Mr. Waterfield, the Assistant Librarian, who have aided me in my researches in the Record Room and Library of that office. Nor must I omit to mention that in connection with some of the notes

	PAGE.
STATE OF THE SOUTHERN AND OF THE CEDED DISTRICTS	211
ON THE DEPRESSED CONDITION OF THE BALLARI DISTRICT, CONSEQUENT ON THE TRIENNIAL AND DECENNIAL LEASES	221
ON THE STATE OF THE COUNTRY AND THE CONDITION OF THE PEOPLE	228
THE SUPERINTENDENCE OF TANK REPAIRS	263
QUESTION OF PUBLIC SERVANTS HOLDING LAND	265
ON THE REVENUE MANAGEMENT OF CERTAIN OF THE SOUTHERN DISTRICTS	268

SECTION II.—JUDICIAL.

TRIAL BY PANCHÁYAT	275
THE ADMINISTRATION OF JUSTICE	278
THE PREVENTION OF RIOTS IN CONNECTION WITH CASTE DISPUTES	287

	PAGE.
INDIES, AND THEIR PLACES TAKEN BY SEPOY REGIMENTS FROM INDIA	363
ON THE QUESTION WHETHER ADVANTAGE WOULD RESULT FROM FILLING UP THE CASUALTIES IN EUROPEAN REGIMENTS IN INDIA, WITH RECRUITS FROM EUROPE, INSTEAD OF RELIEVING ENTIRE REGIMENTS	371
ON THE QUESTION OF ABOLISHING THE EUROPEAN REGIMENTS OF THE COMPANY AND CONFINING THE COMPANY'S ARMY TO NATIVE TROOPS COMMANDED BY EUROPEAN OFFICERS.	372
REGARDING THE BODY-GUARD OF THE GOVERNOR OF MADRAS.	374
ON THE EXPEDIENCY OF SO ARRANGING THE RELIEFS OF NATIVE REGIMENTS THAT THEY SHOULD BE BROUGHT BACK PERIODICALLY TO THE DISTRICTS IN WHICH THEY WERE RAISED	375

SECTION V.—MISCELLANEOUS.

	PAGE.
ON COMPULSORY REQUISITIONS FOR SUPPLIES ...	463
ON DISARMING THE PEOPLE ...	468
THE COURSE TO BE TAKEN BY GOVERNMENT IN DEALING WITH A SCARCITY OF GRAIN ...	471
REMOVAL OF IMPORT DUTIES ON GRAIN ...	484
SUPPLY OF SALT AT REDUCED RATES TO VESSELS IMPORTING GRAIN ...	485
PROPOSED BOUNTY ON IMPORTS OF RICE IN A TIME OF SCARCITY... ..	486
THE COMMERCIAL HABITS OF THE HINDUS... ..	488

APPENDIX A.

	PAGE.
PROCLAMATION IN THE NAME OF THE AGRICULTURISTS, MERCHANTS, AND OTHER INHABITANTS OF THE DISTRICT OF TRIPATUR... ..	587
LETTER FROM COLONEL READ TO THE ASSISTANT COLLECTORS, BARAMAHAL AND SALEM	592

APPENDIX B.

THE MODE OF CONDUCTING A RYOTWÁR SETTLEMENT ...	596
THE CAUSES WHICH NECESSITATE REMISSIONS OF REVENUE ..	601
THE THREE MODES OF MAKING A RYOTWÁR SETTLEMENT ...	604

they contain what have been considered by competent judges as the most trustworthy narratives that have been written of the operations to which they referred. Dr. Wilson, in his annotations to Mills' 'History of British India,' more than once cites Munro's letters as embodying the most accurate accounts available of some of the engagements with Hyder, incidents in which had become the subject of controversy. These letters are for the most part simple narratives of facts which came under the writer's observation, and are but seldom interspersed with comment or criticism; and when comments do occur, they are very often merely recapitulations of the remarks and arguments which have been used by others regarding the tactics or policy of the generals. Thus, referring to the defeat of Colonel Baillie's force, Munro wrote:

The loss of Colonel Baillie's army is the severest blow the English ever sustained in India. Some persons pretend to vindicate Munro;* but by far the greater part impute to his imprudent conduct the destruction of the detachment. Why, say they, did he linger so long within a few miles of Baillie without attempting to join him? Why, instead of sending the Grenadiers, did he not go with the whole army? And why, when he saw Hyder march, did he not follow him instantly, instead of waiting till the morning? On the other hand, it is said that it was reasonable for him to conjecture that, if Baillie had been able without any assistance to repulse the enemy, he would still more able to do so again after being so powerfully reinforced; and that by sending a detachment, had it succeeded, he would have lost less time than by going with the whole army.†

Occasionally, however, remarks are made which show that the writer had very definite views of his own. Thus, in reference to the same disaster, he remarks:

The General, by paying spies too sparingly, received very little and often false intelligence: he neither rewarded those who told the truth, nor did he punish those who deceived him. One day upon the march a harkara came up and delivered him a letter from Colonel Baillie. He read it; he seemed pleased with the contents, and he ordered his dubash to give the messenger two pagodas (sixteen shillings). The man smiled. It was a poor reward for having received two wounds and risked his life in bringing him the intelligence. On our way to join the detachment, three men who were found sitting near the road were brought to the General. He told them if they would carry him to Baillie he would reward them; but if they should misguide him, he would instantly put them to death. They walked at the head of the army with halters about their necks, and they conducted us to the side of a lake where the road terminated. The General followed them, notwithstanding that it was obvious to every one that they were carrying us away from the scene of action, as we heard the firing and saw the smoke of the cannon.

* Sir Hector Munro is here referred to.

† Gleig's Life, vol. i. p. 26.

‡ See Minutes, p. 56.

nearly four miles distant in a different direction. These men were suffered to escape.*

In a later letter referring to the operations against the French before Cuddalore in 1783, the command of which, owing to the illness and departure of Sir Eyre Coote, had devolved upon General Stuart, a very incompetent officer, Munro wrote:

The flank attack did not move till the front one was repulsed. Had it advanced at the same time, two regiments that were at the redoubt would have been cut off. There seemed to be no connexion in our movements, every one was at a loss what to do, and nothing saved our army from a total defeat, but the French being, like ourselves, without a general.†

The letters contain no mention whatever of his own part in these actions, many of which were hotly contested, and attended with heavy losses. In one of them the loss on the British side in killed and wounded was nearly sixty officers, seven hundred European soldiers, and two hundred and fifty sepoy. In another the loss was five hundred men. But although Munro makes no mention of his own services, it is evident, from his having been selected in his second year of service for the appointment of quartermaster of a brigade, that he gained the favourable opinion of his military superiors at a very early date, and it is to be gathered from a remark in one of his letters,‡ to the effect that his situation (he was writing in November, 1785) was not such as it would have been, had Sir Eyre Coote lived, that he had attracted the favourable notice of that distinguished general.

During the five or six years which followed the conclusion of the war, and which he spent in the comparative leisure of regimental duty in garrison, Munro appears to have devoted a good deal of his spare time to the study of the Persian and Hindustani languages, in both of which he acquired considerable proficiency, and to which he subsequently added a good practical knowledge of the Telugu and Canarese languages—the languages of the districts, in the civil administration of which he was afterwards employed. It was probably to his attainments in the Oriental languages, combined with his general ability, that he owed his appointment to the Intelligence Department under Captain Read, which was followed two years later by his selection for civil employment under the same officer. But Munro's claims to advancement were by no means confined to proficiency in the native languages—a qualification which, valuable as it is when combined with others, has in

* Gleig's Life, vol. i. p. 27.

† Ibid., p. 68.

‡ Ibid., p. 79.

moved the Mysorean army to the western coast, hostilities ceased in the Carnatic. These operations included the retreat of Sir Hector Munro from Conjevaram to Madras after the defeat of Colonel Baillie's force, the relief of Wandiwash, the battle of Porto Novo, the battle of Sholinghar, the taking of Chittoor, the battle and siege of Cuddalore, and several other engagements. In November, 1781, when still an ensign of less than two years' service, Munro was appointed quartermaster of a brigade, and at the attack on the French lines and battle of Cuddalore on the 13th of June, 1783, he acted as aide-de-camp to the officer who commanded the centre attack. From 1783 to 1788 Munro was employed on garrison duty at various stations. During this period he served with no less than five regiments, viz. the 1st, 16th, 21st, and 30th Native Infantry and a regiment of European Infantry, the number of which is not given, but to which he appears to have been posted on his promotion to the rank of lieutenant in 1786. In August, 1788, he was appointed an assistant in the Intelligence Department under Captain Read, and was attached to the headquarters of a force sent to take possession of the district of Guntūr, which in that year was ceded by the Nizam to the Company. He continued to be employed in the Intelligence Department until October, 1790, when, war having broken out afresh with Tippoo, he rejoined his regiment, the 21st Native Infantry, and served with the army under Colonel Maxwell, which invaded the Baramahal. He subsequently shared in the pursuit of Tippoo by Lieutenant-General Meadows through the Tapur pass on the 18th of November, 1790, and afterwards, in 1791 and 1792, in most of the operations under Lord Cornwallis, including the siege and capture of Bangalore. In March, 1792, he accompanied the detachment in charge of the two sons of Tippoo, who were sent as hostages to Madras, and in the following month he was appointed one of the three military assistants, deputed to conduct the civil administration of the Baramahal under Captain (afterwards Lieutenant-Colonel) Alexander Read.

During the whole of this period, as indeed throughout his life, Munro kept up a constant correspondence, principally with the members of his own family. His letters, even in the earliest years of his Indian service, especially those addressed to his father, to whom he usually wrote on the military operations, if they do not manifest brilliant literary ability, are remarkable productions to have come from the pen of so youthful a writer. Clear in expression, copious in their details, and free from all affectation of style,

MEMOIR.

Gratulations as the apprehensions have happily proved, which are embodied in the foregoing observations, it must not be forgotten that the superiority of Great Britain over a France set free from the shackles which had hitherto impeded her progress, had yet to be established; that the battles of the Nile and Trafalgar had still to be fought; and that the future victor at Assye and at Waterloo, whom Munro was destined to meet nine years later under the walls of Seringapatam, was still a young regimental officer, unknown to the world at large. Nor was Munro singular at that time in his dread of the power of France. The previous struggle between the English and the French in India had been long and severe, and there was nothing that Warren Hastings had regarded with greater apprehension than a renewal of that struggle.

Munro's mode of life at this time is thus described by him in a letter to his sister:

Seven was our breakfast hour, immediately after which I walked out, generally alone; and though ten was my usual hour for returning, I often wandered about the fields till one; but when I adhered to the rules laid down for myself, I came home at ten and read Persian till one, when I dressed and went to dinner—came back before three and sometimes slept half an hour, sometimes not, and then wrote and talked Persian and Moors* till sunset, when I went to the parade, from whence I set out with a party to visit the ladies or to play cards at the commanding officer's. This engaged me till nine, when I went to supper, or more frequently returned home without it, and read politics and nonsense until bedtime, which, according to the entertainment which I met with, happened some time between eleven and two. I should have mentioned five as an amusement that occupied a great deal of my time. I seldom missed above two days in a week at this game, and always played two or three hours at a time, which were taken from my walks and Persian studies. Men are much more boyish in this country than in Europe, and in spite of the sun take, I believe, more exercise, and are, however strange it may appear, better able to undergo fatigue, unless on some remarkably hot days. I never could make half the violent exertions at home that I have made here. My daily walks were usually from four to twelve miles, which I thought a good journey in Scotland. You see children of five or six years of age following the camp, and marching fifteen or sixteen miles a day with the same ease as their fathers.†

The life of a subaltern in India is not a very luxurious one, even at the present time; but in those days, when the pay was very much smaller than it is now, it was a life of poverty and of hardship. Munro says in one of his letters,‡ written after he had been nine years in the country, that he 'never experienced hunger

* Moors was in those days the name commonly applied to the Hindustāni language, or the language of the Mohamedans or Moormen, as the Mohamedans in Southern India are often

called. In Madras Hindustāni is seldom spoken by the Hindus.

† Gleig's Life, vol. i. p. 90.

‡ Ibid., pp. 88, 89.

At the age of sixteen Munro left College and entered the counting-house of Messrs. Somerville and Gordon, West India merchants at Glasgow, for the purpose of being trained for the mercantile profession. He remained in this employment for two years, when, his father's affairs having become involved, in consequence of the American war, it was found that it would be impossible to establish Thomas Munro in business, and an appointment was accordingly procured for him in the maritime service of the East India Company, which was shortly afterwards exchanged for a cadetship of infantry at the Presidency of Madras. Munro sailed for India in the same ship (the *Walpole*) to which he had been posted as a midshipman previous to his nomination to a military cadetship, and arrived at Madras on the 15th of January, 1780.

The period at which Munro reached India, was one of the most critical periods in the history of British rule in that country. On the western side of the peninsula the English had been engaged for five years in a war with the Mahratta chiefs of Poona, Gwalior, and Indore. Towards the close of the previous year a confederacy had been formed between the chiefs in question, the Rájá of Berár, the Nizam of Hyderabad, and Hyder Ali Khán, the ruler of Mysore, the avowed object of which was the expulsion of the English from India. The aspect of affairs at Madras was most critical. The especial danger to that Presidency lay in the direction of Mysore, whose able and warlike chief was already engaged in preparations for a second invasion of the Carnatic. Hyder Ali's first inroad into that country, just eleven years before, when he had carried fire and sword through the districts immediately adjoining Madras, and had dictated a treaty under the walls of Fort St. George, was still fresh in the memories of the English residents. Nor was the condition of the British administration in any part of India such as to justify confidence in its power to overcome the dangers which threatened it. At Calcutta the Supreme Government was convulsed by divisions among its members, which for a time paralyzed the efforts of the able statesman who presided over it. At Madras, where, only a few years before, the Governor* had been violently deposed from his office and placed in confinement by a majority of his Council, the local Government was incapable of adequately realizing or effectively dealing with the crisis in which it was placed. The Madras authorities had received ample warning of Hyder Ali's hostile intentions.

* Lord Pigot

India too often led to the promotion of studious men, with a turn for languages, to situations for which in other respects they were quite unfit. Munro was, from the first, a careful and sagacious observer of the events passing around him, both in Southern India and in other parts of the country; and at a very early period had formed clear and definite views as to the policy most likely to be conducive to the maintenance and extension of the British power. In opposition to the opinion which, at that time, generally found favour with the authorities, both in England and in India, he recognized the paramount importance of subverting the powerful and dangerous empire which Hyder Ali had founded in Mysore. He wrote in 1790:

It has long been admitted as an axiom in politics by the directors of our affairs both at home and in this country, that Tippoo ought to be preserved as a barrier between us and the Mahrattas. This notion seems to have been first adopted without much knowledge of the subject, and to have been followed without much consideration. It is to support a powerful and ambitious enemy to defend us from a weak one. From the neighbourhood of the one we have, everything to apprehend; from that of the other, nothing. This will be clearly understood by reflecting for a moment on the conditions of the Governments. The one, the most simple and despotic monarchy in the world, in which every department, civil and military, possesses the regularity of a system communicated to it by the genius of Hyder, and in which all pretensions derived from high birth being discouraged, all independent chiefs and zemindárs, subjected or extirpated, justice severely and impartially administered to every class of the people, a numerous and well-disciplined army kept up, and almost every employment of trust or consequence conferred on men raised from obscurity, gives to the Government a vigour hitherto unexampled in India. The other, composed of a confederacy of independent chiefs, possessing extensive dominions and numerous armies, now acting in concert, now jealous of each other and acting only for their own advantage, and at all times liable to be detached from the public cause by the most distant prospect of private gain, can never be a very dangerous enemy to the English.

The first is a government of conquest; the last, merely of plunder and depredation. The character of vigour has been so strongly impressed on the Mysore Government by the abilities of its founders, that it may retain it even under the reign of a weak prince or a minor. But the strength of the supreme Mahratta Government is continually varying according to the disposition of its different members, who sometimes strengthen it by union and sometimes weaken it by defection, or by dividing their territories among their children.

The nation likewise maintains no standing army, adopts none of the European modes of discipline, and is impelled by no religious tenets to attempt the extirpation of men of a different belief. But Tippoo supports an army of 110,000 men, a large body of which is composed of slaves, called Chelas, trained on the plan of the Turkish janizaries, and follows with the greatest eagerness every principle of European tactics. He has even gone so far as to publish a book for the use of his officers, a copy of which is now in my possession, containing, besides the evolutions and manœuvres usually practised

in Europe, some of his own invention, together with directions for marching, encamping, and fighting; and he is, with all his extraordinary talents, a furious zealot for a faith which founds eternal happiness on the destruction of other sects.*

Nor was the young soldier's attention limited exclusively to the affairs of India. He carefully and anxiously observed the startling revolution which was taking place in France, and noted its possible effects on the future of England and of British rule in India. His first impressions were very similar to those held alike by Pitt and Fox at the commencement of the Revolution, but he did not share their anticipations that a more popular form of government in France would improve the relations between that country and England. Writing to his friend Mr. Foulis on the 2nd of April, 1790, he described 'the restoration of French liberty as an event, which, as a friend to the prosperity and glory of Great Britain,' he 'could not behold with indifference.' In his opinion that nation, already too powerful, wanted nothing but a better form of government to render her the arbiter of Europe. He wrote:

You and I may live to see the day when the fairest provinces of India, reversing Mr. Gibbon's boast, shall not be subject to a Company of merchants of a remote island in the Northern Ocean; but when perhaps those merchants and their countrymen, being confined by the superior power of their rival to the narrow limits of their native isle, shall sink into the insignificance from which they were raised by their empire of the sea. With the freedom of our government we may retain our orators, our poets and historians; but our domestic transactions will afford few splendid materials for the exercise of genius or fancy, and with the loss of empire, we must relinquish, however reluctantly, the idea so long and so fondly cherished by us all, of our holding the balance of power. In looking forward to the rising grandeur of France, I am not influenced by any groundless despondency, but I judge of the future from the past: and when I consider that after the Revolution she opposed for some time successfully the united naval Powers of England and Holland; that she did the same under Queen Anne and under George II. until '69; and that, notwithstanding the almost total annihilation of her marine in that war, in the east of Europe, America, and the West Indies, she never shunned and sometimes sought our fleets, and met us in this country (the East Indies), if not with superior force, at least with superior fortune and perhaps bravery; that she made all these exertions when she was left to the mercy of capricious women, who made and unmade ministers, generals, and admirals almost every month; and when commerce, and even the naval profession, met with no encouragement;—I cannot but fear that when she shall direct her attention to the sea, she may wrest from Britain her empire of that element and strip her of all her foreign possessions. When two countries have made nearly the same progress in the arts of peace and war, and when there is no material difference in the constitution of their governments, that which possesses the greatest population and the most numerous resources from the fertility of her soil, must, in the end, prevail over her rival.†

* Gleig's Life, vol. i. pp. 96, 97.

† Ibid., vol. i. p. 87.

was opposed to the Governor-General, and supported the factional antagonism arrayed against him in his Council; and there can be little doubt that had the confederacy of native chiefs been more united in their operations and in their aims, or had a weaker man than Warren Hastings filled at this time the position of Governor-General, the extension and consolidation of British rule in India, which only a few years later had become an established fact, would have been one of the many 'might have beens,' which abound in the history of nations, as well as in the lives of individuals.

Such was the state of public affairs when Thomas Munro, then a lad of nearly nineteen, landed at Madras. He remained for six months at the Presidency town, where he did duty with the cadet company, learnt his drill, and studied the native languages. Immediately on his arrival he was robbed by a native servant of some of his money and the greater part of his wardrobe, which he found it no easy matter to replace; for in those days the pay of a cadet of infantry was only eight pagodas, or about £3 a month. Among the residents of Madras to whom he was introduced, his chief friends appear to have been Mr. David Haliburton, a civil servant, who was afterwards a member of the Board of Revenue and Persian translator to Government, and an eccentric merchant of the name of Ross, at whose house he made the acquaintance of a still more eccentric man of science, of the name of Kœnig, a native of Livonia, whose English Munro describes in his letters as a mixture of Latin, Portuguese, and French, but who seems to have been much attracted by the young cadet's proficiency in chemistry. After having had a narrow escape of being appointed, at his own request, to the unfortunate detachment under Colonel Baillie, which on the 10th of September was beaten by and surrendered to Hyder, Munro was sent in July with the regiment to which he was attached, first to Poonamallee and afterwards to St. Thomas' Mount, whence, on the 20th of August, he marched with the army under the command of his namesake, Lieutenant-General Sir Hector Munro,* to meet the invading army of Mysore. Munro appears to have been present at all the operations under Sir Hector Munro and Sir Eyre Coote in 1780, 1781, 1782, and 1783, when, peace having been made with France, and Tippoo—who, on the death of Hyder Ali in 1782, had succeeded his father on the throne of Mysore—having

* Sir Hector Munro does not appear to have been related to the subject of this memoir.

CHAPTER III.

Renewal of war with Tippoo—His intrigues—Appointment of the Earl of Mornington as Governor-General—Munro's views on policy towards native states—Similarity of Lord Mornington's views—Mauritius proclamation—Preparations for war—March of army against Seringapatam—Capture of fortress and death of Tippoo—Commission for settlement of Mysore—Munro appointed secretary—Commencement of intimacy with Colonel Wellesley—Their respective views on extension of British rule in India—Munro's appointment to Canara—Condition of Canara—Munro's investigation into land tenures—Oppression under Hyder and Tippoo—Private property in land—Saleable value—Excessive litigation about land—Munro's other duties—Correspondence with military commandants—With Colonel Wellesley—Paper on defences of Malabar coast—Munro's dislike of Canara, especially of climate—High opinion entertained of his services—Transfer to the Ceded Districts.

THE war with Tippoo, which took Read and Munro from the Barámahal, had for some time been inevitable. Tippoo had always regarded the English with mixed feelings of hatred and dread, and since the Treaty of Seringapatam, when he was compelled to sign away a considerable portion of his territory, his hatred of the detested nation which had brought this humiliation upon him had become intensified from year to year. To the Mahomedans in the East he had given himself out as the champion of the Mahomedan faith, who was to expel the English Kafirs from India. He had sent a mission to Constantinople, and had opened communications with Zeman Shah, the ruler of Afghanistan, whom he invited to invade India, offering to co-operate with him in a grand effort for the establishment of Mahomedan supremacy throughout the country.* At the same time he was engaged in intrigues with the Mahrattas, and was in active communication with the French, on whose help he mainly relied for the accomplishment of his designs against the

* His letter to Zeman Shah styled the war which he proposed to wage as 'a holy war against the infidels, polytheists, and heretics.' 'Please God,'

he wrote, 'the English shall become food for the unrelenting swords of the pious warriors.'

and had some months previously communicated their apprehensions to the Government of Bengal; but as the time drew near for those intentions to be carried into execution, they seem to have lost all thought of the necessity for preparation, and to have been only awakened to a sense of their real position when Hyder's army was within a few days' march of Madras. In the course of the months of January and February, 1780, troops which could ill be spared from the defence of the Carnatic, were sent to Bombay to the assistance of General Goddard, and in the latter month the Governor* of Madras, who was about to leave India, placed on record a Minute expressing his satisfaction at 'the perfect tranquillity of the Carnatic' and of the Company's northern possessions, and his expectation that in consequence of 'the arrival of the fleet with the King's troops,' that part of India would 'remain quiet.' Even as late as the 17th of July the new Governor and the Commander-in-chief declared that there was no danger of an immediate invasion. Four days later, Hyder entered the Carnatic.

At Bombay the local administration appears to have been free from internal divisions; but it had given signal proof of incapacity in its management of the Mahratta war, which, but for the energy of Hastings and the strategic ability of General Goddard,† must have ended in disaster.

* Sir Thomas Rumbold.

† Just a year before Munro reached India, General Goddard had made a march which, until a few months ago, was unexampled in the annals of Indian warfare. In the early part of the first Mahratta war, Hastings despatched across the continent of India a small force of 4000 men, of whom only 600 were Europeans, to the aid of the Government of Bombay. It was a bold undertaking, for up to that time no British force had ever crossed that part of the Indian continent. The command was entrusted in the first instance to Colonel Leslie, an officer of good reputation, but who was in bad health and made such slow progress, that Hastings deemed it necessary to supersede him, and to appoint General (then Colonel) Goddard to the command. Goddard marched from Burhanpur to Surat, a distance of 300 miles, in 19 days, or at the rate of about 15½ miles a day, eluding by the expedition of his movements a force of 20,000 horse, which the Mahrattas sent to intercept him. The march was through a country then utterly

unknown, and of which no map existed. It was denounced by Mr. Dundas, the Indian minister of the day, as 'one of the frantic military exploits of Hastings.' It is natural, at the present time, to compare with General Goddard's achievement the brilliant feat lately performed by Sir Frederick Roberts, in his march from Cabul to Candahar, which, when it was undertaken, was denounced in some quarters in language not very dissimilar to that used a century ago regarding Goddard's march. The rapidity of Roberts's march was somewhat less than that of Goddard's, the distance marched by the former having been 322 miles and the time occupied, including two halts, 23 days, or a rate of 14 miles a day against Goddard's 15½ miles; but the country through which Roberts passed, though better known, having been recently traversed by Sir Donald Stewart's division, was far more difficult and more trying to the troops than that traversed by Goddard in 1779. In each case the object of the march was to retrieve a disaster to the British arms,

The British possessions in India, except in Bengal, were at that time extremely limited. In the south, the East India Company owned the fort and town of Madras, the adjoining district (known in those days as the Jâgir, and now styled the district of Chingleput), the town and fort of Cuddalore and some of the adjoining territory, the port of Dévikota and certain villages in Tanjore, and four out of the five sirkârs on the eastern coast, now known as the Northern Sirkârs, for which, however, they were bound to pay an annual tribute of five lakhs of rupees (£50,000) to the Nizam. The rest of the Carnatic, including the districts of Nellore, North Arcot, the greater part of South Arcot, and Trichinopoly, still belonged to the Nawab of the Carnatic. Of the remainder of what now constitutes the Madras Presidency, the greater part of Tanjore was still held by its Mahratta chief; Cuddapah, Salem, Coimbatore, Madura, Tinnevely, Malabar and Canara, Karnûl, and a portion of Ballâri had been brought under the rule of Hyder, while the remainder of Ballâri and Guntûr belonged to the Nizam. In Bengal, though the youngest of the British settlements, the Company, owing to the genius and vigour of Clive, had become possessed of a far more extensive, and at the same time extremely compact, territory, comprising the whole of the fertile districts of Bengal proper, south of the Brahmaputra, Behar, and a part of Orissa. Bombay was still little more than a commercial factory, holding no territorial possessions, except the island of Bombay, the adjoining port of Bassein, and the island of Salsette.

In addition to the formidable confederacy of native chiefs, which at the time of which we write actually threatened the British power in India, there was every prospect of that confederacy being speedily strengthened by aid from France, which had declared war against England in 1778, and which subsequently afforded material assistance, both by land and by sea, to Hyder Ali and to his son and successor Tippoo Sultan.

Nor were the difficulties and weaknesses of the position in India counterbalanced by the strength of the Home Administration. Lord North's weak and unfortunate Government was still in office, tottering towards its fall. A strong party in the Court of Directors

and in each case that object was accomplished with brilliant success.

Lord Lake's famous march in 1804 in pursuit of Holkar's cavalry, when he traversed 350 miles in 14 days, cannot be compared with either of the above achievements, as Lord Lake's

force was composed entirely of cavalry and mounted artillery. The same may be said of the most rapid marches in the Mutiny, which, when of any considerable length, were made with mounted troops.

Board of Control. Touching at the Cape of Good Hope on his voyage to India, he there met Lord Macartney, who had been Governor of Madras during a great part of the second war with Mysore, Lord Hobart, who was then on his way home from the same government, and Major Kirkpatrick, at that time Resident at the court of the Nizam. He also found despatches from the Governments in India to the Court of Directors, containing the latest information regarding the position of affairs. The information which he thus received, followed as it was, shortly after his arrival at Calcutta, by the receipt of authentic intelligence from Mauritius that a proclamation had been issued in that island, then a French dependency, inviting volunteers to take service under the Sultan of Mysore in a war which he was about to wage against the English, and that a body of men, recruited for that purpose, had been despatched to the western coast of India, convinced the Governor-General that no time was to be lost in anticipating Tippoo's designs, and crippling his power far more effectually than had yet been done.*

* Lord Mornington attached considerable importance to the correspondence which had been going on between Tippoo and the Afghan chief Zemán Shah. Writing to Mr. Dundas from the Cape of Good Hope on the 28th of February, 1798, he said: 'No mode of carrying on war against us could be more vexatious, or more distressing to our resources, than a combined attack upon Oudh and the Carnatic. It is not impossible that the late intercourse between Tippoo and the Zemán Shah had for its object, on the part of the former at least, some such plan of joint operation.' In the same letter he wrote: 'The balance of power in India no longer exists upon the same footing on which it was placed by the peace of Seringapatam. The question therefore must arise how it may be brought back again to that state in which you have directed me to maintain it. My present view of the subject is that the wisest course would be to strengthen the Mahrattas and the Nizam, by entering into a defensive alliance with the former against Zemán Shah, and by affording to the latter an addition of military strength and the means of extricating himself from the control of the French party at Hyderabad.' After Lord Mornington's arrival at Calcutta both these measures were proceeded with. The proposed defensive alliance with the Mahrattas failed, but Zemán Shah's

projected invasion of Hindostan was prevented by an invasion of his own territories by the Persians. The subversion of French influence at Hyderabad was effectually carried out, within a few months after Lord Mornington's arrival in India, by the despatch of a British force to Hyderabad, in the presence of which the French officers were dismissed, and the native troops under their command, numbering some 14,000 men, disbanded. Munro refers to this force and its projected dispersion in one of his letters in the following terms:—

'The Nizam has for several years had a few corps of sepoy, officered by Europeans of different nations, but the whole commanded by Monsieur Raymond. They were for a long time neither well paid nor well armed, nor were they dangerous either from their numbers or discipline; but after the late war Raymond was permitted to make new levies. He obtained a large tract of country in jágir for their maintenance, and was enabled to pay them regularly, to clothe and arm them completely, and to bring them into a high state of order. He was soon at the head of 15,000 men, with a train of artillery; he hoisted the tricoloured flag on all occasions, and at last became formidable to his master. Could any strong body of French troops have been landed in India, it is most likely he would have joined

He at once ordered preparations to be made for war.* Owing to the scattered position and insufficient strength of the Madras troops available for an expedition against Mysore, and the utter want of transport and commissariat, some delay unavoidably occurred; but under the energetic supervision of the Governor-General, who repaired to Madras at the end of the year for the purpose of assuming the immediate direction of the political and military arrangements, an army of 20,000 men was collected at Vellore early in February, 1799, and was supplemented by a force of 13,000 men furnished by the Nizam, under the command of Colonel Arthur Wellesley; while another force of 6400 men was ordered to co-operate from the Bombay side, besides smaller bodies under Colonels Read and Brown.† The command of the whole

'them and Tippoo against the English and the Nizam; but whatever his projects might have been, he, fortunately for us, died in the midst of them, about two months ago. He has left no successor of equal ability or influence; and as the different commandants have various interests, and show but little deference to their present chief, the Nizam has, either of himself, or by the interference of the Supreme Government, conceived the design of breaking them altogether, or, at least, of disbanding all the corps that are suspected of being under French influence. A strong detachment has been formed in Guntúr, to march in case of necessity to Hyderabad. The sooner they move the better, for no time ought to be lost in destroying this party so hostile to our interests in the Deccan. Raymond owed the rapid increase of his power to the weak, timid policy of —, who might have suppressed it in the beginning, if not by resistance, at least by menace; but he chose rather to sit and view its progress quietly than to do anything to risk, or what he thought was risking, hostilities.'

The disbandment of the troops under French command was accompanied by the establishment at Hyderabad of a British subsidiary force, which, under the command of Colonel Wellesley, took part in the final campaign against Tippoo. This force, composed partly of British and partly of native regiments of the Madras army, has been ever since maintained at Hyderabad, under the designation of the Hyderabad Subsidiary Force. To meet the cost of its maintenance,

the districts of Ballári, Cuddapah, etc., now known as the Ceded Districts, were ceded to the East India Company in 1800.

* The Governor-General was debarred by an Act of Parliament passed in 1793 from either declaring war, or commencing hostilities, or entering into any treaty for making war, against any of the country princes or states in India, except in the case of hostilities having been commenced or hostile preparations having been made by a native prince. Lord Mornington regarded the Mauritius proclamation—the genuineness of which he considered to have been established—as affording sufficient evidence that Tippoo was engaged in making hostile preparations against the English, and this was the view taken by the President of the Board of Control. The opinion of the Court of Directors was more guardedly expressed; but their orders conveyed the requisite authority to the Governor-General to declare war, if he was satisfied of Tippoo's hostile intentions.

† While the preparations were in progress, intelligence was received of the invasion of Egypt by Bonaparte, and shortly afterwards of Nelson's victory over the French fleet at the mouth of the Nile. The latter intelligence did not induce Lord Mornington to relax his preparations, he being, as he wrote, 'still uncertain of the fate of the French army in Egypt, and ignorant whether an additional force might not have been intended to co-operate with it in India, by the ordinary passage round the Cape of Good Hope.'

English. The war would very probably have been postponed for some years, had there not been a change in the office of Governor-General, Sir John Shore, afterwards Lord Teignmouth, who had followed the Marquis of Cornwallis in the Governor-Generalship, having been succeeded by the Earl of Mornington in 1798. It was the opinion of some thoughtful men, and among others of Munro, that advantage should have been taken of the defeat of Tippoo, in 1792, to cripple his power more completely than Lord Cornwallis had deemed advisable, when he made the Treaty of Seringapatam. Writing in 1796, Munro says :

We are now obliged to arm to prevent Tippoo from attacking some of our Mahratta friends. This was to be expected from our absurdity in leaving him so strong at the end of the last war.* . . . To save the Ráo and Scindia from being crushed by this formidable conspiracy, we are now arming and endeavouring to form a camp by drawing together the fragments of battalions scattered between Ceylon and Amboyna. What was now going forward was to be expected. It was foreseen by every man who has reflected much on Indian politics, and is the only consequence of leaving Tippoo so strong at the end of the last war.†

Lord Cornwallis had acted on the policy—and this policy had not been departed from by his successor—that it was expedient to maintain a balance of power in India by supporting Tippoo and the Nizam against the Mahrattas. Munro, as we have seen, at an early period had formed the opinion that Tippoo, and in a lesser degree the Nizam, was a power far more formidable to the English than all the Mahratta chiefs combined; and further reflection and observations as years went by only served to confirm him in this opinion. He wrote :

By applying European maxims to India, we have formed the chimerical project of maintaining the balance of power, by joining sometimes one party of Mahrattas and sometimes another, but chiefly by supporting Tippoo and the Nizam as a barrier between ourselves and the whole nation. We take it for granted that, if this fence were ever removed, they would instantly break in upon us, overrun the whole country, and drive us into the sea. I am so far of a different opinion, that I am convinced that the annihilation of both these powers would rather strengthen than weaken the security of our possessions. Experience has shown that augmentation of territory does not augment the force of the Mahrattas : it only serves to render the different chiefs more independent of the Poona Government, and to lessen the union of the confederacy. With more territory, they are not half so formidable as they were fifty years ago; but Tippoo is, what none of them are, complete master of his army and his country. Every additional acre of land and rupee of revenue increases his force in the same manner as among European nations. He introduces modern tactics and all the improvements of musketry and artillery into his army. . . . The Nizam has not followed the same plans, but an abler successor

may. The present minister has evidently begun them by attempting in several instances to reduce the great jagirdárs or feudal vassals. Mussulmans, from the spirit of conquest mixed with their religion, are much more disposed than Hindus to spread among their armies all the advantages of foreign discoveries. Whenever the Nizam adopts them, he will become the most powerful prince in India, for he has now in his dominions great numbers of excellent horses and brave men, who want nothing but discipline. He and Tippoo, with regular armies, would be far more dangerous neighbours than the Mahrattas. Their system will be conquest, that of the Mahrattas only plunder. Ours ought, therefore, to be, to let the Mahrattas strip the Nizam of as much of his dominions as they please, and to join them on the first favourable occasion to reduce Tippoo entirely. When this is effected, it may be said they would turn their whole force against us; but the interests of their leaders are so various, that we should never find much difficulty in creating a division among them; and admitting the worst, that we did not succeed, their united force would be able to make no impression on us. I have seen enough of their warfare to know that they could do little in action, and that their mode of laying waste the country would be more destructive to themselves than to us, and would never effectually stop our operations. It would not hinder us from making ourselves masters of the Malabar coast, nor from re-establishing the Rájás of Udaipur and Jaipur, and many other princes who are impatient to recover their independence. They would soon get tired of the war, make peace with us, and resume their old disputes about the Peshwa and his minister. Their government, which was long conducted by a Peshwa, or minister, in the name of the Rájá, has for more than twenty years been held by the ministers of his minister; and they are now going to decide by the sword whether minister the first or minister the second shall usurp the sovereign power. From a government whose members are scarcely ever united—where there is a perpetual struggle for the supreme authority—which forms no French alliances—and whose armies are constituted in the same way that they were last century, we have surely much less to apprehend than from such an enemy as Tippoo. By our scheme of politics, he is to save us from Mahratta invasions, but is not to extend his dominions; but as he is always contriving means to do it, we are, at every alarm, to be at the expense of taking the field, or going to war to keep him within the bounds which we have prescribed to him; but we are never to go so far as to overturn him entirely. The consequence of all these whimsical projects will be that we shall at last make the native powers so warlike, that in order to enable us to oppose them, we shall be obliged to sink the whole of our revenue in augmenting our armies. Any one who compares our present military establishment, King's and Company's, with what it was twenty years ago, will see how fast we are advancing to this point. The Company may flatter themselves that by their late arrangements they have set limits to their expenses on this head; but they must go on increasing, while the cause which produces them exists—a prince to meet us with regular armies in the field.*

These views were very much in accordance with the views which were formed by the new Governor-General at an early period after his nomination to the office. Lord Mornington had previously paid some attention to Indian affairs, having held a seat at the

* Gleig's Life, vol. i. p. 212.

† Ibid., pp. 212, 214.

was entrusted to General Harris, the Commander-in-chief at Madras. On the 4th of May the war was practically brought to an end by the capture of Seringapatam and the death of Tippoo, who was killed in the assault.* Read's force was not present at the taking of the fortress, having been left behind the main body of the army for the purpose of reducing various small forts in their rear and collecting supplies. It was subsequently employed in taking possession of Bangalore and other forts; but early in June Munro left it and returned to Seringapatam, having been nominated one of the secretaries to the Commission appointed by the Governor-General to consider and arrange measures for the future disposal of the Mysore territory, and to settle other questions arising out of the recent conquest. The Commission consisted of General Harris, Colonel Barry Close, Colonel Arthur Wellesley, Mr. Henry Wellesley, and Colonel Kirkpatrick—Captain (afterwards Sir) John Malcolm was Munro's colleague as secretary. The labours of the Commission, conducted in close correspondence with the Governor-General, who had remained at Madras for the purpose of superintending their work, resulted in the treaty of partition which divided the Mysore territory between the East India Company and the Nizam, and the subsidiary treaty which made over a considerable portion of the Company's share to a member of the old Hindu dynasty subverted by Hyder Ali, but now revived in the person of the late Maharaja of Mysore.

It was while employed on this Commission that Munro was first brought into close intercourse with the future Duke of Wellington, then Colonel Arthur Wellesley, with whom he contracted a lasting friendship. There were many points of resemblance in the characters of the two men. Simple in their habits, practical and clear-sighted in their views, earnest in the discharge of duty, cordially detesting everything that savoured of sham or pretension of whatever description, it was hardly possible that they should be brought much together without being speedily inspired by sentiments of

* The invasion of Mysore had been preceded by several communications between the Governor-General and Tippoo, whose answers were throughout evasive, and who, while disavowing all hostile intentions, was corresponding with the French Government at Paris, with the Mahrattas, and with the Afghan ruler, Zeman Shah. Tippoo's reply to the last letter written by the Governor-General before ordering the army to march,

stating in detail the evidence he possessed of Tippoo's hostile intentions, and admonishing him to receive an officer (Major Doveton) whom Lord Mornington proposed to send to confer with him, was to the following effect:—'Being frequently disposed to make excursions and hunt, I am, accordingly, proceeding on a hunting excursion. You will be pleased to despatch Major Doveton slightly attended.'

mutual regard and esteem. And similar as they were in character, there was enough difference in the views which they held on some subjects, to give zest to their intercourse. Munro, at this period of his life, was an ardent supporter of the policy of extending British rule in India. His observation of the effects of native misgovernment in the Baramahal, his patriotic desire for the aggrandizement of his country, and the poor opinion which he entertained of the power of most of the native states—all impelled him to advocate the extension of British rule whenever and wherever opportunity offered. The resolution of the Governor-General to set up another native dynasty in Mysore, notwithstanding the conditions annexed to the measure, whereby, in the words of Lord Mornington, 'the most unqualified community of interests was established between the Government of Mysore and the Company,' and the Rájá was placed in a position of strict dependence upon the Government of British India, was viewed by Munro with but little satisfaction. If he had had any voice in the decision of the question, he 'certainly would have had no Rájá of Mysore, in the person of a child dragged forth from oblivion, to be placed on a throne on which his ancestors, for three generations, had not sat during more than half a century.'* Colonel Wellesley, on the other hand, appears to have been favourable to the arrangement, and though by no means opposed to the general policy of his brother, which was essentially the reverse of a policy of inactivity, he regarded, perhaps, with greater apprehension than Munro the consequences of moving too rapidly.

In one of his letters addressed to Munro in the following year, he writes: 'I fancy you will have the pleasure of seeing some of your grand plans carried into execution.' In another the following sentence occurs: 'This is expensive, but if you are determined to conquer all India at the same moment, you must pay for it.† We may be certain that in those few weeks in the summer of 1799 which Munro spent at Seringapatam, there was many an argument

* Gleig's Life, vol. i. p. 240.

† The following is the text of the two letters in question. The original manuscripts are in the British Museum. They do not appear to have been published hitherto:—

'Camp at Hoobly,
'October 6th, 1800.

'MY DEAR MUNRO,
'I have received your letter of the 27th September. I have been ordered by Government to remain

'for some time in this country, and I have come in order to eat rice, which I propose to draw from the borders of Seconda without using that brought from Nagpore by my brinjarries. You will therefore perceive the necessity that my brinjarries should return to me to the northward, but I am not in a hurry about them, and it does not much signify if they do not go to Cundapore and Mangalore to receive their loads. I fancy that

in the Darya Danlat Palace, between the future conqueror of Napoleon and the future Governor of Madras, regarding the

'you will have the pleasure of seeing some of your grand plans carried into execution: all I can say is that I am ready primed, and that if all matters suit I shall go off with a dreadful explosion, and shall probably destroy some campos and pullows which have been indiscreetly pushed across the Kistna—that is to say, if the river remains full.

'I have written to tell Colonel Close about your money which I shall want. The only reason why I cannot get it is that you are obliged to keep enough in your hands to pay the troops in Kanara, etc., till January. I have written to desire that a sum of money for that purpose may be sent round from Madras in one of the ships of the squadron, and whatever sum I hear that they will send I will draw an equal one from you. That is the only mode that occurs of procuring the supply of money which I shall want in December.

'Believe me, yours most sincerely,

'ARTHUR WELLESLEY.'

'Camp at Hoobly,
'October 10th, 1800.

'DEAR MUNRO,

'Webbe informs me, in a letter of the 4th instant, that you are appointed to be Collector of the countries ceded to the Company by the Nizam, and has desired me to write to you to state at what place it will be most convenient that you should join me. You had better come here and through Soonda. I am sadly pressed for troops for all our extensive objects, and I must draw copiously upon Kanara in order to be able to make up a detachment at all equal to taking possession of the ceded countries. I shall in the first place want three companies for Nuggur from Gundapore, and eight companies of the 75th for Malabar, in lieu of five companies of the 12th which must go into the ceded countries. I recommend it to you, therefore, to keep in employment in Kanara all your peons. You will thus have plenty of troops and no enemy.

'After all my efforts to provide a proper detachment for the ceded districts, I shall be able to collect

'only one regiment of Europeans, one battalion and eight companies of sepoy, with as many guns as they please. I should recommend that this detachment should be kept together in one body, to be thrown on any point where their assistance may be wanted; that the common business should be done by peons till more troops can be spared from other services. You will thus have no enemy.

'This is expensive, I acknowledge, but if you are determined to conquer all India at the same moment you must pay for it.

'Don't forget to recommend my brinjaries to the gentleman who you leave in charge of Kanara.

'Believe me,

'Ever yours most sincerely,

'ARTHUR WELLESLEY.

'Major Munro.'

The subjoined extracts are interesting as setting forth the views of the two men.

Extract from letter from Major Munro to Colonel Wellesley, dated August 14th, 1800.

'I confess for my own part that, as we have thought it necessary to appear in India as sovereigns, I think we ought to avail ourselves, not of the distresses of our neighbours, but of their aggressions, to strengthen ourselves, and to place ourselves in such a situation as may be likely to prevent such attacks hereafter. Sindia has been allowed to increase his power by the subjugation of the Jaipur and Udaipur Rajas, and also in a great measure of the Peshwa. We want money to oppose him, and money, too, more particularly since the increase to the pay of the native troops; and if, in order to attain those objects, we retain in our possession certain territories which pour forth invaders upon us, we can hardly be charged with having violated the laws of nations. I am for making ourselves as strong as possible before the French return to India, and set Sindia at war with us after completing his demi-brigades with pretended deserters.'

sanguine projects of the latter for the extension of British rule—projects which Munro lived to see carried out far in excess

Extract from letter from Colonel Wellesley to Major Munro, dated August 30th, 1800.

'My ideas of the nature of Indian governments, of their decline and fall, agree fully with yours, and I acknowledge that I think it probable that we shall not be able to establish a strong government on this frontier. Scindiah's influence at Poona is too great for us, and I see plainly, if Colonel Palmer remains there, we shall not be able to curb him without going to war. There was never such an opportunity for it as the present moment, and probably by bringing forward and by establishing in their ancient possessions Purneah Bhow's family, under our protection, we should counter-balance Scindiah and secure our own tranquillity for a great length of time. But I despair of it, and I am afraid that we shall be reduced to the alternative of allowing Scindiah to be our neighbour upon our old frontier, or of taking this country ourselves. If we allow Scindiah to be our neighbour, or if the country goes to any other through his influence, we must expect worse than what has passed—thieves of all kinds, new Dhondees, and probably Dhondee himself again. If we take the country ourselves I don't expect much tranquillity.

'In my opinion the extension of our territory and influence has been greater than our means. Besides, we have added to the number and description of our enemies by depriving of employment those who heretofore found it in the service of Tippoo and the Nizam. Wherever we spread ourselves, particularly if we aggrandise ourselves at the expense of the Maharrattas, we increase this evil. We throw out of employment, and of means of subsistence, all who have hitherto managed the revenue, commanded or served in the armies, or have plundered the country.

'Upon all questions of increase of territory, these considerations have much weight with me, and I am in general inclined to decide that we have enough; as much at least, if not more than we can defend.

'I agree with you that we ought to

'settle this Maharratta business and the Malabar Rajas before the French return to India; but I am afraid that to extend ourselves will rather tend to delay than accelerate the settlement, and that we shall thereby increase, rather than diminish, the number of our enemies.

'As for the wishes of the people, particularly in this country, I put them out of the question. They are the only philosophers about their governors that ever I met with—if indifference constitutes that character.'

From Major Munro to Colonel Wellesley, dated August 29th, 1800.

'Your arguments against extension of territory are certainly very strong, but still I cannot help thinking that you allow too much for its increasing the number of our enemies and weakening our means of defence. There are three things that greatly facilitate our conquests in this country. The first is, the whole of India being not one nation, always parcelled out among a number of chiefs, and these parcels continually changing masters, makes a transfer to us to be regarded, not as a conquest, but merely as one administration turning out another. The second is the total want of hereditary nobility and country gentlemen, or that there is no respectable class of men who might be impelled, by a sense either of honour or of interest, to oppose a revolution. And the third is our having a greater command than any of the native powers of money—a strong engine of revolution in all countries, but more especially in India.

'As to the enemies we create by driving men out of employment, I do not apprehend it ever can do us any serious mischief. We have already, in overthrowing Tippoo, seen more of it than we can ever see again, because his service contained so great a number of Mussulmans. Let us suppose Savanur to fall into our hands: the only person almost in the revenue line who would suffer is Bál Kishan Rao: all the headmen of villages would remain exactly as they are; ten or a dozen of Bál Kishan's gomasthas might be

of his early expectations, and which Wellesley only a few years later did much to further by his decisive victory over the

changed, but as we must have men of the same description, their places would be supplied by a dozen other gomashtas, and as the whole of both sets would probably be natives of Savanûr, the result would be that among the revenue people of the country there would be twelve out in favour of the Mahrattas, and twelve in favour of the Company.

But it may be said we should have the military against us. The chiefs would certainly be against us; but their resentment would be very harmless, because the payment of their men is the only hold they have upon them; and as the means of doing this would be lost along with the revenue, they would be left without troops. These troops, if natives of the country, either have land themselves, or a share of what is held by their fathers and brothers; and as the labouring part of the family would prefer the Company's government on account of being more moderately taxed, they would in most cases be able to keep the military part quiet. Many of the young men among the disbanded troops would find employment in the Company's army; and even the older, though they would be rejected themselves, would by degrees become attached to it by their younger brothers or sons entering into it. There is no army in India which supports decently, or even liberally, so great a number of what may be called the middling class of natives as our own. It is true it offers no field to your Nawâbs and Foujdârs, but what of that? These men have no influence but while in office. They are frequently raised from nothing, and often dismissed without any reason; and the people, by being accustomed to see so many successions of them, care about none of them; so that although these officers, by losing their places, become our enemies, yet, as they have no adherents, they can do us no harm.

Sindia is at this moment as much our enemy as we can make him. If he does not break with us, it is because he fears us, and an extension of territory, by giving us greater resources, would make him still more cautious. The acquisition of Savanûr would give us a frontier that

would not require more troops to defend than our present one. But I have not the least doubt myself that from the nature of Indian governments, every inch of territory gained adds to our ability both of invading and defending. Every province that falls into our hands diminishes the force of the enemy by the loss of the revenue destined to support a certain number of troops, and it increases our force in a greater ratio, because the same province under us will pay as many troops, and of a much better quality. A Mahratta or Nizamite army invading our territory can make no lasting impression upon it; they cannot take forts, and we have no great feudal vassals to revolt to their standard. They might for a time ravage the country, but they would soon be obliged to fall back by their brinjarrics, etc., being intercepted, and probably by disturbances at home. But we, in entering their territory, would find little difficulty in reducing every place that came in our way, and we should everywhere find Rao and Bhows and Nawâbs ready, if not to join us, at least to throw off their dependence upon the enemy.

All that India can bring against us is not so formidable as the confederacy of Hyder and his Mahrattas was in 1780, when we had but a small force, with a frontier as difficult to defend as our present one. The increase of our resources has enabled us to double our army, and has given us an excellent body of cavalry, and a few more lakhs of pagodas of country will give us the means of making this cavalry so strong that nothing in India will look at them. I am therefore for going to the Malpurba in the mean time, unless you are determined on going to the Krishna at once, which unluckily must be our fate sooner or later. The business must be settled at Poona, and the territory may be said to be made over to us, either for a subsidy, or for the expenses of the war and future aid against new Dhondess. Sindia cannot well act against us in the peninsula, unless by usurping the Poona government, and then we should be able to bring a strong confederacy against him—all the friends of the Peshwa, the Nizam

Mahrattas at Assye. It may be a question whether, if Munro had lived in the days of Lord Dalhousie, he would have approved the annexation policy of that ruler in all its details. It may be that he would have doubted the justice of suppressing native rule in Nagpore, and the policy of annexing Oudh; but there can be no manner of doubt that the proposal to restore Mysore to native rule, after it had enjoyed for nearly fifty years the benefit of British administration—a proposal which, having been repeatedly negatived by the highest authorities, was eventually sanctioned in 1867—would have encountered from him an opposition not less strenuous than that which was offered to it by Lord Canning and his successor in the Governor-Generalship.

Among the territories which under the partition treaty became British, was the district of Canara, a tract lying along the western coast between Mysore and the sea, which, having been governed by successive Hindu dynasties up to 1763, was in that year subjugated by Hyder and annexed to Mysore. It was necessary at once to appoint an officer of revenue experience to administer this district, and the choice fell upon Munro. The arrangement was one which by no means accorded with Munro's personal wishes; for his desire was to return to the Baramahal, where, as his late chief, Read, was about to leave India, he naturally hoped to succeed him. Munro was, as we have seen, much attached to that country and to its people. He had laboured hard in bringing it into order, and he longed to return and complete his work. Moreover, he shrank from the separation from old friends which his removal to Canara would necessarily entail. But Munro's personal desires and the public interests were on this occasion deemed by the authorities to be incompatible. Malabar, the district adjoining Canara on the south, which had been brought under British rule in 1792 by the Treaty of Seringapatam, partly owing to the inefficiency of the arrangements made for its management by the Government of Bombay, and partly owing to the refractory and turbulent character of the petty chiefs, who were numerous in the district, had given, and still was giving, a good deal of trouble. It was feared that the example of the unruly chiefs of Malabar would not be without its influence upon the petty chiefs and ryots of Canara, and it was felt that if order was to be introduced into the latter province, its management must be entrusted to an officer of proved firmness and capacity. Munro was not the man to decline a disagreeable duty

in order to recover the valuable territory he lost before the last war,

and the Râjâs of Udaipur and Jaipur, supported by the royal army.

when he was told that the public interests required him to undertake it, and as soon as his business at Seringapatam was done, he started for Canara.

The gloomy anticipations with which Munro entered upon his new charge, were not destined to be agreeably disappointed. Canara had been at one time a very thriving country, filled with industrious inhabitants, more lightly taxed than those of any other Indian province; but it had been grievously oppressed by the exactions of Hyder and Tippoo. It had been the scene of four wars, and during the latter years of Tippoo's reign misgovernment had produced insurrections, and with them a spirit of anarchy which indisposed the people to submit to settled rule. Just before Munro entered the district, one portion of it had been ravaged by the Coorgs, and another had been invaded by the followers of Dhundaji—a Mahratta adventurer who had escaped from Seringapatam, and had set the British authorities in Mysore at defiance. Jamalabad, a strong hill-fort, was in the hands of rebels, and in several parts of the district bodies of marauders of various classes were at large. Munro's earlier experiences of the ryots of Canara were by no means favourable. He met with the greatest difficulty in even commencing a settlement of the revenue, the ryots refusing to attend for the purpose, save under certain conditions, and sending him a paper wherever he went, 'a kind of bill of rights,'* the terms of which they required to be conceded before they would discuss the subject of the assessment. He wrote:

The ryots themselves are a most unruly and turbulent race. This, however, without ascribing to them any naturally bad disposition, may be easily accounted for, when we know that they have twice lost the advantageous tenures by which they held their lands—once by Hyder's conquest, and now by that of the Company. Before they fell under the Mysore Government their land-tax was probably as light as that of most countries in Europe. When Tippoo's finances became totally deranged about four years ago, when he did not receive fifty per cent. of his revenue, they joined the Birkar servants in plundering, and recovered in some measure their lost rights by being permitted to withhold twenty or twenty-five per cent. of their rents. On my arrival they wanted not only to keep what they had got, but also to get more; while I was resolved, after making allowance for the desolation of two wars, to bring the revenue back to what it had been in 1789, the last year of any regular government in Tippoo's reign, and then to leave it to Government to relinquish as much of it as they might think fit. As soon as they discovered my intention, they entered into combinations to bring me to terms. These sort of combinations had been very general under the weak and profligate set of rulers they had had since 1792. They were even encouraged; because men in office always contrived to receive something for settling them; and the inhabitants too gained their ends,

in some measure, by obtaining a remission of rent on account of the loss they were supposed to have sustained from the neglect of cultivation during their temporary insurrection. They sent me proposals from all quarters, demanding, in general, a remission of all assessments since the conquest of Hyder, as the only condition on which they would agree to enter into any discussion about a settlement. I, of course, rejected all preliminaries but such as I might think it necessary, upon examination, to prescribe to myself. This was considered by them as a declaration of war, and they lost no time in taking the field; that is to say, they refused to come to the catcherry. They absconded when peons were sent for them. They almost starved some of the amildars I had detached, by preventing them from getting fire and water; and whenever I approached a village, the inhabitants went off to another, so that I was sometimes several weeks in a district without seeing one of them. Reports had been circulated among them that the country was soon to be placed under the Bombay Government; and they therefore hoped that by keeping aloof for a time, they would either see me removed, or constrain me to submit, lest the season should pass away before I could make a settlement. Perseverance on my part, however, at last brought over some deserters; and by talking to them, as your friend Cleveland would have done, they brought over more, and I am now getting on as well as I can expect; but they are such a different kind of people to any ryots to the eastward of the Ghats, that I have still but very little confidence in their engagements, and am very far from being satisfied that they will perform them—and I can hardly venture to say that I shall come within ten per cent. of the settlement: six months, however, will decide the question.*

After a time, however, patience and firmness, which were marked features in Munro's character, prevailed, and by a careful examination into the circumstances of the district, and a scrutiny into its ancient records, he was able to make a settlement, which has formed the basis of all subsequent arrangements with reference to the land revenue of Canara, now and for many years past one of the most flourishing provinces in India. The labour which Munro underwent in his investigation into the Canara land tenures and in settling the assessment, was very great. He says in one of his letters: 'In this one year I have gone through more work than in 'almost all the seven I was in the Baramahal.' He examined a number of ancient registers,† in which he traced the tenures

* Gleig's Life, vol. i. pp. 274, 275.

† Writing on the 7th of June, 1800, to his friend Mr. Cockburn, a Member of the Board of Revenue, he says: 'I wished to have traced the nature of landed property in Sanda, if such property actually existed there, by a chain of sunnuds up to the eighth century, but the sunnuds take too much time; many of them are intricate and obscure, and after translating a dozen sometimes, I meet with nothing to illustrate the object of my search. Time slips away; business accumulates, and I am in danger of neglecting the present

generation, while I am attempting to ascertain whether their forefathers were permitted to eat a greater proportion of the land than they do. With the view of clearing away difficulties for new men I shall exact the payment of balances more rigorously than I would have done had I wished to take a lease of the country. This will bear hard upon some individuals; but where there has been nothing but anarchy for the last seven years, order can only be established by being inflexible—indulgence can be thought of afterwards.'

and the assessments which had prevailed as far back as the middle of the fourteenth century, when Canara was subject to the Rájá of Vijayanagar, and when the assessment which formed the basis of that which he found in operation, was introduced. This ancient assessment, which was called the rekhá or abist, Munro found still written, 'not only in all general accounts of districts, but in those of every individual landholder.' Additions had been made to it by the Bednore Government, but not such as materially to affect the prosperity of the people. The amount even then would seem not to have exceeded one-fourth of the gross produce. The revenue was easily realized and outstanding balances were almost unknown. It was not until after the conquest of Hyder that any serious pressure was put upon the landholders. From that time one addition after another was made to the assessment, and the country 'was regarded as a fund 'from which he (Hyder) might draw without limit for the 'expenses of his military operations in other quarters.' The whole course of the administration of Hyder's deputies is described by Munro as 'a series of experiments made for the purpose of determining the extent' to which the assessment could be raised, and 'how much it was possible to extort from the farmer without 'diminishing cultivation.* Under Tippoo the state of things was even worse. He destroyed many of the principal towns near the coast, and forced their inhabitants to remove to Jamalábád and other unhealthy situations near the hills: in one night he seized all the Christian men, women, and children, numbering above sixty thousand, and sent them into captivity to Mysore. He prohibited all foreign trade, and permitted a system of corruption and disorder in all departments of his administration; and when many of the ryots had been compelled by his exorbitant exactions to abandon their holdings, he forced those who remained to cultivate, in addition to their own land, the land of those who had gone, for which they did not possess the necessary stock, thereby intensifying their difficulties and ultimately diminishing the revenue.†

Land in Canara had always been regarded as private property. Its transfer,

by sale or otherwise, was unrestrained. Nothing but gift, or sale, or non-payment of rent, could take it from the owner. If he absconded with balances standing against him, it was transferred to another person; but if he or his heir returned at ever so distant a period, it was restored, on either of them paying a reasonable compensation for the balance, and such extra

* Minutes, p. 64.

† Ibid., p. 65.

expenses as might have been incurred on account of improvements. No crime in the proprietor could extinguish the right of the heir to the succession.*

Most of these proprietors had tenants under them with rights of occupancy more or less permanent.

Though the estates held immediately of Government were so small that the rent of each did not exceed fifty pagodas, yet the proprietors had under them an infinite number of lesser proprietors, holding their lands of them, with all the same proprietary rights as those under which they held their own of Government. It was usual for the original proprietors to rent, either for a term of years or for ever, such a portion of their lands as was sufficient to discharge the whole of their public rent, and to keep the rest in their hands. The tenants for ever became a second class of proprietors, whom nothing could deprive of their rights of possession, unless their own act of gift or sale. On failure of heirs, the lands reverted to the original superior landlord; but a reversion of the estate of the superior landlord to the sarkár did not take place if the inferior could be found.†

Much of the land in Canara had a saleable value. Munro had met with some instances in which particular fields had been sold as high as twenty-five or thirty years' purchase of the Government assessment. This state of things had been seriously altered for the worse by the misgovernment of the Mysore rulers. In many cases the ancient proprietors had become extinct. In all, the value of the rights which the landholders possessed had been seriously diminished; but what remained was 'still as much cherished, and 'the title to it as obstinately contested, as it ever was perhaps at 'any former period.‡

Munro's earlier impressions of the actual condition of the landholders were more unfavourable than those which he was led to form on further acquaintance with the district. In his first report, dated the 3rd of May, 1800, he described the landlords, who all lived chiefly on their rents, as having hardly any rent at all. 'Few 'of them,' he wrote, 'have sufficient to constitute of itself the fund 'of their subsistence.§ But shortly after this paper was written, he was led by facts which came under his notice to judge more favourably of their condition. His attention was attracted to the extraordinary number of suits about land; Canara in this, as in other respects, presenting a remarkable contrast to the Baramahal. In the Baramahal a dispute about land had scarcely come before him once in six months; in Canara land produced nineteen in twenty of all the complaints he had to deal with. 'The accumulated suits 'of half a century appeared to have broken loose at once,|| and

* Minutes, p. 66.
† Ibid., p. 67.
‡ Ibid., p. 68.

§ Ibid., p. 68.
|| Ibid., p. 78.

every moment that he could spare from his ordinary business had been given to the hearing of them without having sensibly reduced their number. In making his first settlement of the district, Munro had not deemed himself at liberty, on his own authority, to reduce the assessment much below the standard which he found in operation. He had made 'no other reduction in the assessment of 'Tippoo Sultán than such as was absolutely necessary in order to 'ensure the collection of the rent.' He had regarded himself merely as a Collector who was to investigate and report upon the state of the country, but he had urged upon the authorities at Madras a considerable reduction, which was sanctioned by the Government as a temporary arrangement. This recommendation he was now led to modify, partly by the conclusions which he drew from the extent of litigation about land, partly by the facts that the assessment which he had imposed was generally paid with considerable punctuality, and that cultivation was increasing, and partly by other evidence which satisfied him that the landholders did not require the amount of relief which he had at first suggested.*

The settlement which Munro recommended for Canara, was in its leading principles ryotwár; that is to say, it was a settlement of the revenue with the actual landowners, the holders for the most part of small estates, without the intervention of any middle men in the shape of renters or zemindárs. It differed, however, from the ryotwár settlement which had been made in the Baramahal, and from that which was subsequently carried out in the Ceded Districts, in two important particulars. In the first place, the settlement was made, in many cases, not with the actual cultivator, but with a landholder, who, owing to the lightness of the assessment, was able to let a portion of his land to a tenant or tenants, from whom he received a rent, and who, as we have said, had rights of occupancy more or less permanent. In the second place, the assessment was laid, not as in the other two cases referred to, upon each field, but upon each estate or warg. In this, as in other cases, the salient feature of Munro's revenue policy was to accept the existing institutions of the country as he found them, and not to introduce any alterations which were not absolutely necessary. He found in Canara a very widely established system of private property in land, which, although it had suffered damage from the oppression and exactions of the late rulers of the country, was still cherished and valued by the people, and his policy was, not to

* Minutes, p. 75.

party. The immediate *casus belli* was the position taken up by the troops of Sindia and the Berár Rájá on the confines of the Nizam's territories. The Governor-General resolved to attack the Mahrattas in Hindustan, Guzerat, and Cuttack, as well as in the Deccan, and for this purpose four *corps d'armée* were formed, numbering altogether about 55,000 men. The two most important of these bodies were placed under the respective commands of General Lake, the Commander-in-chief in Bengal, and of General Arthur Wellesley, who still held the military, as well as the civil command in Mysore. The latter speedily captured Ahmednagar, a strong and important fortress, and on the 3rd of September, 1803, defeated the united forces of Sindia and Berár at Assye, after one of the severest engagements that had yet been fought in India. The capture of Burhanpur and of Asirghar, another fortress of considerable strength and the last of Sindia's possessions in the Deccan, speedily followed, and the defeat of the Berár troops at Argáon on the 28th of November finished the war in that part of India. On the 1st of the same month the battle of Laswári, in which General Lake completely defeated Sindia's northern army, ended the war in the north. The result of these operations was a considerable addition to the Company's territories, including the greater part of the districts which now form the North-Western Provinces, and the Delhi territory, as well as Cuttack and a part of Guzerat.

Munro, as may be supposed, was a keenly interested observer of the events of the war. Indeed, before it commenced, and before the Treaty of Bassein was executed, on hearing of Holkar's victory at Poona, he addressed a letter to the Governor-General, urging that the opportunity should be taken for imposing a subsidiary alliance upon the Peshwa, and obtaining from him in return a portion of the Southern Mahratta country. The latter object, to which Munro, from the time of the conquest of Mysore, had attached very great importance, regarding the possession of the districts in question as essential to secure our territories against incursions from the Mahrattas, was not accomplished until 1818, when Munro, in command of a division of the Madras army, had the satisfaction of effecting it.

During this war, as during the operations against Dhundaji a few years before, Munro maintained a constant correspondence with General Wellesley, whose army depended for its supplies mainly on the districts under Munro's charge. This correspondence includes an interesting letter from General Wellesley, explaining his tactics at Assye, and commencing with the remark

had observed, not without anxiety, the large proportion which, owing to successive augmentations of the native army, the native

'Nizam's territories. They first threatened them through the Casserbarry Ghant, and I moved to the southward to the neighbourhood of Arungabad. I then saw clearly that they intended to attempt the siege of Asseerghur, and I moved up to the northward and descended the Adjantee Ghant and stopped Scindiah. Stevenson took Asseerghur on the 21st. I heard the intelligence on the 24th, and that the Rajah of Berar had come to the south with an army. I ascended the Ghant on the 25th, and have marched a hundred and twenty miles since in eight days, by which I have saved all our convoys and the Nizam's territories. I have been near the Rajah of Berar two days, in the course of which he has marched five times; and I suspect that he is now off to his own country, finding that he can do nothing in this. If that is the case, I shall soon begin an offensive operation there.

'But these exertions, I fear, cannot last, and yet, if they are relaxed, such is the total absence of all government and means of defence in this country, that it must fall. It makes me sick to have anything to do with them; and it is impossible to describe their state. Pray exert yourself for Bistnapah Pandit, and believe me.

'Ever yours most sincerely,
'ARTHUR WELLESLEY.'

From Major Munro to General Wellesley.

'Khádirabad,

'28th November, 1803.

'DEAR GENERAL,

'I have received your letter of the 1st instant, and have read with great pleasure and interest your clear and satisfactory account of the battle of Assye. You say you wish to have my opinion on your side; if it can be of any use to you, you have it on your side, not only in that battle, but in the conduct of the campaign. The merit of this last is exclusively your own; the success of every battle must always be shared, in some degree, by the most skilful general with his troops. I must own I have always been averse to the practice of carrying on war with too many scattered armies, and also of fighting battles by the combined

'attacks of separate divisions. When several armies invade a country on separate sides, unless each of them is separately a match for the enemy's whole army, there is always a danger of their being defeated one after another, because, having a shorter distance to march, he may draw his force together and march upon a particular army before it can be supported. When a great army is encamped in separate divisions, it must of course be attacked in separate columns. But Indian armies are usually crowded together on a spot, and will, I imagine, be more easily routed by a single attack than by two or three separate attacks by the same force. I see perfectly the necessity of your advancing by one route, and Colonel Stevenson by another, in order to get clear of the defiles in one day. I know also that you could not have reconnoitred the enemy's position without carrying on your whole army; but I have still some doubts whether the immediate attack was, under all circumstances, the best measure you could have adopted. Your objections to delay are, that the enemy might have gone off and frustrated your design of bringing them to battle, or that you might have lost the advantage of attack by their attacking you in the morning. The considerations which would have made me hesitate, are that you could hardly expect to defeat the enemy with less than half the loss you actually suffered; that after breaking their infantry, your cavalry, even when entire, was not sufficiently strong to pursue any distance, without which you could not have done so much execution among them as to counter-balance your own loss; and, lastly, that there was a possibility of your being repulsed, in which case the great superiority of the enemy's cavalry, with some degree of spirit which they would have derived from success, might have rendered a retreat impracticable. Suppose that you had not advanced to the attack, but remained under arms, after reconnoitring at long-shot distance, I am convinced that the enemy would have decamped in the night, and as you could have instantly followed them, they would have been obliged to leave all or most of

troops bore to the European force. In a letter to General Wellesley written two years before the Vellore mutiny took place, he gave expression to his apprehensions on this subject in the following terms:—

'The Indian armies in the different augmentations that have been made since the fall of Seringapatam, have received no proportionable increase of Europeans, and the European force is in consequence much below the proportion which it ought always to hold to the native battalions. Though we have but little reason to apprehend any danger from our native troops, yet it is not impossible that circumstances may induce them to listen to the instigations of enterprising leaders, and support them in mutiny and revolt. After seeing what has happened among our own soldiers and sailors in England, we cannot suppose that it is impossible to shake the fidelity of our sepoys. The best security against such an event would be an increase to our European force, which ought to be, I think, to our native in proportion of one to four, or at least one to five.

The facts of the Vellore mutiny are well known, at all events to most Anglo-Indian readers. Vellore was the fortress in which the members of Tippoo's family were placed after his death and the capture of Seringapatam. The garrison at that time consisted of four companies of His Majesty's 69th Regiment, one complete

'their guns behind. If they ventured to keep their position, which seems to me incredible, the result would still have been equally favourable: you might have attacked them in the course of the night; their artillery would have been of little use in the dark; it would have fallen into your hands, and their loss of men would very likely have been greater than yours. If they determined to attack you in the morning, as far as I can judge from the different reports that I have heard of the ground, I think it would have been the most desirable event that could have happened, for you would have had it in your power to attack them either in the operation of passing the river, or after the whole had passed, but before they were completely formed. They must, however, have known that Stevenson was approaching, and that he might possibly join you in the morning, and this assistance alone would, I have no doubt, have induced them to retreat in the night. Your mode of attack, though it might not have been the safest, was undoubtedly the most decided and heroic. It will have the effect of striking greater terror into the hostile armies than could have been done by any victory gained with the assistance of Colonel Stevenson's division, and of raising

'the national character, already high in India, still higher.

'I hear that negotiations are going on at a great rate. Sindia may possibly be secure, but it is more likely that one view at least in opening them is to encourage his army, and to deter his tributaries from insurrection. After fighting so hard, you are entitled to dictate your own terms of peace.

'You seem to be out of humour with the country in which you are, from its not being defensible. The difficulty of defence must, I imagine, proceed either from want of posts, or from the scarcity of all kind of supplies. The latter is most likely the case, and it can only be remedied by your changing the scene of action. The Nizam ought to be able to defend his own country, and if you could contrive to make him exert himself a little, you would be at liberty to carry the war into the Berár Rájá's country, which, from the long enjoyment of peace, ought to be able to furnish provisions. He would probably make a separate peace, and you might thus draw from his country supplies for carrying on the war with Sindia.

'Believe me, dear General,
'Yours truly,
'THOMAS MUNRO.'

that as Munro was 'a judge of military operations,' he was 'anxious to have his opinion on his side.' Munro's reply is characteristic—modest, cordial, and friendly, but frank in its criticism, and affording evidence of considerable strategic ability on the part of the writer.*

* These letters are so interesting that we subjoin copies of them in full.
From General Wellesley to Major Munro.

'Camp at Cherikain,
'November 1st, 1803.

MY DEAR MUNRO,

'As you are a judge of a military operation, and as I am desirous of having your opinion on my side, I am about to give you an account of the battle of Assye in October; in which I think I shall solve all the doubts which must naturally occur to any man who looks at that transaction without a sufficient knowledge of the facts. Before you will receive this, you will most probably have seen my public letter to the Governor-General regarding the action, a copy of which was sent to General Campbell. That letter will give you a general outline of the facts. Your principal objection to the action is that I detached Colonel Stevenson. The fact is, I did not detach Colonel Stevenson. His was not stronger than mine. We were desirous to engage the enemy at the same time, and settled a plan accordingly for an attack on the morning of the 24th. We separated on the 22nd: he to march by the western, I by the eastern road round the hills between Budnapoor and Jaulna; and I have to observe that this separation was necessary—first, because both corps could not pass through the same defiles in one day; secondly, because it was to be apprehended that if we left open one of the roads through those hills, the enemy might have passed to the southward while we were going to the northward, and then the action would have been delayed, or probably avoided altogether. Colonel Stevenson and I were never more than twelve miles distant from each other, and when I moved forward to the action of the 23rd, we were not much more than eight miles. As usual, we depended for our intelligence of the

'enemy's position on the common hircarrahs of the country. Their horses are so numerous, that without an army their position could not be reconnoitred by an European officer; and even the hircarrahs in our own service, who are accustomed to examine and report on positions, cannot be employed here, as, being natives of the Carnatic, they are as well known as an European.

'The hircarrahs reported the enemy to be at Bokerdun. Their right was at Bokerdun, which was the principal place in their position, and gave the name to the district in which they were encamped; but their left, in which was their infantry, which I was to attack, was at Assye, which was six or eight miles from Bokerdun.

'I directed my march so as to be within twelve or fourteen miles of their army at Bokerdun, as I thought, on the 23rd. But when I arrived at the ground of encampment, I found that I was not more than five or six miles from it. I was then informed that the cavalry had marched, and the infantry were about to follow, but were still on the ground. At all these points, and I could not venture to reconnoitre without my whole force. But I believed the report to be true, and I determined to attack the infantry if it remained still upon the ground. I apprised Colonel Stevenson of this determination, and desired him to move forward, and marching on I found, not only their infantry, but their cavalry encamped in a most formidable position, which, by-the-by, it would have been impossible for me to attack, if, when the infantry changed their front, they had taken care to occupy the only passage there was across the Kaitna.

'When I found their whole army and contemplated their position, of course I considered whether I should attack immediately, or should delay till the following morning. I determined upon the immediate attack, because I saw clearly that if I attempted to return to my camp at Naulnah, I should have been follow-

Another event which occurred while Munro was in the Ceded Districts, was the mutiny of the native troops at Vellore. Munro

'led thither by the whole of the enemy's cavalry, and I might have suffered some loss: instead of attacking, I might have been attacked there in the morning; and at all events I should have found it very difficult to secure my baggage as I did, in any place so near the enemy's camp, in which they should know it was; I therefore determined upon the attack immediately.

'It was certainly a most desperate one, but our guns were not silenced. Our baillocks, and the people who were employed to draw them, were shot, and they could not all be drawn on; but some were, and all continued to fire as long as the fire could be of any use.

'Desperate as the action was, our loss would not have exceeded one-half of its present amount, if it had not been for a mistake in the officer who led the picquets which were on the right of the first line.

'When the enemy changed their position, they threw their left to Assye, in which village they had some infantry; and it was surrounded by cannon. As soon as I saw that, I directed the officer commanding the picquets to keep out of shot from that village; instead of that, he led directly upon it; the 74th, which were on the right of the first line, followed the picquets, and the great loss we sustained was in these two bodies. Another evil which resulted from this mistake was the necessity of introducing the cavalry into the cannonade and the action, long before it was time, by which that corps lost many men and its unity and efficiency, which I intended to bring forward in a close pursuit at the heel of the day. But it was necessary to bring forward the cavalry to save the remains of the 74th and the picquets which would otherwise have been entirely destroyed. Another evil resulting from it was, that we had then no reserve left, and a parcel of straggling horse cut up our wounded; and straggling infantry, who had pretended to be dead, turned their guns upon our backs.

'After all, notwithstanding the attack upon Assye by our right and the cavalry, no impression was made upon the corps collected there, till I made a movement upon it with some

'troops taken from our left after the enemy's right had been defeated; and it would have been as well to have left it alone entirely till that movement was made. However, I do not wish to cast any reflection upon the officer who led the picquets. I lament the consequences of his mistake: but I must acknowledge that it was not possible for a man to lead a body into a hotter fire than he did the picquets on that day against Assye.

'After the action there was no pursuit, because our cavalry was not then in a state to pursue. It was near dark when the action was over; and we passed the night on the field of battle.

'Colonel Stevenson marched with part of his corps as soon as he heard that I was about to move forward, and he also moved upon Bokerdun. He did not receive my letter till evening. He got entangled in a nullah in the night, and arrived at Bokerdun, about eight miles from me to the westward, at eight in the morning of the 24th.

'The enemy passed the night of the 23rd at about twelve miles from the field of battle, twelve from the Adjutee Ghaut, and eight from Bokerdun. As soon as they heard that Colonel Stevenson was advancing to the latter place, they set off, and never stopped till they had got down the Ghaut, where they arrived in the course of the night of the 24th. After his difficulties of the night of the 23rd, Colonel Stevenson was in no state to follow them, and did not do so till the 26th. The reason for which he was detained till that day was that I might have the benefit of the assistance of his surgeons to dress my wounded soldiers, many of whom, after all, were not dressed for nearly a week for want of the necessary number of medical men. I had also a long and difficult negotiation with the Nizam's airdars to induce them to admit my wounded into any of the Nizam's forts; and I could not allow them to depart until I had settled that point. Besides, I knew that the enemy had passed the Ghaut, and that to pursue them a day sooner or a day later would make no difference. Since the battle Stevenson has taken Burhanpoor and Asseerghur. I have defended the

regiment of Native Infantry, and six companies of a second. Early in the morning of the 10th of July, 1808, the sepoys rose upon their European officers and upon the British part of the garrison, and killed thirteen officers and a considerable number of men. Intelligence of the outbreak having been conveyed to Arcot, nine miles distant, Lieutenant-Colonel Gillespie,* then in command of the 19th Dragoons, galloping over to Vellore with a squadron of his regiment, a troop of Native Cavalry, and two galloper guns, rescued the survivors, who had established themselves in the ramparts partially under cover, where they were able to keep their assailants at bay. The fort was speedily in the possession of the British troops, and three or four hundred sepoys were cut down or bayoneted, and a still larger number made prisoners.

There was considerable difference of opinion as to the cause of the outbreak. Many persons, and among them the Governor of Madras, attributed it to a wide-spread plot to massacre the English and to restore Mussulman rule in Mysore, if not also in the Carnatic and other parts of the Presidency—a plot to which it was supposed that some of the poligars in the Ceded Districts were privy. Others ascribed it to certain regulations recently issued, prohibiting the sepoys from wearing caste marks when in uniform and from wearing beards, and prescribing a head-dress, which, somewhat resembling an English hat, was supposed to have been ordered with the intention of compelling the sepoys to become Christians. Munro held the latter opinion. Replying to a letter on the subject from Lord William Bentinck, he stated that 'the restoration of the Sultan never could alone have been the motive for such a conspiracy. Such an event could have been desirable to none of the Hindus who form the bulk of the native troops, and only to a part of the Mussulmans. The general opinion of the most intelligent natives' in the Ceded Districts 'was that it was intended to make the sepoys Christians.' This was also the view taken by the Home authorities, who recalled the Governor, Lord William Bentinck, and also the Commander-in-chief, Sir John Cradock.

* Colonel Gillespie, a most gallant officer, caused himself on this occasion to be hoisted by a rope by the men of the 69th on to the ramparts. He subsequently distinguished himself

greatly in the war in Java in 1811. Three years later, in the war with Nepal, he was killed when storming the fortified position of Kalunga.

CHAPTER V.

Munro's return to England—Eulogium passed by the Madras Government—Lord W. Bentinck's letter—Testimonial from Assistants in Ceded Districts and Canara—Appellation bestowed upon him by the natives—Sentiments on leaving India—Death of his mother—Decaying faculties of his father—Charter discussions—Attacks on the East India Company—Lord Grenville's speech—The trade question of the outports—Previous removal of restrictions by Lord Wellesley—Other questions discussed—Munro's views on the trade question—Remarks on the habits of the Hindus—His views on military questions—On the judicial system and police—Appointment on special commission to Madras.

LIEUTENANT-COLONEL MUNRO (he had attained that rank in 1804) resigned his appointment in the Ceded Districts in October, 1807, preparatory to returning to England on furlough. He had held his office for seven years—a long time for the tenure of an office in India, where, owing to the climate and the consequent failure of health, changes in the personnel of the English officials are so frequent. He had gained the approbation of his official superiors, the esteem and regard of his subordinates, and the confidence and veneration of the people. In announcing to the Court of Directors Munro's relinquishment of the office of Principal Collector, the Madras Government expressed their hope that the exertions which had been 'made by Lieutenant-Colonel Munro in the advancement of the public service under circumstances of extreme difficulty, and with a degree of success unequalled in the records of this, or probably of any other Government,' would 'receive a corresponding recompense in the approbation' of the Honourable Court. They observed that while gradually augmenting the annual revenues from twelve and a half lakhs to eighteen lakhs of star pagodas, Lieutenant-Colonel Munro had 'produced a general amelioration and improvement in the manners and habits' of the inhabitants of the Ceded Districts, under the influence of which, 'from disunited hordes of lawless plunderers and freebooters,' they had become 'as far advanced in civilization, submission to the laws, and obedience to the magistrates as any of the subjects' under the Madras

Government. 'The revenues,' they wrote, 'are collected with facility, every one seems satisfied with his situation, and the regret of the people is universal on the departure of the Principal Collector.'^{*}

The foregoing encomium was contained in an official despatch, based upon a Minute recorded by Mr. Petrie, who acted as Governor of Madras during the interregnum between the departure of Lord William Bentinck and the arrival of Sir George Barlow. Lord William Bentinck had left India a few weeks before Munro. He was, as I have said, a consistent supporter of Munro's ryotwár policy, and entertained a very high opinion of his services. In a letter which he addressed to Munro, not long before they both left India, he expressed himself in the following terms :—

I trust I need not take any pains to convince you of the sincere concern which I have felt at your intended departure. I say to you now, what I shall recommend to be stated in the most public manner, that the thanks of this Government are, in an especial manner, due to you for the distinguished and important services which you have been performing for the East India Company for so many years. These have been no ordinary revenue duties: on the contrary, the most difficult work that can be assigned to man has been most successfully accomplished by you. You have restored the extensive provinces committed to your charge, long infested by every species of disorder and calamity, private and public, to a state of prosperity, and have made them a most valuable acquisition to your country. It is satisfactory to know that the most important part of the revenue arrangement, the survey, which could scarcely have been executed under any other superintendence, has been completed before your departure. This will make the road, in respect to the revenues, easy for your successors. But I fear that in provinces not long since so very much disturbed, a continuance of the same good policy will be indispensable. It is to your advice that I must refer for determining by what arrangement these districts shall be hereafter managed—whether by a Principal and Subordinate Collectors, or by two or three separate sillah Collectors. The sillahs are the cheapest and most convenient mode. Are the servants at present there equal to the charge? The present arrangement was always, according to my judgment, the most eligible. A Principal Collector partaking of the confidence of Government is more particularly necessary as your successor. It may be expected that the absence of your authority and arrangements must be attended with some injurious effects. These effects may grow into serious consequences if there is not immediately established an able and efficient superintendence. It had occurred to me that Mr. Thackeray might be inclined, and would be the most proper person, from various considerations, to succeed you, in case the same arrangement as now obtains should be continued. I am desirous in the first instance to receive your sentiments upon this subject. My great and anxious object is to preserve to the Ceded Districts, as far as possible, a continuance of the same system, in all its parts and branches, by which such vast public benefits have been obtained.†

^{*} Gleig's Life, vol. ii. pp. 340, 341.

† Ibid., p. 344.

But it was not only by his official superiors that testimony was borne to Munro's merits as a public servant. Shortly after his return to England he received the following letter, signed by eight civil servants who had served under him in the Ceded Districts or in Canara :—

16th February, 1808.

DEAR SIR,

We have all had the happiness of serving under you, either in the Ceded Districts or in Canara. We admire the generosity, the kindness, and the magnanimous equality of temper which for eight years we constantly experienced from you, amidst sickness, difficulties, and fatigue. As public servants we can bear witness to the justice, moderation, and wisdom with which you have managed the important provinces under your authority. We know that the Ceded Districts hold your name in veneration and feel the keenest regret at your departure. As for ourselves, we attribute our success in life, in a great measure, to you, and think if we are good public servants, we have chiefly learnt to be so from your instruction and example. We are at a loss how to express our feelings; but we request your acceptance of a coup which Mr. Cochrane, your former deputy in the Ceded Districts, will have the honour to present to you.*

And of the confidence with which Munro had inspired the natives of the districts committed to his charge, very remarkable evidence is furnished by the following anecdote, mentioned in Colonel Wilks' 'Sketches of the South of India':—

I will not deny myself the pleasure (says Colonel Wilks) of stating an incident related to me by a respectable public servant of the Government of Mysore, who was sent in 1807 to assist in the adjustment of a disputed boundary between that territory and the district in charge of the Collector. A violent dispute occurred in his presence between some villagers, and the party aggrieved threatened to go to Anantipur and complain to their father. He perceived that Colonel Munro was meant, and found upon inquiry that he was generally distinguished throughout the district by that appellation.

Munro left India in October, 1807, and reached England in the April of the following year, after an absence of more than twenty-eight years. He had left England a lad of eighteen; he returned a middle-aged man of forty-six. He did not quit India without those misgivings which every man must feel after so prolonged an absence from his native country and from his family. Writing to his sister two years before his departure from the Ceded Districts, he remarked that correspondence between India and Scotland, between persons who had not seen each other for nearly thirty years, and who might never meet again, was like letters from the dead to the living.

* Gleig's Life, vol. ii. p. 243.

We are both so changed from what we were, that when I think of home and take up one of your letters, I almost fancy myself listening to a being of another world. No moral or religious book, not even the Gospel itself, ever calls my attention so powerfully to the shortness of life, as does in some solitary hour the recollection of my friends and of the long course of days and years that have passed away since I saw them.*

As the time drew near for his departure, these sentiments became mingled with anxiety as to how he should employ his time in England. He wrote:

What I am chiefly anxious about is what I am to do when I get home. I have no rank in the army there, and could not be employed upon an expedition to the Continent or any other quarter; and as I am a stranger to the generous natives of your isle, I should be excluded from every other line as well as military, and should have nothing to do but to lie down in a field like the farmer's boy and look at the lark sailing through the clouds. I wish to see our father and mother, and shall therefore make the voyage, but I much fear that I shall soon get tired of an idle life and be obliged to return to this country for employment.†

The wish expressed in the latter part of the foregoing extract was not destined to be gratified as regards one of his parents; for his mother had already died before his letter was written, and by the time he reached Scotland, his father, who had watched his career with pride, and up to a short time previously with unflagging interest, had begun to fail in mind, as well as in body, and was but little capable of enjoying the pleasure which, under other circumstances, he would have derived from renewed intercourse with his son.

Munro remained in England upwards of six years. During the earlier part of this period he spent a good deal of his time in Scotland, principally in Edinburgh; but he subsequently removed to London, where he was much consulted on questions at that time engaging the attention of the Court of Directors and of the Government. When Munro returned from India in 1808, the charter, under which the East India Company were invested with the government of India and carried on their trade, had only five years to run, and preparations were already being made, on the one side by the Directors of the Company to defend, and on the other by their enemies to attack, the further continuance of the privileges, especially in respect of the trade, which had been continued to the Company by the Charter Act of 1793.

No serious opposition was offered to the continuance to the Company of their territorial powers, if we except a remarkable speech

* Gleig's Life, vol. i. p. 403.

† Ibid., p. 418.

by Lord Grenville, who denounced the union of the functions of a sovereign with those of a trader, and declared that 'twenty years' was too long a period for farming out the commerce of half the globe and the government of sixty millions of people,' and that the government of India ought to be vested in the Crown; the patronage difficulty being got rid of by the adoption of a system of open competition for the Civil Service, and by conferring the military cadetships, by some fixed plan, upon the sons of officers who had died in the discharge of their duties.* But these sentiments were nearly half a century in advance of the time at which they were uttered, and did not find supporters. As regards the continuance of the trade monopoly, the case was different. Here the claims advanced by the Company, who sought to maintain their privileges intact, encountered a strenuous opposition, and the result was, that while the monopoly of the trade with China was continued to the Company for a further period of twenty years, as well as liberty to pursue its trade with India, the latter trade was thrown open to the nation, though with the restriction that no private vessel employed in it should be of larger dimensions than four hundred tons.

The question upon which the most animated discussion took place, was that of extending the export and import trade with India to the provincial ports, or outports, as they were then called, of Great Britain. When the provisions of the new charter were first brought under consideration, the Government proposed to limit the extension of the trade to vessels sailing from and to the port of London; but as the discussion advanced, the merchants of Liverpool, Glasgow, and the other leading provincial ports brought so much pressure to bear upon the Government, that, notwithstanding the most urgent protests of the Court of Directors and of the Court of Proprietors of the East India Company, the proposed limitation was abandoned.

This question of throwing open the trade with India was one which could not have been postponed for many years; for the trade had grown beyond the capacity of a single company, whose servants were engaged in the arduous task of forming and consolidating an extensive empire, to make adequate provision for it. Fifteen years before, Lord Wellesley had found it necessary to give additional facilities to the merchants of Calcutta, by chartering a number of vessels built at that port, where shipbuilding was being extensively

* Wilson's 'Continuation of Mill's History of India,' vol. vii. pp. 563, et seq.

carried out, and reletting them to private merchants, with liberty to make their own arrangements with the proprietors. This measure, though highly disapproved of by the Court of Directors at the time, was necessary in order to secure to Great Britain the trade of India, then being rapidly diverted to foreign countries, to whose vessels the Indian ports were free. In 1797 the imports and exports of American, Portuguese, and Danish vessels had exceeded a million and a half sterling, and in September, 1800, there were 8500 tons of foreign shipping, under foreign colours, lying in the Hooghly, while the India-built shipping anchored at the port amounted to 10,000 tons. Moreover, during the interval which elapsed before the renewal of the charter, two circumstances occurred which tended to hasten the removal of the restrictions on the Indian trade. One was the rapid advance of English manufactures; the other, the war in Europe, which closed the ports of the Continent to British trade. Another question which was much discussed at this time was the expediency of permitting a free resort to India of Englishmen not in the service of the East India Company.

Besides such questions as these, which, affecting as they did the personal interests of Englishmen, excited considerable interest in Parliament and throughout the country, there were others, connected with the internal administration of India—such as the system of land tenure, the judicial system, and the police—which underwent careful investigation, and in reference to which consultation was held with some of the most eminent Indian officials in England at the time. A searching inquiry was instituted by a Select Committee of the House of Commons, whose celebrated Fifth Report constitutes a most valuable repertory of information regarding the progress of Indian administration up to 1812.

On all the questions which were thus brought under investigation, Munro was consulted, and in most cases the information which he contributed, and the opinions which he expressed, largely influenced their settlement. The evidence given by him before the House of Commons, and the promptitude and clearness of his replies, produced a most favourable impression. It was mainly, if not entirely, owing to his influence that the plan of applying the Bengal system of land revenue to the rest of India was finally abandoned, and the ryotwár system authorized for the districts in the Madras and Bombay Presidencies which had not been already brought under permanent settlement. And his views on the judicial system and the police so highly commended themselves to

the most influential persons at the Board of Control and in the Court of Directors, that it was resolved to send him back to Madras on a special commission, for the purpose of preparing on the spot a scheme for giving effect to them.

On the question of throwing open the trade Munro was in favour of tentative measures. He had little sympathy with the outcry raised against the Company's monopoly, which, in his opinion, had been the source of many great national advantages, enabling it to acquire the extensive dominions then under British rule in India. He observed :

These territories never could have been acquired, had there not existed a Company possessing the exclusive trade, directing their undivided attention constantly to India, and employing their funds in extending their dominions. The whole of the merchants of Britain, trading separately, could neither have undertaken nor accomplished so magnificent an enterprise.

The Company are willing that the trade should be thrown open to the port of London ; but this, it is asserted, will not afford a wide enough range for the skill and enterprise of British merchants. But are these qualities monopolized by the outports ? Have not the London merchants their full share, and have they not capital sufficient to carry on all the Indian trade which the most visionary theorist can look for ? If freedom of trade is claimed on the ground of right, and not of expediency, every port in the kingdom ought to enjoy it ; for they have all the same right abstractedly. But unfortunately it is necessary to withhold the benefit from them, because the warehouse system and custom houses are not yet sufficiently spread along our coasts ; or, in other words, because a great increase of smuggling would undoubtedly ensue. The East India Company are attacked from all quarters, as if they, alone in this kingdom, possessed exclusive privileges. But monopoly pervades all our institutions. All corporations are inimical to the natural rights of British subjects. The corn laws favour the landed interest at the expense of the public. The laws against the export of wool, and many others, are of the same nature ; and likewise those by which West India commodities are protected, and enhanced in price. It would be better for the community that the West India planter should be permitted to export his produce direct to all countries, and that the duties on East India sugar, etc., should be lowered. When the petitioners against the Company complain that half the globe is shut against their skill and enterprise, and that they are debarred from passing the Cape of Good Hope and Cape Horn, and rushing into the seas beyond them, with their vessels deeply laden with British merchandise, they seem not to know that they may do so now ; that all private traders may sail to the western coast of America, to the eastern coast of Africa, and to the Red Sea ; and that India, China, and the intervening tract only are shut. Some advantage would undoubtedly accrue to the outports by the opening of the trade. But the question is, would this advantage compensate to the nation for the injury which the numerous establishments in the metropolis connected with India would sustain, and the risk of loss on the Company's sales, and of their trade by smuggling ? . . .

It yet remains doubtful whether or not the trade can be greatly increased ; and as it will not be denied that London has both capital and mercantile

knowledge in abundance to make the trial on the greatest scale, the danger to be apprehended from all sudden innovations ought to induce us to proceed with caution, and rest satisfied for the present with opening the trade to the port of London. Let the experiment be made; and if it should hereafter appear that London is unable to embrace the increasing trade, the privilege may then, on better grounds, and with less danger, be extended to other places. If Government cannot clearly establish that no material increase of smuggling, and no loss in the Company's sales, and consequent derangement of their affairs, would ensue from allowing the outports to import direct from India, they should consider that they are risking great certain benefits for a small contingent advantage.*

Munro did not anticipate any considerable increase in the demand for British manufactures by the natives of India, unless by very slow steps, and at a very distant period. He wrote :

No nation will take from another what it can furnish cheaper and better itself. In India, almost every article which the inhabitants require, is made cheaper and better than in Europe. Among these are all cotton and silk manufactures, leather, paper, domestic utensils of brass and iron, and implements of agriculture. Their coarse woollens, though bad, will always keep their ground from their superior cheapness : their finer camblets are warmer and more lasting than ours.

Glass-ware is in little request, except with a very few principal natives, and among them is confined to mirrors and lamps; and it is only such natives as are much connected with Europeans who purchase these articles. They keep them, not to gratify their own taste, but to display to their European friends, when they receive their occasional visits : at all other times they are put out of the way as useless incumbrances. Their simple mode of living, dictated both by caste and climate, renders all our furniture and ornaments for the decoration of the house and the table utterly unserviceable to the Hindus : living in low mud houses, eating on the bare earth, they cannot require the various articles used among us. They have no tables; their houses are not furnished, except those of the rich, which have a small carpet, or a few mats and pillows. The Hindus eat alone, many from caste in the open air, others under sheds, and out of leaves of trees in preference to plates. But this is the picture, perhaps, of the unfortunate native reduced to poverty by European oppression under the Company's monopoly? No, it is equally that of the highest and richest Hindu in every part of India. It is that of the Minister of State. His dwelling is little better than a shed : the walls are naked, and the mud floor, for the sake of coolness, is every morning sprinkled with a mixture of water and cow-dung. He has no furniture in it. He distributes food to whoever wants it, but he gives no grand dinners to his friends. He throws aside his upper garment, and, with nothing but a cloth round his loins, he sits down half-naked, and eats his meal alone, upon the bare earth, and under the open sky.†

In regard to imports from India, Munro remarked that India was capable of supplying to any extent most of the articles at that time imported, and that every measure by which the demand could be enlarged, and the supply facilitated, of those commodities which do

not interfere with our own manufacture, would promote the national prosperity. The demand for Indian cotton goods in the English market had already begun to fall off, owing to the improvement of the manufacture in England, and Munro foresaw that it would fall still lower, though apparently he did not anticipate the great extent to which the native manufacture would be superseded, at no very distant date, by the products of the Lancashire mills. His views on the trade question, and his opposition to the complete abolition of the monopoly, if judged by the light which subsequent experience has thrown upon the subject, may perhaps appear to have been deficient in that sagacious foresight which usually characterized his opinions; but there is enough in the foregoing extracts to show that he was by no means ignorant of the true principles of economic science,* and that he was only deterred

* Twelve years later, but many years before the principles of free trade had been thoroughly recognized in this country, Munro made the following remarks in a letter to a friend in Scotland with reference to Mr. Huskisson's commercial policy :—
‘It is surprising to think that we should only just now be beginning to act upon them (the doctrines of Adam Smith): the delay is certainly not very creditable to our policy. Our best apology is perhaps the American and the French revolutionary wars, during the long course of which the nation was so harassed that there was no time for changing the old system. The nation was just beginning to recover from the American war when the Revolution in France began, and had that event not taken place I have no doubt that Mr. Pitt would have done what we are now doing. I am not sure that you are not indebted to your old friend, the East India Company, for the measure not having been longer delayed. The attack upon their monopoly by the delegates in 1812-13 excited discussions, not only upon their privileges, but upon all privileges and restrictions and the true principles of trade, which probably prepared the minds of men for acceding to the new system sooner than they otherwise would have done. Even now there seems to be too much solicitude about protecting duties: they may for a limited time be expedient where capital cannot be easily withdrawn; but in all other cases why not abolish them at once? There is another

point on which anxiety is shown where I think there ought to be none—I mean that of other nations granting similar remissions on our trade. Why should we trouble ourselves about this? We ought surely not to be restrained from doing ourselves good, by taking their goods as cheap as we can get them, merely because they won't follow our example. If they will not make our goods cheaper and take more of them, they will at least take what they did before; so that we suffer no loss on this, while we gain on the other side. I think it is better that we should have no engagements with foreign nations about reciprocal duties, and that it will be more convenient to leave them to their own discretion in fixing the rate, whether high or low. India is the country that has been worst used in the new arrangement. All her products ought undoubtedly to be imported freely into England upon paying the same duties, and no more, which English products pay in India. When I see what is done in Parliament against India, I think that I am reading about Edward III. and the Flemings.’

The following remarks by Dr. Horace Hayman Wilson, in his ‘Continuation of Mill's History of India,’ which was published in 1845, on the history of the trade in cotton goods with India, serve to illustrate the latter part of the foregoing extract :—
‘It is a melancholy instance of the wrong done to India by the country on which she had become dependent. It was stated in evidence that the

* Minutes, pp. 498—500

† Ibid., pp. 491. 492

from assenting to their immediate application to the case under discussion by a consideration of the peculiar and anomalous circumstances under which the British Empire in India, at that time still in a condition of growth, had been formed, and by the conservative tendency which disinclined him to alter any existing institutions that notwithstanding occasional defects, were on the whole working well, for the sake of theoretical advantages, the certainty of which had not been established.

Munro was also opposed to the unrestricted admission of Europeans into India, but his objections on this point do not seem to have been very strong. Owing to the commercial habits of the natives, and the superior economy of their mode of life, he saw no prospect of any considerable number of Europeans being able to make a livelihood in the country. He said in his evidence before the House of Commons:

The people of India are as much a nation of shopkeepers as we are ourselves. They never lose sight of the shop: they carry it into all their concerns, religious and civil. All their holy places and resorts for pilgrims are so many fairs for the sale of goods of all kinds. Religion and trade are in India sister arts: the one is seldom found in any large assembly without the society of the other. It is this trading disposition of the natives which induces me to think it impossible that any European traders can long remain in the interior of India, and that they must all sooner or later be driven to the coast. What the European trader eats and drinks in one month, would make a very decent mercantile profit for the Hindu for twelve. They do not, therefore, meet upon equal terms: it is like two persons purchasing in the same market, the one paying a high duty, the other none. The extra duty paid by the European is all the difference between his own mode of living and that of the Hindu.*

But the subjects upon which Munro's opinions deservedly car-

' cotton and silk goods of India, up to this period, could be sold for a profit in the British market at a price from fifty to sixty per cent. lower than those fabricated in England. It consequently became necessary to protect the latter by duties of seventy and eighty per cent. on their value, or by positive prohibition. Had this not been the case, had not such prohibitory duties and decrees existed, the mills of Paisley and of Manchester would have been stopped at their outset, and could scarcely have been again set in motion, even by the powers of steam. They were created by the sacrifice of the Indian manufacture. Had India been independent, she would have retaliated; would have imposed preventive duties upon British goods, and would

' thus have preserved her own productive industry from annihilation. This act of self-defence was not permitted to her: she was at the mercy of the stranger. British goods were forced upon her without paying any duty; and the foreign manufacturer employed the arm of political injustice to keep down and ultimately strangle a competitor with whom he could not have contended on equal terms.' These facts may well be pondered by the statesmen and manufacturers, who, in the interests of Lancashire, are now bent upon depriving India of the revenue which she derives from a moderate import duty upon cotton goods and which she can ill afford to lose.

* Minutes, p. 488.

CHAPTER VII.

Munro appointed Governor of Madras—Governors of Indian Presidencies not usually selected from the Indian services—Reasons for Munro's appointment—His feelings on the subject—Banquet given by Court of Directors—Mr. Canning's speech—Munro's arrival at Madras—His relations with his Council—His work—Special questions—Condition of Ceded Districts—Emoluments of revenue and judicial officials—Training of junior civil servants—Employment of natives in the public service—Education of natives—The Indian press—Munro's varied knowledge of Indian business—His habits—His intended retirement—Madras famine of 1824—Munro's views on famines—War with Burma—Munro's active co-operation with the Governor-General—Recognition of his services in connection with the war—Munro again tenders his resignation—Delay in appointing his successor—His death—Public testimonies borne to his services—Compared with Elphinstone, Malcolm, and Metcalfe.

MUNRO's stay in England on this occasion was very short. A few weeks after his arrival, he received intimation that he had been nominated Governor of Madras in succession to Mr. Elliot. For many years the custom had been to appoint to the Governor-Generalship and to the Governorship of Madras persons not connected with the Indian services. Since the retirement of Warren Hastings in 1785, Sir John Shore (afterwards Lord Teignmouth) and Sir George Barlow had been the only Governors-General appointed from home who had risen in the Indian service, and in the case of Sir George Barlow the appointment had only been made as a temporary measure, and notwithstanding the strenuous efforts of the Court of Directors to obtain its confirmation for the usual period, had been cancelled by the ministry after the lapse of a few months. Similarly in Madras, from the date of Lord Macartney's accession to the Government in 1781, with the exception of occasional intervals, when, in pursuance of the Act of 1784, the Senior Member of Council acted as Governor between the departure of one Governor and the arrival of his successor, the only Indian official who had held the office was Sir George Barlow,

to whom it was given as some compensation for the loss of the Governor-Generalship. In Bombay more delay had occurred in giving effect to the new policy, Mr. Jonathan Duncan, an eminent Bengal civilian, having held the Governorship from December, 1795, until his death in August, 1811; but his successor, Sir Evan Nepean, was a stranger to India, and the intention was to adopt in future, in regard to Bombay, the policy which had of late years been followed in respect of Bengal and Madras.* There was much to be said in favour of that policy. The low standard of official morality which prevailed in India a hundred years ago, and the necessary unfitness for offices demanding high administrative capacity, of men whose duties, for the most part, had been of a commercial character, went far to justify the policy of looking beyond the civil servants of the Company for persons qualified to fill the chief places in the several Presidencies. But during the thirty-four years which had elapsed since the passing of Mr. Pitt's India Bill, great changes had taken place. The Government of the Company, engaged at the beginning of that period in a struggle for existence, the issue of which was then uncertain, had succeeded in 1818 in establishing its supremacy throughout the whole of the peninsula. In the course of the war just brought to a close, and during many years preceding it, services of the most conspicuous merit, administrative, political, and military, had been rendered by servants of the Company—services which it was not only just, but eminently politic, to recognize in a special manner. Mr. Canning, who still presided at the Board of Control, discerning the require-

* In the Diary of Lord Ellenborough, which has been lately published, there is the following curious account of a conversation with the Duke of Wellington, at the time Prime Minister, regarding the appointment of a Governor of Bombay:—

'After seeing the Chairs spoke to the Duke about the Bombay succession. He asked what I meant to do with Elphinstone. I considered he had left India altogether. The Duke thought he must return—that he would go to Bombay again, with the expectation of afterwards going to Madras. I think the Duke has an idea of making him Governor-General. I mentioned Mr. Chaplin. The Duke mentioned Mr. Jenkins, of whom he thought highly. He had done well at Nagpore, and he had had some correspondence with him when in India, which gave him a good opinion of him. The Duke

'spoke of Mr. Russell, but thought he had been mixed up with the Hyderabad transaction. I then mentioned Clare. The Duke thought him better than any of the others mentioned—that it was a great thing to have a man of rank; he must be well supported; he had not a very strong mind. However, on the whole he seemed better than the others, and I am to propose him. I am very glad to have Clare. I have a great respect and regard for him—but I have a little hesitation as to his fitness. He will, however, be a most zealous and honourable servant of the public, and his good manners will keep people in good humour and in order.'

Lord Clare is not the only Indian Governor in regard to whose fitness for the office doubts must have been entertained by those who sent him out.

influence which he was able to exert over the people of the country. In the latter respect the reputation which a few years before he had established in the adjoining district of Ballari, stood him in good stead. To the Canarese agriculturists of the Southern Mahratta Provinces he was known by repute as a just and considerate ruler; and accordingly, in his military operations, he met with support instead of opposition from the people of the country. Munro's services on this occasion elicited high praise from the Governor-General; and when, after the termination of the war, Mr. Canning moved in the House of Commons a vote of thanks to the army and its commanders, he referred to Munro in terms of panegyric such as seldom have been applied to a public servant.

At the southern extremity (Mr. Canning said) of this long line of operations, and in a part of the campaign carried on in a district far from public gaze, and without the opportunities of early special notice, was employed a man whose name I should indeed have been sorry to have passed over in silence. I allude to Colonel Thomas Munro, a gentleman of whose rare qualifications the late House of Commons had opportunities of judging at their bar, on the renewal of the East India Company's charter, and than whom Europe never produced a more accomplished statesman, nor India, so fertile in heroes, a more skilful soldier. This gentleman, whose occupations for some years must have been rather of a civil and administrative than a military nature, was called early in the war to exercise abilities which, though dormant, had not rusted from disuse. He went into the field with not more than five or six hundred men, of whom a very small proportion were Europeans, and marched into the Mahratta territories to take possession of the country which had been ceded to us by the treaty of Poona. The population which he subjugated by arms, he managed with such address, equity, and wisdom, that he established an empire over their hearts and feelings. Nine forts were surrendered to him or taken by assault on his way, and at the end of a silent and scarcely observed progress, he emerged from a territory heretofore hostile to the British interest, with an accession instead of a diminution of force, leaving everything secure and tranquil behind him. This result speaks more than could be told by any minute and extended commentary.

During the whole of these operations much of Munro's time was occupied with the discharge of civil functions; for, in addition to the arduous duties of his military command, he retained the office of Commissioner for the districts ceded by the treaty of Poona. He was his own civil and political officer, and until the headquarters of the reserve division joined him, he had no military staff. Writing on the 24th of March to his friend and colleague in the Judicial Commission at Madras, Mr. Stratton, who had applied to him for assistance in some matter connected with the business of that Commission, which he was engaged in winding up, Munro says:—

I can be of no use to you while the war lasts. I shall never be able to command six hours' leisure, which you think enough; and even if I had this

leisure, I should be thinking of more immediate concerns than laws and regulations. I have five and twenty amildars on my hands, with a list of about seven thousand peons, or what is called in the newspapers, irregular infantry. I have also the command of regular troops, the political management of the southern jagirdars, and much more than I can well attend to. I should be delighted to have a few weeks' leisure with you at Madras to finish whatever is wanting; but you must expect nothing from me while I am on this side of the Tongabadra. You can do what is wanting yourself better than any one else.*

Munro's duties at this time brought him into constant correspondence, both official and private, with Mr. Mountstuart Elphinstone, then Resident at the Court of the Peshwa, and shortly afterwards Governor of Bombay, of whose ability Munro entertained a high opinion, and with whom his relations were most cordial. Another frequent correspondent was Sir John Malcolm, Munro's colleague at Seringapatam in 1799, between whom and Munro there had ever since existed a fast friendship. When one thinks of the personal jealousies which in India, as in other parts of the world, so often disturb the relations of public officers to the great detriment of the public service, it is refreshing to observe the utter absence of all such feelings in the intercourse of these three eminent men. Thus, when the question of the arrangements to be made for the management of the newly conquered provinces was under consideration, we find Munro writing to Malcolm that nobody was so well qualified for the duty as Elphinstone; and when the military operations in that part of the country had been completed by the capture of Sholapur, we see Elphinstone foremost in bringing to notice the brilliancy of the services rendered by Munro; while at an early stage of the operations Malcolm describes them in the following glowing terms:—

I send you a copy of a public letter from Tom Munro Sahib, written for the information of Sir Thomas Hislop. If this letter makes the same impression upon you that it did upon me, we shall all recede as this extraordinary man comes forward. We use common vulgar means, and go on zealously and actively and courageously enough; but how different is his part in the drama! Insulated in an enemy's country, with no military means whatever (five disposable companies of sepoy were nothing), he forms the plan of subduing the country, expelling the army by which it is occupied, and collecting the revenues that are due to the enemy, through the means of the inhabitants themselves, aided and supported by a few irregular infantry whom he invites from the neighbouring provinces for that purpose. His plan, which is at once simple and great, is successful in a degree which a mind like his could alone have anticipated. The country comes into his hands by the most legitimate of all modes, the zealous and spirited efforts of the natives to place themselves under his rule and to enjoy the benefits of a government which, when admin-

* Gleig's Life, vol. ii. p. 61

istered by a man like him, is one of the best in the world. Munro, they say, has been aided in this great work by his local reputation, but that adds to his title to praise. His popularity in the quarter where he is placed is the result of long experience of his talents and virtues, and rests exactly upon that basis of which an able and good man may be proud.*

The letters written by Munro about this time contain interesting remarks on various matters connected with the political situation. Nearer acquaintance with the Mahrattas and their system had led him to form a more unfavourable opinion of their power for mischief than at one time he had entertained. He wrote:

The Mahratta Government has been one of the most destructive that ever existed in India. It never relinquished the predatory spirit of its founder, Sivaji. That spirit grew with its power, and when its empire extended from the Ganges to the Cávery, this nation was little better than a horde of imperial thieves. All other Hindu states took a pride in the improvement of the country, and in the construction of pagodas, tanks, canals, and other public works. The Mahrattas have done nothing of this kind: their work has been chiefly desolation. They did not seek their revenue in the improvement of the country, but in the exactions of the established chout from their neighbours and in predatory incursions to levy more.†

Again:

It is fortunate for India that the Peshwa commenced hostilities and forced us to overthrow his power, for the Mahratta Government from its foundation has been one of devastation. It was continually destroying all within its reach and never repairing. The effect of such a system has been the diminution of the wealth and population of a great portion of the peninsula of India.‡

On the other hand, Munro considered the power and the numerical strength of the Pindaris to have been from the first greatly exaggerated. He did not estimate the aggregate number of their troops at more than seven or eight thousand men.

All the possessions of the Pindaris were confined to a few small districts in Málwa, which would not have maintained half that number. If we suppose that as many more were maintained by plunder, it is making a great allowance; for plundering, though destructive to the inhabitants, is not always profitable to the plunderers, who often lose more than they gain, by various accidents, before they reach their homes through a hostile country. The Pindari chiefs cannot bring large bodies into the field; but it is a part of their system to magnify their force, in order to strike terror and to prevent resistance. Secrecy and expedition are essential to their success, and it is only in small parties that they can move rapidly and elude pursuit.§

They never would have ventured to enter our territory, had they not discovered that we were restrained from following them into their own. This conduct of the Indian Government, which I suppose was owing to orders from home, produced the consequence which everybody here foresaw. The Pindaris, when they saw that they had nothing to fear if they could only get safe back with their plunder to their own country, were encouraged to repeat their depredations in ours.

* Gleig's Life, vol. ii. p. 61.

† Ibid., p. 14.

‡ Ibid., p. 77.

§ Ibid., p. 67.

¶ Ibid., p. 41.

It will be remembered that at one time Munro was an ardent supporter of the system of subsidiary alliances with native states. He had now come to the conclusion that any farther development of the system was inexpedient. The increased power of the British Government in India, and the comparative weakness of the native states, combined with other considerations, led him to think that this part of Lord Wellesley's policy should not be carried further. The following cogent remarks on the subject are contained in a letter addressed to the Governor-General before the commencement of the war:—

There are many objections to the employment of a subsidiary force. It has a natural tendency to render the government of every country in which it exists, weak and oppressive, to extinguish all honourable spirit among the higher classes of society, and to degrade and impoverish the whole people. The usual remedy of a bad government in India is a quiet revolution in the palace, or a violent one by rebellion or foreign conquests. But the presence of a British force cuts off every chance of remedy, by supporting the prince on the throne against every foreign and domestic enemy. It renders him indolent by teaching him to trust to strangers for his security, and cruel and avaricious by showing him that he has nothing to fear from the hatred of his subjects. Wherever the subsidiary system is introduced, unless the reigning prince be a man of great abilities, the country will soon bear the marks of it in decaying villages and decreasing populations. This has long been observed in the dominions of the Peshwa and the Nizam, and is now beginning to be seen in Mysore. The talents of Purneah, while he acted as Diwán, saved that country from the usual effects of the system, but the Bájá is likely to let them have their full operation. He is indolent and prodigal, and has, besides the current revenue, dissipated about sixty lakhs of pagodas of the treasure laid up by the late Diwán. He is mean, artful, revengeful, and cruel. He does not take away life, but he inflicts the most disgraceful and inhuman punishments on men of every rank, at a distance from his capital, where he thinks it will remain unknown to Europeans, and, though young, he is already detested by his subjects.

A subsidiary force would be a most useful establishment, if it could be directed solely to the support of our ascendancy, without nourishing all the vices of a bad government; but this seems to be almost impossible. The only way in which this object has ever in any degree been attained, is by the appointment of a Diwán. This measure is no doubt liable to numerous objections; but it is still the only one by which any amends can be made to the people of the country for the miseries brought upon them by the subsidiary force in giving stability to a vicious government. The great difficulty is to prevent the prince from counteracting the Diwán, and the Resident from meddling too much; but where this is avoided, the Diwán may be made a most useful instrument of government.

There is, however, another view under which the subsidiary system should be considered—I mean that of its inevitable tendency to bring every native state into which it is introduced, sooner or later, under the exclusive dominion of the British Government. It has already done this completely in the case of the Nawáb of the Carnatic. It has made some progress in that of the Peshwa and the Nizam, and the whole of the territory of these princes will unquestionably

suffer the same fate as the Carnatic. The observation of Moro Dekshat, in speaking of the late treaty to Major Ford, that 'no native Power could, from its habits, conduct itself with such strict fidelity as we seemed to demand,' is perfectly just. This very Peshwa will probably again commit a breach of the alliance. The Nizam will do the same, and the same consequences, a further restriction of their power for our own safety, must again follow. Even if the prince were himself disposed to adhere rigidly to the alliance, there will always be some amongst his principal officers who will urge him to break it. As long as there remains in the country any high-minded independence which seeks to throw off the control of strangers, such counsellors will be found. I have a better opinion of the natives of India than to think that this spirit will soon be completely extinguished, and I can therefore have no doubt that the subsidiary system must everywhere run its full course and destroy every government which it undertakes to protect.

In this progress of things, the evil of a weak and oppressive government, supported by a subsidiary alliance, will at least be removed; but even if all India could be brought under the British dominion, it is very questionable whether such a change, either as regards the natives or ourselves, ought to be desired. One effect of such a conquest would be that the Indian army, having no longer any warlike neighbours to combat, would gradually lose its military habits and discipline, and that the native troops would have leisure to feel their own strength, and, for want of other employment, to turn it against their European masters. But even if we could be secured against every internal convulsion, and could retain the country quietly in subjection, I doubt much if the condition of the people would be better than under their native princes. The strength of the British Government enables it to put down every rebellion, to repel every foreign invasion, and to give to its subjects a degree of protection which those of no native Power enjoy. Its laws and institutions also afford them a security from domestic oppression unknown in those States; but these advantages are dearly bought. They are purchased by the sacrifice of independence, of national character, and of whatever renders a people respectable.* The natives of the British provinces may without fear pursue their different occupations as traders, mirásidárs, or husbandmen, and enjoy the fruits of their labours in tranquillity; but none of them can look forward to any share in the legislation or civil or military government of their country. It is from men who either hold or are eligible to public office that natives take their character: where no such men exist, there can be no energy in any other class of the community. The effect of this state of things is observable in all the British provinces, whose inhabitants are certainly the most abject race in India. No elevation of character can be expected among men who in the military line cannot attain to any rank above that of subahdár, where they are as much below an ensign as an ensign is below the Commander-in-chief, and who in the civil line can hope for nothing beyond some petty judicial or revenue office, in which they may by corrupt means make up for their slender salary.

If the British Government is not favourable to the improvement of the Indian character, its control through a subsidiary force is still less so. Its power is now so great that it has nothing to fear from any combination, and it

* In these remarks Munro seems hardly to have attached sufficient weight to the fact that for many centuries, in most parts of India, the

great mass of the population had been subjected to the rule of foreigners, in many cases to that of several foreign dynasties in succession.

is perfectly able to take satisfaction for any insult, without any extension of the subsidiary system being necessary. It will generally be found much more convenient to carry on war where it has not been introduced. This was the case in both the wars with Tippoo Sultan. The conquest was complete, because our operations were not perplexed by any subsidiary alliance with him. The simple and direct mode of conquest from without is more creditable, both to our armies and to our national character, than that of dismemberment from within by the aid of a subsidiary force. However just the motives may be from which such a force acts, yet the situation in which it is placed, renders its acting at all too like the movement of the Prætorian bands. It acts, it is true, only by the orders of its own Government, and only for public objects; but still it is always ready in the neighbourhood of the capital to dictate terms to, or to depose, the prince whom it was stationed there to defend.*

I have said that Munro was compelled, by the state of his health, to relinquish his appointments, both civil and military, in the Southern Mahratta country. Although his general health was good, the heavy work he had gone through, coupled with exposure to the sun, had so much impaired his eye-sight that rest from all work for a time was considered essential. He returned to Madras in the autumn of 1818 for the purpose of at once returning to England, but, owing to the difficulty of obtaining a passage in a suitable vessel, was detained until the 24th of January, 1819, when he and Mrs. Munro embarked, and touching at Ceylon and at St. Helena, reached England towards the end of June. Their eldest son, the present Sir Thomas Munro, was born on the voyage.

* Gleig's Life, vol. ii. pp. 7-10.

ments of the situation with that enlightened and liberal statesmanship which marked the whole of his political career, and recognizing the expediency of a temporary departure from the policy of his predecessors, resolved on appointing some of the most distinguished servants of the Company to Indian Governorships as vacancies occurred. Such a vacancy was at the moment impending at Bombay, and Mr. Canning accordingly sent an intimation of his views to the Court of Directors, coupling with it the names of Sir John Malcolm, Mr. Elphinstone, and Colonel Munro. Mr. Elphinstone was appointed to Bombay, and when, in the following year, the appointment of a successor to Mr. Elliot at Madras was brought under consideration, Munro was selected.

Honourable as the appointment was, and much as it would have gratified Munro some years previously, it was not without reluctance that he decided on accepting it. He was already fifty-eight years of age. He had served in India upwards of thirty-two years, much of that service having been passed in very trying climates, and latterly under circumstances involving great exposure. His duties during the greater part of the time had been most arduous. More than most men he had been used "to scorn delights and live laborious days," and it was not unnatural that he should long for a life of greater leisure, in which he could visit new and interesting scenes, and pass the residue of his days in the society of his family and friends. From an expression in a letter written to his sister in 1815, it would seem that he had contemplated the possibility, though not the probability, of his being promoted to high office. 'There is no situation,' he wrote, 'likely to fall to me in this country that I care about. There is but one that I think of any consequence, and even that in a few years will be indifferent to me.*' And when the appointment to which the foregoing remark not improbably referred, had been offered to and accepted by him, he could not help feeling that at his time of life the expatriation which it involved, was not without its drawbacks.

'This country' (he wrote, as he was waiting at Deal to embark) 'is the country of all our relations and of early life, and of all the associations connected with it. It is also the country of all the arts of peace and war, and of all the interesting struggles among statesmen for political power, and among radicals for the same object. It is near France and Italy and all the countries of the Continent, which I have earnestly wished to visit ever since I first read about them. The only objection I feel to going again to India is my age. I might now perhaps find employment in this country, and I have health enough to travel over Europe and visit whatever is remarkable for having been

* Gleig's Life, vol. i. p. 431.

'the scene of great actions in ancient times; but when I return from India, it will be too late to attempt to enter upon a new career in this country, and my eyes will probably be too old, if I am not so in other respects, to permit me to derive any pleasure from visiting the countries of the Continent.'*

It was with these feelings that Munro embarked for India in the last days of 1819. He had been appointed a Companion of the Bath for his military services in the Mahratta War, and before his departure he was promoted to the rank of Knight Commander. In conformity with the custom obtaining in those days, shortly before he sailed, he was entertained by the Court of Directors at a banquet, at which Mr. Canning gave expression in eloquent terms to the sentiments of general satisfaction with which Munro's appointment was regarded.

We bewilder ourselves (Mr. Canning said) in this part of the world with opinions respecting the sources from which power is derived. Some suppose it to arise with the people themselves, while others entertain a different view. All, however, are agreed that it should be exercised for the people. If ever an appointment took place to which this might be ascribed as the distinguishing motive, it was that which we have now come together to celebrate, and I have no doubt that the meritorious officer who has been appointed to the Government of Madras, will in the execution of his duty ever keep in view those measures which will best conduce to the happiness of twelve millions of people.

Sir Thomas and Lady Munro reached Madras on the 8th of June, 1820, having spent a fortnight on the way at Bombay as the guests of Mr. Elphinstone, with whom Munro wished to discuss various public matters. He took his seat as Governor immediately on landing, and at once entered upon the business of the office. At that time, as now, the Government of Madras consisted of a Governor and three Members of Council, of whom the Commander-in-chief was one, and the other two were members of the civil service. To a Governor possessing no previous acquaintance with Indian administration, the Council is a valuable and necessary aid; but in the case of a man of Munro's antecedents, such assistance was certainly not necessary, and it would not have been surprising if in the earlier period of his government he had found himself somewhat embarrassed by the opposition of his colleagues; for on some of the most burning questions of the day his policy was but little in accord with the views hitherto maintained in the Council, and only a few years had elapsed since his functions on the judicial Commission had been for a time paralyzed by the opposition which they encountered. But it does not appear that from the time of his assumption of the Governorship, Munro experienced

any difficulty in his relations with his Council. It is not improbable that his path was smoothed to some extent by the support which his views had already received from the Home Government; but, making every allowance for this consideration, much must be attributed to the fact that Munro possessed in an eminent degree those qualities of earnestness, patience, and toleration for the opinions of others, which go so far to disarm opposition. There never was a more constitutional Governor than Munro. The law having provided that he should discharge the duties of his high office in conjunction with a Council, he acted up to its provisions in the spirit as well as in the letter, treating his colleagues with invariable confidence and unreserve; and thus it came to pass that while there never was an Indian Government in which there was less friction between the Governor and the Council, there never was a Government which was more essentially the Government of the Governor, than the Madras Government was while Munro presided over it.

The unceasing work which had been Munro's lot in the more subordinate employments hitherto filled by him, was not destined to be materially diminished in his new office. The Governor had less of the drudgery of detail than the district officer. Questions came before him more fully prepared. As a general rule his duty was rather to decide on facts ascertained by the investigations of others than to go through the laborious task of investigating. But if the quality of the work was different, the quantity was much the same. The ordinary business was heavy. Before Munro had been many weeks in office, he found that not only was his time occupied by the necessary business of administration, but that much of it was taken up "in reading masses of papers and useless altercation between different departments." He wrote:

These require all my patience and a great deal more, for I have very little left. Nothing is so tiresome as to waste time in discussions of matters of no importance in themselves, but which derive some from the absurd heat of the combatants.

The remark made by an English statesman, which is quoted in Sir John Kaye's "Life of Lord Metcalfe," that "eloquence in India evaporates in scores of paragraphs," was only an epigrammatic description of the fact with which the new Governor found himself confronted. He wrote to Mr. Canning:

By not coming to India you have escaped the irksome task of toiling daily through heaps of heavy long-drawn papers. I never had a very high opinion of our records; but it was not until my last return that I knew that they contained such a mass of useless trash. Every man writes as much as he can,

* Gleig's Life, vol. ii. pp. 93, 94.

and quotes Montesquieu and Hume and Adam Smith, and speaks as if we were living in a country where people were free and governed themselves.

But besides the current work there were questions of special importance which pressed for settlement when Munro arrived at Madras, and chief among these was the condition of some of the districts, and especially of his old charge, the Ceded Districts, which had suffered grievously from the revenue experiments to which they had been subjected. The abolition of the ryotwár system, and the substitution for it of village leases to renters without any reduction in the assessment, had been very disastrous. Most of the renters had failed; the ryots were impoverished and the villages thrown back on the Government. In the Raidrúg táluk of the Ballári district most of the ryots had emigrated. The state of many of the other districts was no better. Most of the head men were reduced to poverty. Many of them had been sent to jail. The substantial ryots, whose stock supported the agriculture of the villages, were gone.* An immediate reduction of the assessment, which, indeed, had been recommended by Munro before he left the Ceded Districts in 1807, was necessary, with full liberty to the ryots to increase or diminish their cultivation, and these measures Munro and his Council ordered in anticipation of the sanction of the Court of Directors. But the issue of orders is one thing: their execution is another; and before the reforms directed by Munro could be brought into operation in such a manner as to effect their object, he had to remove two Collectors, of whom one by his obstinacy, and the other by his indolence, had practically defeated the intentions of the Government. In dealing with this matter, as with many others, Munro acted on the principle of seeing for himself, by visiting the districts concerned and ascertaining their condition on the spot. His thorough knowledge of Indian district administration and his command of the native languages were, of course, enormous advantages, and added greatly to the value of the tours through the country which he made frequently. On these occasions he invariably travelled by short stages, just as he had done as a Collector, though necessarily with a larger camp, making himself thoroughly accessible to the people. He usually took with him one of the Secretaries to Government and a Member of the Board of Revenue acquainted with the districts through which he was to pass, and at the end of his tour he embodied the results of his observations in a Minute, which was laid before the Council and formed the basis of the orders subsequently issued.

* Minutes, p. 112.

in the revenue line. An acquaintance with the customs of the inhabitants, but particularly of the ryots, the various tenures under which they hold their lands, the agreements usual among them regarding cultivation, and between them and soukars respecting loans or advances for their rents, and the different modes of assessment, is essential to a Judge; for questions concerning these points form the chief part of his business. A Judge who is ignorant of them, must often be at a loss on the most simple points; but as a knowledge of them can hardly be attained excepting in the revenue, it may be said that no man can be a good Judge who has not served in it. If this kind of knowledge be indispensable in a Zillah Judge, it is equally so in the Judges of the higher courts and the Secretaries to Government. It is on the right administration of the revenue that the prosperity of the country chiefly depends. If it be too heavy, or very unequally distributed, the effects are felt in every department. Trade is depressed as well as agriculture. Numbers of the lower orders of people are driven by necessity to seek a subsistence in theft and robbery. The better sort become dissatisfied, and give no help in checking the disorder. The roads become unsafe and the prisons crowded; and we impute to the depravity of the people the mischief which has probably been occasioned by injudicious taxation, or the hasty abolition or resumption of long-established rights and privileges. It is of importance that the higher officers of Government should always be able to trace the good or bad state of the country to its true cause, and that, with this view, they should in the early part of their service be employed in the revenue line in the provinces, because it is only there that they can completely see and understand its internal structure and administration.*

The observations embodied in the foregoing extracts may now appear to be trite expressions of long-established truths; but those truths, which in these days are regarded as axioms of Indian administration, were by no means so considered sixty years ago, and to Munro the credit is due of having first put them forward in such a form as to command the assent of wise and thoughtful men.

Munro had long been impressed with the necessity of more largely utilising native agency, and of abandoning the policy then in vogue of excluding the natives of India from all situations of trust or emolument.

Writing to Mr. Canning about a year after his arrival at Madras, he said:

Our present system of government by excluding all natives from power and trust and emolument is much more efficacious in depressing, than all our laws and school-books can do in elevating, their character. We are working against our own designs, and we can expect to make no progress while we work with a feeble instrument to improve and a powerful one to deteriorate. The improvement of the character of a people, and the keeping them at the same time in the lowest state of dependence on foreign rulers to which they can be reduced by conquest, are matters quite incompatible with each other.

There can be no hope of any great seal for improvement, when the highest acquirements can lead to nothing beyond some petty office, and can confer

* Minutes, pp. 563-564.

neither wealth nor honour. While the prospects of the natives are so bounded, every project for bettering their characters must fail, and no such projects can have the smallest chance of success unless some of those objects are placed within their reach, for the sake of which men are urged to exertion in other countries. This work of improvement, in whatever way it may be attempted, must be very slow, but it will be in proportion to the degree of confidence which we repose in them, and to the share which we give them in the administration of public affairs. All that we can give them without endangering our own ascendancy, should be given. All real military power must be kept in our own hands; but they might with advantage hereafter be made eligible to every civil office under that of a member of the Government. The change should be gradual, because they are not yet fit to discharge properly the duties of high civil employment according to our rules and ideas, but the sphere of their employment should be extended in proportion as we find that they become capable of filling properly higher situations.

We shall never have much accurate knowledge of the resources of the country or of the causes by which they are raised or depressed; we shall always assess it very unequally, and often too high, until we learn to treat the higher classes of natives as gentlemen, and to make them assist us accordingly in doing what is done by the House of Commons in England in estimating and apportioning the amount of taxation.*

Three years later, in an important Minute on the state of the country and condition of the people,† Munro wrote on this subject more at length:

With what grace can we talk of our paternal government, if we exclude the natives from every important office, and say, as we did till very lately, that in a country containing fifteen millions of inhabitants, no man but a European shall be entrusted with so much authority as to order the punishment of a single stroke of a rattan. Such an interference is to pass a sentence of degradation on a whole people, for which no benefit can ever compensate. There is no instance in the world of so humiliating a sentence having ever been passed upon any nation. The weak and mistaken humanity which is the motive of it, can never be viewed by the natives as any just excuse for the disgrace inflicted on them by being pronounced to be unworthy of trust in deciding on the petty offences of their countrymen. We profess to seek their improvement, but propose means the most adverse to success. The advocates of improvement do not seem to have perceived the great springs on which it depends: they propose to place no confidence in the natives, to give them no authority, and to exclude them from office as much as possible; but they are ardent in their zeal for enlightening them by the general diffusion of knowledge.

No conceit more wild and absurd than this was ever engendered in the darkest ages; for what is, in every age and every country, the great stimulus to the pursuit of knowledge, but the prospect of fame, or wealth, or power? or what is even the use of great attainments, if they are not to be devoted to

* Gleig's Life, vol. ii. pp. 186, 187.

† This Minute is dated 31st December, 1824. It is a comprehensive paper, dealing with questions of land revenue and tenures, as well as with the question of the employment and

advancement of natives in the public service. In the present collection the two parts of the Minute appear in separate sections of the collection: the first part in the Revenue, and the second in the Miscellaneous section.

their noblest purpose, the service of the community, by employing those who possess them, according to their respective qualifications, in the various duties of the public administration of the country. How can we expect that the Hindus will be eager in the pursuit of science, unless they have the same inducement as in other countries? If superior acquirements do not open the road to distinction, it is idle to suppose that the Hindu would lose his time in seeking them; and even if he did so, his proficiency, under the doctrine of exclusion from office, would serve no other purpose than to show him more clearly the fallen state of himself and his countrymen. He would not study what he knew would be of no ultimate benefit to himself: he would learn only those things which were in demand and which were likely to be useful to him, namely, writing and accounts. There might be some exceptions, but they would be few. Some few natives living at the principal settlements and passing much of their time among Europeans, might, either from a real love of literature, from vanity, or some other cause, study their books; and if they made some progress, it would be greatly exaggerated, and would be hailed as the dawn of the great day of light and science about to be spread all over India. But there always has been, and always will be, a few such men among the natives, without making any change in the body of the people. Our books alone will do little or nothing: dry simple literature will never improve the character of a nation. To produce this effect, it must open the road to wealth, and honour, and public employment. Without the prospect of such reward, no attainments in science will ever raise the character of the people.

This is true of every nation, as well as of India. It is true of our own. Let Britain be subjugated by a foreign power to-morrow; let the people be excluded from all share in the Government, from public honours, from every office of high trust and emolument, and let them in every situation be considered as unworthy of trust, and all their knowledge and all their literature, sacred and profane, would not save them from becoming, in another generation or two, a low-minded, deceitful, and dishonest race.*

Munro's views on this subject were much in advance of the times in which he lived, and it cannot be said that even now the duty of admitting the natives of India to their fair share in the government of their country is recognized as generally or as fully as it ought to be. In 1870 an Act of Parliament was passed with the avowed object of providing additional facilities for the employment of natives of proved merit and ability in higher posts than those previously open to them; but, owing to one cause or another, the passing of the rules which were necessary to bring the Act into operation, was delayed for upwards of eight years, and even then the rules were so framed as rather to afford encouragement to the rising generation of native officials, than to fulfil the just expectations of men who, in a long course of service have proved their merit and their ability to discharge the duties of offices considerably higher than those hitherto open to them. Munro's language

* Minutes, pp. 568—570.

as to the impolicy of the system of exclusion which he was denouncing, is strong ; but we may be certain that it would have been still stronger if he could have foreseen that upwards of fifty years after he had expressed the opinions embodied in the foregoing extracts, not only would no native have held a seat in the Board of Revenue, or in any analogous office in any of the Presidencies, but the prospect of such an appointment being made would still, to all appearances, be as distant as ever.

Munro attached little value to schemes for improving the education of natives unless *pari passu* steps were taken for extending to them a greater share in the honours and emoluments of office. His view was that the two things, improved education and higher employment, should go together. Subject to this proviso, he fully recognized the obligation which lay upon the British Government in India to educate the people under its rule. In his opinion, whatever expense the Government might incur in the education of the people would be amply repaid by the improvement of the country; for the 'diffusion of knowledge is inseparably followed 'by more orderly habits, by increasing industry, by a taste for the 'comforts of life, by exertion to acquire them, and by the growing 'prosperity of the people.' It must at the same time be admitted that while entertaining these sentiments, Munro failed to appreciate with his usual discernment the nature of the task which any such measure involved. The funds available were extremely limited, not exceeding Rs. 50,000 (£5000) a year—a mere drop in the ocean in comparison with what was required to meet the cost even of commencing anything approaching a complete scheme of public instruction; and this small sum, which might have done something if it had been applied to the establishment of a few schools of a comparatively high order under well-educated English teachers, was frittered away in establishing one central school for training teachers, which was organized upon too cheap a plan to command the sort of agency that was required, and in attempting to establish some four hundred schools of a very elementary character, most of which were little, if at all, superior to the ordinary village schools of the country. The measure was essentially faulty in its design, and its failure was inevitable. It is one of the few failures which have to be recorded against Munro. It was reserved for one of his successors, Lord Elphinstone, some fifteen years later, to give a fresh start to education in Madras, by establishing a school which, imparting a superior education, not only served as a nucleus of a comprehensive system of national education, but gave to that

ried most weight, were those connected with the organization of the army and the great departments of the civil administration, viz. the revenue, the judicial system, and the police. On the first of these questions Munro was a high authority. He had served in all the campaigns against Hyder Ali and Tippoo after 1780, and had been a close observer of the recent campaign against the Mah-rattas. Although so much employed on civil duties, he was a soldier at heart, and the satisfaction which he could not help feeling at his success as a civil administrator, was often mingled with regrets at being debarred from opportunities of advancement in his own profession. While deeply impressed with the necessity of maintaining an adequate British force in India, and conscious of the risk to which that empire must always be exposed from defection on the part of the native troops, he had a good opinion of those troops, and believed that their fidelity might be insured by considerate and judicious treatment. The best way, he considered, of insuring the fidelity of our native troops was to show no distrust, but confidence at all times, to treat them well and keep them occupied, to bring all the corps at certain fixed periods back to their respective native districts, and to take care that none of them were permitted to remain too long in any place where they were likely to be tampered with by any native chief. His views as to the number of European officers required for a native regiment were very similar to those which have been acted on since the mutiny of 1857. He regarded the establishment of European officers provided by the organization of 1796 to be excessive, and he disapproved of the plan of appointing young officers on first obtaining their commissions to native regiments. His opinion was that every officer on first going out to India should be employed one or two years with a European regiment, until he had learnt his duty, and that 'he ought not to be transferred to a sepoy corps until, by previously serving with a European one, he had made himself master of all his duties, and likewise, by being in some degree acquainted with the character of the natives, qualified to command and to act with sepoys.*' He greatly deprecated a proposal which about that time had been made to abolish the Company's European regiments, and on the contrary, was in favour of adding to their number both in infantry and in cavalry.

Enough has been already said of Munro's views on revenue matters. The judicial and police arrangements which had been

* Minutes, p. 373

carried out in Bengal under regulations passed by Lord Cornwallis in 1793, and had been introduced in the Madras Presidency in the earlier years of the present century, were regarded by Munro as involving too great a departure from native institutions to work with success. In both Presidencies there were great complaints of inordinate delay in the disposal of civil suits, and of inefficiency in the repression of crime. The Judge of a district was also Magistrate, and although a stationary officer, was invested with the superintendence of the police. In both Presidencies there were native Judges who disposed of suits of small value, but their salaries were too small to command either efficiency or integrity, and their numbers too limited to enable them to render material aid in disposing of the vast amount of litigation, which was one of the earliest results of settled government. Munro strongly advocated the revival of the native institution called 'panchayat'—a court of arbitration composed of five or more persons—and the transfer of the duty of superintending the police from the Judge to the Collector, who, moving frequently about his district, and mixing with the people, had better means of effectively supervising the police than were available to a stationary judicial officer. The union, for similar reasons, of the offices of Collector and Magistrate, and the utilization of the village officials to deal with petty offences and with petty suits, were also included in his proposals. Instructions in the sense of Munro's recommendations were sent to the two Presidencies, and in the summer of 1814 he sailed for Madras to carry out the special commission to which he had been appointed.

Two other matters, closely connected with each other, which engaged Munro's early attention, were the disparity of the emoluments in the two great departments of the internal administration, the revenue and judicial departments, and the training of the junior civil servants. Under the arrangements made some years previously, the salaries of the revenue officials had been fixed on a scale far below that assigned to the judicial officers, and not only were the judicial salaries higher than the revenue salaries, but the number of well-paid appointments in the former department considerably exceeded the number of those in the latter. The necessary result was that the ablest men in the service were attracted to the judicial branch and every Collector aspired to promotion as a Judge. This state of things Munro regarded as extremely mischievous, attaching, as he did, great importance to the office of Collector.

Nothing is so expensive as inexperienced Collectors. Much more than the amount of their allowances is lost every year in revenue from their mismanagement, and when the affairs of their districts have in consequence fallen into disorder, we are obliged to submit to the additional expense of a commission to inquire into the causes of it. We must, under every system, expect to have some bad servants, but when the system itself is bad, we can expect to have but few that are good.

We should form a very erroneous judgment of the important office of Collector, if we supposed that it was limited merely to revenue matters, instead of extending to everything affecting the welfare of the people. In India, whoever regulates the assessment of the land-rent, holds in his hand the main-spring of the peace of the country. An equal and moderate assessment has more effect 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. When the people are contented, those incorrigible offenders who live as banditti and make robbery a trade, find no protection or encouragement, and are all gradually taken or expelled from the country.*

On the question of the proper training of the junior civil servants Munro held very decided opinions. He deemed it essential that every civil servant should pass the earlier years of his service in the revenue line. His reasons cannot be better expressed than in his own words:

We have now in our widely extended territory an ample field for the training of the junior servants in revenue affairs, and we ought to avail ourselves of it for that purpose. A knowledge of revenue will be useful in whatever department they may be afterwards employed; but a knowledge of the natives

is still more essential, and this knowledge is only to be acquired by an early and free intercourse with them, for which the revenue presents infinitely more facilities than any other line.

It ought to be our aim to give to the younger servants the best opinion of the natives, in order that they may be better qualified to govern them hereafter. We can never be qualified to govern men against whom we are prejudiced. If we entertain a prejudice at all, it ought rather to be in their favour than against them. We ought to know their character, but especially the favourable side of it; for if we know only the unfavourable, it will beget contempt and harshness on the one part and discontent on the other. The custom of appointing young men, as soon as they leave college, to be Registrars to Zillah Courts is calculated rather to produce than to obviate this evil. . . . There are some men who overcome all difficulties, and become valuable public officers, in whatever line they are placed, and whatever may have been that in which they are first employed; but in making rules we must look to men such as they generally are. When a young man is trans-ferred from college to the office of Zillah Registrar, he finds himself all at once invested with judicial functions. He learns forms before he learns things. He becomes full of the respect due to the court, but knows nothing of the people. He is placed too high above them to have any general inter-course with them. He has little opportunity of seeing them except in court. He sees only the worst part of them, and under the worst shapes. He sees them as plaintiff and defendant, exasperated against each other, or as criminals; and the unfavourable opinion with which he too often at first enters among them, in place of being removed by experience, is every day strengthened and increased. He acquires, it is true, habits of cautious examination, and of precision and regularity; but they are limited to a particular object, and are frequently attended with dilatoriness, too little regard for the value of time, and an inaptitude for general affairs which require a man to pass readily from one subject to another.

In the revenue line he has an almost boundless field, from whence he may draw at pleasure his knowledge of the people. As he has it in his power at some time or other to show kindness to them all in settling their differences, in occasional indulgence in their rents, in facilitating the performance of their ceremonies, and many other ways; and as he sees them without official forms or restraint, they come to him freely, not only on the public, but often on their private concerns. His communications with them are not limited to one object, but extend to everything connected with the welfare of the country. He sees them engaged in the pursuits of trade and agriculture, and promoting by their labours the increase of its resources,—the object to which his own are directed. He sees that among them there is, as in other nations, a mixture of good and bad; and that, though many are selfish, many likewise, especially among the agricultural class, are liberal and friendly to their poorer neighbours; and he gradually learns to take an interest in their welfare, which adheres to him in every future situation.

If a young man be sent at once from college to the revenue line, the usual effect will be to render him attached to the natives; if to the judicial, to increase the dislike towards them with which he too often sets out. The main object, therefore, in beginning with the revenue, is not to teach him to collect the kists, which is a very secondary consideration, but to afford him an opportunity of gaining a knowledge of the inhabitants and their usages, which is indispensable to the due discharge of his duty in the judicial, as well as

Munro's language appears in the light of fulfilled prophecy;* but it is extremely doubtful whether the writings of the public press, European or native, had anything to do with the Mutiny. The preponderance of opinion is certainly opposed to this theory. And as to the restrictions which were imposed upon the English press in the earlier years of British rule in India, the truth seems to be that it would have been as impossible to maintain those restrictions permanently, as it was to maintain the Company's monopoly of the trade, or the interdict against the free settlement of unofficial Englishmen in the country. Anomalous as our position in India is, and true as it may be that the tenure with which we hold it 'never has been and never can be the liberties of the people,' it is now tolerably clear that the English nation would not have been induced to tolerate, except upon the strongest ground of proved necessity, a permanent withholding of the liberty of the press from their countrymen in India. That press, from the necessity of the case, both as regards its ability and its tone, is inferior to the press of the mother country. Its criticism is sometimes unfair, and in its attacks there is not unfrequently an amount of personal rancour which seldom disfigures the writings of English journalists in this country. But it is never disloyal. Its attacks are directed against individual men or measures, treating them as accidental blots upon our system, and not as the types or necessary results of British rule. And notwithstanding its faults and imperfections, it cannot be denied that the English press in India has been on the whole a valuable aid to the Government, subjecting its measures to criticism which is often just and well informed, and bringing to light abuses and irregularities which might otherwise escape notice. The *Friend of India* under Marshman and Townsend, the *Madras Athenæum* under John Bruce Norton, and other Anglo-Indian newspapers in more recent times have rendered valuable services to the State, as have some of the best of the native papers, such as the *Hindu Patriot*, and one or two others conducted by educated natives and published in the English language. As regards the vernacular papers the case is different. The native press is a thing of very modern growth, and in the case of several of the newspapers published in the vernacular languages,

* Mr. Elphinstone, who was still living when the Indian Mutiny occurred, took this view. The following is an extract from a letter written by him at that time:—'The last accounts from India are doubtless very gloomy. The risk of fresh interests

'and new feelings arising during the interval of inaction is certainly very great, and to one who has just read Munro's admirable Minute, it appears that the full accomplishment of his prophecy is at hand.'

liberty had so degenerated into licence, and the practice of seditious writing, of writing tending to bring the Government and its European officers into contempt and to excite antagonism between the people and the governing race, had increased to such an extent, that three years ago it was found necessary to impose restrictions upon the vernacular press. To this section of the press Munro's remarks are strictly applicable.

But the discussion of questions of the nature of those referred to in the preceding pages, applying not to the circumstances of any particular Presidency or province, but to the principles of Indian government, which, whether right or wrong, are necessarily general in their application, did not form by any means the chief occupation of Munro's official life. His main employment was the constant superintendence of the machinery of administration and the decision of questions daily arising in the several public departments. There never was a Governor who went more thoroughly into the business that came before him. On every question of any sort of importance he recorded his opinion so fully, that his note or Minute served, with but little addition or alteration, as the text of the letter or order disposing of the case. His varied knowledge of the details of business in nearly every department of the State, combined as it was with a masterly grasp of general principles, rendered Munro comparatively independent of the aid of experts. Equally at home on a question connected with the management of military bazars, or with the disposition of the troops, or with the organization of any particular branch of the army, as with the principles and details of a revenue settlement or the judicial requirements of a district, he brought to bear upon the discharge of his duties an amount of practical and varied experience such as no other Indian Governor has possessed.

His labour was incessant. Writing to a correspondent in England, he said, 'I am like an over-worked horse and require a little rest. Ever since I came to this Government almost every paper of any importance has been written by myself.' In getting through the vast quantities of work which he accomplished in this as well as in former periods of his official life, he was greatly aided by the regularity of his habits. He was an early riser, and was singularly methodical in the employment of his time.

When Munro accepted the Government, he had not intended to remain in India more than three years, and at the end of his third year of office, there being at that time, so far as he was aware, no

ministration, and all of them were men who, at any time in the world's history, and in any country, would have made their mark. Malcolm's duties took him into a somewhat wider and more varied sphere than those in which the others were employed. There were few important political transactions in India during the first quarter of the present century in which Malcolm did not play a conspicuous part. In Mysore, at Hyderabad, with Lord Lake's army in Hindustan during the second war with the Mahrattas, in the Deccan and Central India during the final struggle with that power, Malcolm rendered services, both diplomatic and military, which entitle him to a high place among the soldiers and statesmen of the time. He was a man of robust and powerful physique, animated by an enthusiasm which never flagged, genial and generous, but at times somewhat too unreserved on the subject of his services and his claims. Elphinstone and Metcalfe were civilians, but both of them proved their gallantry on more than one well-fought field. Elphinstone rode beside Wellington at Assaye, and at the battle of Kirkee displayed military genius which, had he belonged to the army, must have ensured to him distinction as a commander. Metcalfe's gallant bearing at the siege of Deeg, where he took part in the assault as a volunteer, excited the admiration of the whole of Lord Lake's army. His Indian services were hardly less varied than those of Malcolm. When a very young man, he won his spurs as a diplomatist by his coolness, tact, and decision in a difficult mission to the wily and headstrong ruler of the Punjab, Runjeet Sing; and some years later his exposure of irregularities which were disgracing the British name at Hyderabad, proved that no amount of personal inconvenience or risk could deter him from doing what he regarded as his duty. Of the many able men who have served in the Council of the Governor-General, there never was an abler than Metcalfe. It was with reference to his conduct in that office that Lord William Bentinck wrote the memorable words: 'He never cavilled upon a trifle, and he never yielded to me upon a point of importance.' Metcalfe lived to attain a higher rank and a more prominent position than any of his contemporaries in India. His resolute bearing in Canada at a crisis of the gravest difficulty, and his fortitude in retaining his office there, when he was suffering from a fatal and agonizing malady, because he deemed that the public interests would be injured if he left his post, have never been surpassed in the annals of our colonial administration. But with these high and noble qualities there was mingled a vein of self-consciousness and over-sensitiveness, which were never apparent

either in Elphinstone or Munro. The letter which Metcalfe wrote to the Court of Directors, when he was passed over for the Government of Madras, could not have been written by either of those men. Between Elphinstone and Munro there were some strong points of resemblance. Both were essentially single-minded men, occupied with the work they were to do, and caring little for the credit or promotion they might earn. Of the two, Elphinstone was the one who probably most attracted the affection as well as the esteem of those with whom he was brought into contact. With much of Munro's force of character, with a refined and cultivated intellect, he combined a gentleness of disposition and sympathy with others which were inexpressibly attractive; but he appears to have lacked the sustained energy, physical as well as mental, which imparted to Munro his enormous capacity for work, and enabled him to combine so great a mastery of details with a firm grasp of principles. In general society Munro was probably the least popular man of the four. From very early life he was more or less affected with deafness, which at times disabled him from joining in general conversation, and increased an appearance of reserve, in some measure natural to him in his intercourse with strangers; but in the society of his intimate friends, and with all who were brought into direct communication with him on public business, he showed no lack of geniality, and by such he was regarded, not only with those sentiments of respect which his great talents, his large experience, and his broad and liberal views could not fail to inspire, but with those warmer feelings of affection which are called forth by an unselfish nature.

Reference has already been made to the opposition which some of Munro's measures encountered from the members of the civil service, and to the jealousy which at one time was felt in connection with his employment on duties considered to belong exclusively to them. No public servant ever more completely lived down antagonism and prejudice. During the seven years that he held the Government of Madras, Munro did more than any Governor had ever done to elevate the tone and raise the efficiency of the civil service, and by no body of men was his value more thoroughly appreciated than by the members of that service. When the writer of this Memoir first arrived in India, Munro had been dead upwards of fifteen years; but the memory of his work was still as fresh as if he had died but yesterday, and his name was never referred to save in terms of the greatest veneration and esteem. By the English statesmen of fifty years ago, Munro was regarded as the

Presidency, in the course of a few years, a small but influential body of highly educated native officials, who have done much to justify Munro's views as to the policy of giving to the natives of India a more important share in the government of their country.

Another question which about this time excited a good deal of discussion in India, was the question of the public press. In those days there was no native press in India. In Bengal the English press was subject to restrictions which varied in their stringency according to the disposition of the head of the Government for the time being. Under Lord Wellesley and his immediate successors, the restrictions were extremely severe, and any editor who made attacks in his paper upon the Government or its officers, or upon the religion of the natives, was liable to be deported from India. Lord Hastings allowed the press very considerable latitude; but Mr. Adam, who succeeded him in the Governor-Generalship pending the arrival of Lord Amherst, regarded the press as a dangerous instrument, and deported Mr. James Silk Buckingham, one of the Calcutta editors, for an infringement of the press regulations. At Madras there had always been a rigid censorship of the press, and no paper could be issued until it had been submitted for the inspection of the Government censor. Munro held very strongly the opinion that the restrictions upon the press ought not to be removed, and as the subject was exciting a good deal of attention, both in England and in India, shortly after he assumed the Government of Madras, he recorded his views upon it in a comprehensive Minute for the consideration of the Governor-General, and of the Court of Directors. The key-note of Munro's policy on this subject is contained in one of the first sentences of the Minute, in which he states that he 'cannot view the question of a free press' in India 'without feeling that the tenure with which we hold our 'power, never has been and never can be the liberties of the 'people.' He wrote:

Those who speak of the press being free in this country, have looked only at one part of the subject. They have looked no farther than to Englishmen, and to the press as a monopoly in their hands for the amusement or benefit of their countrymen. They have not looked to its freedom among the natives, to be by them employed for whatever they may also consider to be for their own benefit and for that of their countrymen. A free press and the dominion of strangers are things which are quite incompatible, and which cannot long exist together. For what is the first duty of a free press? It is to deliver the country from a foreign yoke, and to sacrifice to this one great object every meaner consideration; and if we make the press really free to the natives as well as to Europeans, it must inevitably yield to this result.*

* Minutes, p. 538.

Again:

The advocates of a free press seek, they say, the improvement of our system of Indian government, and of the minds and the condition of the natives; but these desirable ends are, I am convinced, quite unattainable by the means they propose. There are two important points which should always be kept in view in our administration of affairs here. The first is, that our sovereignty should be prolonged to the remotest possible period; the second is, that whenever we are obliged to resign it, we should leave the natives so far improved from their connection with us as to be capable of maintaining a free, or at least a regular government, among themselves. If these objects can ever be accomplished, it can only be under a restricted press. A free one, so far from facilitating, would render this attainment utterly impracticable; for by attempting to precipitate improvement it would frustrate all the benefits which might have been derived from a more cautious and temperate proceeding.*

His chief ground of apprehension was the possible effect of a free press upon the native army. He wrote:

If we, for the sole benefit of a few European editors of newspapers, permit a licentious press to undermine among the natives all respect for the European character and authority, we shall scatter the seeds of discontent among our native troops, and never be secure from insurrection. It is not necessary for this purpose that they should be more intelligent than they are at present, or should have acquired any knowledge of the rights of men or nations. All that is necessary is that they should have lost their present high respect for their officers and the European character; and, whenever this happens, they will rise against us, not for the sake of obtaining the liberty of their country, but of obtaining power and plunder. We are trying an experiment never yet tried in the world,—maintaining a foreign dominion by means of a native army, and teaching that army, through a free press, that they ought to expel us and deliver their country. As far as Europeans only, whether in or out of the service, are concerned, the freedom or restriction of the press could do little good or harm, and would hardly deserve any serious attention. It is only as regards the natives that the press can be viewed with apprehension, and it is only when it comes to agitate our native army that its terrible effects will be felt. Many people, both in this country and in England, will probably go on admiring the efforts of the Indian press, and fondly anticipating the rapid extension of knowledge among the natives, while a tremendous revolution, originating in this very press, is preparing, which will, by the premature and violent overthrow of our power, disappoint all these hopes, and throw India back into a state more hopeless of improvement than when we first found her.†

The whole of the Minute from which the foregoing passages have been extracted, is well worth perusal, as containing the ablest statement that has been put forward of the views of those who at different times have considered the freedom of the Indian press, European as well as native, to be a source of danger to the State. There are many persons who hold that the apprehensions expressed by Munro as to the effects of a free press upon the fidelity of the native army have been borne out by the events of 1857. To them

* Minutes, p. 539.

† Ibid., pp. 544, 545.

ablest Indian official of his time. We have seen in what estimation he was held by Mr. Canning and the Duke of Wellington, two men very different in character, by no means of one mind in politics, but cordially agreed in the high estimate which they formed of Munro. Another prominent statesman of that time, the late Lord Ellenborough, a man very unlike both to the Duke and to Canning, an unsuccessful administrator, but a remarkably shrewd critic, ranked Munro above all his Indian contemporaries. I have before me a letter written only a few years back by a distinguished civil servant who served in India when Munro was Governor of Madras, and who says, 'There were giants in the days of the old 'Coompany Sahib, and amongst them Sir Thomas Munro was a head and shoulders taller than his brother giants.' I believe there is much truth in the judgment which this homely sentence embodies; but whether this opinion be correct or not, it may confidently be affirmed that among the British statesmen and soldiers of the nineteenth century, there are not many who have rendered more valuable services to their country, few who have done more in the great work of consolidating our British Indian Empire, than Sir Thomas Munro.

THE REVENUE SETTLEMENT OF THE SALEM DISTRICT.

*To Major Read.**

Dharmapuri, 15th November, 1796.

SIR,

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

* At the time when this and the two following letters were written, Munro was one of three assistants employed under Major (afterwards Lieut.-Colonel) Alexander Read, in the settlement and administration of the territory now known as the District of Salem, which, under the treaty of 1792, had been ceded by Tippoo to the East India Company. These letters, which are not included in the Revenue Selections published by the late Court of Directors, nor, as far as I am aware, in any other official publication, were first published by Mr. Ballantine Dykes in his history of the Salem District (*Salem: an Indian Collectorate. By James William Ballantine Dykes, of the Madras Civil Service*).

† The Regulations here referred to will be found in Appendix A. They do not appear to have received the sanction of the Board of Revenue, or of the Government of Madras; but with the exception of the period during which the ryotwár system was superseded in the Salem District by the múttadári system, which was introduced by the Government of Sir George Barlow, but which subsequently collapsed, and except in one important point which will be noticed presently, Colonel Read's regulations have, in their leading features, up to the present time, formed the basis upon which the revenue administration of the Salem District, and of most of the other ryotwár districts of the Madras Presidency, has been conducted. The exception to which I

allude, is the provision of Rule III., the first noticed by Munro in the present letter, which declares the assessment to be 'fixed for ever.' By the advocates of a permanent settlement of the land revenue this rule has been more than once quoted as precluding any enhancement of the assessment, at all events in the Salem District; but the view thus urged has not been at any time accepted by the Government. Within ten years after the Regulations in question were issued, they were practically annulled by the introduction of the múttadári system, under which the greater part of the land in Salem was parcelled out into estates of various sizes, and sold by public auction to persons who, under the designation of múttadárs, and in the capacity of superior landlords, were to collect the rents from the ryots as their tenants, and therefrom to pay the Government assessment. And in a recent revision of the field assessment under the ryotwár settlement, which was re-introduced into a great part of the district on the failure of the múttadári system, the declaration made by Read has not been allowed to prevent an enhancement of the rates in those cases in which they have been found to be unduly low. The fact seems to be, that the proclamation issued by Read not having received the sanction of the Executive Government, has not been considered to be binding, although its main provisions have been generally followed, with the exception above noticed.

SECTION I.



REVENUE.

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

If the settlement is intended to be permanent, and not to be open to revision at the end of five years, the intention should be explicitly stated.

As it has been always supposed that the lease is for five years,* if the words 'for ever,' here used, do actually mean a longer term than five years, it ought to be made known to the ryots, not joined to a mass of other matter, but by itself; for, till this is done, those who wish to improve their farms will limit their views to five years, and will be deterred from undertaking any expensive work by the fear of a new settlement coming upon them at the end of that period.

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

Land hitherto uncultivated cannot, as a rule, pay the same assessment as land which has long been under cultivation, the latter being generally better land and more favourably situated.

If it is here meant that all the uncultivated lands of a village are to be rented for a certain part of the average rate of the cultivated lands of that village, or the three neighbouring villages, it may answer in some few instances; but if it is meant that the uncultivated are to be rated at the full rent of the cultivated lands, there are many objections to it on every side. Were such a valuation just, it ought to follow that the cultivated and uncultivated lands are on the whole equally good. There are some

* It appears to have been the intention of the authorities at Madras that the land should be let to the ryots on lease for five years. Read was opposed to such an arrangement. Munro was at first in favour of it, deeming it inexpedient to allow the ryots to alter the size of their holdings from year to year. His opinion at this time seems to have been that such a concession would hinder the spread of productive cultivation, by inducing ryots to give up good land for the sake of obtaining waste land of an inferior quality on more favourable terms. He subsequently came round to the opinion that, at the end of every year, a ryot should be allowed to give up or alter his holding, and either to throw up a part of his land or to occupy more land, according to circumstances; subject, however, to the condition that he must take or throw up proportional shares of good

and bad land together. This condition is no longer enforced in the Madras Presidency. Under the existing rules, every ryot is at liberty to relinquish any portion of his land, provided that it is not less than a whole survey field, or than the entire portion of a field in his holding. The following is the text of the regulations now in force in the Ballari District regarding the relinquishment of land:—

'A ryot is at liberty to relinquish any portion of his land, provided it is not less than a whole survey field, or a field marked out conformably to the Shikmi number rules' (rules by which the division of unusually large fields is regulated), 'or than the entire portion of a field in his holding, and provided he proffers such relinquishment in writing, on or before the 15th July, either to the Tahaldar or Collector.'

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

Proposal for apply changeable rates to fallow is too intricate.

and calculated to discourage continued cultivation of the same land.

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

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

Proposed assessment of land held by Brahmans less favourable than that now paid by them.

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

* Curnum, properly karnam, the village accountant.
† The practice of allowing favourable rates of assessment to ryots

belonging to certain castes continued in force for many years, but was ultimately abolished in 1859.

MINUTES OF SIR THOMAS MUNRO.

Not advisable to attract settlers from the Carnatic.

Old heads of villages should not be removed to make way for strangers.

Regulation for annual tenures calculated to discourage long leases.

Rules of assessment on the whole too complicated.

Calculated to hinder extension of cultivation. Assessment of waste land must be regulated by local circumstances.

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

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

This regulation will discourage long tenures, and cannot, therefore, be expected to produce any good effects. After the farmers understand it perfectly, they will prefer annual leases, to those of a longer date, because they give them the same security and advantages without hindering them from throwing up their lands whenever they can get a better bargain anywhere else. Some will take at a low rent the lands of inámdárs who want cultivators, and others will employ the greatest part of their stock in cultivating at half rent in the name of emigrants, who are perhaps little more than their servants.

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

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

The great defects of this system are its complicated rules of assessment, which demand too much talent, and minute attention on the part of every class of revenue servants, to offer any reasonable hope that they can long be strictly observed; its checking improvement, by encouraging the farmers to change their lands every second or third year; and its hindering the extension of cultivation beyond its present limits, by the high valuation of waste. One general regulation for waste lands will never suit the whole country; it must be modified according to the state of every particular district, but in none will they ever pay the average rent of the

* Strictly speaking, the Baramahal includes only a portion—viz. the taluks of Krishnagiri, Dharmapuri, Tripatúr, and Uttangarai—of the district which was under Read's management, and which did not comprise the whole of the district now known as Salem, the taluks of Oosoor and Denkanikota not having become British territory until after

the death of Tippoo; but Munro here applies the term Baramahal to the whole of the district under Read, and in his later minutes to the whole of the district of Salem, as it now exists.

† Tank inámdárs, i.e. persons holding land free of assessment, or at a favourable assessment, in consideration of their keeping an irrigation tank in repair.

THE REVENUE SETTLEMENT OF SALEM.

arable lands, as prescribed in your fourth paragraph. In most of the districts above Tápúr, they may pay three-quarters of it; but below, they will hardly ever give more than one-half, and in many places not more than one-third. They will give a greater or smaller proportion, according as the districts are poorly or highly cultivated. In the northern districts, where there is so much waste, and where the arable lands have received so little improvement from industry, waste is often taken the first year at three-quarters of the average rent of the village; but in the southern districts, where agriculture is better understood, where most of the fields are inclosed, and where, in many places, there is no waste except such as is utterly unfit for cultivation, no man will give so much in less than three years, and very seldom even then. Your valuation of waste is therefore too low in the northern districts the first and second years, but on the third it is too high everywhere. The high valuation might be useful, if it discouraged the farmers from giving up the lands which they have taken in lease; but as it does not come into play till the third year, it is too late to have this effect, for the low terms of the first and second years will have already tempted them to abandon them. When, therefore, the other districts shall, like Tripatúr,* have the option of keeping or not keeping lands which they have taken for five years, there is no doubt but that they will give up a great part of them, for the sake of getting waste on low terms. The total cultivation of the country will not be increased by this means, for waste requires more labour than arable land; and as it is less productive, the total gross produce of the country will be diminished by the difference between the produce of all the arable lands thus relinquished and that of the waste taken in exchange, and the public revenue will be diminished by the difference between the full rent of the one and the half and quarter rent of the other; and though it will be everywhere advantageous to the farmers to cultivate waste the first year, yet, as the rent of it is too high in many the second year, and in all the third, some of it must be given up the second, and all of it the third year. There must, therefore, always be such a portion of waste in the country as will supply the demand for these exchanges; and by these means it will become impossible ever to bring the whole land of the country into cultivation, or, at least, it will be protracted much beyond the time

The proposed rules will tend to the relinquishment of the more productive and to the cultivation of the less productive lands, thus diminishing the gross produce of the country.

* The regulations referred to in this letter were contained in a proclamation addressed to the agriculturists, merchants, and other inhabit-

ants of the district (taluk) of Tripatúr. Tripatúr did not form part of Munro's charge.

in which it might be accomplished by proceeding upon other principles.

Such a system cannot be good.

Rules for assessing waste should vary with the varying circumstances of the inhabitants.

The great object is to extend cultivation and increase the gross produce of the country.

Except in the case of land irrigated from tanks, no leases should be for shorter periods than five years.

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

With the exception of the lands belonging to tanks, of which the supplies of water are uncertain, no other lands ought to be given in rent by Government for a shorter term than five years. The objection to the expediency of a lease, that many of the ryots have failed, might with equal propriety be applied to annual settlements; for as many have failed, and will fail, under the one mode, as under the other; and under either, the amount of them will always be less than the additional revenue which will accrue from new cultivation. The cause of them cannot be speedily removed, for it lies in the universal poverty of the farmers, among whom there are scarcely any gradations of rich and poor, as in other countries. We received them from Tippoo with no property, except a few cattle; many of them have not even a single bullock, but hire two or three during the ploughing season; and when one man

THE REVENUE SETTLEMENT OF SALEM.

fails, another cannot purchase or even rent his lands, because he has hardly stock to cultivate his own. The few merchants who have a little money, will not lay it out on land, of which they cannot be sure of having a lasting possession. Were a remission to be made of half the revenue, failures would still be almost as numerous as ever; for, as perhaps near one-half of all the farmers in the country do not pay above ten pagodas (£3 10s.) each, if we suppose their share of the produce is twenty pagodas (£7), and if we remit half their rent, they will then have twenty-five pagodas (£8 15s.); but the difference to them is so inconsiderable, that it is not likely that it would so much increase their savings as to make any great alterations in the number of failures. This inconvenience will therefore exist until the greater part of them shall, by the exertions of successful industry, have raised themselves, in different degrees, above their present distressed condition. In most of the districts above Tápúr, the rent is so very moderate, that it can hardly be much reduced without abandoning revenue altogether.

By surveying this year Pennagar, Adamankota, and Tengarikota, I have had a better opportunity than ever I had before of comparing the situation of the inhabitants of the southern and northern districts, and I imagine that, after making every allowance for the superior fertility of the soil, and all other advantages, the assessment of the southern is, on an average, twelve or fifteen per cent. higher than that of the northern provinces. The southern pay about twenty-four, and the northern eleven fanams,* for every acre of dry land; some of the principal farmers who, under the former Government, acted rather as revenue officers than as cultivators, pay more now than they did then, because many of them paid very little, and a few, by throwing their own rents upon the under-farmers, paid nothing at all; but the great body of the cultivators pay now less rent than formerly, and they are also relieved from fines and numberless other exactions. It is not, however, from this to be inferred that failures will not in future happen: they will always happen when farms are so numerous and so small. Though small farms have this inconvenience, it is better that it should be so, than that they should be enlarged; for if a number of them were incorporated into one, as the principal farmer has no more stock than is sufficient for the cultivation of his own

Assessment of the southern districts of the Baranahal higher than that of the northern districts.

Smallness of the farms.

* The fanam is an obsolete coin, equal to about twopence in English money.

not a disadvantage.

original share, he could give no assistance to the under-farmers; their lands would, therefore, be no better cultivated than before they joined him; and of course failures would be just as numerous as ever. If, in order to prevent failures, the rents on consolidated farms were reduced, the head farmers would be gainers, but revenue would be diminished, and a greater number of industrious men would be deprived, by the consolidation, of the advantage of making the most of their labour.

The present assessment should be reduced twenty per cent.

If this is done, land will by degrees become saleable, and cultivation will extend.

The land should be made over in perpetuity to the present occupants.

As the assessment now stands, the amount of failures, one year with another, will probably be about half per cent. The produce of new cultivation will be more than this deficiency, as it will go on accumulating from year to year. Government will always receive somewhat more revenue than at present; but as, in order to preserve things in this state, a degree of persevering attention will be required, which cannot always be easily found, I would recommend that the gross revenue of all the lands included in the lease settlement, exclusive of service inâms, should be reduced twenty per cent. If this is done, the collections will be made without difficulty, and will not require much experience to manage them; the farmers will have no temptation to abandon their arable lands to occupy waste, which will render the complicated details of changeably-rated lands in a great measure unnecessary. By degrees, though slowly, lands will become saleable, new settlers will be induced to come from the westward, and cultivation will extend so rapidly, that in ten or fifteen years the amount of revenue will probably be as much as it would have been had no abatement of it ever been granted; while the inhabitants, by having within that period the whole of their property at least doubled, will then pay with ease what they now pay with difficulty.

Nothing will so much tend to hasten the accomplishment of this object as the making over in perpetuity the lands to their present occupants.* This alone can show all the resources of the country,

* It is not expressly stated, but it might be inferred from the wording of this and other passages in Munro's writings, that he was in favour, not only of making the land over to the ryots in perpetuity, but also of fixing the money assessment permanently. There can be no doubt that Munro was a warm and consistent advocate of moderate assessments, and of fixity of assessment, so far as the latter could be granted compatibly with the financial requirements of the State; but there are passages in his writings

which show, that, whatever may have been his precise view at this period of his career, his later opinion was not in favour of what is usually understood by a permanent settlement of the land revenue, viz. such a settlement as would debar the Government from raising the assessment in money under any circumstances whatever—such, for instance, as is considered to preclude an enhancement of the assessment in the zemindari districts of Bengal. See p. 116, first paragraph, and the concluding paragraph

and bring into action all the property that the inhabitants actually possess. Under leases of five or ten years, they will not think themselves secure; the recollection of former times, when new demands always followed close upon the ability of paying them, will dispose them rather to hoard their gains than to employ them in useful labour. This will be a great obstacle to lands becoming saleable, and, until they shall be saleable, cultivation will never be carried to any high point of perfection, nor will revenue be permanent, unless with more good management than can usually be expected from Collectors.

of the Minute on the State of the Country and Condition of the People, dated 31st December, 1824, p. 263, where, after urging the expediency of lowering the land revenue and establishing a moderate and fixed assess-

ment, he adverts to the possibility of an enhancement of that assessment being found necessary in case of war, thus materially qualifying the sense in which he uses the term 'fixed.'

verts dry land into garden or rice-fields, should pay no more than the original rent of the ground.

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

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

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

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

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

Reasons for not altering the assessment as fixed in the leases, in the event of the adoption of annual settlements.

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

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

Reasons for assessing all land not included in the lease at the average assessment of the village to which it belongs.

Rents are so low in these countries, that the average is not too high even for the worst lands. It will be as accurate, though not so much in detail, as the assessment of surveyors, who seldom can pronounce with any certainty on the quality of land, and who, even where they can judge, are easily brought to give a false statement. It will save the expense of valuation and of numerous accounts; it will simplify the Collector's business, lessen the influence of his revenue servants, and enable him to comprehend at once, as well as any of them, the whole detail of every

future settlement; and it will answer the important purpose of keeping the ryots to their present farms, by removing the motive to change. Were the waste valued according to its supposed worth, with almost every field at a different rate, and almost every one of them greatly below the average of the village, which would be the case in a measure of this kind, the ryots would by degrees abandon a great part of their old fields for new, because a little labour will make the one nearly as good as the other. They will give up a field that produces one hundred and pays thirty, for one that yields ninety and pays ten; and, after making allowance for the extra expense and labour required by the worse soil, they will perhaps gain five by the change, though revenue loses twenty. The country at large also loses by this operation, because, with more labour and expense, there is twenty per cent. less of produce. I consider the objection which may be made to an average estimate, of there being numberless gradations of good and bad soil, as of very little consequence. The ryots have it in their power to select, and they will take the best first. There is so much land of every description now uncultivated, and so thin a population, that it will be long before they are constrained to take what is now bad; but before such an event can happen, there must be a vast increase of population and surplus of stock; and these very circumstances will of themselves continually raise the value of lands in their progress, and may at last render the most barren as productive as are now those which are under the highest cultivation. It may be also objected, that there are, from a variety of causes, a few fields lying waste in almost every village, equal to the best lands in it, and that to rent them at the average would be a loss to revenue; but this loss would be trifling, and it would be better to incur it than to introduce confusion, by departing from the rule.

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

It is intended by this to discourage the ryots from giving up their best lands for waste, with the view of getting them again on more favourable terms, and to induce them to turn their whole attention to the improvement of such lands as they have; which they never will do as long as they have an interest in making perpetual changes. To lower the rent of lands in proportion to the number of years that they remain unoccupied, would not only diminish revenue now, but would also, by taking away the necessity

THE SAME SUBJECT.

To Colonel Read.

SIR,

Yerrapadi, 18th July, 1797.

The productive power of the land is largely influenced by the condition of the cultivators and their ability to cultivate it well.

You have frequently strongly insisted on the necessity of valuing lands by their intrinsic quality, without any regard to the circumstances of the cultivator; but this conveys but a vague idea, for land is good or bad in proportion to the degree of labour bestowed upon it; and it depends upon the condition of the cultivators whether it is ploughed one time or seven, or whether it is completely manured or not at all. The value of its produce will be influenced by the general wealth or poverty of the whole body of the people; and the person who makes the valuation must consider the general circumstances of them, though not that of individuals; for what was reckoned high rent at one period, may be low at another; so that it is impossible to separate the idea of the value of land from that of the state of the country. The assessor has only to take care to be so moderate, that any man who has the means of giving the land the most ordinary degree of cultivation, may be able to pay the rent: he who gives more ought to reap all the benefits of his extra labour and expense; he who gives less, as he will be continually falling in arrears, would be more usefully employed as a labourer than as an independent farmer.

Option given to the ryots to give up land annually. renders unnecessary the reduction of twenty per cent. proposed in the preceding letter.

When, in my letter of the 15th November, I gave it as my opinion that it would be proper to reduce the rents on an average twenty per cent., it was on the supposition that all the lands included in the lease settlement were to be kept in cultivation; but as the ryots may now give up whatever part of them they choose, I consider such an option as an equivalent for the proposed reduction, and therefore no longer think it necessary; because I reckon that the ryots will give up ten or fifteen per cent. of their land entirely; that, besides this, they will always give up annually such fields as they mean for late crops, and not take them till the year is far advanced, when they have seen what the season is likely to be, by which means they will escape the losses of bad

years; and thus, from these two causes, they will gain nearly as much as they could have done by the reduction. No allowance is to be made for the ten or fifteen per cent. of land which the ryot relinquishes, because, as his whole farm was but poorly cultivated, he may still have the same amount of produce by employing his extra stock on his remaining fields.

As the demands of the former Government always rose in proportion to the degree of culture, and as the man who carried it further than his neighbours was frequently exposed to the imposition of arbitrary fines, on suspicion of being rich, the ryots found it more convenient to occupy a great extent of ground badly cultivated at a moderate rate, than to pay an equal, or a greater sum, for a smaller extent well cultivated. The valuator of the land at the time of the survey calculated that the ryots would, as usual, take much more land than their stock could fully cultivate, and he made his assessment accordingly. Had he known that they were to give up a part, and employ their whole stock on the rest, he would have raised his valuation. The ryots have therefore gained by this circumstance, in proportion to the quantity of land they throw up. Should they, however, contrary to my expectation, not give up ten or fifteen per cent., I think it would be proper to make a reduction of rent equal to the difference.

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

Regulations proposed in the event of annual settlements being adopted.

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

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

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

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

5th. No additional rent should ever be demanded for improvements. The ryot who, by digging a well, or building a tank, con-

of a more perfect cultivation, retard its increase hereafter. By insisting always on the full rent, there is no danger of checking the extension of cultivation. There are few fields which, after having been long suffered to lie waste, may not in two years be rendered as productive as ever; and the ryot who is in a condition to occupy highly-assessed lands, will not be deterred from it by any trifling loss which he may sustain the first year: he who cannot afford to run this risk, must content himself with improving those he already holds.

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

In palmyra plantations the rents fluctuate, because the produce depends not only on the soil, but also on their age. Young plantations will pay more and more, as they approach to maturity. Plantations containing a mixture of young and old trees may pay always the same, as the young trees will supply the place of those which decay; but some plantations, which contain old trees only, will cease to pay rent when their juices are exhausted. The rent of the young plantations must be altered from year to year; that of the mixed plantations may be made permanent, and that of the old may also be made so by granting such a reduction as might encourage the holders to plant young trees, which might begin to yield some return before the old were entirely decayed. It would be much the simplest method, and would, I imagine, be the most advantageous in the end, to relinquish the extra revenue of the trees and to give all plantations for the ground-rent. They ought to be divided, as other lands are, into fields, which would prevent all imposition; for at present, as there are no marks of separation, and as they are rented in lots of trees intermixed with each other, the people who rent only one quarter of a plantation may take the produce of the whole, without any danger of discovery.

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

The rents almost everywhere in the country are adapted to the rudest state of cultivation; they are so low, that every man who has the means of ploughing and manuring his fields may easily pay them. I therefore think that the whole of your rules respecting fallow and waste, and remissions to various privileged castes, are

Deviations from the proposed rules necessary in the case of 'wet' lands and palmyra plantations.

All castes should pay the same rates of assessment.

THE REVENUE SETTLEMENT OF SALAM.

altogether unnecessary, and that all descriptions of people should pay the same rent. Under the head of castes entitled to a favourable term, I believe you comprehend Brahmans, Moormen,* merchants, and almost every man who does not belong to the Sadra or cultivating caste; and even among them, the head farmers.

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

Merchants have still less right to indulgence than Brahmans, because they have usually the means of stocking their farms. There are no religious restraints on the labour of Mussulmans, and there is therefore nothing to hinder them from paying the same rent as ryots. If it were admitted that the rents of different castes were to be diminished according to their idleness, there would be no end to the task of regulation; for there is a wider difference between the more industrious and less industrious castes of ryots than between them and the Brahmans. Such distinctions are customary, under most of the native governments, but rather with respect to individuals than castes, because they take from all as much as they can get; by which means it often happens that the poorer ryots pay less than Brahmans.

There is no scarcity of land beyond the Cavery; and if Tippoo's amildars saw their ryots going off, they could easily counteract us, by granting terms still more favourable. We ought to trust to a long continuance of mild and just government, rather than to extremely low rents, for drawing emigrants from the neighbouring countries. All these distinctions are liable to abuses, without being of the smallest real advantage. Threats of fines and punishments would little avail in checking them, because it is the interest of every man in the country, except the Collector, to conceal them. The Collector, isolated in the midst of strangers, has nothing to depend upon but his own vigilance, which, at best, is only a casual aid; but that which opposes him—self-interest—is a principle which acts without intermission. Were it even possible that every fraud could be prevented, it would still be unadvisable to make distinctions, because such a system would swell accounts beyond all bounds, and draw along with it such complicated details as could never be followed out. A system of revenue, to be permanent, should be so simple that every future Collector may be perfectly able to conduct it. It will, therefore, be better that the rules should be few, as well on this account, as in order to diminish the expense of collection.

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

I have sometimes thought that this regulation might diminish revenue, but I am now perfectly convinced that no such consequence is to be apprehended. It may in some instances appear to hinder it from rising so rapidly as it would otherwise have done, but it will never bring it below the point to which it has already attained. It may be said that when a ryot digs a well for the purpose of making a garden, as the garden requires much more labour than his other lands, he will give up a portion of them in order to cultivate it, and thereby lessen revenue; but as wells are expensive, and are always attended with the risk of not finding water after all, the probability is that when a ryot becomes master of a little surplus stock, he will rather take an additional field or two, in which there is little expense and no risk, than try the experiment of digging a well; but should his circumstances be such

that it does not follow that, after making a well, he will be in the rudest state of his farm; for as the work of the garden is the means of preventing hours from that of the other lands, and is therefore a dry season, when there is nothing to do upon fallow and waste, an

THE REVENUE SETTLEMENT OF SALEM.

them, he can cultivate it without increasing the number of his labourers. Should he afterwards save any money from the profits of this garden, he will employ it either in taking another field or digging another well; but most likely in taking the field, because water can only be found in certain situations.

Before many wells can be dug, we are to suppose that the stock of the ryots has been in general augmented; but in all places where there is no water near the surface of the earth, the whole of this additional stock will be employed in extending the limits of the old farms; and even where, in watery situations, it is used in making wells, it will hardly ever diminish, and will always ultimately increase cultivation. It may therefore be concluded that the state of things which enables ryots to make gardens will almost always augment, and scarcely ever lessen revenue.

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

Security against famine afforded by numerous wells.

Inexpediency of taxing improvements.

All estates should pay the same rates of assessment.

ON THE SAME SUBJECT.

To Colonel Read.

Trichengode, 5th September, 1797.

SIR,

Since transmitting you my letter of the 18th July, I have received yours of the 25th of the same month. I shall now, as you request, answer it, paragraph by paragraph, though I have little to observe that will not be mere repetition of what I have already said on the same subject.

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

A long series of oppressive governments, and particularly under Tippoo, had reduced the country, when delivered over to the Company, to such a state that a rich farmer was nowhere to be found; not one among them, perhaps, was worth one hundred pagodas (£35), exclusive of his farming stock; scarcely one of them rented lands to the amount of fifty pagodas (£17 10s.) a year; one-half of all the farms were not above ten pagodas (£3 10s.) each; and if there anywhere appeared a farm of eighty pagodas (£28), or one hundred pagodas (£35), though nominally held by one person, it was in fact occupied by three or four families of brothers or relatives. The farmers were then, and are now, composed of three classes. The first contains the small number of those who are able to give their lands the highest degree of cultivation; the second contains those who can give them sufficient to produce an ordinary or moderate crop; and the third, which is as numerous as the second, contains those who, from want of cattle, cannot half plough

Poverty of the inhabitants of Salem.

Three classes of farmers.

THE REVENUE SETTLEMENT OF SALEM.

them have no serious intention of paying any, when they take the farm. If it is an unusually plentiful season, they give what they can spare; if it is otherwise, they give nothing; and in either case they gain what they wanted, which was to subsist a greater part of the year for less labour than they could have done had they worked as labourers under another man. People of this description ought rather to be labourers than farmers in any place, for the relief of the inhabitants. It is those who have some property and pay their rents regularly that ought to be the chief objects of our attention; and a lighter assessment than what they have hitherto experienced will be the only means of bettering their present condition.

The third or poorest class ought to be labourers.

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

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

Causes which induce ryots to emigrate.

Much of the supposed emigration more apparent than real.

MINUTES OF SIR THOMAS MUNRO.

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

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

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

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

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

THE REVENUE SETTLEMENT OF SALEM.

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

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

stress is only temporary, and will easily be removed by the produce of the ensuing year.

Importance of tanks in giving stability to the revenue.

There is not much rice ground in this country, but all that is watered by the Caverry yields constantly two crops, and the smaller rivers one crop every year. There are many small tanks, which do not give above one crop in three or four years; but this is not any fault of the seasons: from their situation, those who constructed them could never have expected that they would give more; the seasons are not irregular because they are unproductive for three or four years, but they would be irregular were it otherwise. This circumstance will not hurt revenue, because it is supposed that the rent is low in proportion to the supply of water. In villages where there is nearly an equal quantity of wet and dry lands, no variation of the seasons can ever much distress the farmers. If there are frequent gentle showers, not sufficient to fill the tanks, the wet crop fails, but the dry is abundant; if a drought prevails throughout the year, with the exception of only one or two heavy falls of rain, the tanks are filled, and there is a plentiful wet crop, but the dry is lost; so that nothing but what never occurs—an entire cessation of rain for twelve months—can ever deprive the farmers of more than half the usual produce of their lands.* Tanks, therefore, contribute more to revenue than what they pay directly; because they give stability to it, by rendering the ryots more able than they would have been, with no dependence but on their dry crops only, to bear up against unfavourable seasons. There is upon the whole, however, no such precariousness of the crops in this country as can in the least endanger the permanency of revenue.

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

Price of grain.

I have not observed any remarkable fluctuation in the price of grain. It has fallen from the height to which it had been raised by the war, to the level of the last two years, and will probably remain there until again raised by war, or some extraordinary event. It did not fall completely till the third year after the war, because there was, for near two years, a great demand from Mysore, and because high prices do not immediately cease when the occasion of them is removed. The present price is nearly that by which the settlements were regulated. Every diminution in it will make the condition of the farmers worse, and the difficulty of paying the rents greater than it was intended to have been; but there is no

* Subsequent experience in 1824, in 1833, and in 1866, shows that Munro was over sanguine in regarding a simultaneous failure of the wet crops and of the dry crops as an impossibility.

reason to suppose that it will fall any lower: the chance—indeed we may say the certainty—is that all fluctuations hereafter will be above the present standard, and consequently always in their favour. As every rise in the price is to them the same thing as an abatement of rent, it is to be wished that it were somewhat higher, or rather that the demand were greater; but there is no prospect of speedily accomplishing either of these objects, for it can only be done by increasing the exportation, or the home consumption, or by growing less grain, and more productions of greater value; but as all the neighbouring countries have enough of most kinds of grain for their own use, and as the carriage of so bulky an article is very expensive, nothing but scarcity, war, or some such extraordinary occurrence, can produce a temporary increase of exportation from hence. The home consumption can only be augmented by the increase of wealth or population, both of which are slow in their progress.

No prospect of a speedy rise.

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

Imposition of duties calculated to restrict the cultivation of the more valuable productions of the soil.

When a country exports no grain, and has already more than sufficient for its own consumption, every succeeding addition to the population of farmers who cultivate grain only, can add little or nothing to revenue, and will, by diminishing the price as it increases the quantity, prove detrimental to the whole body of cultivators. In such circumstances, any increase of grain cultivators is superfluous to agriculture; but as the laws of their caste hinder them from engaging in manufactures, they must still continue husbandmen, and in this occupation they can only be usefully employed in rearing productions for which there is a demand; but as most of them are too poor to attempt anything out of the

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

Fluctuation of stock not sufficient to affect the stability of the revenue.

Cattle and sheep are exported to the Carnatic, and a few to Mysore; but I believe that it is such only as have been bred for sale, and are no part of the farming stock. Numbers of the ploughing cattle of the poorer farmers are sold every year to discharge their rents; but as the greater part had been previously bought at the beginning of the year, by means of the annual advances for cultivation, these farmers are no worse than they were; they have earned their subsistence, paid their rent, and returned the cattle which they had borrowed, or, what is the same thing, purchased with the borrowed money.

that of the whole community; for the cattle have fallen into the hands of richer farmers, and their labour will still be as productive as formerly. In whatever way this subject is considered, there is no ground to apprehend that, either from distemper among the cattle, from their being sold out of the country, or from any other cause, the fluctuation of stock among the farmers will ever be so great as to produce any change in the stability of revenue.

Para. 4.—*Precariousness of crops.*

The crops here are, I imagine, as certain as in any dry grain country whatever. There is no instance of famine, nor even of any considerable scarcity, having occurred in peaceable times. Different kinds of dry grain are sown from May to November, and wet grain, whenever there is water, all the year round. There is variation in the mode of agriculture, and in the productions of almost every district; so that failures of crops are commonly confined to a particular tract, seldom extending to more than one or two districts, and frequently only to a few villages: but the failure, where greatest, is hardly ever total; some part of the crop is generally saved; and even where the grain has suffered most, the oil-nut, the cotton, and the pulse sown along with it in the same field, may have escaped entirely. Should, however, the whole be lost, the farmer has still other sources to look to; he has other fields, sown at later periods with the same or other kinds of grain, which may yield the usual crops; he can also plough up the field which has failed, and get a late crop from it, which, though not so abundant as the first might have been, will help to pay his rent. By having six months of seedtime to sow, according as the season answers, and by having many different species of grain, some of which are calculated to resist the attacks of drought and insects, by which others perish, the failure of crops is never general, and scarcely ever such as to destroy the whole harvest of any one farmer: this is a misfortune which can only befall some indigent man, who has only one field, and has not the means of labouring on it for a second crop, after the failure of the first. All other farmers, after the most unfavourable seasons, either obtain as much from their lands as enables them to pay their rents, or they get as much as, when joined to the savings of the preceding year, enables them to do so; or, if they have no former savings, they find people willing to lend them what they want, from the conviction that their dis-

Precariousness of crops not such as to justify the apprehension of famine in peaceable times.

common way, every encouragement should be given to those who can. With this view, so far from imposing new taxes on garden productions, all the old ought to be remitted, and no duty of any kind collected on those which are the growth of the country.* The loss to revenue would be trifling and temporary, and the advantage to the farmers great and lasting. It would draw a considerable part of the stock of the principal farmers to the cultivation of garden productions, and as it would by this means diminish the quantity of grain, it would raise the price of it, open a ready market for the sale of the whole of it, and render the price less liable to fluctuation.

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

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

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

The present rental is what the farmers have always been accustomed to pay, and it is easier to them than formerly, when the times, and the portions of it to be collected, were arbitrary, and

* This view is in accordance with the provisions of Rule 3 in Read's proclamation, but it failed to receive the sanction of the higher authorities for more than half a century. It was

not until 1854, under the Government of Lord Harris, that the practice of making the assessment depend upon the description of produce, was formally abolished.

payment of the whole did not secure them from extra demands. It in most cases affords a greater reward to the cultivator than the wages of labour, and this in various gradations according to his circumstances. There are many who do not pay in rent less than one-half of the produce: some pay only one-third, and others no more than one-quarter, or even one-fifth; but I imagine that about one-third is the proportion which the greatest number pay. The difficulty that the farmers have in procuring new servants, or even in retaining their old ones,—a complaint which is every day heard, and which is occasioned by every man's taking land on his own account as soon as he is master of a single plough—is of itself a sufficient proof that farming affords something more than the wages of labour.

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

The regulations adopted in the current year for permitting them to throw up as much of their land as they please, as it increases the proportion of stock to cultivation, is nearly the same thing as reduction of rent; for the usage was, to make assessment as much upon stock as upon land, and to make the farmer who had ploughed twenty acres last year, pay the same this year, though he only ploughed ten, if his stock remained undiminished. This

farmers have been accustomed to pay.

The liberty of throwing up land is equivalent to a reduction of assessment.

Present assessment not excessive, compared with what the

liberty of throwing up their lands was a great concession in their favour; but as their lands are still greatly under-stocked, and consequently unproductive, such an abatement of rent ought to be made as might facilitate their means of stocking them completely. It is only for the purpose of hastening the attainment of this object, that I think any reduction necessary; for there are some arguments against bringing rents to a very low standard.

It in the first place directly cuts off a part of the revenue, and it forces many of the head farmers to narrow the limits of their farms, from the loss of their labourers, whom it tempts to leave them in order to set up for themselves. In this way, also, there will be some decrease of revenue, because the labour of the servant on new land will not produce so much as it did on that of his master. But this decrease will not be lasting, for it will soon be made up by the extra labour of the new farmers, who, with the exception of a few of the most indolent, will do much more work on their own account than on that of another; by the increase of population, to which the division of lands and low rents are favourable; and by the multiplication of cattle, and every kind of farming stock, which is always better managed by small than by great farmers. Those men whose farms have been lessened by the desertion of their labourers, must principally depend upon the increase of their own families for hands to enlarge them to their former size, because, while rents are low, and while there are vast tracts of good land unoccupied, of which anybody may take whatever he wants, every man who can purchase a bullock will farm for himself; and this difficulty of obtaining labour will continue until all the lands which can easily be rendered productive, shall be brought into cultivation.

Still a reduction of assessment, by enabling the farmers to increase their stock, would be very beneficial to the country, and eventually to the revenue.

With regard to the probable effects of the survey assessment on the permanency of revenue, I have not the least doubt but that the amount of the rents of all the lands which may be occupied in the current year, may be collected without having to wait for any length of time. Any remission, therefore, made with the design of securing the realization of revenue, is unnecessary; but such important benefits will immediately accrue to the country, and at a future period to revenue itself, from facilitating the means of increasing the stock of the farmers, that I think it would be doing an injury to both not to remit fifteen per cent. of the lease assessment. This is apparently less than the twenty per cent. which I recommended in my letter of the 15th November, 1796;

it is in fact more, because I conceive that the advantages which the farmers will derive from the permission of relinquishing a part of their lands, and concentrating their stock upon a smaller quantity, will be at least equal to ten per cent.

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

The rental is not the sole cause, but only one among many others, of the cheapness of land. The cheapness is occasioned by the poverty of the inhabitants, which hinders them from stocking their lands, and drawing from them the produce which they would yield, if well cultivated. But it may be said that the rental is the cause of this inability. This is not, however, the case; for had not the exactions of Government and its servants, beyond the fixed rent, perpetually stripped the farmers of all their gains, numbers of them might now have been rich, and their lands might have yielded treble their present produce, and ~~been~~ ⁱⁿ course so much more valuable. The cheapness is also occasioned by the insecurity of property, arising from frequent wars and conquests, which render the possession of land precarious. It is occasioned by the manners of the farmers, whom a long experience of the violence of their rulers has made distrustful, and who therefore either squander or bury their gains, instead of employing them in the cultivation and improvement of their lands. It is occasioned by the high interest of money, which induces those who have it, to employ it in other channels which they think safer than farming. It is occasioned by the want of confidence in Government, which deters those who might be disposed to lay out their money in improving land, from doing so, from the apprehension that the rent may be raised: and it is occasioned by the great tracts of arable land which, for want of cultivation, remain in the hands of Government, ready to be given to whoever will take them. It is plain enough that, as long as these remain unoccupied, no other land can have any value, because no man will buy what he can get for nothing.

Cheapness of land principally attributable to the poverty of the farmers.

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

For as they are, the farmers gain more on their stock than men of other professions.

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

Want of fixity of assessment and want of confidence in the Government discourage improvement.

The want of fixed rents, by discouraging improvements, has hitherto prevented land from becoming of any value; and were they now fixed, it is probable that the want of confidence in Government, which has always hitherto prevailed, would for a long time continue to produce the same effect: it will deter merchants from employing any part of their capital in farming, even though the profits should be much greater than that of trade, because it exposes their property more to public view and to the exactions of revenue officials; for when they farm, they must, in order to do it to advantage, have a number of cattle and stores of grain, and they must lay out money in the improvement of their land. These are things that cannot be concealed, or withdrawn from the rapacity of Government. If they wish to save themselves by flight, they cannot easily remove their cattle or grain, and they must leave their land with whatever money they have sunk on its improvement.

and hinder merchants from investing in land.

But trading property, on the other hand, is little exposed to sight, is easily secreted or transferred, and thereby renders traders more capable than farmers of evading extortion. The want of confidence, therefore, tends to keep land cheap, not only by discouraging the farmers from improving, but also by hindering it from deriving any assistance from the capital of merchants or manufacturers. The rental is so far from being the sole cause of the

cheapness of land, that, were it reduced one-half, the cheapness would still continue the same, so long as there should be any unoccupied arable land to be given away for nothing; and were even the whole arable land under cultivation, none could fetch any price until there was some surplus of stock; because no man will purchase unless he has, besides the stock of the old farm, a sufficiency for the new one.

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

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

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

The smallness of farms in general, attributable partly to the poverty of the inhabitants, and partly also to the facility of farming and to the cheapness of land.

To commence farming in this country very little capital is required: the farmer makes his own hut, and has no occasion to expend a single rupee on any kind of building; all that he wants is a pair of bullocks, a plough, and a little grain; with these he begins, and generally succeeds in his undertaking. It is therefore obvious, that every advance towards improvement in the condition of the labouring peasantry tends to oppose the enlargement of farms, because, whenever labourers acquire any property, they will leave their masters and farm for themselves; and this will constantly happen, as long as land continues cheap, or as Government has plenty to give gratis to whoever demands it. There is also little doubt but that, in consequence of this desertion of labourers, the

head farmers, in order to retain them, will augment their wages, and thus hasten what they wish to prevent.

Small farms conducive to the general increase of wealth.

If a price were put on all waste lands, it would, by checking this desertion, contribute to promote the enlargement of farms, and likewise the saleability of the lands in cultivation; but this measure, though it would be advantageous to the principal farmers, would be prejudicial to the body of the cultivators. There is no reason to regret that farms are small,—it is better on every account, and for general wealth. It does not produce men of great fortunes and overgrown possessions, but it lessens the number of poor, and raises up everywhere a crowd of men of small, but of independent property, who, when they are certain that they will themselves enjoy the benefit of every extraordinary exertion of labour, work with a spirit of activity which would in vain be expected from the tenants or servants of great landholders. If the expense of collection be somewhat increased by the smallness of farms, it is amply repaid by the augmentation of revenue. There is also less danger of loss by outstanding balances, from small than from great farms; because the failure of the small farmer is for a trifling sum, is known at once, and can be easily remedied; but the great farmer will not stop payment until he has ruined every man under him, and rendered them incapable of paying their rents for a number of years.

The creation of large farms can only be accomplished by reducing the assessment in the case of a few favoured individuals, which would be unjust.

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

various fortunes. There would probably in time be no country in the world which could boast of such a numerous race of substantial middling farmers, whose condition, though inferior to that of British landholders, would certainly be preferable to that of the great bulk of the tenantry.

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

In a country where petty farmers are so numerous, changes must unavoidably happen among them, and the lands of some be diminished and of others increased, as long as they are subject to the usual vicissitudes of human affairs; but it does not of necessity follow that these interior alterations should materially affect the general amount of revenue, and if they do not, they are of no consequence. The loss from the decrease of some farms will generally be counterbalanced by the increase of others, and the total will thus be kept nearly on a level. The failures which occasion the reduction of farms arise from high rent, from poverty, from imprudence, and, above all, from the facility of farming, which tempts poor people to engage in it without sufficient means, who are often forced by the most trifling accidents to sell their cattle, and return to their former condition of labourers.

Changes in the number and extent of farms unavoidable, but not necessarily prejudicial to the revenue.

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

* Ghi, clarified butter, which is largely used by the natives of India in cooking.

become saleable, Government must either remit them, or collect them by a second assessment upon the inhabitants.

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

The system of leases might be generally introduced, without any measures of constraint, by reducing the assessment in favour of those accepting leases.

It depends entirely upon circumstances, whether a whole district may, or may not, be rented in lease without constraint. If the rent is lowered as much as every farmer wishes, there is no doubt but that the whole of them would be glad to take their lands in lease; if the rent is higher than this, but such as it is imagined they can pay without much inconvenience, all the more substantial farmers will prefer a lease, in order to secure themselves from further demands. The poorer sort, having nothing of this kind to fear, and being also apprehensive that losses may disable them from fulfilling their engagements, will prefer an annual settlement; but if they are told that those who do not agree to a lease must give up their lands, most of them will rather consent than relinquish them. This alternative may be considered as some degree of constraint; that is to say, it is violence to them to insist on retaining the power of making your own assessments. But the whole of a district might be settled in lease without even the least appearance of constraint; for were it published, that all who consented to take their lands for a certain number of years would obtain a remission of fifteen per cent., and that all who did not would be obliged to pay the usual rent, there is not a man in the country who would not agree to the lease. This shows that there is no absolute necessity for constraint. If the remission is made without any such condition annexed to it, the number of farmers desirous of a lease would not be thereby much augmented; for, as the circumstances that give a value to a lease are certainty of possession and security against any increase of rent,—if these also exist under an annual settlement, there is no cause to lead the farmer to prefer the lease, but several to make him prefer the annual settlement. This is precisely the state of things in this country. The farmers know that they may hold their lands as long as they choose, and that their rents will never be raised. By this they have already all the benefits of a lease; but as, by not binding themselves, they have the chance of getting better lands than their own, by the death or failure of the former occupant, and are at liberty to take advantage of every opportunity that may offer of changing their situation for one more favourable, there is not one of them who will willingly accept of a lease. As long as they

A general reduction of assessment will not promote leases, so long as the ryots know that their tenure is practically permanent, and that the assessment is not likely to be increased.

are convinced that there is no danger of a rise of rents at a future period, any present remission would only tend to confirm them in their opposition to a lease; for as they would think that the remission had been granted solely for the purpose of prevailing on them to agree to it, they would think that, by persisting in rejecting it, they would obtain a still further reduction.

The inhabitants of these districts have everywhere this year been released from the engagements into which they entered last. It would therefore be in vain to attempt at present to renew them; for, having already seen that they were set aside whenever it was suspected that they were unfavourable to them, they would imagine that the same indulgence would be shown again; and if they even agreed to leases, they would do it without reflection, and without any serious intention of abiding by their agreements longer than it suited their convenience. As there is, however, no likelihood that will agree to a lease while rents remain unalterable, and as the privilege of throwing up whatever lands they please every year will render the amount of revenue uncertain, expedients might be adopted for introducing fixed settlements by degrees, which is all that is wanted; for the matter is not of so much importance as to make it necessary to hurry it forward.

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

The option of throwing up land annually enables them to adapt themselves to the seasons, and is beneficial to them, and ultimately to the revenue.

In the present state of the country, it is right that this advantage should be continued to the inhabitants some time longer; but in proportion as their circumstances improve, it might be withdrawn, in order to render it more easy to ascertain accurately the

As the country improves, this option may be withdrawn.

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

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

Engagements, once made, should be enforced.

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

The lease settlement might have been made permanent.

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

lands, equal to the deficiency: if greater, the excess would have been added to revenue; if less, the difference must either have been raised by a second assessment, or remitted.

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

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

Remissions not absolutely necessary under an annual settlement.

If the lease settlement is too high, there will be numerous failures; and as the contributions to discharge them will distress the other farmers, they will accumulate from year to year, and at last render large remissions unavoidable. But this will not happen if the assessment is moderate; for the very idea of moderate implies that the gain must exceed the loss, and the increase the decrease of cultivation, and of course, that revenue will not fall. If a deficiency happens from the failure of a detached farmer in a remote situation, the loss will be compensated by increase in other quarters; if it happens in a large village, the other farmers will be able to make it good without distressing themselves. There is no foundation for believing that losses will accumulate; but if they did, it would not be in so great proportion as the gains, and would not, therefore, bring revenue below its level. It does not necessarily follow, that because they happen in a village one year, they must again occur there, to the same or to greater amount, every succeeding year; for if a timely remission is granted to the defaulters, though not to the village or district, it is probable that many of them will recover themselves the ensuing season, and be able to pay their rents as usual. There would therefore be a revenue, not only secure from a defalcation, but also continually increasing, though not on the same lands; and there would therefore be no positive necessity, after whatever length of time, for making any remission on the total of the lease settlement.

It may be a question to what extent demands against defaulters ought to be carried, and whether or not their whole property, as

Land revenue

defaulters
should not
be deprived
of their
ploughing-
cattle.

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

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

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

Land is of
no value as
security, so
long as it is
not saleable.

I have already stated the reasons why land is not saleable, and why it is therefore no security for defalcations; it is not, however, because it does not yield any profits of stock under the present assessment. It might yield the full profits of stock, and still be of no value as security; for, besides all these profits, it must yield an overplus as rent, before it can become saleable; and it is only in proportion to this overplus, that it can be worth anything as security. It is not easy to believe that it does not at present yield the profits of stock, for it certainly must yield the profits of all that is employed upon it; because, if it did not, this stock could not be kept up, and would either be consumed or withdrawn. If profits are small, it may be imputed as much to the poverty of the people as to the rate of assessment; for as their stock is usually inadequate to giving their lands even a tolerable degree of culture, great returns cannot reasonably be expected.

THE REVENUE SETTLEMENT OF SALER.

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

It has been before observed, that a lease settlement, agreeable to the present assessment, cannot be permanent, unless individual losses are collected from the great body of the farmers. With respect to the hardship or injustice of such a measure, it does not seem to be harder that a farmer should pay for the failure of a person for whom he has stood security, than that a tradesman or a merchant should do the same. It is also hard for a man to be obliged to pay his own losses; but neither the one hardship nor the other has anything peculiar in themselves, but are common to every condition in life. The person for whom the security is given is often merely the labourer of the farmer, who receives his wages, and has nothing to do with the produce of the land. In this instance, when a loss occurs, the farmer, in the character of a security, is only paying for himself; but the greater part of farmers are so ignorant, so simple, and so little accustomed to security transactions, that it is impossible to impress them with a proper sense of their nature, or by any warning to deter them from becoming bound for much more than they can pay themselves, on account of men who, they are certain, will fail. For this reason, I think that no individual security should ever be taken for rent, except where the security has an interest in the engagement, as in the case of a father for a son, or one partner for another. There is not the same objection to general securities, or to whole districts becoming responsible for the amount of their rent, and they ought certainly to be adopted, as, without them, there can be no dependence on the permanency of revenue. As to their being unjust, it is not at all clear in what light they can be considered as such. If it be not unjust to raise a land-rent to answer the demands of Government, or even to increase this rent on particular emergencies, it cannot surely be regarded as more unjust to collect the deficiencies of the fixed revenue by a second assessment. The increase of revenue and the levy of the deficiency are both taxes of the same nature to the inhabitants,—they are somewhat more than they had expected to have been called upon for; but as they are raised by a measure which has no partiality in its operation, but is the same to all men, they may be disagreeable, they may be even oppressive, but they cannot be deemed unjust.

There is no
hardship in
making the
ryots of a
tract of
country
jointly
responsible
for the
assessment.

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

As a rule, head farmers with tenant farmers under them have not existed in this country, there having been no property in land and no fixed assessment.

Small farms are increased by cheapness of land and facility of farming; and though head farmers are certainly diminished by high rents, it does not appear that this has been the cause in this country, or, even if it had, that, if no other consequence has followed, any harm has been done. If by head farmers we are to understand men holding large tracts of ground from Government, which, not being able to cultivate all themselves, they let in part to other men, who cultivate with their own stock and pay them a rent, if the increase of rent were carried so far as, upon the under farms, to equal both the share of Government and the rent to these head farmers, they could no longer remain as head farmers, because, the under farms being now of no value, they would give them up; but the under farmers, paying no more than usual, would cultivate the same lands as before, and both they and the head farmers would just occupy as much as they could respectively manage with their own stock. If the advantages thus lost had always been enjoyed by the head farmers, the taxation which abolished them might be considered as extremely oppressive; but I have never been able to discover that any such race of head farmers ever existed in this country; indeed it was impossible, from the nature of things, that they could. There was no property in land, no fixed rent; whoever gave most for a field got it; demands rose with improvement, every man was obliged to pay as much as he could; and as Government had plenty of land to give away, it is evident that those only could be head farmers who had lands to give to under farmers at a lower rent than the waste of Government, a circumstance that could scarcely ever happen excepting through the collusion of the revenue farmers. It did, however, sometimes happen, but was confined to the few who were useful to them as agents in raising extra collections, &c.; but as these head farmers were merely temporary, depending entirely on the favour of their friends in the cutocherry,* seldom preserving their situations and advantages of low rents more than a few years, and never for life, it may be said that there never was any class of head farmers in these districts; and as there are none now, it is neither the interest of Government, nor of the people in general, that they should be established. The fair mode of settlement is, that rents

* Cutocherry—properly kachēri—the office of the Collector or chief authority in the district.

Should be equal to all men, and that every man should just have as much land as he can cultivate with his own stock. If rents are everywhere equal—that is to say, proportioned to the nature of soil—there can be no head farmers, however low rents may be, while any arable land remains unoccupied, because every man who has stock will take land from Government for himself. If there are no head farmers, and if rents are equal, a proportional augmentation of them will not increase the number of small farmers, but will rather tend to oppose it, by increasing the expense of farming, and thereby rendering it more difficult for the servants of farmers to obtain a sufficient stock, in order to leave their masters and set up for themselves. It therefore appears, that when rents are equal, head farmers are not always increased by their being low, or small farmers by their being high.

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

Government does not meddle with the affairs of husbandry further than collecting the rents. It, however, may be said that in doing this from such a number of individuals, its ignorance of their circumstances is often hurtful to agriculture, by making it exact payment where remission ought to have been granted; but that the head farmers, being fully acquainted with the condition of all those under them, would proportion indulgence to the extent of their various misfortunes. It is not certain that they would always make the proper use of their knowledge, and if they did, it would not, after all, make it advisable that the country should be rented by them; for the casual and temporary evils which might arise from the ignorance of the servants of Government, would be nothing in comparison to the lasting injury which the country would sustain from being divided among great landholders.

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

Great farmers are more likely to produce poverty than to relieve it, for in proportion as they increase, small farmers decrease, by being converted into labourers. Though there are properly no great farmers in this country, there are many who are something similar to them. These men, when a poor farmer has not stock enough to cultivate his farm, supply the deficiency, on condition of

The casual evils which may result from the interference of Government officials in a country cultivated by a number of small farmers, holding direct from the State, not so great as those to be apprehended from dividing the country among a few great landholders.

Poverty likely to be increased under a system of great farms.

receiving a share of the produce; but their terms are either originally so hard, or afterwards rendered so by taking usurious advantage of his inability or want of punctuality, that these contracts most frequently terminate in their getting possession of all his little stock, and even insisting on his working for them until he discharges—which he probably never will—some real or pretended balance that they have contrived to accumulate against him. His labour is now so much more profitable to them than to himself, that in times of scarcity they will supply him with grain, and endeavour to preserve him, for the same reason that they wish to preserve their cattle. This is merely what often takes place under all governments, but more especially under those which are arbitrary and rapacious. The great farmers, being uncertain how long they may hold their lands, have no motive for improving them, and still less for being anxious about those of the under farmers; and though they may know that his future prosperity would be beneficial to themselves, they seldom have patience to make the experiment, but follow the shorter road of making the most of him for the present. They feed him when in want, but they prevent him from becoming independent and able to feed himself. Wherever a country is divided among great farmers, the poor are numerous, because there are then only two classes,—rich proprietors and poor labourers. The more the lands are divided among small farmers who have the means of cultivating them, and the fewer the number of great farmers, the fewer also will be that of the labouring poor, and the less the necessity of supplying them with grain in times of scarcity.

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

Assessment of the districts under Munro's charge not greater than it was in former years, but still higher than it ought to be.

The public revenue of the centre division of these districts is not greater now than it has been in former times; it was as high in other years, under Tippoo, as in 1788-9; and has been higher still at earlier periods. But even taking 1788-9, it is not higher now than it was then. The rental of that year, by the village accounts, was as follows:—

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

The balance of land-rent here is a false balance, for the whole settlements, and even more, were collected from the farmers. In these settlements are included lands, amounting to 9000 pagodas (£3150), given to the kandacháras, or militia, at a low rent, in lieu of pay. These lands, at the usual rates of assessment, now yield ear treble their former rent; but taking them at double, it makes an addition of 9000 pagodas (£3150) to the land-rent of 1788-9. To this might also be added the rents of the circar lands formerly entered as ináms, but now resumed, and of lands greatly under-estimated, and more frequently free of all rent, enjoyed by the revenue servants or their connections, some resident in the country, and some not, who contributed nothing to revenue, but drew the full rent from the cultivators. These might amount, at a low estimate, to 3000 pagodas (£1050); so that the total land-rent of that year was 174,433 pagodas (£61,052).

The collections of land-rent last year, including lands not entered in the jamábandi,* were 167,000 pagodas (£58,450), which is higher than the settlement of 1788-9, but rather less than the actual collections of that year, when the deductions for militia and other lands are added to the account. It may be said that the profits on lands held by revenue servants, being generally spent in the country, were of advantage to it. This they certainly were in some degree, but as they were scarcely ever appropriated to the improvement of land, they could only be of use to agriculture in the same way that so much money would have been, if issued as pay to troops, by increasing the demand for the productions of the soil. But even in this view, the disbursements to the present civil and military establishments are greater than they were under Tippoo, added to the peculations of all his catcherry servants. The peculations, or by whatever name they may be called, the extra profits of curnums and potails,† above what they now receive, were those only which could be said to afford the cultivator any direct benefit superior to what he now possesses. But even of these, only a small portion was applied

* Jamábandi.—This term appears here to be applied to the village rent-roll, i.e. the register or statement of the village holdings assessed to the public revenue, and the amount of the assessment. It is commonly applied to the process of settling the amount of land revenue payable for the year, which process, it may be remarked, is often misunderstood as involving, under the ryotwár system, as in force in Madras, an annual settlement of the rate of assessment, the fact being

that all that is settled is the quantity of land which each ryot undertakes to cultivate and his consequent liability to the State at the established rates of assessment.

† Potail—properly pottail—the head man of the village, who, besides being invested with petty authority as a magistrate, is the principal agent in the realization of the revenue, and the chief medium of communication between the ryots and the officers of Government.

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

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

I imagine that every government in India demands as great a share of the produce as Government does here. The observation is very just, that an increase of taxation increases the difficulty of recovering lawful debts, for it diminishes the means that the debtor has of discharging them; but it does not seem so clear that Government, having a large or a small number of farmers to deal with, should make any alteration on this head; for it never can be the interest of any government to impede the course of justice in the recovery of legal debts. The only possible case in which

The public assessment, and, in the case of tenants, the rent payable to head farmers, should be entitled to a preference over other debts.

If farms held immediately of Government could interfere with justice, might be when a revenue servant might hinder a creditor from recovering a just claim, from the mistaken notion that it might injure revenue, by disabling the debtor from paying his debt. But it is plain that a preference of the public to private interests could never dictate such a conduct, because, if the creditor is a farmer or a merchant of the country, his losing the money, or the debtor's paying it, would have nearly the same effect on revenue; and if a stranger, the distrust which it would create, the difficulty of borrowing which would ensue, and the consequent rise of the rate of interest, would occasion infinitely more mischief to the country, and loss to revenue, than could have been counterbalanced by the temporary advantage of realizing the rents of the debtor; but lenders might advance their money with the same confidence to the immediate tenants of Government as to those of head farmers, were it published that the same rule of recovery would be observed in both cases. It might then become a question whether Government, or, what would be the same thing, head farmers, should, on the failure of their tenants, share only in proportion with other creditors, or should first seize effects for the amount of the rents, before the creditors could be entitled to any division. It would probably be best that rents should always be paid before the admission of other claims. This is generally understood at present, and the lender does not regard the rent, but the overplus, as that which constitutes his security for the debt; he knows how far his right extends, and has no reason to complain if he is not allowed to go farther. And it is, perhaps, on the whole, as well for him that it should be so; for if the landlord found that the rents of his tenant could be seized by a creditor, he would give the land to another man, and by doing so deprive the tenant of the only means of his paying his debts.

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

If assessments are so high as to be oppressive, the collection of them will be difficult, and will therefore occupy the whole of the Collector's time; but if they are moderate, it would make very little difference to his time, whether he has to demand them from a few great farmers, or from many thousand small ones, as at present. It would employ a few more accountants,

The system of small farms does not necessarily entail more labour on the revenue officials than the system of large farms.

but would scarcely give him any additional trouble. When lands are held immediately of him, the grants are all of the same form, the conditions of all are exactly similar, and as they are perfectly well known, there are rarely any disputes or references about them, so that, however great the number of farmers, they seldom take up any extraordinary part of his time, except when they apply for remissions. But were the country portioned out among great farmers, the endless variety of their agreements with their tenants—for personal service, for rent, for kind, or for a part of both; sometimes merely verbal, or, if written, written in different forms, often confusedly expressed, and of doubtful meaning—would give rise to such continual disputes and complaints, as would probably give him more trouble than he could have suffered from giving the lands to small farmers. To guard against this, the great farmers might be required to adopt certain specific forms in drawing out their agreements with their tenants; but the very endeavour to introduce this practice, and the perpetual attention which would be necessary to keep it in force, would occupy as much of his time as if the whole had been transacted in his own catcherry. In these districts it is not the number of small farms, but the want of any fixed system of management, changing a part or a whole of it every year, and the details connected with the survey, which have hitherto created so much labour for the Collector. When changes are at an end, and a fixed plan determined upon, though farms should remain as small as at present, the discharge of every part of his duty will demand no very extraordinary degree of application.

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

The conduct of agriculture, so far as regards every man's having the management of his own farm, should certainly not be interfered with by the revenue servants; but if, by leaving it to the husbandman, it is meant that farmers should have whole districts, or villages, or even any portion of land beyond what they can stock themselves, under their charge, reasons have already been given for thinking that such a system would be extremely prejudicial to the general welfare of the country. As to the evils of delegated authority, it may be said that they must always exist; the Collector cannot do everything himself, nor

The delegation of authority to native subordinates is unavoidable.

is it necessary that he should: were he to lose himself in detail, a single village would be as much as he could manage, and the revenue would be swallowed up in the expense of collection. There are men enough among the natives, who are better acquainted with the state of the country and the manners of the people, and who are better qualified to carry on the details of revenue, to detect imposition, and to investigate to the bottom, and settle all disputes and litigations, than any European ever can be. It is his business, not so much to lose his time to no purpose, in the vain attempt to do everything, as to make those do work who can do it better than himself.

With respect to the separation of the judicial from other powers, it may be doubted if it would produce any good. One of the strongest arguments against the union of the judicial and executive functions, that the administration of justice may thereby be converted into an engine for destroying the liberties of the people, has no existence in this country. The people are already under a foreign dominion, and can look for nothing more than the preservation of their own laws and customs, so far as they are compatible with the security of the authority of that Government. It would be impossible to communicate to them all the advantages of English jurisprudence, without first making them Englishmen. Were native courts of justice established in each province, their decisions would be partial and corrupt. Were European judges appointed to superintend them, they, as being also officers of Government, could have no more inducement to guard the people from wrong than the collector; and the nature of their office precluding them from acquiring so intimate a knowledge of the people, would render them, on most occasions, more liable than him to be deceived in their judgments. There is yet but little property in the country to go to law about,—litigations are chiefly about the boundaries of fields, stray cattle, and the wages of the farmers' servants, or the shares of their partners; and as they are connected with revenue, they could no way be so easily or so expeditiously settled as by the Collector and his tahsildars, or by panchayats† under their direction. It would be proper to have a superior court to appeal to from the decisions of the Col-

The separation of judicial from executive authority not desirable in the circumstances of India.

* Tahsildar, a native collector of revenue.

† Panchayat, a court of arbitration, usually composed of five persons.

lector, and to complain against him, when guilty of any act of oppression; but it should not interfere with the interior management of his district. The whole authority, civil and judicial, should be vested in him; for if a court of justice is established in his district, the expense of government will be greatly increased, and the collections of the revenue impeded, without the smallest benefit to the people.

Review of suggestions made in this letter and in the letter of 18th July.

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

1. A reduction of fifteen per cent. to be made on the lease assessment.
2. The country to be rented immediately of Government by small farmers, as at present, every one receiving just as much land as he demands.
3. Settlements to be annual; that is to say, every man to be permitted to give up, or take, whatever land he pleases every year.

THE REVENUE SETTLEMENT OF SALEM.

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

5. Villages and districts to be responsible for all individual failures.

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

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

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

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

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

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

lábád had refused to surrender. A great part of the country, from Niléshwaram to Bárkúr, had been ravaged by the Coorgs. In

gar, and when the assessment of the land revenue, which still formed the basis of the assessment which Munro found in operation, was introduced; how the Vijayanagar assessment, which was a light one, having been apparently considerably less than one-fourth of the gross produce, had rendered the district prosperous, and had led to the formation of that which did not exist in any of the neighbouring countries, except Malabar, viz., private property in land; how, when the country passed under the Bednore dynasty in the latter part of the 16th century, the assessment was more than once raised, but was still not so high as materially to interfere with the prosperity of the people, until the conquest of Canara by Hyder Ali, under whom, and under his son and successor Tippoo Sultan, there ensued a period of over-assessment, of war, and of mis-government, which in some cases annihilated the old proprietors, and inflicted serious injury on all. It appears from a statement appended to the letter of 31st May, which it is not thought necessary to reprint here, that while Tippoo's assessment amounted to star pagodas 6,16,089-2-20, or £246,435, the assessment recommended by Munro did not exceed star pagodas 4,65,148-33-64, or £186,059. This assessment included the shist, the nature of which will be explained presently, and a portion of the additions made by the Bednore Government and by Hyder and Tippoo, which are commonly designated as shāmil. The Vijayanagar assessment, introduced between the years 1334 and 1347, including additions made to it up to the year 1660, constituted the rekha, or standard assessment, and amounted to star pagodas 5,80,759-22-15. From this sum large deductions were made on account of ināms, waste lands, &c., which reduced the actual assessment to star pagodas 2,46,623-14-12. This latter sum, styled the shist or balance, was in fact the standard assessment in 1660. It was raised by the Bednore Government, by various additions, to star pagodas 3,20,827-4-73, at which it stood when Hyder conquered Canara. It was further raised by Hyder to star pagodas 5,33,202-4-17, and by Tippoo nominally to 8,68,678-25-16, but, according to Munro, actually to only 6,16,678-25-16; and in regard to the

latter sum, it appears from a subsequent report by Mr. Thackeray (printed as an appendix to the Fifth Report) that it was merely a nominal assessment, for Tippoo never collected more than 4,73,550-3-12. Munro observes that 'the ancient assessment' is still written, not only in all general 'accounts of districts, but in those of every individual landowner. It is alone considered as the due of Government. All subsequent additions are regarded as oppressive exactions. They are not called rent, but are stigmatised by the names of obout, imposts, fines, &c., and distinguished by the names of the dīwāns who first 'levied them.' The ancient assessment referred to in this passage would seem to be the shist of 1660, amounting, as above stated, to star pagodas 2,46,623-14-12; but in the figured statement the shist is entered in one place at 3,20,827-4-73, in another at 3,27,159-7-62, and in another at 3,59,732-32-35—all of these figures evidently including additions to the ancient shist made by the Bednore Government; while in the abstract of Munro's settlement for 1799, the standard rent or shist is put down at 2,84,604-23-45, which sum is referred to by Mr. Thackeray as the amount of the 'ancient shist.' The discrepancy is not now of any material importance, and I merely refer to it because the shist, as forming an element in the assessment of Canara, has been recently brought prominently to notice in the suits instituted against the Government of Bombay by numerous landholders in North Canara, in consequence of the re-assessment of the land revenue in that district, which was annexed to the Bombay Presidency in 1862. Munro's settlement, as has been said, amounted to star pagodas 4,65,148-33-64, or £186,059. In making this settlement, he took as his basis Tippoo's assessment of star pagodas 6,16,089-2-20, adding some fresh items and new heads of revenue, but deducting 1,50,940-4-36 on account of waste land, heads of revenue lost, &c. Even thus reduced, the settlement he considered to be higher than could be judiciously imposed upon the district, but did not think himself 'at liberty to depart widely from the system which 'he found established,' as it was the same as that which 'existed in all the

many places the cattle had been swept away, the villages burnt, and the inhabitants—men, women, and children—carried off into

'provinces which the Company had acquired in the last and former war.' He had made 'no other reduction in the assessment of Tippoo Sultan than such as was absolutely necessary in order to ensure the collection of the rent. He considered himself merely as a Collector, who was to investigate and report upon the state of the country, but who was to leave it to the Board (of Revenue) to decide as to the expediency of lowering the assessment.' But while thus assessing the land revenue at the highest sum which could be collected without positive oppression, he urged upon the Board of Revenue and the Government the importance of reducing it to such an extent as to restore a saleable value to the land, and with this view he suggested a reduction of about 80,000 pagodas, to be effected by reducing the assessment in parts of the district to that which obtained at the close of the Bednore Government, in other parts to the Bednore assessment and 25 per cent. of the extra assessments imposed by Hyder, and in others to the Bednore assessment and 30 per cent. of Hyder's extra assessments. Munro's recommendations, which were framed with a view to the adoption of a permanent settlement, at that time in contemplation, were not supported by the Board of Revenue, but were sanctioned by the Madras Government on the understanding that the reduction was to be temporary, and was 'not to be entered in the accounts of the province as a diminution of any of the existing principles of assessment,' but 'that the whole amount was to be entered under a separate head of temporary gratuitous remission, to be deducted from the aggregate assessment of Fasli 1209' (A.D. 1799-1800). Munro was at the same time instructed to give his particular attention to certain disproportions which had been observed in the rates of assessment recommended by him, and also to the question of imposing a land-tax upon those estates which under the Hindoo dynasties had been held free of assessment, but had been assessed by Tippoo. Not only therefore was this reduction of the assessment made for 1799-1800 declared to be merely a temporary remission, but the assessment itself was ordered to be revised, with the avowed object of raising it, whenever the con-

dition of the people might justify such a step.

From Munro's second letter it would appear that having, after a longer residence in the province, formed a more favourable opinion of the condition of the people than that which he at first entertained, he did not deem it necessary to carry out the whole of the temporary reduction which had been sanctioned, but limited the reduction of the assessment to 2½ per cent. Munro was shortly afterwards transferred to the ceded districts, and the adoption of a permanent assessment for Canara was indefinitely postponed. Mr. Thackeray, writing in 1807, observes that 'the Collectors of Canara have ever since gone on lowering or raising the rent according to circumstances.' Upon Tippoo's standard each ryot's payment to Government consists of 'two parts shist and shāmil. The shist is the old land-tax, and is easy; the shāmil is the extra assessment, which is sometimes more, sometimes less, than the shist. Few individuals pay the full sum, including shist and shāmil; but while the Collector keeps the full standard 6,16,089-2-20 in view, the ryots have to look forward to pay it, according to the 'kykaghia, as it is termed. This standard is too high; but the annual settlement is made with a view to it, and the amount is regulated by circumstances.'

The system here described appears to have been continued for upwards of twenty years with very prejudicial effects on the prosperity of the district. The standard assessment was then reduced, and some years later still further reductions were made, which, followed by the abolition of the transit duties and of the tobacco monopoly, and by a considerable expenditure on roads, has rendered Canara one of the most prosperous districts in India. Now, the question is not whether the assessment is too high, but whether the land of Canara contributes its proper share towards the taxation of the Empire. Except in that portion of North Canara which has recently been surveyed and re-assessed under the orders of the Government of Bombay, there has been no survey of Canara since it became a British province, and it is believed by those

THE CONDITION AND ASSESSMENT OF CANARA.*

31st May, 1800.

Unsettled
condition of
Canara
when Munro
took charge.

WHEN I entered Canara from the southward in July last, the districts of Kúmla and Vítíl, lying between Bekal and Mangalore,

* Canara is the name of an extensive tract of country on the western coast of India, extending from the northern frontier of the province of Malabar to the southern frontier of the Portuguese territory of Goa, which formed a portion of the territory acquired by the East India Company's Government under the Treaty of Seringapatam. It now forms two districts, one of which, under the designation of North Canara, and including a portion of the ancient kingdoms of Súnda and Bilgi, was transferred to the Bombay Presidency in 1862. The whole tract, as originally made over to the British Government, was estimated to contain a superficial area of 8360 square miles, of which 2744 square miles form a portion of the chain of mountains commonly known as the Western Gháts, while the remainder lies between the mountains and the sea. The following description of the physical features of the district is extracted from an article in the *Calcutta Review*, written by Mr. Francis Newcome Maltby, of the Madras Civil Service, who was for some years Collector of Canara:—

'Canara Payanghát consists, for the most part, of a series of rough undulations of laterite rock, intersected by numerous streams and broad estuaries. To the ravines and valleys formed by these streams, and to the sandy or alluvial soils which surround the estuaries, or form the coast line, cultivation is principally confined. It is only very gradually that it is extending up the slopes of the hills on the coast. Possessing in these valleys a fertile soil, continually renewed from its well-wooded mountains, the district abounds in the richest productions of tropical vegetation. It has its sandy sea-board lined with cocoa-nuts, its alluvial plains bearing

'their treble crop of rice and rich patches of sugar-cane, and its deep ravines at the foot of the mountains crowded with pepper, cardamom, and betel palm. But in addition to these, the mountains rising from this base attain, in several places, a sufficient altitude to display the vegetation of a temperate climate, and the teak, ebony, and sandal which clothe their base, give place to the raspberry, the salop, the wild rose, and the violet. Intermediate between these is a plateau on which wheat grows by the side of the rice and the sugar-cane.

'The continued rains of the S. W. monsoon, averaging about 120 inches a year, combined with a tropical sun, clothe each successive range with ever varied forms of vegetable life, and to the botanist the district offers a boundless and almost unexplored field. To the geologist also it offers many points of interest, and the sources of the golden grains found in the sands of the mountain torrents, the laterite rock, the slate and the limestone, have hitherto been very cursorily examined. The scenery of the district is varied and beautiful. The estuaries of the coast are, in fact, broad salt-water lakes, studded with wooded islands, and surrounded by fertile alluvial plains, from which rise the undulating laterite hills, backed by the long waving line of the Ghát mountains. Passing from the coast to the interior, each depression in the laterite range is found to be a sequestered valley, the basin of which is occupied by rice fields, surrounded by gardens of cocoa-nuts, plantain, betel palm, and pepper vine. The thatched bomestead of the proprietor appears among this thick vegetation, and scattered huts of his tenants and

THE CONDITION AND ASSESSMENT OF CANARA.

were in the possession of two chiefs styling themselves Rajahs, who had long been pensioners of the Bombay Government. Jama-

'dhere (late slaves) are surrounded by their clumps of garden trees.

'A belt of forest clothes the undulating surface at the foot of the mountain range, and in travelling from the coast this has to be passed before the ascent is commenced. In ascending from this level the timber becomes finer, the rocks are more abrupt, the torrents become waterfalls, and all the features of mountain scenery are met with in their grandest form. In the south of the district the westward streams take their rise on the westward slope only of the mountains, and are but small detached torrents, until they unite into rivers at the base of the mountains. The Cavery, as described above, and the Tunga, and the Badra, take their source in the mountains, and drain off to the eastward all that falls on the eastern slope. In the north of the district it is different; rivers which have collected the great body of the water on the eastern slopes, swelled by the drainage of an extensive tableland, have found a passage through the mountains westward. They burst the rocky barriers at a great elevation, and form, perhaps, the noblest falls in the world. Of these the falls of Gairappa are the best known, and have, for some time past, attracted visitors from all parts of India. A scene more perfect in the combination of sublimity and beauty is perhaps nowhere to be met with than is afforded by the stupendous chasm of 890 feet, its dashing cataracts, and all the accessories of the most beautiful surrounding scenery.

'Canara Balaghát, or the tract above the Gháts, differs essentially from the coast district. It consists of the undulating crests of the mountains, gradually subsiding to the level of the Deccan. The magnificent jungle of the Gháts gradually dwindles into stunted teak and sal, and finally disappears into the open plains of the Mahratta frontier. The scattered houses and farms are exchanged for clustered villages; and the double hedge which encloses them, and the towers of refuge which rise in their centre, show that the border track came within the sweep of the mounted marauders. The taluk of Súpa, extending from the

'semi-circular frontier of Goa to the east and south, consists of a vast forest in which a few higher and grassy elevations rise like far scattered islands. Cultivation is carried on in the deeper and well-watered glens, but seen from an elevation the shadows of the clouds seem to float over an uninterrupted sea of foliage. More than a million of acres are comprised within this taluk, in which are included the grand forests, abounding in teak and other valuable woods. To the southward the jungle is less continuous, and a mixture of grassy glades and clumps of woodland forms the characteristic of the Bilgi taluk.

'Canara is almost exclusively an agricultural country. The staple products are rice, betel-nut, pepper, cardamoms, cocoa-nuts, and timber. The climate is unfavourable to manufactures, and unless the production of salt, by solar evaporation, be included under this head, they may be said to be unknown. But though not a manufacturing country, it is eminently a commercial one. Beyond the line of the Gháts lie the fertile lands of Dhárwár, Ballári, and Mysore, and the products of these countries find their way to the larger markets of the world through the ports of Canara.'

This district, which had for several centuries been subject to the Hindu dynasty of Vijayanagar, and subsequently to that of Bidnore, was conquered by Hyder Ali in 1763, and remained a province of Mysore until the death of Tippee, in 1799, when it was transferred to British rule and its administration was entrusted to Munro. His first duty was to ascertain what the Government dues were, and to take steps for enforcing their collection. The two papers on Canara printed in this volume are the reports addressed by him to the Board of Revenue at Madras, stating the result of his inquiries. The first of these reports shows what difficulties he had to contend with, and how by patient firmness they were overcome. It shows how, by a careful examination of ancient records, he traced the regulations and customs which had prevailed with reference to the tenure of land from the middle of the 14th century, when Canara was subject to the government of the Rajah of Vijayana-

Difficulties
with which
he had to
contend.

captivity. The followers of Dhúndaji had made an irruption from Bednore into the district of Kundapúr; Bilgi was in the possession of a poligar; Ankola and Sadásivaghar were garrisoned by the Sultan's troops, and the Rajah of Súnda had entered that district as his ancient inheritance. It was the height of the monsoon, and the rivers which cross the country at the distance of every five or six miles, were all full, and could only be passed at the few places where there were canoes; so that it was extremely difficult either to communicate orders, or to assemble the ryots of the neighbouring villages, in order to settle their rents. My first care, after arriving at Bekal, was to send off harkáras* into all the districts where they could venture, with proclamations warning the inhabitants not to pay any balances, unless to persons acting under my authority, and enjoining them to detain all revenue officers of the former Government who might be in the country. I had at this time only four men about me who were qualified to act as amildárs,† and I despatched them a few days after the harkáras, to take charge of Kundapúr, Honáwar, Bilgi, and Sadásivaghar, as soon as they should have submitted to our troops. I found it very difficult to get men to send to other districts; for, as it had been a maxim both with Hyder and Tippoo to exclude the natives of Canara from all situations in the revenue line, as Tippoo had dismissed all the shauhagars, and as the people who had been drawn from Mysore to supply their places had mostly fled, many weeks elapsed before I could procure a few gumáshtas.‡

Attempts of
some of the
principal
chiefs to
make their
own terms.

I began with the settlement of Bekal, but such was the unwillingness of the inhabitants to quit their habitations and come to the cutcherry at this inclement season of the year, that I was three weeks in finishing, in this small district, what ought to have been done in one. While engaged in this business, I received letters from the poligars of Bilgi, Súnda, Vítíl, and Kúmla, all to the same purport, congratulating me on the success of our arms, and expressing their confidence that they would be reinstated in their

officers who are best acquainted with the district, that large tracts of land are now included in the estates, which are practically not assessed to the revenue. The revenue system of Canara is ryotwár, in so far that the holdings are numerous and many of them small—when the article already quoted from was written, there were fifty-five thousand holdings in Canara, of which nineteen thousand paid less

than ten rupees a year to the revenue—but it differs from the ordinary ryotwár of the Madras territories, in that the assessment is imposed upon the estate, or *warý*, and not upon each field, as elsewhere.

* Harkára—a messenger.

† Amildár—a collector of the revenue.

‡ Gumáshta—literally an agent or deputy—meaning here a native clerk.

ancient domains. I knew that there were pretenders, either open or concealed, to almost every district in Canara. I saw that any immediate discussion of such claims could only be productive of mischievous consequences, and I therefore gave them all the same answer—that they must repair personally to camp and lay their case before the Resident of Mysore, and that even then they would not be heard until they should have withdrawn all their followers from the Company's territory. Not one of them obeyed. General Hartley had, before my arrival, ordered the Rajahs of Kúmla and Vítíl to return to Malabar, and to deliver up the arms they had received from the Commissioners. They so far paid attention to this order as to return themselves, with the view, no doubt, of securing their pensions; but each left his nephew behind with all his armed followers, hoping that by keeping matters in confusion, and hindering the ryots from coming to the cutcherry, they would at last force me to give up the country to them on their own terms. I took no notice of the nephews and their banditti. They were too strong for the civil power, but at the same time too contemptible to be made the object of a military expedition, when the troops were required for more important services. I was also averse to using force wherever a point could be accomplished by patience and fair means, and I therefore contented myself with sending frequent messages to the inhabitants, inviting them to come to the cutcherry, and warning them of the punishment that must inevitably attend their persisting in their disobedience; but it was not till after General Hartley again went to the Rajahs, and threatened to treat their nephews and adherents as rebels, that the ryots of Vítíl came to the cutcherry, above a month, and those of Kúmla near three months, after I had first sent for them. In the mean time, as the season was passing away, it was necessary, without waiting any longer for them, to go to Manjesar, Puttúr, and other districts on the southern bank of the Mangalore river; but here, too, the inhabitants quitted their villages on my approach, and refused to come to the cutcherry except on certain conditions, prescribed by themselves.

Previous to the conquest of Canara by Hyder, all lands were private property, and the rents were fixed and moderate; but the amildárs of Hyder and Tippoo laid on one assessment after another, until at last rents were as high as in Mysore. The inhabitants, anxious to recover what they had lost, had frequently been in a state of partial insurrection, and have frequently been severely punished. The principal men among them, however,

The ryots
generally of
the same.

never lost sight of their object. They kept up a general correspondence from one end of the province to the other, by means of confidential people, who were maintained by private contributions among themselves. They made an attempt, on every change of a *diwán** or *ashraf*, to gain their point; and they had so far succeeded in 1796, as to obtain a nominal remission of about twenty per cent., which was paid the first year as a bribe to the officers of Government, and went the two following years partly to the revenue servants, and partly to the inhabitants, especially the higher classes, who least wanted it. They thought the transfer of the country to the Company a favourable opportunity for securing what they had so recently gained, and what they could only have expected to hold by large and continual payments to the officers of revenue. With this view, therefore, wherever I went they sent me in a paper, a kind of bill of rights, stating this deduction as the only preliminary on which they could agree to come to any discussion at all of their settlements. I of course refused to admit of any previous stipulations. I answered them, that the revenue must first be brought back to its former standard, and that then whatever appeared oppressive, should be remitted. Finding, after several weeks wasted in messages, that I would not give up, they at last came in. The other districts followed their example; and after the fall of Jamalabad, in the beginning of October, the country being now freed from the enemy, the ryots made very little further opposition to the settlements. Those of Canara were finished in January; and the *jamabandi* might have been forwarded to you in February, had not the placing *Sunda* under my charge made it necessary to wait for the settlements of that province, which, from its desolate state, and the disorders to which it had long been exposed, required a much longer time, in proportion to its rent, than that of Canara.

I have been the more particular in describing the obstacles which I met with in the settlement of Canara, because, except in the districts claimed by *poligars*,† they originated entirely in the inhabitants having once been in possession of a fixed land-rent, and in their still universally possessing their lands as private property,—circumstances which distinguish Canara in a remarkable manner from all the countries beyond the *Ghâts*, and which must be attended to in whatever system may hereafter be framed for

* *Diwán*, the ordinary designation of the chief minister of a native state.

† *Poligar*—properly *paligár*—a petty chieftain subject to pay tribute and service to the paramount state.

its management. The attachment of the inhabitants to this ancient land-rent, and the obstinacy with which they had resisted every new addition to it, under the Mysore Government, induced me to examine a number of ancient *sunnuds** and revenue accounts, in order to ascertain from them what had been the state of revenue under the Rajahs of Bednore, as well as under Hyder and Tippoo, and the cause of its decline. The accompanying statement shows the amount of revenue under the Rajahs of Bednore, and all the successive additions that have been made to it, down to the close of Tippoo's reign. I have frequently entered ten or twelve small items under one head, because it would be endless and perplexing to have detailed them all separately. I have confined myself to the land-rent, without taking any notice of the customs; for the detail of them would afford no criterion from which a judgment could be formed of the state of the country, because rice, from which they chiefly arose, was never permitted to be freely exported by sea, but was always in part reserved, though in a different proportion almost every year, for supplying the troops at Nagar, and in all the garrisons both above and below the *Ghâts*: and as this rice paid no customs, it therefore often happened that, in years when the produce of rice was equal, the produce of the customs was less by half in one than in the other.

The great value of land in ancient times led the *curnumas* to adopt every expedient they could think of for the preservation of their accounts, because they were not only a register of the public revenue, but of all transfers of land among individuals. They wrote their accounts in black books which lasted above a century; and, to guard against accidents, they always made two or three copies, which were distributed among different branches of the family, to be kept separately. Whenever a volume became much worn, from length of time and frequent use, a fresh copy of it was made, and a memorandum was usually inserted in the title-page, mentioning the year of *Sáliváhan*† in which it had been written, and also the date of the original or older copy from which it had been transcribed. The use of these registers having been prohibited during the Mysore Government, a great part of them has been lost, from negligence and other causes; but enough still

* *Sunnud*—properly *sannad*—a grant or document conveying titles, privileges, or emoluments.

† *Sáliváhan*, the name of a powerful Mahratta prince, who is said to

have reigned upwards of eighteen centuries ago, and who gave his name to an era still current in the Deccan and in Southern India.

But yield
on finding
Munro
inflexible.

The exist-
ence in
former
times of a
fixed assess-
ment of
private
property in
land a dis-
tinguishing
feature of
the Canara
land
tenures.

Precautions
taken to
preserve the
accounts.

remains to furnish a complete abstract of the land-rent during a period of more than four hundred years.

Original
mode of
assessment.

From the remotest times of which there is any record, until near the middle of the fourteenth century, all land was assessed in rice at a quantity equal to the quantity of paddy sown; that is to say, a field which required ten bundles of paddy to sow it paid ten candies of rice to the sirkár. The measure then in use was called a katti, which contained forty hanis of eighty rupees weight; a katti was therefore equal to three thousand two hundred rupees weight. The rent of three such kattis of land was three kattis of rice, or one ghetti pagoda of the same value as the bahádire now is. The revenue was sometimes collected in kind, and sometimes in money, at the discretion of the sirkár; and, probably, according as the state of prices rendered the one or the other most advantageous.

Vijayanagar
assessment.

Between the years A.D. 1334 and 1347, Harihar Ráya, the Rajah of Vijayanagar, made a new assessment of Canara upon the principles laid down in the Shashtra, which suppose the produce to be to the seed as 12 to 1, and which prescribe the proportions into which it is to be divided, between the sirkár and the cultivator, agreeable to the Shashtra; therefore he reckoned that $2\frac{1}{2}$ kattis of seed yielded 30 kattis of paddy, which he divided as follows:—

To the landlord	...	...	...	...	...	7½
To the cultivator or labourer	...	...	...	...	...	15
To the sirkár...	...	...	...	...	...	7½
						30

and still following the Shashtra, he divided the sirkár share as follows:—

To the sirkár one-sixth of the gross produce	...	...	...	...	5
Devastán,* one thirtieth	...	...	...	...	1
Brahmadaya, or Brahmans, one-twentieth	...	...	...	...	1½
					7½

He reckoned the $7\frac{1}{2}$ kattis of paddy equal to half or $3\frac{1}{2}$ kattis of rice, from which he deducted four hanis per katti of rice, or one-tenth, for beating it from the paddy. The balance, 3 kattis and 15 hanis, he supposed to be the fund from which the sirkár rent of one ghetti pagodas to $2\frac{1}{2}$ kattis of land was to be paid. Though it is said that in the $7\frac{1}{2}$ parts of the gross produce taken as the sirkár's share, $2\frac{1}{2}$ are for pagodas and Brahmans, it appears from a statement of ináms, that the share actually allowed to them was little more

* Devastán—properly Devasthána—a temple, or revenue applied to the support of a temple.

than one. This curtailment was made on the idea of their possessing lands to a large amount not included in the jamá;* and it appears from investigations made in subsequent periods, that these ináms, added to what they held openly, exceeded the $2\frac{1}{2}$ parts which they ought to have on the whole of the jamá, except in what is called the hobli of Mangalore, which comprises about one-third of Canara, and which, being at that time mostly held by a number of tributary poligars, was only partially subjected to this assessment.

Between this period and 1660, the only considerable addition they made to it, was by an assessment of cocoa-nut and other fruit-trees, which, under the Vijayanagar Government, do not seem ever to have paid any rent, exclusive of the land-rent. The Vijayanagar assessment, with all additions down to this era incorporated with it, has been for more than a century considered as the rekha or standard rent, of all the lands in the country, cultivated and waste.†

Additional
made
between
1547 and
1660.

This ancient assessment is still written, not only in all general accounts of districts, but of those of every individual landholder. It is alone considered as the due of Government; all subsequent additions are regarded as oppressive exactions. They are not called rent, but are stigmatized by the names of chont, imposts, fines, &c., and distinguished by the names of the diwáns who first levied them. They were always opposed by the inhabitants; and it was therefore necessary in most cases to make them as general and equal as possible, by an even rate of percentage.

Ancient
assessment
alone con-
sidered to be
the due of
Govern-
ment.

This forms a remarkable distinction between the land-rent of Canara and that of Mysore and the neighbouring countries; for there the rent of every village, and of almost every ryot, fluctuates from year to year, because it is not fixed upon the land, but is regulated by the supposed ability of the cultivator.

However much I disapprove of the numerous additions made to the ancient land-rent by Hyder and Tippoo, I did not think myself at liberty to depart widely from the system which I found established, as it is the same as that which exists in all the provinces which the Company have acquired in the last and former war. I have made no other reduction in the assessment of Tippoo Sultan than such as was absolutely necessary in order to ensure the collection of the rest; I considered myself merely as a Collector, who was to

Munro did
not consider
himself at
liberty to
depart
widely from
the system
which he
found
established.

* Jamá, the assessment.

† It has not been thought necessary to reprint here the portion of the report which contains the details of

Munro's revision of the assessment, a summary of which is given in the note on p. 54.

investigate and report upon the state of the country, but who was to leave it to the Board to decide as to the expediency of lowering the assessment.

The effect which would have resulted from Hyder's and Tippoo's assessment, had it existed in ancient times.

Had such an assessment as that introduced by Hyder and Tippoo existed in ancient times, Canara would long ago have been converted into a desert. In a country so rocky and uneven, where cattle are not only scarce, but, even where they are to be had, cannot always be employed; where every spot, before it can be cultivated, must be levelled with great labour by the hand of man—the expense of the first preparation of waste ground must have been so great, that it never could have been attempted, unless the assessment had been extremely moderate; and even after land has been brought into cultivation, if it is neglected for a few years, it is soon broken up by deep gullies formed by the torrents which fall during the monsoon.

The ancient assessment, even after the additions made by the Bednore Government, was moderate.

Not only these reasons, therefore, but the most positive evidence of accounts, clearly demonstrates that the fourth of the gross produce, said to have been taken as the sirkár share in the Vijayanagar assessment, was fully as much as was paid by the ryots under that Government; for, after the addition made to it by the Bednore family, in 1618, of fifty per cent., besides many smaller additions, making about twenty per cent. more, it appears to have been little felt by the inhabitants. Indeed, it appears that the sirkár share was reckoned higher than it ought to have been, by adopting the shástra rule of the seed yielding 12 to 1 as the basis of cultivation; for an ancient estimate of produce and the expenses of cultivation, drawn up at the time of the original assessment, makes the sirkár's share only one-sixth, which was probably nearer the truth than one-fourth. Whatever proportion it might have borne to the gross produce in 1762, at the time of the conquest of Canara by Hyder, it still seems to have been sufficiently moderate to have enabled the country, if not to extend cultivation, at least to preserve it in the same flourishing state in which it had been in earlier times. Where districts were in a state of decline, it was not caused by the land-rent, but had been the consequence of the diminution of their population, during the frequent revolts of their numerous petty poligars, or it had been occasioned by temporary acts of oppression; for the Rajahs of Bednore, though they adhered to the principle of a fixed land-rent, frequently permitted their favourites and dependants, when placed in the management of districts, to ruin many of the principal inhabitants by the exaction of exorbitant fines under various pretences.

THE CONDITION AND ASSESSMENT OF CANARA.

From these and other causes, there were in many parts of the country tracts of waste land which paid no rent, and which could be sold at the rate of from one to eight or ten years' purchase of the sirkár rent. I have met with some instances in which particular fields had been sold as high as twenty-five and thirty years. Under the Bednore rulers, therefore, those outstanding balances which have since been so common in Canara, were almost unknown. It was not thought necessary to keep annual details of the state of cultivation. It was never inquired what portion of his estates a landlord cultivated or left waste. It was expected, that in whatever state they were, he was to pay the whole rent. When he failed, however, as was sometimes the case, it was not usual, even where it could be done, to sell the whole or a part of his land, to make good the deficiency. This was looked upon as a harsh measure, and was seldom resorted to. The usual custom was to grant him time, to assist him with a loan of money, or to remit the debt altogether. The village or district was scarcely ever assessed for individual failures. On the whole, the revenue was then easily realized; and when there were at times outstanding balances, they seem to have been produced rather from mismanagement, than from the operation of the land-rent.

Outstanding balances of assessment were almost unknown under the Bednore Government.

Canara has, however, now completely fallen from this state of prosperity. The evils which have been continually accumulating upon it, since it became a province of Mysore, have destroyed a great part of its former population, and rendered its remaining inhabitants as poor as those of the neighbouring countries. Its lands which are now saleable, are reduced to a very small portion, and lie chiefly between the Kundapúr and Chandragiri rivers, and within five or six miles of the sea. It is not to be supposed, however, that the whole of this tract can be sold, but only that saleable lands are scattered throughout every part of it, thinner in some places, and thicker in others, particularly in the Mangalore district. There is scarcely any saleable land, even on the seacoast, anywhere to the northward of Kundapúr, or anywhere inland, from one end of Canara to the other; excepting on the banks of the Mangalore, and some of the other great rivers. In the vicinity of the Gháts, the lands are not only unsaleable, but the greater part of them is waste and overgrown with wood. It is reckoned that the population of the country has been diminished one-third within the last forty years; and there can be little doubt that its property has suffered a much greater reduction. Gaírappa, Ankola, and Kundapúr, formerly flourishing places, contain

Present depressed condition of Canara.

now only a few beggarly inhabitants; Honáwar, once the second town in trade after Mangalore, has not a single house; and Mangalore itself is greatly decayed.

Causes of the change.

It may be said that this change has been brought about by the invasion of Hyder; by the four wars which have happened since that event; by Tippoo himself destroying many of the principal towns upon the coast, and forcing their inhabitants to remove to Jamalabad, and other unhealthy situations near the hills; by his seizing in one night all the Christian men, women, and children, amounting to above sixty thousand, and sending them into captivity to Mysore, from whence one-tenth of them never returned; by the prohibition of foreign trade, and by the general corruption and disorder of his Government in all its departments. These circumstances certainly accelerated the change; but, taken altogether, they probably did not contribute to it so much as the extraordinary augmentation of land-rent.

Advantages of a moderate assessment.

A moderate land-rent carries in itself such an active principle of prosperity, that it enables a country to resist for a long time all the evils attending bad government, and also to recover quickly from the calamities of war. When it is fixed and light, the farmer sees that he will reap the reward of his own industry. The cheerful prospect of improving his situation animates his labours, and enables him to replace in a short time the losses he may have sustained from adverse seasons, the devastations of war, and other accidents. But when oppression is added to all the other mischiefs of a tyrannical government, the country, however flourishing it may ever have been, must sink under them at last, and must hasten to ruin at a more rapid rate every succeeding year.

Hyder's maladministration.

Hyder received Canara, a highly improved country, filled with industrious inhabitants enjoying a greater proportion of the produce of the soil, and being more comfortable, than those of any province under any native power in India: but instead of observing the wise and temperate conduct which would have secured it the enjoyment of these advantages, he regarded it as a fund from which he might draw, without limit, for the expenses of his military operations in other quarters. The whole course of the administration of his deputies seems to have been nothing but a series of experiments, made for the purpose of discovering the utmost extent to which the land-rent could be carried, or how much it was possible to extort from the former, without diminishing cultivation. The savings accumulated in better times enabled the country to sup-

port for some years, the pressure of continually increasing demands; but they would not do so for ever. Failing, and outstanding balances, became frequent before his death.

The same demands, and worse management, increased them in the beginning of Tippoo's reign. He was determined to relinquish no part of his father's revenue. He knew no way of making up for failures, but by compelling one part of the ryots to pay for the deficiencies of the other; he made them pay not only for those which arose upon the cultivation of the current year, but also for those which arose from the waste lands of dead and deserted ryots, which were annually increasing. Severity, and a certain degree of vigilance and control, in the early part of his government, kept the collections for some time nearly at their former standard: but it was impossible that they could remain so long; for the amount of land left unoccupied, from the flight or death of its cultivators, became at last so great, that it could not be discharged by the remaining part of the inhabitants; and the collections, before the end of his reign, fell short of the assessment from ten to sixty per cent. The measure which he adopted for preserving his revenue was that which most effectually destroyed it; he forced the ryots, who were present, to cultivate the lands of the dead and absent; but as the increased rent of their own land required all their care and labour, by turning a part of it to these new lands the produce of their own was diminished, and they became incapable of paying the rent of either.

Intensified under Tippoo.

The effects of this violent regulation was to hasten the extinction of the class of ancient proprietors or landlords; for many who might still have contrived to have held that rank, had they been permitted to confine their stock to the cultivation of their own lands, when they were obliged to employ it in the cultivation of those of other people, and when the consequent decrease of the produce left no surplus, after paying the rent of Government, sunk to the state of labourers. Nothing can more strongly indicate the poverty of a country than when its lands, so far from being saleable, must be forced upon the cultivators: but this practice prevails more or less throughout Canara, and is very general everywhere to the northward of Kundapur.

Extinction of the ancient landholders.

As far as can be gathered from traditions and accounts, it appears that in the fourteenth century, at the time when the rekha or Vijayanagar standard rent was fixed, the whole of the land was

Under the Government of Vijayanagar and

Bednore, the assessments were practically a fixed assessment.

Causes of the low price of land.

parcelled out among a prodigious number of landholders paying annual rents, in various gradations, from five to five thousand pagodas. Great estates, however, were not common; and the average was nearer fifty pagodas than any other sum. The demand of the sirkár was fixed for two centuries and a half under the Vijayanagar Government, and may be said to have been fixed under the Bednore Rajahs also, during more than a century; for in all that period the fixed additions to it hardly amounted to ten per cent.

The price of land, it has been already observed, was low; but this low price ought not to be ascribed entirely to the assessment. Some of it may fairly be laid to the charge of other causes—to the danger of being suspected of being rich, which hindered so much money going to the improvement of land, and so much from being paid for it, as would otherwise have been done; to the total want of manufactures for the internal consumption of grain, from which the revenue chiefly arose; to the difficulty and expense of transporting so bulky a commodity by land, depriving it of the market of the countries above the Gháts; and to the want of a naval force to protect the coast against pirates, and to secure, at all times, a free export for the surplus produce by sea. But though the price was low, the property itself was guarded by several equitable and humane laws, or rather customs, originating in precautions which mankind naturally take to transmit their possessions to their descendants.

Facilities for the transfer of land by sale or otherwise.

The alienation of land, by sale or otherwise, was unrestrained. Nothing but gift, or sale, or non-payment of rent, could take it from the owner. If he absconded with balances standing against him, it was transferred to another person; but if he or his heir returned at ever so distant a period, it was restored, on either of them paying a reasonable compensation for the balance, and such extra expenses as might have been incurred on account of improvements. No crime in the proprietor could extinguish the right of the heir to the succession. Where proprietors, holding directly of the sirkár, died without heirs, their estates reverted to the sirkár, which gave them away to a new set of owners, on receiving one, two, or more years' rent as a *nazarána*,* according to the condition in which the lands might have been at the time. It does not appear that the landlords were, by their tenures, bound

* *Nazarána*, lit. a gift from an inferior to a superior, meaning here a payment made to the State on succession to property.

the performance of personal service, or any other condition beyond the simple one of discharging the public rent; and even this was not always rigorously exacted.

Though the estates held immediately of Government were so small that the rent of each did not exceed fifty pagodas, yet the proprietors had under them an infinite number of lesser proprietors, holding their lands of them, with all the same proprietary rights as those under which they held their own of Government. It was usual for the original proprietors to rent, either for a term of years or for ever, such a portion of their lands as was sufficient to discharge the whole of their public rent, and to keep the rest in their hands. The tenants for ever became a second class of proprietors, whom nothing could deprive of their right of possession, unless their own act of gift or sale. On failure of heirs, the lands reverted to the original superior landlord; but a reversion of the estate of the superior landlord to the sirkár did not take place if the inferior could be found.

Various proprietary tenures.

As all land was private property, no man would occupy or cultivate waste, until he had obtained a *pattá*, either to secure him in the possession, or if turned out, to indemnify him for his expenses; because he was liable, if he neglected this precaution, to be turned out at any time by the owner without compensation. When a proprietor alienated land for a certain rent for ever, he either received a price for it, or received none, or paid a sum of money to the person to whom the land was transferred. Which of these modes was adopted, depended on the circumstances of the parties, and the nature of the land; but in each of these cases the tenure was the same, and the tenant was called tenant by purchase.

Modes in which land was transferred.

When the sirkár disposed of lands which had reverted to it by the failure of heirs, it followed the practice of individuals. It sold them almost always for a *nazarána*. It sometimes gave them gratis, but it never paid money, and seldom or ever advanced *takávi** to the tenant or owner. The reason why individuals rarely received, and why the sirkár almost always received, a price for land, is sufficiently obvious. Individuals, in transferring or alienating one part of their estates, always endeavour to do it at the very highest rent that could be got, in order to free the other, if possible, from taxation. But as the sirkár took no such advantage, it gave the whole or any portion of the estate, for the whole or fair quota of the standard rent. As all alienations of land in perpetuity were

Land, the property of the State, usually sold.

* *Takávi*, an advance of money for the purchase of seed or agricultural stock.

is uncertain. Gardens or plantations of cocoa-nut, betel-nut, and pepper are considered as private property, and follow the same rules as in Canara; but all other land is supposed to belong to the sirkár. It is also understood that, even in gardens, the property of the soil is vested in the sirkár, and that only the trees belong to the owner. As the sirkár, however, has no right to the ground while the garden remains, this is a distinction that can never be attended with any inconvenience to him; for when a garden is once planted, it may be kept up for ever by a succession of young trees, so that he may be said to be proprietor of the soil as well as of the produce. As in Sunda Payanghát one-third of the land-rent arises from cocoa-nut and betel-nut gardens; as all rice lands are occupied by sirkár* tenants, who are not removable while they pay their rents, except in the case of another person offering a nazarána, which rarely happens; as in Sunda Balaghát about three-fourths of the land-rent is drawn from gardens of betel-nut and pepper; and as it is only in a few villages on the Mahratta frontier that the ryots ever quit their lands, there seems to be nothing else wanting but a reduction of the present assessment, in order to constitute the rice lands private property as well as the gardens. There is even now a certain class of them distinguished by the name of shásan, or sunnud lands, which have in this manner become private property. They were originally waste lands, for which a nazarána was paid to the sirkár, in consideration of which they were made over to the purchaser for the simple shist, or standard rent, exempt for ever from all extra assessments. They amount to about six or eight per cent. of the sirkár lands. All rice lands, cultivated and waste, which have no sunnud, being liable to be sold by the sirkár, lands highly improved were sometimes taken from the ancient tenant and given to a stranger for a nazarána, who at the same time received a sunnud which secured him against all future increase of rent.

Exclusive of these two descriptions of sunnud lands, no land in Sunda is saleable except gardens, and many of them even, in consequence of the rent with which they are loaded, are unsaleable. Panjmahe, or Sunda Payanghát, is nearly in the same state, with respect to cultivation, as the most desolate districts of Canara; but Sunda Balaghát is much worse than either. It is nearly a complete desert. It has not throughout its whole extent a cultivated spot of a mile square, except a few small openings thinly scattered; all the rest of the country is overgrown with so thick a forest, that

* Sirkár, properly *sarkár*, the Government, the State. Sirkár tenants, tenants of the State.

THE CONDITION AND ASSESSMENT OF CANARA.

it can only be penetrated in the few places where roads have been made. Most of the heads of villages formerly retained parties of thieves in their service; for Sunda, having long been a frontier country, touching on the territories of several different powers, and its jungles affording the most complete cover to banditti, it has probably been accustomed to plunder all its neighbours, and to be plundered by them, ever since these circumstances concurred to favour such disorders.

These banditti, to the number of three or four thousand, secretly encouraged by the principal inhabitants, in 1796 expelled all the Sultan's garrisons excepting those of Hallihal and Sadásivaghar, and defeated several parties sent against them; and though they were at last dispersed by a strong detachment, several of the ring-leaders continued, at the head of bands of fifty or a hundred men, to elude the search of their pursuers among the jungles, and to commit depredations on the country till the beginning of the Company's government. As they were then offered indemnity for all past offences, and lands to cultivate, many of them have since come in. Some of them, however, still hold out. Robberies and murders, though not so common as before, are still very frequent. Many of the petty Mahratta zemindars, particularly on the northern frontier, give protection to robbers. No village is safe without a guard, so that it will probably be necessary to keep up the present establishment of peons for some years, till these disorders have subsided. The most effectual remedy for them all would, I imagine, be a moderate land-rent, which, by holding out an easy and certain livelihood, would bring back a great part of these banditti, who were originally labourers, to the habits of industry.

Having thus explained at some length the ancient and present state of Canara and Sunda, it only remains for me to offer a few observations respecting what ought to be the rate of assessment, and the extent of farms under a fixed settlement; but, as the assessment is of much greater importance than the division of the country, I shall confine myself entirely to it in the present letter. It may be supposed that, without the aid of a previous survey, or of the experience to be derived from long residence, I cannot form any correct judgment upon the subject. This may be true in many instances with respect to the assessment of farms or villages in detail, but there are certain points from which sufficiently just conclusions may be drawn with regard to what ought to be the total amount of the assessment. There can be little doubt that both Hyder and Tippoo generally raised rents as high as they could

Disturbed condition of the country.

Most of the land in Sunda not saleable.

Principles on which the assessment should be revised.

said to be by sale, all proprietors therefore, while the Bednore Government lasted, were said to hold their lands either by purchase, or by immemorial prescription.

Nature of the tenures still unaltered. Private property in land still cherished.

The lands of Canara are still to be considered as held under the same conditions, and governed by the same rules of transfer, as they were under the ancient Government. The increase of assessment by Hyder and Tippoo Sultan has, in some places, annihilated the old proprietors; and it has everywhere diminished the quantity, but not altered the nature of the property. What remains is still as much cherished, and the title to it as obstinately contested, as it ever was perhaps at any former period. The landlords, who once lived chiefly on their rents, have now hardly any rent at all. Few of them have sufficient to constitute, of itself, the fund of their subsistence. Many of them procure a part or the whole of their subsistence by the management of farms, or even by acting as labourers. The destruction of a part of the property by the heavy demands of the sirkár seems rather to have increased than impaired the attachment of the proprietor to the remainder. He never quits the estate of his ancestors while he can live upon it as a farmer or a labourer; but if, after paying the sirkár rent and what is due to himself for his labour, there remains the most trifling surplus, he will almost as soon part with his life as with his estate. Disputes concerning land, where the property frequently does not amount to ten pagodas, are often carried before every successive amildár for twenty years.

Comparatively little land in Canara the property of the State.

The only land in Canara that can in any way come under the description of sirkár lands is unclaimed waste, to a great deal of which it is very likely claimants would appear, were it once brought into cultivation. There are also some uncultivated lands, particularly in the northern districts, which may be reckoned public. There are lands which were originally unproductive, and which, from the death or absence of the owners, would have been allowed to run to waste, had they not been contiguous to more productive lands, whose owners it was supposed were able, and were therefore compelled, to cultivate them. But exclusive of this land, cultivated by compulsion, and unclaimed waste, all other is private property.

Evidence of public documents on this point.

This was in ancient times so clearly understood, that the right was never questioned or infringed, and all public documents convincingly testify that sirkár land was altogether unknown; for in granting lands for the endowment of pagodas or ináms and jágirs to individuals, the sirkár, having no other pro-

perty in land except what is derived from its rent, did no more than transfer this rent; and the only difference that it made to the landholder was that he now, instead of paying his rent to Government, paid it to the Brahman of a pagoda or an inámdar. The inámdar, so far from having become entitled by his grant to take upon himself the management of the land, had no right even to a residence upon it. He was merely a pensioner, whose pension was assigned upon a particular landlord. This is no doubt the reason why there are no traces of jágirdars to be found in Canara. These men would have required to be put in possession of the lands, and they would therefore seek their jágira, where this could be done.

None of the inám sunnuds in Canara contain any grant of land, as they do in other parts of India. All that they do is to specify the names of the different landholders, and the amount of the public rent of each, and to direct that the whole of this rent shall thenceforward be paid to a certain pagoda or inámdar; but the land itself not being at the disposal of the sirkár, all sunnuds are of course silent with respect to it. And could there be any doubt as to the meaning of this silence, it would be removed by the universal custom of the country, by which no individual inámdar, or community of inámdars, such as the Brahmans of a pagoda, have the smallest control over the lands assigned for the payment of their ináms. Government, therefore, in reforming the revenue system of this province, have no new rights to private property in land to create. They may augment the value of the property by diminishing the assessment; but the right itself is already as strong as purchase or prescription can make it, and is as well understood as it is in Great Britain.

The state of landed property in the small districts of Bilgi is in every respect the same as in Canara.

Súnda has undergone a much greater reverse than even Canara; but it has not been occasioned solely by the tyranny of the Mysore Government. Its decline seems to have begun under the Mahomedan princes of Bijapur, and to have continued under its own Rajahs, who were successively tributaries to the Bijapur Sultans and the Moghul Emperors, and who, besides the payment of their peshcush, were compelled to satisfy the rapacity of the Omrahs, under whose control they were placed, by heavy exactions from their subjects.

Súnda has, like Canara, an ancient land-rent. Sunnuds mention a survey made in the second century, but whether what is now called the old land-rent is the same, or a more modern assessment,

A similar state of things in Bilgi. Decline of Súnda greater even than that of Canara, and commenced earlier.

Extent to which private property exists in Súnda.

go, and frequently beyond what the land could bear. Their example, therefore, ought certainly not to be our guide; but the assessment of the current year, on the same quantity of land, is nearly as high as ever Hyder's was at any time, and is higher than Tippoo's collections were, except during a few years in the early part of his reign. But when it is considered how much the country has suffered, both in population and property, within the last twenty years, I am perfectly convinced that the settlement is now, in proportion to the resources of the inhabitants, fully as heavy as it ever was in any one year under Hyder or Tippoo Sultan. It might always be realized in times of tranquillity; but without a reduction of it, land would never become generally saleable; and it ought therefore to be rejected as inconsistent with the liberal principles of the Bengal system.

It may very safely be assumed that no native Government is ever more indulgent in the assessment of its subjects than the British Government ought to be. It is urged that the low assessment of the Vijayanagar family ought to be ascribed to the distance of Canara from the seat of Government enabling its servants, without the fear of discovery, to give false statements of it. This objection cannot surely be brought against the Bednore assessment; for the capital was within twelve miles of the nearest part, and was little more than one hundred miles from the most distant part of Canara. The Bednore assessment, however, seems to have been raised as high as it could possibly be raised, without destroying private property in land by rendering it unsaleable; and could it have been raised higher without producing this consequence, it would undoubtedly have been done. It may therefore, without the smallest danger of relinquishing too much, be admitted that the whole of the land in cultivation ought not to be assessed at a higher rate than it was under the Bednore Government at the time of Hyder's invasion.

The reduction which it would be necessary to make for this purpose would be equal to star pagodas 98,780-10-67, which is the excess of the present settlement of the land-rent above star pagodas 3,39,283-12-8, the Bednore assessment of the same land. This is the reduction which, all other things remaining equal, would be required in order to restore the country to the same flourishing condition in which it was before it became a province of Mysore. But as Government have determined, on the introduction of the permanent system, to abolish all road customs, and all duties whatever on grain, which will in a certain degree have the same effect, though

The assessment ought not to be higher than that in force under the Bednore Government.

The reduction which will be necessary.

not so directly, as a reduction of the land-rent would have, it will not be necessary to grant the whole of the proposed abatement.

Rice is the grand source of the customs, and the benefit which will accrue to the country from the abolition of them will be nearly in the ratio of the duties now paid on that article, and the quantity of it annually exported, to the amount of the land-rent. But the duties paid on exportation by the districts of Honáwar and Ankola are only three rupees, while in all the districts of Canara they amount to eleven rupees on the corge, varying in different places from 1533 to 1638 pakká sers;* and the quantity also now exported from Honáwar and Ankola is so small, that the duties on it only amount to star pagodas 1200, while the duties on what is exported from the rest of Canara are equal to star pagodas 3200. It is therefore evident that the immediate advantage which would result from the abolition of the duties on rice would be to Ankola and Honáwar only as star pagodas 1200—the amount of the duties now paid—to star pagodas 75,611-5-33, the amount of their land-rent; while to the other districts it would be as star pagodas 32,000 to star pagodas 3,20,366-31-36. For this reason, then, and because Honáwar and Ankola are in a much more desolate state than any other part of Canara, I would recommend that their fixed assessment should not be more than the Bednore assessment; that the fixed assessment of Kundapúr, Bilsáwar, and Bárkúr, as likewise of Sunda Balaghát and Bilgi, on account of the advantages which they will derive from the free sale of their pepper, should be made equal to that of Bednore and 25 per cent. of the extra assessments by Hyder; and that the fixed assessment of all the other districts should be equal to the Bednore assessment and 30 per cent. of the extra by Hyder, because they escaped a great part of the 50 per cent. additional imposed in 1618. The loss of land-rent which this would occasion would be nearly as follows:—

Sunda Balaghát and Bilgi	St. pag.	11,456	10	2
Ankola and Honáwar	"	12,723	16	38
Kundapúr, Bárkúr and Bilsáwar	"	18,406	1	2
The rest of Canara	"	35,785	33	38
Total	St. pag.	78,371	25	0

or say, in round numbers, 80,000 pagodas.

Whether the Board may think it expedient to adopt the assessment here proposed, or any other, as the foundation of a permanent settlement, it is very clear that, whatever it may be, it must be

Rate of assessment in the several districts to be regulated partly with reference to the benefit they will respectively derive from the abolition of the duty on rice.

Reductions proposed for the ensuing year.

* Pakká ser, a measure of weight equal to about two pounds.

greatly below the existing one; and as it is certainly desirable that the inhabitants should, as early as possible, partake of the benefits of the system intended to be introduced, no time ought to be lost in making some reduction in the land-rent and abolishing a considerable part of the customs. This might be done by remitting in the settlement of the ensuing year one-half of the proposed reduction of the land-rent; by abolishing all duties on rice in Ankola and Honáwar, and all except one Bahádari pagoda per corgé on exportation by sea in the other districts of Canara; and by abolishing all duties on rice, and one-fourth of the duties on pepper, in the districts above the Gháts.

The immediate loss of revenue which would attend the reductions would be nearly as follows:—

	Land rent.	Customs on rice.	Pepper.	Total.
Ankola and Honáwar	6,361 26 19	1,200		7,561 26 19
Kundapúr, Bárkúr, and Bilsáwar.	9,203 0 41	5,600		14,803 0 41
The rest of Canara	17,892 34 59	12,200		28,892 34 59
Súnda Balaghát and Bilgi	5,728 5 1	500	1,000	7,228 5 1
Star Pagodas	39,185 30 40	19,800	1,000	59,455 30 40

The remission of this sum, large as it is, ought not to be regretted, when it is to be considered that it is merely relinquishing a part of a burdensome assessment, under which the country could never make any great progress towards improvement, and that a greater sacrifice must still be made before a settlement can be effected on the principles of the Bengal system.

In a country like Canara, totally destitute of manufactures, which pays three-fourths of its land-rent from rice, and near one-half of it from the exportation of that commodity, it is obvious that an export duty of 20 to 25 per cent. must not only greatly discourage the improvement of the land now in cultivation, but must operate as a prohibition to the occupancy of what is waste. It is therefore of the utmost importance that it should be abolished wholly, or at least in part, as soon as possible, and that the remission should be published to the inhabitants by the end of the current Fasli,* because it will have a beneficial influence on the settlement of next year, by promoting the cultivation of waste land—will be advantageous to the landlord, by increasing the demand of the foreign market, and enabling him to get a better price for his grain.

* Fasli, the agricultural or revenue year, commencing on the 12th July.

THE SAME SUBJECT.

19th November, 1800.

MANY circumstances have occurred within these few months to induce me to judge more favourably than I did formerly of the condition of the inhabitants of Canara; but none has so much attracted my attention as their numberless disputes about landed property. In the Baramahal, a dispute about land scarcely came before me once in six months; in this country every other cause of litigation or complaint seems to be lost in that of land. It alone produces more than nineteen in twenty of all the complaints that I hear. The accumulated suits of half a century appear to have broken loose at once; and every moment that I can spare from my ordinary business has been given to the hearing of them, without having sensibly reduced their number. They formed a principal branch of the emoluments of the sirkár servants, not only under the Mysore, but also under the Bednore Government; for it was the practice of almost every amildar to receive money to set aside the decisions of his predecessors, which accounts for such a multitude still remaining unsettled. Both these claims of long standing, and new ones which arise every day, evince that land, notwithstanding all the subsequent additions to the shist, is still considered as a very valuable property. Claims come chiefly, as may be supposed, from the most flourishing districts; and the proportions that come from different districts may be reckoned a tolerably good criterion for estimating their comparative state of wealth or poverty. We may be sure that where lands are so much the object of contention, there is no danger of their being unable to discharge the public rent; for men would hardly lose their time, and spend their money, for the sake of acquiring that which is not worth the holding, or which might involve them in loss. Were all estates in Canara worth disputing for, I should not think any absolute necessity existed for reducing any part of the assessment. There is no part of Canara where the ryots of themselves throw up their old lands and occupy new. There are parts where, though a man will not quit his land,

Further experience gives a more favourable view of the condition of the people of Canara. Numberless disputes about landed property

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yet when he has been dispossessed by force or intrigue, he does not think the object sufficiently important for him to pay anything for its recovery; but in by far the greatest part of Canara the right to land is so obstinately contested, that a man, however just his title may be, is rarely permitted to succeed to his estate without encountering the opposition of some rival or other, who endeavours to invalidate his claim, and to set up one of his own, supported by false witnesses or forged deeds, which are very common in this country.

The relative degree of value attached by the natives themselves to land, in different parts of the province, could we exactly ascertain it, combined in some degree with a retrospect of the shist and collections of former times, would afford the best standard for determining the proportions of the assessment, which ought to be reduced.

Difficulty of ascertaining the produce or value of land.

It is scarcely possible to ascertain the produce or value of land from the owner or cultivators. Long experience has taught them that concealment is their best defence against new exactions; and all of them, however simple in other respects, are continually on their guard against any questions that tend to lead to any disclosure of their circumstances. A careful survey would, however, yield us a great deal of useful information, which cannot be drawn from them; for, by learning the rents paid by tenants to the landlords, and comparing the lands of the tenants to the whole lands of the estate, a tolerably good guess might be made of the net income of the landlords. A survey, however, cannot be made without a heavy expense; and there is no other mode of acquiring so much knowledge of the state of the country. Next to a survey, the best way of gaining this knowledge would be by keeping a register for some years of the rent and produce of all lands that become the subject of litigation. There is always something or other on such occasions which induces one of the parties to bring forward a statement of the produce. As there is therefore no difficulty in discovering it, and as these disputes are so very frequent, a great number of examples might soon be collected from each district; and the average produce of these lands might be taken as that of the whole district—or, at least, it would not be far from it, after deducting sirkar lands, which, from not having an owner, are but poorly cultivated.

A survey would be the best mode. Next to a survey, a register of the rent and produce of lands brought into litigation is the most reliable.

The evidence on this point, both of landlords

I have endeavoured by every means in my power to ascertain, from such circumstances as have come within my observation, what are the relative proportions of the produce, after deducting

All expenses of cultivation, that go to the sirkar and to the landlord. The evidence of the tenants, were it not most commonly false, would at once determine the point, because all rents of tenants to landlords in Canara are paid either in money or a certain fixed quantity of grain, and never by a share of the crop, or what is called waram. In taking the reports of the landlords themselves, the lowest that any of them have reckoned their average share of the net produce to a district, or magani, is fifteen per cent., and the highest forty per cent. Though I imagine that the highest of the extremes is too low, yet the admission of either of them on their part is more than could have been expected, for it proves incontestably the existence of a land-rent. The reply of the farmers of the Baramahal to similar queries was always that there was no rent, and seldom any profit, or anything beyond the mere wages of their labour. In both cases they represented their situation as much worse than it really was. According to their own statements, however, there is a wide difference between the condition of the farmer of Baramahal and that of the landlords of Canara.

and of tenants, is commonly false.

Among the numerous causes respecting land which have come before me, the landlords' rent was much oftener above than below fifty per cent. of the net produce. In many instances it was sixty, seventy, and eighty per cent. The most productive lands, it may be said, are the most liable to become the subject of litigation, and cannot therefore be taken as a standard for the average of the whole. It does not appear to me, however, that they ought to be regarded as a selection, or that they might not form a fair average, for they comprehended every description of land—those of the poorest, as well as those of the most substantial, landlords. A cause in which most of the native Christian proprietors were concerned, has furnished me with a great number of examples, the result of which is still more in favour of the landlords. In 1784, when they were carried into captivity by Tippoo, their lands were confiscated, and either given away, or sold to men of other castes for a price far below their value. They have now claimed their restoration; and in order to determine what the present holders may be entitled to as a compensation for purchase-money, improvements, &c., a statement has been drawn up by the parties themselves; and as both have agreed to abide by it, there can be no doubt of its being perfectly correct. The only difference is about the price of the rice, the one party reckoning the average three moras to the pagoda, the other four. The Hindus assert that the Christians are the most industrious of all castes, and that therefore they have more rent than

Munro's impressions as to the average proportion of the net produce received by the landlords.

any other. The Christians deny this, and say that they have got the name of being industrious from selling vegetables in Mangalore, and engaging in various occupations, but that the Hindu landlords, from confining themselves entirely to the cultivation of their lands, render them fully as productive as theirs are; that the Hindus, though they have more bad land, have also more good; and that the average rent of Hindu landlords is not, in any one of the five districts contained in the statement, so low as fifty per cent. of the net produce. It was my intention to have procured from every Christian landlord an account of the produce of every estate which bordered on his own. This would have probably furnished me with the detail of about a thousand estates, the average of which might, without any material error, have been taken as that of the districts to which they respectively belonged; but as my removal has prevented me from obtaining this account, I can only attempt to draw a conclusion from such circumstances, tending to throw a light on this subject, as I have hitherto had an opportunity of noticing. From comparing them all, I am inclined to believe that the average rent of landlords is about fifty per cent. of the net produce in all the districts below the Gháts, except Mulki, Kundapur, and Bekal, where it may be from thirty to forty, and Ankola and part of Honáwar, where it is somewhat less.

Necessary inequalities of the assessment, and their causes.

Anything like equality of assessment or of produce can hardly be supposed to exist throughout so extensive a tract of country. The clear rent is in many instances as low as fifteen per cent., and in many as high as eighty per cent. of the net produce. The disparities are oftener owing to the different proportions of labour bestowed on the land than to those of the assessment. Many of those estates which now yield the lowest proportions of rent, were formerly among the most productive. They have fallen into decay from the exactions of nazaránas for the sirkár, of fines for pretended or trifling offences, and of presents for an endless succession of asophs and amildars; from the arbitrary and uncertain amount of the different kists; from their frequent anticipations, by which petty landowners were often compelled to sell or mortgage their estates for the payment of revenue before it was due; from such anticipations being often directed beyond the general rate against particular landlords, in order to compel them to sell their estates to persons who had bribed the amildars for this purpose; and, above all, from the gratuities required every year by the sirkár. The numerous forts in Canara have each a strong shed running the whole length of the rampart, in order to cover the troops from

the weather. These sheds and all other public buildings, besides the houses of all public servants, having been annually repaired before the setting in of the monsoon, demanded a vast number of labourers, as did likewise the felling of trees among the hills, and transporting them to the beach, for the use of the marine establishment. All these services were performed by country labourers; and as the more substantial landowners had usually sufficient influence to get their own exempted, the weight fell wholly on the lower class, who were often deprived of the assistance of their servants at the time they stood in the greatest need of them, for the cultivation of their lands.

As the income of the landlord was affected by these and other temporary causes, the removal of them will enable it to rise gradually to its former standard; and it is not, therefore, so necessary that the reduction of the assessment should be regulated by the present state of income, as by the consideration of what it is likely to be in a few years, when the country shall have recovered from the effects of these disorders.

Whether the conclusions I have formed respecting the proportions of income are just or not, there is one thing certain, that whatever they may be, they do not impede in any way the realization of the revenue, for it has been paid with a readiness of which I have seen no example. Where balances have appeared in my accounts to stand against particular districts, it was not owing to any failure on the part of the inhabitants, but to the late disturbances having hindered the revenue servants from carrying on the collections, or remitting what had been collected to the treasury. The regularity of payments is the more remarkable when it is considered that I have anticipated at least three months what the period of the kista* has been for the last forty years; for the inhabitants opposed so strongly every increase of land-rent, that no part of the additions, either of the Ráni, or of Hyder and Tippoo, ever were paid with the old rent within the year, but the whole was collected separately in the first three months of the ensuing Fasli. They now make no difficulty in paying both the old rent and additions before the end of June; not because they are more able than formerly, but because they believe that their readiness in discharging their rents will not, under the Company's Government, be regarded as a proof of wealth, or as an argument for laying new impositions upon them. I am positive not only that the alterations of

The assessment should be regulated, not so much by the present income of the landlords, as by the consideration of what it is likely to be in a state of peace.

Remarkable facility with which the revenue has been realized.

* Kist, instalment, the portion of the annual assessment to be paid at specified periods in the course of the year.

their kists has produced no distress, but their circumstances are improving. I know it from having few complaints concerning rent, and more directly from their own acknowledgment, which ryots very seldom make; I see it in their cultivating waste lands, and in their taking, as private property, lands which have long been cultivated on account of the sarkár. These are lands which, from having no owners, had been neglected, and which, as the produce had decreased, had usually been given at a reduced rent, for one or more years. The temporary holder could not claim the proprietary right without paying a sum of money, which he was unwilling to do; and he could not venture to improve, lest he should be disposed in favour of a stranger. As he could gain little, so, on the other hand, he could not lose much, because remissions were granted on account of bad crops, which were never allowed in cases where land was private property. When a man agrees to become a proprietor of sarkár land, he shows, at the same time, a confidence both in the forbearance of Government and in his own means of improvement; because, by the custom of the country, whatever may happen, he has from this moment no claim to remission. In the district of Kundapúr, sarkár lands which paid a rent last year of star pagodas 3071-15-8, have this year been given away in proprietary right at an annual rent of star pagodas 3329-32-62; and I have no doubt that all sarkár lands now in cultivation may, in the course of two or three years, be disposed of in a similar manner. The facility of collection, and the growing confidence of the landholders, convince me that the settlement of 1209 (1799-1800) might always be collected without a balance, and that no abatement whatever is necessary to secure it from failure. But if we aim, not merely at the obtaining of a certain sum as revenue, but also at giving a new spirit to agriculture, and raising the country to a pitch of prosperity beyond what it has ever been in former times, the present assessment must be lowered. Were I certain that in the course of a few years the country would so far recover from the shocks it sustained under the late Government, that one-half the net produce or landlord's rent would be equivalent to the public revenue, I would propose no reduction; because, from observing the condition of those landlords whom I positively know to be in possession of half the net produce, and from many conversations with them, I am fully satisfied that it is adequate to every end, not only of present realization, but of future improvement; and that a country moderately improved, the basis of whose assessment should be one-half of the net produce, would, if protected from all other demands, soon pay with one-third what it had before paid with one-half.

In estimating the rates of reduction, I have thought that many other points were entitled to as much attention as the rekhá, or shist, because I suppose the rekhá itself to have originally been, like all other assessments, extremely unequal, and that this inequality has been increased in particular districts by the falsification of accounts. It however deserves consideration, as showing what the land-rent formerly has been, as forming a standard to which it may possibly at some future period be raised again, and as being regarded by the inhabitants as the only proper foundation of assessment. But, after the many changes that have been wrought by time, it can no longer be implicitly followed as a guide. It is safer to be directed by the present condition of the inhabitants and of the revenue, with a retrospect to what it has been for the last twenty years. No guide is so sure as collection. By observing how the landholders feel under it, many discoveries are made that never would have been suggested by accounts, and which, though they cannot easily be explained by figures, the manager on the spot perceives, have wasted the resources of agriculture, and must have a principal place in his calculation of a permanent revenue.

The rekhá, or shist, cannot be implicitly followed as a guide in determining the rates of reduction. The actual collections of past years form a safer guide.

The only reductions I have made, for the present year, are by lowering the land-rent $2\frac{1}{2}$ per cent. and the export customs on rice to two Bahádari pagodas per corge, and abolishing the inland duties on grain, cattle, sheep, &c. These are all that are required to serve the end of affording some immediate relief.

Reductions made for the current year.

The remaining reductions of customs may be deferred till the Madras customs regulations are introduced; and of the land-rent, till the permanent system is established.

There will be an increase of about 3000 pagodas to the land-rent from the cultivation of waste, which will diminish in part the reduction of $2\frac{1}{2}$ per cent.

My chief reason for remitting $2\frac{1}{2}$ per cent. was to convince the landlords that demand is limited; and thereby to encourage them to exert their whole means in improving their estates to the utmost, without any fear of a new assessment. Any further reduction of the export duties on rice is perhaps unnecessary. It is the only channel through which a compensation can be received for the loss of land-rent, and through which revenue may rise, in some degree, as the country flourishes; for there is no solid ground to suppose that consumption of luxuries, or even of conveniences, will ever yield much revenue in India.

Chief reason for reduction is to convince the landholders that the demand of the State is limited.

The consumption of luxuries will never yield much revenue in India.

Effect of the
reductions
of the land
assessment
and of the
customs on
rich and
poor land-
holders
respectively.

Both the reductions of customs and of land-rent will eventually benefit the landlord, but they will act in different ways. A reduction of land-rent will operate both more directly and more equally in giving vigour to agriculture and relieving the poorer class of landlords, than any reduction of customs could do, because they receive the benefit of it immediately, without waiting for the sale of their grain. In this case, too, the benefit is extended equally in the same proportion to the rich and the poor. But the reduction of the customs is more in favour of the rich than of the poor, because the rich proprietor can always raise a greater quantity of produce on the same extent of land, or in proportion to his rent, than the poor one can possibly do.

ON A PERMANENT SETTLEMENT OF CANARA.

19th November, 1800.

AFTER having given my sentiments as to the amount of the assessment that ought to form the basis of the permanent settlement, it now only remains to offer a few observations on the mode which it would be most eligible to follow, in dividing the country into estates, so as both to promote improvement and ensure the collection of the revenue. In countries where private property in land is unknown, because the whole is the property of Government, and where the general poverty of the cultivators disables them from making any improvement, the dividing the land into estates of about five or six thousand pagodas public rent, and giving them away, or disposing of them for a price to men of property, where such can be found, may possibly have some advantages; but in Canara, where almost all land is private property, derived from gift or purchase, or descent from an antiquity too remote to be traced, where there are more title deeds, and where the validity of these deeds has probably stood more trials than all the estates in England, great proprietors cannot be established, without annihilating all the rights of the present landlords; nor do I believe that, by any arrangement for placing a number of small estates under the collection of one head landlord, any facility in collection, or any security for revenue, would be obtained, that may not be obtained from letting the estates remain as they now stand.

It may be objected that the smallness of estates, involving as a consequence want of property, incapacitates the owners from bestowing upon them the due degree of culture, and subjects the public revenue to frequent failures; but I am convinced that these objections are groundless. If we wish to introduce a system that shall be permanent, we must consider not only what the state of property now is, but also what it is likely to be hereafter. The benefits expected to result from the formation of large estates are no doubt, the saving of detail in accounts; the improvement of the country; and the security of revenue, from the lands being in the

Observations on the proposed formation of large estates. Prevalence and antiquity in Canara of private property in land. Impossibility of establishing great landed proprietors without annihilating the rights of the present landlords.

Small estates not incompatible with good cultivation or with the security of the public revenue. Temporary character of the advantages to be derived from a system of large estates. Small estates the

arrange-
ment of
nature.

possession of a few wealthy owners, instead of a great number of wealthy cultivators. Supposing that the system of great estates does really produce all these advantages, they can only be temporary; for where there are no entails nor artificial restraints on the transfer of lands, where there are no exclusive rights of primogeniture, where the progress of population is urged on by early marriage and abundance of food, and where it is common to supply, by adoption, the want of children, every great estate must in a short time be divided into a number of small ones. A widely extended division of property is the point to which things are of themselves continually hastening, and to which they must finally arrive, unless obstructed by violent regulations. Superior industry, several successions concentrating in one person, or other causes, may keep up a few large estates; but such instances will be rare, and will bear no comparison to those of the small ones, which will be continually formed by the operation of unrestrained transfer, and of division among all the sons of every succeeding generation. Small estates may, therefore, be considered as the arrangement of nature. To think of dividing Canara into great estates, would only be attempting to carry it backwards a century or two, and forcing it from that state to which it must again inevitably return. The effect of the Bengal system on the provinces of the Coromandel coast, and probably on Bengal itself, will be no more than, after a long course of time, to make the condition of the great body of the inhabitants that which those of Canara now is.

Security of
the revenue
equally
good, if not
better in the
case of
small
estates than
in the case
of large
estates.

With respect to the expediency of having great substantial landholders, who may be responsible to Government for the revenue, there seems to be no reason to conjecture that it might not be collected, with equal ease and regularity, from small proprietors. A tyrannical government has drained the resources of this country, and left the inhabitants less able than they formerly were to cultivate their land; but the same evil would have taken place, and in a much greater degree, had the lands been divided among great owners of estates of from five to ten thousand pagodas each; because it would have been much easier to have impoverished the country by extorting an exorbitant assessment from a few who possessed all its wealth, than it would have been, had it been divided among a multitude of small proprietors. Though there can be no very rich owners where estates are small, yet the aggregate produce of the land may be, and probably always is, greater than when the whole belongs to a few principal landholders; and Government have, therefore, a greater fund as a security for their revenue.

It may be said that there must be a certain limit, beyond which estates cannot be subdivided, without leaving so little surplus a rent as to be insufficient for the subsistence of the landlord, and that he would then be forced to withhold a part of the public demand, in order to make up the difference. Should such a case ever happen, the remedy might always be found in selling the estate: the very existence of the case, however, supposes a fullness of population not likely to be soon experienced, and which, if it were, would compensate in a thousand ways for such accident.

The division of lands in Canara, however it may have affected individuals, does not seem ever to have injured the public revenue. Though it has no doubt sometimes reduced the descendants of independent landlords to the rank of tenants, and even of labourers, it has most likely, by employing more labour, increased the gross produce of the soil; it has not disabled the owners from providing for every expense which the best cultivation requires. It has diminished their property, but it has also, in the same proportion, diminished the lands which they are to cultivate with that property; and by confining their personal management to a narrower space, it has rendered it more efficacious. The wealth accumulated in the hands of great proprietors may be supposed to enable them to undertake extensive improvements, and to carry on agriculture with a spirit beyond the power of petty landholders; but even allowing what may be doubted, that the wealth of a great landholder is greater than the aggregate wealth of a number of small proprietors whose estates together are equal in extent to his, it is not likely to be so productive; for it never can be managed with either so much skill or economy. Whatever superiority he may have over them in fortune, is more than counterbalanced by the deep interest which every one of them feels in looking after his little spot, and by the unremitting attention which both his attachment to it, and his necessity, impel him to exert, in order to extract from it its greatest possible produce.

The expenses of Indian must not be measured by those of European husbandry. Exclusive of tanks, there is hardly any expense which may not be defrayed by the smallest, as easily as by the great proprietors; and even tanks themselves are unnecessary in Canara. The small estates are in general better cultivated than the great ones; and their owners are as regular as the great owners in discharging their kists. Among the numerous instances which have come before me, of their having been violently dispossessed of their lands, or of their having fled and left them waste, on account

Remedy in
cases of ex-
treme sub-
division of
landed prop-
erty and
consequent
failure to
pay the
public
revenue.

Results of
past ex-
perience in
this matter.
Large
estates can-
not be
managed
with so
much skill
and econo-
my as small
estates.

Expenses of
Indian very
much less
than those
of European
husbandry.
Regularity
in payment
of land
revenue not
affected by
the small-
ness of the
estates in
Canara.

of balances under the late Government, there is not one in which these balances can fairly be attributed to the rent alone, nor in which they have not arisen from fines, anticipations, and other acts of oppression. In whatever way I view the question of great and small proprietors, I am perfectly satisfied that the preference ought to be given to small ones, and that Government ought to make its settlements immediately with them. Under such a system, the gross produce of the country will be greater, and the collection of revenue will be as regular as under that of great landholders. Men who have been accustomed to see the frequent failures among the lower classes of farmers in other parts of India, will not readily admit that a mass of small proprietors can be punctual; experience, however, in this province has demonstrated that the regularity of payment is not affected by the smallness of the estate.

Measures recommended in consequence of the decision of the Government to introduce a permanent settlement and a system of large estates. Reasons against making such estates unduly large.

Though my own opinion is decidedly in favour of small proprietors, yet, as Government has determined to introduce everywhere the system of Bengal, permanent settlement, it becomes my duty to point out in what manner it may be accomplished in Canara. It is evident that as the lands of Canara have for ages been private property, we are not at liberty to make the same disposition of them as might be done where they belonged to Government. If it is argued that no such difficulty has occurred in Bengal, it may be answered that the landed property of Bengal is, most likely, of a very different nature from that of Canara, which is both more ancient and more perfect than that of England; because it is more widely diffused, and less clogged with conditions. If in Bengal the sirkár grants of ináms are for lands, and not for money, and if the lands are held by a few great, instead of a multitude of small, proprietors, it may with certainty be pronounced that its landed property is of modern date, and that it is a usurpation of revenue officers and head inhabitants together. The very circumstance of the existence of such a property having been doubted, is a strong argument against its being of long standing. No man who has ever been in Canara can ever entertain any doubt with regard to its being private property. As the property must therefore remain as it now is, all that can be done is to divide the country into a certain number of great estates, formed by the union of several small ones under one head. The most convenient arrangement would be the ancient one of *mágánies* or *grámams*, and the size of estates ought to be from one hundred to five thousand pagodas jama. To break in upon ancient boundaries and landmarks, for the sake of ideal advantages to be derived from squaring estates,

would occasion much trouble to the collector, and no small discontent among the inhabitants, because these boundaries serve not only to divide lands, but also particular tribes or families, who form distinct communities in their respective villages. Where *maganies* are about five thousand pagodas jama, they ought to be divided into two or more estates; and where they are small, two or three ought to be formed into one estate. The average ought to be about one thousand pagodas jama. It could answer no good purpose, and might produce mischief, to make any estates above five thousand pagodas, because the proprietors might in time become a kind of petty *poligars*. All past events in this country show that great landed property has always had a tendency to excite a turbulent spirit in the possessor, which has been favoured by the inaccessible nature of the hills and woods among which he resides. An estate of ten thousand pagodas in most parts of Canara, and in every part of Sunda, would place under the landlord so large a district, furnished with retreats so strong, that were he to become refractory, it would be difficult to reduce him to obedience. Such precautions may be said to be unnecessary, because gratitude for the benefits he has received from the British Government, and the impossibility of his bettering his condition, will preserve him in his allegiance; but the love of distinction and independence is a much stronger and more universal passion, than gratitude; and though it might be supposed that the hopelessness of success, and of course his own interest, would deter him from any opposition to authority, yet it is well known that men, on such occasions, do not always maturely weigh distant consequences, and it would therefore be the more prudent plan not to hazard an arrangement whose stability is to rest on gratitude.

After dividing the country into great estates, each of these estates ought to be made over to the *potail* or principal proprietor of the small estates of which they are respectively composed, in perpetuity. As he has no property in any of the lands composing the great estates, except those which were before his own, he can only be constituted a kind of lord of the manor; but as he must be responsible for all failures, he ought to be allowed the following advantages, in order to enable him to perform his engagement:— 1st. He ought to have an allowance of $2\frac{1}{2}$ per cent. on the jama, to be included in the reduction which I have already proposed; leaving the remaining — per cent. to go as an abatement to the mass of inferior proprietors and farmers. 2nd. He ought to be vested with proprietary right of all waste lands to which there are no owners,

Terms upon which the estates to be formed are to be held.

on condition of his paying the Bednore assessment the second year after they are brought into cultivation. 3rd. All inferior estates which, on failure of heirs, have heretofore been accustomed to revert to the sirkár, must now revert to him, and become, in every respect, as much his respective property as his own original estates.

Though the establishment of these Regulations will, I am convinced, answer the end of ensuring the easy realization of a permanent revenue, yet it is obvious that the influence of the $2\frac{1}{2}$ per cent. in facilitating this operation must every day diminish; because, if it follow the laws of other property, though it now belongs to one man, it must, on his death, be divided, with his estate, among his children. We shall then have several persons, instead of one, to be responsible for the revenue; and as every succeeding generation will increase the number, we shall at last have almost as much detail with the superior landlords, as if we had made a direct settlement with the inferior proprietors. If, with the view of averting this evil, as it is supposed to be, we confine the $2\frac{1}{2}$ per cent. to the eldest son of some single heir, and make him solely responsible, we lessen the security of revenue, because, as we cannot prevent the division of the lands among all the heirs, we have now only the security of a part, instead of that of the whole of them, together with the $2\frac{1}{2}$ per cent. for its realization. If we restrict the division of lands to the original estate, and determine that all subsequent acquisitions, whether from the reversion of inferior estates or the cultivation of sirkár waste lands, shall go with the $2\frac{1}{2}$ per cent., we introduce the law of entail; and even this can hardly be effected, at some unknown remote period, in the many estates in which there is no waste. All systems of Indian revenue must, I imagine, end in making a direct settlement with every independent landholder, without the intervention of any superior lord; and in making every one of them answerable for his own rent, and the whole of the estates composing a village or district answerable for the failure of any particular estate therein, by a second assessment.

Supposing, however, that it may be expedient, for the present, to adopt the system of great estates, the regulations I have recommended will apply to every part of Canara, and to the greater part of Ankola, Sunda, and Bilgi; but in many villages of Bilgi and Ankola, and throughout the whole of the villages in Sunda running along the Mahratta frontier, the land belongs to the sirkár, and may therefore be divided into estates and given away at the pleasure of Government. These villages are in general in such a desolate state that a permanent settlement of them would now be made under

The same subject continued.

The regulations proposed applicable at present only to parts of Canara. In other parts a permanent settlement should be deferred for five years.

by great disadvantages. It would, for many reasons, be best to defer the settlement, not only of them, but of Canara, for at least five years. The Collector can hardly, in a shorter period, gain the requisite knowledge of the country for carrying into execution so important a measure. Time should also be allowed to let the inhabitants become familiarized to their new master, and shake off all distrust and apprehension of change, and to enable them to understand the scope of the system intended to be introduced; and it should also be allowed in order to let the country recover after the long series of oppression under which it has suffered. The remissions already granted have removed every impediment in the way of this desirable end, and in five years they will work a wonderful improvement in the condition of the inhabitants. Judging from the confidence which they have already assumed in our moderation and good faith, I have little doubt that within that period the value of land will rise so much, that there will scarcely be a single estate which will not find a purchaser, should it be necessary to sell it to pay a balance.

In disposing of the great estates at the final settlement, no price ought to be demanded for them, because, as they were all before private property, upon which the superior landlord has no claim, there is no new advantage attached to his tenure, except the $2\frac{1}{2}$ per cent., nor any in immediate expectation, which can make it worth any valuable consideration. We have no ground to imagine that there will be any such competition for them as to raise their price. Soukars, and other men of property, are too cautious to lay out their money in land, on the strength of the duration of a new system, and on the faith of a Government to which they have but lately become subject. In provinces which have been near half a century under the Company's authority, they may consider the property which they vest in land as secure from danger; but here they will not readily believe that it can be safe: for nothing but the experience of many years will persuade them that another war may not transfer them to the dominion of another power. As we must therefore expect no candidates for estates, except among the landholders themselves, and as, from the minute division of land, very few of them can be supposed to be rich, no considerable sum can be expected from them for great estates. But though they have not the means of making great advances as purchase money, the realization of the revenue will not be the less secure. It is the wide diffusion of landed property, by which almost every field has a different owner, who is anxious to increase its produce, and who

Improbable that there will be any competition for the estates, or that any considerable sums will be paid for them. Canara from its climate not likely to be a manufacturing country, but from the same cause certain to be very productive.

pays his rent with a regularity unknown among tenants at will, that constitutes this security, which will be every day strengthened by the effect of the abatements which have already been made. These will operate both in augmenting the gross produce of the land now in cultivation, and in enabling the owner to obtain a better price for it: they will encourage him to enlarge his coconut plantations, which in a climate so favourable would have been ten times more numerous than they are, had not the dread of additional assessment restrained their cultivation; and they will furnish him with the means of cultivating completely the higher and more unproductive lands of his estates, which, in many of the greater estates, have lain waste almost ever since the Mysore conquest. Canara will probably never be a manufacturing country, because it produces none of the raw materials necessary to render it such, and because the heavy rains, which last so great a part of the year, are an insurmountable obstacle to all operations which required to be carried on under a clear sky and in the open air; but the same rains which deny it manufactures, give it a succession of never-failing crops of rice, which place its revenue and its future prosperity on the firmest foundation; for there can be no danger that the existing demand for its surplus produce will ever diminish. The province of Malabar, Goa, Bombay, and Arabia can be nowhere else so well supplied; and there is every reason to conclude that their consumption, by the abolition of all regulations in favour of particular countries and the reduction of duties, will be increased.

THE REPAIR OF TANKS.*

16th July, 1801.

ALL tanks, however productive they may have once been, become at last unproductive; for in process of time the influx of water brings so much mud along with it, as to raise the bed nearly to the level of the bank. When this has happened, the tank is past all remedy, and whatever money is laid out upon it is thrown away; for a greater rent may usually be got from cultivating the rich mould within the tank, than from the fields below which it can now water. But to attempt the construction of new tanks is perhaps a more hopeless experiment than the repair of those which have been filled up; for there is scarcely any place where a tank can be made with advantage, that has not already been applied to this purpose by the inhabitants. The residence of a European is too short in any one place to enable him to judge correctly respecting the situation best adapted for a new tank. If he sees what he supposes to be a very favourable spot, where no work of this kind has ever before been raised, he may be pretty certain that there is some insurmountable objection which has escaped his observation. Either the supply of water is precarious, or the bottom is false and will not hold it, or there are not ryots to cultivate the land.

The tanks which it is most useful to repair are such as, being in the neighbourhood of populous villages, may have been burst by the water, but not filled up with mud.

* A few months before this paper was written, Munro had been transferred to the charge of the Ceded Districts, an extensive tract of country to the south of the rivers Tungabhadra and Krishna, and consisting of the greater part of the present Collec-

torate of Ballari, of Cuddapah, and of the taluks of Dúpd and Kambam, now attached to the Collectorate of Karnúl. The cession of this tract by the Nizam has been already referred to in the introductory memoir.

All tanks, however productive, become at last unproductive, owing to the silting up of the beds

Description of tanks which it is useful to repair.

THE RESPONSIBILITY OF THE RYOTS FOR THE EXECUTION OF ORDINARY REPAIRS TO MINOR IRRIGATION WORKS.

17th January, 1808.

It is usually the duty of the ryots to execute the ordinary repairs of tanks.

It is usual in many places, when the damages of tanks are trifling, not amounting to above ten, twenty, or thirty pagodas, for the cultivators themselves to make the necessary repairs, either by their own labour, or by an assessment of grain for the help of waddiwárs. Wherever this custom has been established, it ought to be continued; for, were the sirkár to make every little repair at its own expense, applications would be endless, and the inhabitants would feel no motives to urge them to attend to the preservation of their tanks. There are very few tanks in which ordinary repairs have not always been made, either by the cultivators themselves, or by the revenue servants at their expense, by levying a contribution of grain regulated by the quantity of each man's land. The execution of such repairs is therefore no new burden, for it may be considered as one of the conditions of the tenure by which they hold their lands. When a tank bursts after the crop is pretty far advanced, the ryots, to save themselves from the consequent loss of all their past labour, which must ensue if the tank is not instantly built up, are commonly on such an occasion active enough in repairing the damage; but were the same thing to happen before their grain was sown, they would give themselves no trouble about it, but apply to the amildár to execute the work at the public expense. It is therefore best to discourage all demands for trifling repairs, which can be made without the help of waddiwárs, or bricklayers.

The expense of the repairs which it has been customary for the ryots themselves to make will vary in different situations, but I should never think it too heavy while it did not exceed five per cent. of the rent of the lands watered by the tank; and wherever a tank bursts, a greater proportion of work ought to be exacted from the inhabitants than in ordinary cases, where the repair is

rendered necessary by the gradual injuries of time; for a tank seldom bursts unless from the negligence of the people of the village in remaining at home during a heavy rain, instead of watching by turns upon the bank, and being ready to open a passage for the superfluous water.

The repair of watercourses is still more common than that of tanks, by the labour of the cultivators. In every part of the country watercourses are annually cleared out by them, and the performance of such work is not regarded as any extra duty more than the payment of their rents. In my own division, all the watercourses from the Pennár and the smaller rivers are kept in repair by the cultivators. Those from the Tungabadra, being upon a greater scale, and more exposed to damage, may perhaps have been most frequently cleared out at the expense of the sirkár; but even in these, I imagine that a part of the work has always been done by the cultivators. There is nothing in the expense that ought to be too heavy for them to bear; but it is possible that the work is chiefly required near the heads of the watercourses, that it is too much for the inhabitants of the adjacent villages to perform, and that those of the villages lower down could not assist, on account of the distance, without suffering great inconvenience. All watercourses from tanks ought invariably to be kept in good order by the cultivators themselves. It is only in cases where they may have been choked up from the neglect of many years that they ought to be cleared out at the public expense. It will be proper to investigate these matters fully, and to continue either to demand from the inhabitants those repairs which they have been accustomed to execute, or else to make them defray the charge by an extra assessment.

Still more so in the case of water-courses.

ON THE RELATIVE ADVANTAGES OF THE RYOT- WÁR AND ZEMINDÁRI SYSTEMS.

15th August, 1807.

Under the Mahomedan Government the assessment was never less than one-third, and was often one-half of the gross produce.

THE assessment of Akbar is estimated by Abul Fazel at one-third, and by other authorities at one-fourth of the gross produce, but it was undoubtedly higher than either of these rates; for had it not been so, enough would have remained to the ryot, after defraying all expenses, to render the land private property; and as this did not take place, we may be certain that the nominal one-third or one-fourth was nearly one-half. This seems to have been the opinion of Árangzib, for he directs that not more than one-half of the crop shall be taken from the ryot; that where the crop has suffered injury, such remission shall be made as shall leave him one-half of what the crop might have been; and that where one ryot dies, and another occupies his land, the rent should be reduced, if more than one-half of the produce, and raised, if less than a third. It is evident, therefore, that Árangzib thought that one-half was in general enough for the ryot, and that he ought in no case to have above two-thirds. The mode of assessment in the Ceded Districts and in the Deccan still limits the share of the ryots to those proportions, but makes it commonly much nearer to one-half than two-thirds of the produce. If, by fixing the Government rent at one-third, he were allowed to enjoy the remainder, and all such future increase as might arise from his industry, he would never relinquish his farm, and all cultivated land would soon become private property. If more than one-third is demanded as rent, there can be no private landed property, for it is found that when land which had formerly been inám is assessed, as long as the rate is not more than one-third of the produce, the land is regarded as a private estate, and can generally be sold; but that whenever the rate exceeds one-third, the land is scarcely ever saleable—is no longer reckoned private property, and is often abandoned. It is also found by experience, that one-third of the produce is the rate of assessment at

If the assessment is more than one-third of the gross produce, there can be no private landed property.

which persons, who are not themselves cultivators, can rent land from Government without loss; for it enables them, after paying the public demand and being reimbursed for all expenses and stock employed, to obtain a small portion of land-rent. As one-third of the produce is therefore the highest point to which assessment can in general be carried without destroying private landed property, and as it is also the point to which it must be lowered before persons who are not cultivators can occupy sarkár land without loss, it is obvious that, unless the assessment is reduced to this rate, land can neither be occupied by all classes of the inhabitants, nor ever become private property; nor can any permanent settlement be made, calculated to improve the condition of the ryots, or of the public revenue. I am therefore of opinion that in a permanent settlement of the Ceded Districts, the rent of Government should be about one-third of the gross produce. The present assessment is about forty-five per cent. To bring it to the proposed level would require a remission of twenty-five per cent., as may be seen from the following example:—

Total gross produce, say	...	...	...	100
Government's share of the present assessment	...	...	...	45
Deduct 25 per cent. of assessment	...	...	...	11½
Government's share, by proposed assessment	...	...	...	33½

Supposing that this remission is allowed, its being granted to zemindárs or to ryots would make a very material difference to the country. I have stated fully in former letters what appeared to me to be the respective advantages and disadvantages of the zemindári or múttadári and ryotwár systems; and all that I have to offer now on the subject is little more than a recapitulation of arguments already adduced at different times. It may be said in favour of the zemindár or múttadár, that he becomes at once a great proprietor, and relieves Government of the trouble of making settlements with the ryots; that, having a deeper interest in the cultivation of the country than the revenue officer, he is better qualified to direct it; that, being more intimately acquainted with the circumstances of the ryots, and having greater interest to prevent their failure or desertion, he is more likely to grant them such remissions as may occasionally be necessary; that he will grow rich himself, and, by granting favourable terms to his tenants, will gradually raise up a body of substantial landowners; that he will require no remissions in his rent to Government, as he will be able to make up for his loss in one place by his gain in another; that

Recapitulation of the arguments for and against the zemindári and ryotwár systems.

Arguments in favour of zemindárs.

he will stand between Government and the cultivator; and, finally, that by conducting most of the details formerly entrusted to the revenue officer, he will greatly lessen the number of accounts, and the charges of collection.

Arguments
against the
zemindári
system.

Against the zemindári system, it may be urged, that the múttadár will endeavour to secure all advantages to himself, by giving only short leases, and making the ryots pay the full rent according to custom; that if he fails in this, and is obliged to lower their rents to induce them to remain on his estate, he lessens his own means of discharging the public dues; and if he is constrained to give up the whole advantage usually allowed to himself by Government, or fifteen per cent. remission to them, his estate becomes in fact ryotwár; that by being restricted from raising his rents, he loses one essential quality of ownership, and by being hindered from alienating his estate in smaller portions than 500 pagodas rent, he loses another; that if he cannot raise the rent, or turn out ryots, he has not the advantage which is sometimes ascribed to the adoption of large farms, for he will not, even if he has the means, attempt to improve where he cannot raise the rent; that the great zemindár defies all authority, and will keep the ryots as poor as they have always been, and the small one, or múttadár, will endeavour to imitate him in his state and armed followers; that, though most of the múttas will finally resolve into ryotwár farms, many of the greater ones will assume the character of zemindáries or poligarships; that the country will be filled with petty armed chiefs, who may hereafter combine to disturb the public tranquillity; and that the system is, on the whole, detrimental to the country, and dangerous to the Government.*

Arguments
in favour of
the ryotwár
system.

In favour of the ryotwár system, it may be observed that it is the system which has always prevailed in India; that no other can be permanent; and that, however different any new one may be, it must resolve itself into it at last, because the duration of great property in any family is opposed by early and universal marriage, by the equal division among all the sons, and by adoption, where there are none. That it is more simple than the múttadári plan, because it requires no artificial restraints, contrary to custom and the laws of inheritance, to prevent the division of estates; because it admits of all gradations of large and small farms, as there are ryots who pay from one to one thousand pagodas; because the owner of the land, where he has tenants, may raise or lower the

* Some of these arguments are, of course, quite inapplicable to the present time. F.

rent at pleasure, which cannot be done by the múttadár. That it is better adapted to preserve simplicity of manner and good order, because every ryot will, on his own estate, be at once proprietor, farmer, and labourer; because the division of property, by engaging men in labour for their maintenance, is favourable to quiet; because a great body of small proprietors, instead of a few zemindárs or múttadárs, will be interested in supporting Government; and because it facilitates the establishment of the authority of the courts of justice, which can seldom reach zemindárs, particularly armed ones. It may be also said that it is better calculated to promote industry, and to augment the produce of the country, because it makes more proprietors and farmers, and fewer common labourers, than the zemindári or múttadári schemes; because the ryot would be more likely to improve his land, as a proprietor, than as the tenant of a zemindár—and as he would enjoy the whole remission, instead of a small part, or perhaps none, he would be more able to do it—and because the small proprietor, being a better manager and farmer, and more immediately interested than the great one in the cultivation of his land, would bestow more pains on it, and make it yield a more abundant crop. That, supposing the amount of property to be the same, it would be better that it should be in the hands of forty or fifty thousand small proprietors, than of four or five hundred great ones; that by the remission going at once to the ryots, it would improve the circumstances of the class of men from whom the revenue is principally drawn, and would enable them to raise a greater quantity of food, and thus to favour the increase of population; that by allowing the revenue to increase or diminish, according to the extent of land in cultivation, it eases the farmer, without occasioning, on an average of years, any loss to Government; that this fluctuation would lessen every day, as the ryots became more wealthy, and would at last be confined to tank lands; and that the ryotwár system, by retaining in the hands of Government all unoccupied land, gives it the power of gradually augmenting the revenue, without imposing any fresh burden upon the ryots, as long as there is an acre of waste in the country.

The chief arguments against the ryotwár system are, the great detail of accounts, and the consequent difficulty of management; the interference of revenue officers in cultivation; the expense of collection; and the fluctuation in the annual amount of the public revenue. But there seems to be nothing very serious in these objections. When a country is surveyed and the rent of every field fixed, the accounts become perfectly simple—they are nothing more

Alleged
objections
to the
ryotwár
system not
very serious.

than a list of ryots and fields; and if the ryots do not next year take new or throw up old land, the same register will serve again, and as curnums must always be kept, there is no more difficulty in getting from them an account of a hundred ryots, than of one mütadár. The accounts of the customs, which yield so small a portion of revenue, are infinitely more intricate and troublesome than those of the land-rent. If such a remission is granted as will leave the ryots a private rent, after discharging the public one, the interference of revenue servants will be unnecessary. Their own interest will stimulate them to cultivate, as in Canara, where no revenue officer ever thinks of calling upon the owner to plough or sow his fields. The additional expense of collection in the ryotwár settlement would be gradually compensated by the rent of waste lands brought into cultivation; and the fluctuation in the annual amount of the revenue would be gradually lessened, as the ryots became attached to their farms, by the benefits of a low assessment, and retaining them as a lasting possession, instead of changing them, partly or wholly, almost every year.

The prosperity of the great body of the people should be the object of the Government.

The only matters of real importance in a comparison of the ryotwár or zemindári systems are the amount of the reduction to be granted, and the mode of its distribution. If the sum is in both cases equal, the direct loss to revenue is also the same; but in the one case, the whole remission goes immediately to the ryots, by whom all land-rent is produced, while in the other it may never reach them. The zemindárs will keep it from them for ever, and the mütadárs for a long period of years. In the one case, the whole of it will be immediately applied to the improvement of the country; in the other, either none, or only a small portion will be allotted to that purpose. It seems extraordinary that it should ever have been conceived that a country could be as much benefited by giving up a share of the public rent to a small class of zemindárs or mütadárs, who do not yet actually exist, as by giving it to the ryots, from whom all rent is derived. Where the settlement of a great province is in view, the prosperity of the body of the people should be the grand object to which everything else should be made to yield; and as it is plain that the ryots must reap infinitely more advantage from a remission granted to themselves, than from a similar one to zemindárs and mütadárs, the ryotwár system, with all its supposed inconveniences, ought undoubtedly to be adopted in preference to every other. The zemindár is a kind of contractor, who undertakes to get a greater fixed rent for Government from the ryots, than can be done in any other way. He engages, for fifteen

or twenty per cent., to make the ryots always pay what they now do. He can remit nothing to them without loss to himself, and he will therefore keep their rents as high as ever, as long as he can. The advantages of this system may be comprehended in a few words. The zemindár undertakes to pay every year exactly the same amount of revenue, to relieve the public servants from the fatigue of thinking about it, and to settle with the ryots in such a manner that Government shall never hear anything about them.

It has been objected to the ryotwár system, that it leaves no person between the cultivator and the revenue officer; but this objection is made from not understanding the condition of Indian husbandmen, for in this country the landlord and cultivator can never be permanently separated, as in England. The minute division of property will always render them the same person, with very few exceptions. The landlord must always cultivate his own fields; and hence the collections must always be made directly from the cultivator in his quality of landlord, and hence there can be no person between the cultivator and the revenue officer, without a creation of zemindárs, who must themselves in time become either petty princes or cultivators. If the whole system of English and of Indian collection is examined, it will perhaps appear that the interference of revenue officers is greater and more vexatious in England than in this country. The land-tax of England is so light, and is so small a portion of the public revenue, that the landlord cannot be supposed to suffer any vexation from its collection; but then there is the excise, for which every house is entered, and the property of every person subjected to as much inspection and interference as the land of the Indian ryot. Were there no excise in England, it would be necessary to draw a greater revenue from the land, and to investigate its produce more narrowly. Land-rent is to Indian what the excise and customs are to English revenue, and hence it becomes necessary to give particular attention to it, and to employ a large establishment of servants to secure every part of it that is justly due to Government.

The objection that the ryotwár system involves minute interference with the cultivator is founded on a misunderstanding of the tenure of property in India.

The annual fluctuation in the amount of revenue has likewise been brought as an argument against the ryotwár system. But this fluctuation will never be so great as to cause any serious inconvenience. It would never in any one year exceed ten per cent. in an aggregate of six or eight collectorates, though it might be more in a single one. It would gradually diminish as the ryots became proprietors, and would in ten or twelve years scarcely ever be above five per cent. As the inequality too would arise as often from an

The annual fluctuation in the amount of revenue under the ryotwár system not such as to cause serious inconvenience.

increase as a decrease of revenue, Government would lose nothing by it, and the deficiency when it occurred might always be provided for, either by reserving the surplus of former years or by a loan.

Expansive character of the revenue under the ryotwár system an important advantage.

The public revenue of the country ought to be regulated in some degree by the private revenue.

The ryotwár system adapts itself to the means of the inhabitants.

Probable increase of cultivation.

Though the revenue at first should be the same, or should be even greater under the múttadári, it has this disadvantage, that the revenue is limited at once, and cannot grow with the resources of the country, whereas in the ryotwár it keeps exact pace with them, rising or falling as there is more or less cultivation. It is no loss on the whole to Government, and must be much easier to the ryots, while they have so little property, that this fluctuation should continue, for they cultivate most when the season is favourable, and Government thus draws from the country the greatest revenue in those years when the gross produce is the greatest; and the land-rent of India may be said in this respect to resemble the principal sources of British revenue—the excise and customs—which increase or diminish yearly with the commerce of the nation, the fund from which they are derived. The public ought certainly to be regulated in some degree by the private revenue of the country, but nothing can be more contrary to this principle than the múttadári system, for it fixes the public demand now, which must remain the same thirty or forty years hence, whatever addition may have been made to private property in that time. It does not accommodate itself to the circumstances of the country; and because it cannot raise the revenue hereafter, it makes it too high at first, as in the Baramahal and other districts, whose whole resources have been brought to light by survey; and in order to realize this revenue it is obliged to authorize the múttadárs, or middlemen, to exact the former high rents from the ryots. On the other hand, the ryotwár system enables the public to advance with the private revenue, as long as there is any waste land in the country; and in doing this it adapts itself perfectly to the means of the inhabitants, for there can be no juster measure of their means than the increase or decrease of cultivation. It also, by making the remission upon the assessment of the land, gives the whole of it at once to the ryots, and, by enabling them to raise more food for the maintenance of their families, facilitates the increase of population, the occupancy of waste for its subsistence, and the augmentation of revenue. The assessment of lands formerly cultivated and waste never cultivated amounts to star pagodas 10,10,842. It would be idle to imagine that the whole can ever be brought into cultivation; but I am persuaded that nearly all the land formerly cultivated, amounting

to star pagodas 5,55,962, together with a considerable portion of the waste, will be occupied in the course of twenty-five years.

The increase of cultivation will, however, have no sensible effect in augmenting the size of farms, and thereby lessening the detail of collection. The farms will probably always remain as at present, comprehending all sizes, from five acres to fifteen hundred, and paying from one to a thousand pagodas. Their enlargement is prevented at present by the want of property, and will be prevented hereafter by its division. In the Ceded Districts, and throughout the Deccan, the ryot has little or no property in land—he has no possessory right; he does not even claim it. He is so far from asserting either a proprietary or a possessory right, that he is always ready to relinquish his land and take some other, which he supposes is lighter assessed. All land is supposed to revert to Government at the end of every year, to be distributed as it may think proper; and land is, accordingly, sometimes taken from one ryot and given to another, who is willing to pay a higher rent. If this power is exercised with caution, it is not from the fear of violating any possessory right, but of losing revenue; for the assessment is generally so high that, if the ryot is dispossessed, the same rent can seldom be got from a new one. The only assessed land that is not annually at the disposal of Government is that which pays a quit-rent, and is either ináms that were formerly free, or ground belonging to tanks and wells, constructed at the expense of individuals, who are on that account allowed a remission from one-fifth to one-half of the rent. Even in this case, however, private property in land has always been viewed with so much jealousy, that instead of a permanent quit-rent, it has been much more usual to allow the person who digs the tank or well to hold the land rent free, until he is reimbursed for all his expenses and labour, and then to regard it as Government land, and assess it at the full rate. The ryot of India unites in his own person the characters of labourer, farmer, and landlord; he receives the wages of the labourer, the profit of the farmer on his stock, and a small surplus from one to twenty per cent. of the gross produce. The smallness of this surplus prevents him from letting his land to an under-tenant, because the rent would not be equal to his subsistence, and also because no tenant would give him even this rent; for as there is everywhere plenty of good land lying uncultivated, which any person may occupy on paying the sirkár rent, it is evident that no ryot will

Increase of cultivation will not necessarily be attended by increase in the size of farms.

In the Ceded Districts the ryot has no property in land.

The ryot combines the characters of labourer, farmer, and landlord.

2,12,15,12,61

530

So long as there is uncultivated land available, ryots can have no tenants.

Tendency of Indian system of caste and inheritance to maintain subdivision of property. Advantages of the ancient system.

hold land of another, and pay an addition of five or six per cent. upon the sirkár rent, when he may get land of the same kind without paying any increase. As long, therefore, as Government have uncultivated land of a tolerably good quality to dispose of, ryots can have no tenants; and hence there never has been in India, with the exception of a very few districts, any class of landowners receiving their rents from tenants. The tendency of the Indian system of castes and laws of inheritance 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 ryots above want, renders them industrious, frugal, and comfortable and preserves the simplicity of their manners and their respect for public authority? It has been said that there can be no proper subordination without just gradations of rank in society, and that zemindárs are required in Indian society to accomplish this desirable end; but this opinion is completely contradicted by experience, for there is no people on earth among whom there is greater subordination than among the Hindus, who never saw proprietary zemindárs until they were created by the Company's Government.

THE IMPOSITION OF A TAX ON INCOMES IN THE FORM OF A HOUSE-TAX.*

15th August, 1807.

THE plan which I have proposed for forming a permanent ryotwár settlement is so plain that it can require no further elucidation, except with regard to house-rent, which ought undoubtedly to remain under the immediate direction of the Collector as a sort of increasing revenue. The tax which is generally denominated house-rent, is more properly a tax upon income. In the case of labourers and other poorer orders of the inhabitants, where it does not exceed one or two rupees, it may be called house-rent; but even here it is rather a tax upon income, equal to the produce of a certain number of days labour, for the house or hut itself is probably not worth more than five or ten rupees. In the case of weavers and other tradesmen, it is usually termed a professional tax; but as the weaver is rated according to the estimated produce of his loom, and the number that he employs, the tax is evidently upon his income; and in the case of merchants, who often pay a tax of fifty pagodas for a house which would not sell for so much, the tax is clearly an income one, and is so considered by themselves. There is no difficulty in fixing the amount of the tax with regard to labourers and tradesmen; but it is not so easy to ascertain it with respect to merchants, who, though they are supposed to be assessed in some places at fifteen or twenty per cent. of their income, in others pay little or nothing. Under the native Government there were many reasons for this indulgence. The merchants usually supplied without payment the demands of the revenue servants for cloths and other articles; they were also obliged to furnish at a low rate whatever articles were required for the public service, and to take the sirkár share of the crops, damaged stores, &c., at ten per cent. above the

The house-tax in the Ceded Districts is more properly a tax on income. It is an equitable tax, and ought to be extended to other districts.

* This paper is inserted as indicating Munro's opinion regarding the expediency and justice of requiring the non-agricultural, as well as the agricultural classes, to contribute to the revenue.

MINUTES OF SIR THOMAS MUNRO.

market price, and also in times of exigency to pay occasional contributions. These demands having ceased under the Company's Government, there can be no reason for the merchants being more favoured in one place than in another, or for their not being everywhere assessed in the same proportion as the other classes of the inhabitants. It would be vexatious to attempt to discover the income of individuals, but a tolerable estimate of the aggregate income of the merchants of a district may be made from accounts of the exports and imports, the population, the produce and consumption, and the usual profits of trades; and fifteen per cent. upon the sum resulting from these calculations might be imposed upon the merchants, leaving them to distribute it in detail according to the income of the several individuals. In the district of Raidrúg, where the house-tax is higher than in other parts of the Ceded Districts, and where it is supposed to be about fifteen per cent. upon income, a new distribution was made last year by the merchants and shopkeepers themselves. The total sum was not increased, because it was already sufficiently high, but the shares of many individuals were reduced one-half, and those of others doubled and quadrupled. A few of the principal merchants from all the chief trading towns of the Ceded Provinces were at the same time assembled. They were informed that the house or income-tax would be raised, and were directed to state, not what their income was, but what the rate of the tax upon it was in their respective districts compared to Raidrúg. They debated among themselves for several weeks, and at last produced a statement to which they all agreed, as containing the fair rates of their districts. The Raidrúg merchants who were present took care to see that the neighbouring districts were rated as high as their own, in order to prevent any additional assessment from falling upon themselves. The tax might by the same process be extended to every place where it is not yet established, and make a considerable addition to the public revenue. An idea of this increase may be formed from comparing the house-rent of the Ceded Provinces with that of the richer provinces below the Gháts.

	Star Pags.	
House-rent of the lower classes of the people, tradesmen, &c.	63,946	
Ditto of merchants and shopkeepers	33,124	97,070
Ditto to be laid on in Faalí 1217 to 1220, to raise the other districts to the level of Raidrúg	21,000	
		Star Pagodas 1,18,070

A HOUSE-TAX.

Where merchants are exempted from this income-tax, they contribute little more to revenue than common labourers; they pay no direct taxes, and those which they pay indirectly on betel, tobacco, cloth, &c., are very trifling. It is contrary to every just principle of taxation, that the richer should be more lightly assessed than the poorer classes of the people; and as no additional demand can be made upon them, if the house-tax is permanently included in the land-rent, it ought certainly to be kept separate, in order that it may yield an increasing revenue, as the circumstances of the country improve.

demand upon him cannot exceed their total amount; he knows the utmost limit of his rent, not only for the present, but for every succeeding year, for it cannot be raised unless he takes additional land; and he is thereby the better enabled to provide for the regular discharge of his kists, and against the losses of bad, by the profits of good, seasons.

The kúlwar settlement not open to the objections which attach to the village settlement, on the ground that it induces malversation and disputes between the potails and ryots.

The kúlwar settlement, though it may appear tedious when compared to the village one, is, however, not only better calculated to realize the revenue, but is, on the whole, a saving of time; because, when it is once made, there is no further trouble. But in the village settlements there is so much room for malversation, so many disputes between the potails and ryots about extra collections on the one hand, and the withholding of rents on the other, that more time is consumed in inquiring into those matters than in the original settlement.

Impossibility of dispensing with native agency in the settlement of the revenue.

The Honourable Court of Directors seems to be apprehensive that too much must be left, in the kúlwar settlement, to the agency of native servants. But it does not appear to me that such agency can be dispensed with, or that, when properly controlled, any serious evil can result from its employment. Without it the Company's servants could do little or nothing. The most experienced Collector could hardly make the settlement of ten villages in one year and after all it would, most likely, be done very indifferently. The native servants are restrained, as far as men with inadequate allowances can be restrained, by the same considerations as the public servants in other countries—by the fear of detection, of losing their situations, and of punishment. In all provinces that have been permanently settled, their agency has been used; and it has there a much wider field for abuse than in the kúlwar settlement, because, such provinces having been previously settled for some years by villages, talúkas, or other large tracts, without descending lower into detail, and being then disposed of for ever, all inquiry was at an end. So that if the revenue of villages or talúkas could be undervalued and concealed for a short period, till the permanent settlement took place, the danger of discovery was over; whereas under the ryotwar system, the minute process that is gone through every year renders the most trifling abuse liable every moment to detection. When the rent of every field has been fixed by survey, there is little room for abuse; it cannot be against the ryot, but may be in his favour, because it can be effected only by reporting cultivated land as waste, or by obtaining remission on false pre-

PRINCIPLE OF THE RYOTWAR SYSTEM.

lences of poverty. But it has often been shown that, from the public manner in which the kúlwar settlement is conducted, and the contending interests of the ryots, neither of these modes of injuring the revenue can reach to any extent, or be long concealed. There can be no doubt that the kúlwar settlement is better calculated than any other to bring to view the whole resources of the country. Whether it is equally well adapted to improve them can perhaps never be certainly known, but by a long trial of its effect in an extensive district.

THE POSITION OF THE RYOT AND OF THE ZEMINDÁR.

Evidence before Select Committee of House of Commons, 15th April, 1812.

The ryot, where the ryotwár system prevails, is the cultivating proprietor.

THE ryot in almost every part of India that I am acquainted with is considered as the cultivating proprietor, and in that capacity he is certainly in a much better position than under any zemindár, even if his assessment is equal. In both cases he still feels the pride of independence, and considers himself as a person of higher rank, when he holds immediately of the Crown, than when he holds of any zemindár. He is likewise the master of all his own profits arising from improvement, which he can hardly ever, under a zemindár, be secure in the possession of. The authority of zemindárs is so great, that they will always find means, while they exist, to levy extra contributions upon the ryot, in spite of the utmost vigilance of the officers of Government.

The zemindár in some parts of India is a military chief, in others a farmer of the land-tax.

The zemindár seems to have different characters in different parts of India: in some he is a military chief, having no land or farm of his own—a kind of petty tributary sovereign, who collects his rents from the ryots in the same manner as any other sovereign; in others, as he has been constituted by the permanent settlement, he is not so much a cultivator or a proprietor of the soil as a farmer of the land-tax, and he receives from the land-tax to Government a certain portion, a tenth, sometimes more, sometimes less, for his own subsistence.

PRINCIPLE OF THE RYOTWÁR SYSTEM.

Evidence before Select Committee of House of Commons, 15th April, 1812.

THE principle of the ryotwár system is to fix an assessment upon the whole land of the country. This assessment is permanent. Every ryot, who is likewise a cultivating proprietor of the land which he holds, is permitted to hold that land at a fixed assessment as long as he pleases; he holds it for ever without any additional assessment. If he occupies any waste or additional land, he pays the assessment that is fixed upon that land, and no more: his rent undergoes no alteration.

Principle of the ryotwár system is to impose a fixed assessment upon the whole land of the country, including waste as it is brought into cultivation.

With respect to permanency, there is no difference between the two systems; but the ryotwár system leaves to Government an increasing revenue arising from the waste, in proportion to its cultivation. My idea of the ryotwár assessment also is this, that the assessment should be so moderate in peace, as, by enabling the ryot to become substantial, a war-tax in times of necessity of ten, fifteen, or twenty per cent. may be imposed by Government, to be struck off when the necessity ceases to exist. I have no doubt that such a war-tax could be easily levied, and that it would in a great measure preclude the necessity of borrowing money at such periods at a high interest.

The assessment should be so moderate in time of peace, as to enable the ryot to bear a war-tax in time of war.

When a district has been surveyed, and the rent of every field permanently fixed, the kúlwar* settlement becomes extremely simple; for all that is required is to ascertain what fields are occupied by each ryot, and to enter them, with the fixed rents attached to them, in his puttah. Their aggregate constitutes his rent for the year; he cannot be called upon for more, but he may obtain an abatement, in case of poverty or extraordinary losses. He has the advantage of knowing, at the beginning of the season, when he ploughs his land, the exact amount of what he is to pay; he knows the fixed rents of the different fields which he cultivates, and that the

Simplicity of the ryotwár, or kúlwar, mode of settlement.

* Kúlwar, lit. according to, or with, all. A kúlwar settlement means the settlement of the assessment with each

individual cultivator. It is synonymous with ryotwár.

THE RYOTWÁR SETTLEMENT OF BALLÁRI.*

31st August, 1820.

Correspondence regarding the settlement of Ballári.

THE Board of Revenue having, in their letter of the 17th instant, called our attention to their proceedings of the 6th of March last on the ryotwár settlement of Ballári, I have read with attention the able report of Mr. Thackeray, to which it chiefly refers, as well as the previous correspondence on the same subject between that Board and Mr. Chaplin, the late Collector.

Reasons for the proposal made in 1807 that the assessment of the Ceded Districts should be reduced by twenty-five per cent.

The reduction of twenty-five per cent. on the assessment of the Ceded Districts was proposed in 1807, immediately on the completion of the survey. It was then stated that the assessment had been fixed upon a comparison of the actual collections under the Government of the native powers and of the Company; that, though it was somewhat lower than that of the native rulers, it was so high that it could not be realized every year, but must be allowed to fluctuate with good and bad seasons; and that, though in this way the same amount of revenue might be always realized on an average of years, the rate was too high to enable the country to improve, and that all that could be expected was that it should remain stationary. This opinion was delivered upon the supposition that annual settlements would be continued, and that the ryots would under them have had the advantage, at the beginning of each year, of extending or contracting their cultivation according to their circumstances. Had it ever been conceived that a lease settlement was to be introduced in the room of the annual one, the reduction of twenty-five per cent. would have been suggested, not merely as a measure of expediency, but of necessity.

Disastrous results of the village lease settlement in Ballári.

The establishment of a village lease in Ballári in the year 1814, without any reduction of the survey assessment, has had the consequences which in such a case were inevitable: most of the renters soon failed, the ryots were impoverished, and the villages thrown back upon Government. The lease settlement amounted to pago-

* This, and the rest of the Minutes by Munro as Governor of Madras, to included in this section, were written which office he was appointed in 1819.

was 7,79,000; the highest collection under the Company's Government was that of 1807, and amounted to pagodas 7,78,720. The average collections of the seven years preceding the decennial lease were pagodas 7,19,000. Had even this average, which is pagodas 60,000 below the lease settlement, been adopted, it would have been too high; for when ryots are obliged to pay the same rent every successive year of a lease, instead of paying more or less according to the nature of the season, it distresses them as much as if fifteen or twenty per cent. had been added to their rent, and a reduction to this amount would therefore have been necessary to have left them on the same footing as they were before the lease. The Collector, Mr. Chaplin, was perfectly aware that the lease settlement was high. He observes that it is 'as high as can be afforded in seasons tolerably favourable,' and that 'it will frequently be necessary that the demands of Government for the full rent be mitigated, and the most judicious lenity be exercised in exacting the public dues.' The exigencies of Government did not admit of any relinquishment of revenue, and he thought it his duty to maintain it at its highest standard.

In July, 1819, so many of the villages in Ballári had reverted to Government that it was thought advisable to authorize the Collector to make the reduction of twenty-five per cent., and to make a ryotwár settlement. While he was making arrangements for this purpose, he was called to the higher charge of the Southern Mahratta provinces. He was succeeded by Mr. Thackeray, who made the proposed reduction in two districts, and has given a most able report on the subject; but his appointment to the Board has unfortunately deprived us of the benefit which would have been derived from his report upon the rest of the districts. The picture exhibited by him of their declining state renders it advisable to lose no time in endeavouring to correct the mischief.

The measure of reduction has already been authorized; there is no question as to its necessity, but only as to the mode of carrying it into effect, whether it should be done at once in all the districts of Ballári, or gradually in a few districts, until the whole are completed. Mr. Thackeray proposes a gradual reduction in three or four districts annually, and observes that, unless this or some other great relief be afforded, the land revenue will decrease faster and faster each year; that the reduction is wanted, not to improve and secure the revenue, but to prevent its annual decrease, and that it would not do more than place the ryots of the Ceded Districts on an equal footing with those of Coimbatore. I once

Decision arrived at in 1819, to re-introduce the ryotwár system, and reduce the assessment by twenty-five per cent.

Mode in which the reduction should be carried out.

The ryot should be free to cultivate as much or as little land as he pleases, provided that he takes good and had together. He should not be fettered by any sort of lease.

The next question is whether the ryot should be required to cultivate waste in order to obviate the great loss which the revenue must otherwise sustain from the reduction in the assessment. I think that he ought to be at liberty to cultivate as much or as little as he pleases. There is, however, one point in which some restriction is necessary; he should not be allowed to select all the good and to reject all the bad fields, but should be obliged to take the good and the bad together, according to the custom of the country. He must not be bound by any lease of five or ten years. He falls from so many slight causes that a lease with him is impracticable. He must be left to his own discretion to keep his land as long or as short a time as he pleases. There is no danger of his not extending his cultivation whenever his means increase, and it is better that he should not do so sooner. What is called a putkutt* lease is merely another term for a ryotwár one, and is liable to the same objections, that it constrains the ryot without any necessity or advantage, and deprives him of fields which he always cultivates. These are called putkutt, and sometimes descend from father to son with little change. In addition to his putkutt, he frequently cultivates one or more fields of inferior quality at a distance from the village. But he seldom keeps them more than a year or two, when he throws them up and they pass into other hands. He retains his putkutt as a fixed possession, and pays a regulated rent for the whole, without specifying the rent of each individual field composing it. This was not necessary under an unsettled assessment, because if he relinquished a part, the Government could fix what assessment it thought proper on the remainder, and the ryot had no redress. But by specifying the rent of each field as in a ryotwár settlement, the ryot is guarded from wrong, because he knows beforehand what remission he is entitled to by throwing up any portion of his putkutt, and the inconvenience of all after litigation on this head is completely obviated.

It is not probable that the cultivation of Government land will be neglected for the sake of cultivating inám land.

The great extent of inám land in the Ceded Districts has given rise to the apprehension that, unless some preventive measure be adopted, the ryots, even after the reduction of the assessment, will abandon the sirkár for the sake of cultivating inám land, and that the revenue will, in place of rising, continue to fall still lower every year. The high rent of the Government land is the main cause of the ryots cultivating inám, and, as long as the present high assessment remains, they will undoubtedly continue to relinquish Gov-

* Putkutt, properly pattukattu.

ernment and occupy inám land. This has always happened, unless where it was prevented by the interference of authority. But I am persuaded that the reduction of the assessment will greatly diminish, if not entirely remove the evil, and render any restrictive measure unnecessary, because the ryot takes the inám land solely on account of the low rent at which he gets it from the owner; but if he obtain a moderate profit from his own, he will prefer his own, where he is secure, to the inám, where he is perpetually liable to be ousted by the proprietor. In former times he could not be ousted, even though he did not pay the proprietor one-tenth of the fair rent. He was supported by Government, because the less he paid to the inámdár, the more he was able to pay for the sirkár lands which he cultivated. The cultivation of the inám lands was usually in each village distributed among those ryots who paid the highest rent to Government, and the inámdárs were obliged to be content with whatever they chose to give them. But as the inámdárs are now at liberty, as well as the ryots, to dispose of their lands as they please, and to remove those ryots who will not pay them the standard rent, they will gradually increase the present low rates. As the ryots, therefore, will henceforth be less secure in their possession of inám land, and as the rent of it will rise, while at the same time that of the sirkár land is reduced, I think that the probable effect of these circumstances will be to keep the cultivation of inám land within such bounds as not to prove injurious to the revenue. But should this opinion be found on trial to be erroneous, it will become necessary to devise some remedy for so serious an evil. The imposition of a tax of from one-tenth to one-fifth on the standard assessment on inám land would, I imagine, have the desired effect. I can have no doubt of the right of the State to resort to such a measure whenever it may become necessary. It was never intended by the native princes who granted the ináms, it was never supposed by their owners themselves, that their lands, instead of aiding in some degree the public resources, were to diminish them. The native rulers always rendered inám lands beneficial to the revenue, because they were in general cultivated by such ryots only as also held sirkár land; these ryots paid, in addition to the ordinary rent of their sirkár land, in proportion to the advantage which they were estimated to derive from the inám. But our demand upon the ryot is limited by a fixed rate of assessment, and it is right that it should be so; but it is not right, where the public revenue consists chiefly of a high land-rent, that one-third or one-fourth of a great province should enjoy the privilege of being cultivated, not only without

Should it prove to be otherwise, it will be necessary to raise the assessment on inám land.

contributing to the public revenue, but of diminishing it by drawing away the cultivators from the sirkár lands.

The reduction of twenty-five per cent. ought to be permanent.

The last point for consideration is whether the reduction of twenty-five per cent. should be permanent or not. I think that it ought to be so. I do not by this mean that it is never to be altered, but that it is not to be altered frequently, but only at distant intervals, when the exigencies or the prosperity of the State may demand an increase or admit of a reduction of revenue. The reduction has always, from the first, been proposed as a permanent measure. It was stated in 1807, that unless it were granted, the country would never improve. The failure, since that time, of the greater part of the Ballári villages, and the decline of cultivation, makes what was then merely a matter of choice, now one of absolute necessity. Without a permanent reduction the country cannot be restored. It is no sacrifice of revenue, for if it is withheld, the reduction will force itself upon us by a rapidly increasing diminution of cultivation. We shall sacrifice less by adopting at once the only effectual remedy. The reduction has already been authorized by Government. It is true that it has never been formally submitted for the approbation of the Honourable Court of Directors; but the Court, though they prohibit us from making leases, do not restrain us from lowering a high assessment permanently; and it is not likely that they will refuse their sanction to the measure now in contemplation, more particularly as it will do no more than place Ballári, with regard to assessment upon an equal footing with Coimbatore and the other districts under this Presidency. Should it, however, be the opinion of the Board, that for the present the reduction should be limited to ten years, until we receive the authority of the Honourable Court to make it permanent, I shall not object to this mode of proceeding.

Summary of the foregoing proposals.

I shall now conclude with a summary of what I propose, for the approbation of the Board.

1st. That a reduction of twenty-five per cent. on all dry and wet land, and of thirty-three per cent. on well land, as proposed in 1807, be made in Ballári.

2nd. That the reduction be made by an uniform lowering of the survey rate; that it be made immediately, and public notice be given of it in all the villages, in order that the ryots may have the full benefit of it in the current year; and that they be informed that the reductions will continue ten years, and, if approved by the Honourable Court, will be made permanent.

THE RYOTWÁR SETTLEMENT OF BALLÁRI.

3rd. That the ryots be left at liberty to increase and diminish their cultivation, with no other restriction than that of their not being permitted to separate the good and bad lands, which, by the custom of the village, are usually rented together.

4th. That no restraint be imposed on the cultivation of inám lands.

5th. That the Board of Revenue be directed to issue, without delay, to the Collector of Ballári the necessary instructions for carrying the proposed measures into effect.

ON THE EXPEDIENCY OF INTRODUCING ENTAIL
REGULATIONS IN ZEMINDÁRIES, AND OF
ENTRUSTING SOME OF THE ZEMINDÁRS
WITH POLICE AUTHORITY.

19th September, 1830.

Expediency
of confirm-
ing by law
the ancient
usage under
which the
estates of
zemindárs
descended
entire to a
single heir.

Our Code of Regulations has, in a great measure, broken down the entail by which the estates of different classes of zemindári and of official servants were protected from division, and descended entire to a single heir. So much injury, both to the public and to individuals, has been occasioned by the change, that I have long thought that we ought to revert to the ancient usage and confirm it by law. Our departure from it has already ruined many ancient families. It encourages dissension among all those which still exist. The members of each family are continually instigated by needy adventurers to apply to the Courts for a division of the estate. Neither the zemindárs themselves, nor their relations, ever know much of business; and the results of such suits is generally, whether successful or not, to leave them overwhelmed with debt, occasioned partly by the expense of carrying them on, and still more by usurious interest on money borrowed for that purpose, or for bribes which their agents assert to have been paid to the vakils, or officers of the Court. By these means, while the family of the zemindár falls into distress and disgrace, the character of the Government suffers, and more than one rebellion has been the consequence.

Importance
of maintain-
ing the
ancient
families of
the country.

In the infancy of our power, when the greater zemindárs could oppose a formidable resistance, the division of their domains might have been desirable; but in the present state of our power it ought rather to be our object to maintain them as entire as possible. If the whole of the zemindárs were swept away, as they inevitably must be at no distant period, by the operation of our present institutions, we should have nothing of native rank left in the country. All rank and power would be vested in a few Europeans. Such a

state of things could not but be dangerous to the stability of our Government, because the natives could not fail to make the comparison between the high situations of their foreign rulers and their own abject condition; and in the event of any discontent arising, it would be more likely to spread and become general when they were reduced to one level, and consequently more liable to be actuated by feeling. They have no common sympathy with us, and but little attachment to our Government, with the exception of a portion of those who depend upon it for their maintenance; and nothing can tend more effectually to shake what they have, than to behold the destruction of every ancient family, and its domains passing into the hands of a set of low retainers of the Courts and other dependants of Europeans.

Our power is now too great to have anything to apprehend from our zemindárs. They know that they cannot oppose it; they also know that it is not our wish to turn it against them, in order to deprive them of any right which they now enjoy, and that they are as secure in the possession of their zemindáries with a small as with a large armed force. They will all by degrees gather confidence from this safety, abandon their military habits, and attend to the improvements of their possessions; and they will, for their own sakes, be more disposed than any other class of our subjects to support our Government in all times of disturbance. This change will be later among some of the remote hill chiefs, but it will ultimately take place among them all. It will be accelerated by the growing extension of our influence in the territories of the Nizam and the Berár Rajah, but by nothing so much as by our own moderation.

Zemindárs
likely to
afford
support to
Government
in times of
disturbance.

Our Regulations were originally intended to protect all classes of our native subjects in all their rights; but they have not done this with respect to zemindárs. On the contrary, by extending to them the general Hindu laws of succession, they have already destroyed many of them, and are hastening to ruin those that remain. Our Regulations protect, as far as they can protect, all rights of the people; but they are too much calculated to facilitate the minute division of property, and the descent of society to its lowest level. This effect was counteracted under the native Government by the lands of every public officer, from the head of a village to that of a province, descending undivided to a single heir; by the possessions of all petty Rajahs, zemindárs, and poligárs following the same rule; by frequent new grants of lands to numbers of civil and military officers, sometimes for life, sometimes for a longer term; and by

Our Regula-
tions are
ruining the
zemindárs
by extend-
ing to them
the Hindu
law of
succession.

these officers remaining in their respective districts mixed with the inhabitants, and not retiring with their wealth to a distant country like the European servants of the Company, who have succeeded them.

Also the hereditary village officials.

Not only zemindáries, but the official lands of village servants have been divided and parcelled out among different claimants; and, unless measures are adopted to stop this evil, every landowner will in time be reduced to the state of a common cultivator. With this fall of all the upper classes the character of the people sinks; they become less attached to our Government, they lose the principal instruments by which we can act upon and improve them, and the task of conducting the internal Government becomes every day more difficult. I am therefore of opinion that we ought by every expedient in our power to maintain the ancient zemindáries and official landed estates unbroken. This will keep up a class of native nobility and gentry, and preserve those gradations in society, through which alone it can be improved in its condition.

Limited scope of the proposed Regulation.

It is not intended to extend the proposed entail to any class of landholders whose lands have not been usually held according to that rule, or to strangers who may already have got possession, by purchase, of portions of ancient zemindáries.

The Honourable Court of Directors have already prohibited the sale of ancient zemindáries for arrears of revenue. We must protect them from sale for private debts and from division by a Regulation. As they were made liable by the permanent sunnud for private debts, they will continue liable for such as may have been contracted between the date of that sunnud and that of the entail, but not for such as may have been or shall be contracted at any other period. The acceptance of the entail should be voluntary, and be left to the discretion of the parties. But when the zemindár know that it is meant for the security of the succession in their families, it is not likely that many of them will reject it. Wherever it is accorded, the zemindári should never again be liable to division, except with the consent of Government.

All pensions granted by Government in lieu of land, or fees or rights of any kind resumed, and perhaps all other pensions, should be regulated by the rule of entail, and descend without division.

Zemindárs to have charge of the police in their zemindáries.

As in many zemindáries the attempt to establish the police offices of the European magistrate tends to excite dissension and to harass the inhabitants to no purpose, and as the police can only be administered by the zemindár himself, with the aid of his own people, it would be advisable to leave the management of it entirely in his

ENTAIL REGULATIONS.

own hands. Section 38, Regulation XI, 1816, was intended to restrain the interference of the magistrate in the police of the ancient zemindáries;* but it may be proper to declare by a positive enactment that the Rajah or zemindár shall now in certain districts have the sole charge of the police, and conduct it according to the usage of the country; and such of those Rajahs and zemindárs as may, from their rank or antiquity, be entitled to peculiar indulgences, should not be liable, from any cause whatever, to be summoned to appear personally in any Court without the previous authority of Government.

* In this regulation it was enacted that 'in the ancient zemindáries whose revenues have always been under the exclusive management of the zemindárs themselves, the magistrate shall not establish any police officer, except in such places as darogahs may have already been established, without the previous sanction of the Governor in Council.' In section 39 of the same regulation 'Magistrates are authorized to grant,

'upon their own responsibility, to zemindárs, who may be desirous of acting as heads of police, and whom they may consider to be qualified for the office, sunnuds to act as such within the limits of their respective zemindáries only. The magistrate shall prescribe to the zemindárs, in their commissions, the whole or such part of the duties and authority vested by this regulation in tahsildárs as they may deem proper.'

THE SAME SUBJECT.

25th February, 1833.

Result of
the refer-
ence regard-
ing the pro-
posed entail
Regulation.

THE measure of entailing the ancient zemindáries by a Regulation has now been above two years before the Board. The heads of the proposed Regulation were sent to the Collectors, in order that their opinions and those of the zemindárs regarding it might be obtained before it should be passed into a law. The answers have been received. Those of some of the zemindárs are in favour of the Regulation, but those of more are against it. The reasons urged against it are various: the difficulty which, it is said, will be found in borrowing when the land is no longer liable for the debt, and the consequent danger of the zemindári being resumed in unfavourable seasons, from the zemindár being unable to raise funds to discharge the Government revenue; the wish of the zemindár to retain the power of transferring or dividing his possessions; his aversion to taking charge of the police, from the fear of penalties and of degradation to the rank of a police officer; and his suspicion that further changes may be intended, which may lead to the loss of the zemindári.

The accept-
ance of the
Regulation
may be made
optional.

These objections, however, may in a great degree be removed by making the acceptance of the Regulation optional, and in the sketch which I now submit this is provided for, and the points which were deemed most objectionable in the former draft are either modified or omitted. It is probable that some of the zemindárs will agree to the amended draft at first, and that most of the rest will follow their example, when they perceive that it is calculated to secure the possession of their zemindáries to their descendants.

The propos-
ed change
will not add
to the bur-
den of the
Govern-
ment.

It may at first sight appear that the direct control over the affairs of zemindárs, which it is proposed to vest in Government by the regulation, will, by frequent references from the local authorities, add greatly to the pressure of public business. But it will in fact save labour, because, under the present system, more of the time of Government is occupied by the disputed succession of a single zemindári,

than will be by ten such cases when under their immediate authority.

The objects of the Regulation are, to preserve the hereditary possessions of ancient zemindárs in their families; to preserve the respectability of such zemindárs; and to secure the country from being disturbed by family dissensions regarding the division of property, or by disputed claims to the succession to the zemindári, and the zemindárs from ruinous litigations in the Courts of Judicature. But though the maintenance of the respectability of the zemindár be an important object, a still more important one is the preservation of the peace of the country; and this alone, had every consideration for the zemindár been out of the question, would, in my opinion, be a sufficient ground for the Regulation. As far as a judgment can be formed from past experience, we shall still be occasionally liable to unavoidable disturbances from turbulent zemindárs. We should therefore be cautious not to add to the usual public causes of warfare, such as tribute and succession, those of a different description, such as the summonses and warrants of over-sealous magistrates and the rights of new purchasers. The latest disturbances in the Northern Sirkars have sprung from these causes; in Gúmsúr from enforcing the warrant of the magistrate, and in Moheri from supporting the zemindáry rights of a shroff. No honour is ever gained by these wars. The object of them is seldom attained; they usually end by a compromise of authority; they are tedious, harassing and expensive; and, though an enemy is hardly ever seen, they are generally attended with heavy loss, not in action, but by the climate destroying or rendering unfit for all future service a great portion of the officers and troops employed in the campaign. The two battalions employed in the year 1817 and 1818 in Moheri, in supporting the rights of the shroff who had purchased the zemindáry, lost more than any two corps employed in the Mahratta war.

By adopting the Regulation we shall in a great measure obviate the recurrence of warfare for private rights and warrants. We do not relinquish the power of warrants and arrest; we only suspend it in order to ascertain whether there be cause for its exercise, and if there be, it will be rendered more efficacious by our being prepared to enforce it. No mischief can result from the delay. The zemindár has too much at stake in the country to think of absconding. He will not become more capable of resistance. It is more likely that by having time for reflection he will abandon the hasty resolutions of resisting, which he may have adopted in a moment

The Regula-
tion is
calculated
to prevent
resistance to
the law on
the part of
zemindárs.

of irritation or alarm, and submit to the orders of Government. The climate of many of the semindáries is not unhealthy; and had this been the case in them all, the Regulation, as far as the public interest is concerned, would not have been wanted, because disturbances could have been suppressed and order maintained with very little difficulty. It is possible that at some distant period, and under some more improved state of society among the hill semindára, it may not be required; but it is now, and will still perhaps for some generations be necessary.*

* Owing to various circumstances the proposed Regulation never was passed into law; but its main object has been attained by the action of the Courts, which have repeatedly held that ancient semindáries, polliams, and jagirs are not subject to division, because, by long custom, the rule of primogeniture has been introduced and prevails in them.

The origin of the rule which takes ancient semindáries out of the general law of partition and succession, is thus explained by Sir Thomas Munro in his "Treatise on Hindu Law":—

'When from being, as they seem originally to have been, managers of the revenue of sovereign states, semindáries assumed the right of proprietors and some of the powers of independent ruling princes and chiefs over extensive tracts of country, those tracts, forming their semindáries, came to be enjoyed as regalities or principalities, and, usage at length obtaining the force of law, such semindáries were by analogy brought within the special rule which exempted the power and property of sovereign princes from the general law of succession and partition.'

Another object of this and the preceding Minute, viz., the exemption of Government grants of money or land from the general law of succession, was obtained by the enactment of Madras Regulations, IV. and VI. of 1831, which withdrew from the jurisdiction of the Courts grants of money or of land revenue, personal or hereditary, conferred by the State, and also claims to the possession of, or succession to, hereditary village or other offices, except the curnum or village accountant, in the revenue and police departments, or to the enjoyment of any of the emoluments annexed thereto. The first of these Regulations has since been repealed and its main principles embodied in the Pensions' Act passed by the Council of the Governor-General in 1871 (Act XXIII. of 1871); while such ináms in the Madras Presidency as have been enfranchised and converted into freeholds under the operations of the Inám Commissioner, have, by Madras Acts, IV. of 1863 and IV. of 1866, been placed on the same footing as other property in respect of succession and liability to the jurisdiction of the Courts.

ON FARMING THE LAND CUSTOMS.*

28th December, 1830.

THE question of the comparative advantages of farming and of managing the customs by the revenue servants has been frequently agitated, and has again been recently brought to the Government by the Board of Revenue, in consequence of a letter from the Collector of Ballári. The farming system is recommended both by that Board and the Collector. In the discussions which took place in 1818, almost every argument which could be urged either for or against it was then brought forward, either by the Board of Revenue or by the Customs Committee, so that it is scarcely possible to say anything new upon the subject.

The chief grounds on which the adoption of the renting system was not then deemed expedient, were, that the renters and their servants would not be less oppressive, or more liable to detection, than those of Government; and that the difference between the amount drawn from the pockets of the people and that paid into the treasury, would rather be increased than diminished. In the course of my own experience, I have always found fewer complaints of vexation from the servants of the renters than from those of the Collector, for the plain reason that it is against the interest of the renters to interrupt trade by vexatious exactions or delays. The greater the quantity of commodities that pass through his limits, the greater his profits are. He therefore endeavours to encourage traders by facilitating the transit of their goods through his district, and sometimes even by making some abatement in the rate of duty. When he ventures to exact more than the authorized rate, it is usually from some petty trader whom he does not expect to return, but who travels alone, with perhaps only one bullock. But the

The comparative advantages of farming the land customs, and of managing them by means of Government servants, frequently discussed.

The renting system has been proved by experience to be less oppressive to traders.

* The transit or inland customs duties, to which this and the following Minute relate, except in the case of goods imported from, or exported into foreign territory, were abolished in the Madras Presidency by Act VI. of 1844. The subject may therefore be

said to be obsolete; but the observations contained in the Minutes, with reference to the habits and tendencies of subordinate native officials, are probably quite as deserving of consideration at the present time as they were when they were written.

instances of such exactions are not frequent, and the amount of them altogether can be but very trifling. The great bulk of the commodities of the country is conveyed through it, not by single individuals, but by groups of traders and their servants, having with them sometimes only a few, sometimes five or six hundred loaded bullocks. These men know the rates of duty as well as the renters; they will not submit to any exaction, and if he attempts it, they send one of their number to complain. The renter is therefore stimulated, both by his fears and his interest, to encourage traders, and to save them from all undue exactions. The servant of the Collector is no doubt, like the renter, restrained in some degree from extortion by the fear of discovery; but as he has no interest in encouraging the trader, he is more apt to vex and harass him by unnecessary detention, and he can thus, merely by carelessness, produce a great deal of mischief without being liable to punishment.

The renting system is that which is most profitable to the revenue.

With regard to the question as to whether the difference between the amount drawn from the people and that brought into the treasury is greatest when the customs are farmed, or when they are managed by the revenue servants, it seems to be obvious enough, that if the farmer gives more than Government can realize through its own servants, the difference is least under the renting system. If it were otherwise, we must suppose that the renter makes undue exactions; but it has already been observed that there is no foundation for such an opinion. On the contrary, I am satisfied that though the servants of a renter may here and there make some trifling exaction, the sum total of his collections is almost always below what he has a right to levy by the tariff. The way in which the renter is enabled to pay more than Government receives from its own servants is, not by collecting more than they, or more than the fixed rates, but by bringing their peculations to account; for even the revenue servants rarely levy more than the just rates. Their peculations do not arise from overcharge, but from concealment of the actual charge, and the loss falls upon the revenue, not upon the trader. As I know of no inconvenience to which trade is subjected under a customs renter, which it does not experience in a greater degree under the agent of Government, and as the renting system has been recommended by some of the most intelligent of our Collectors, as likely to increase the revenue, I have no hesitation in recommending its adoption to the Board.

One great reason which weighs with me more than any other for seeking to abandon the system of keeping the customs in our hands is, that it corrupts the whole mass of our revenue servants by the facility which it gives to peculation. The revenue servants are at all times, and under any system that can be devised, sufficiently liable to corruption. But this one of managing the customs ourselves opens such numberless easy paths to embezzlement, and is so completely unsusceptible of any efficient check or restraint, that it destroys the principles of all our revenue servants; and those employed in the land revenue are encouraged to commit frauds more frequently than they would otherwise have done, by observing the impunity that attends them in the customs. It may be thought that the Collector might, by an active superintendence, prevent any serious abuses; but a little consideration will show that the greatest exertion of vigilance would be a mere unprofitable waste of time, without any corresponding useful result. In most European countries, traders, in passing with their commodities, are confined to the public roads, and are compelled by the severity of the climate to take shelter at night in towns or villages. The transit trade is, therefore, concentrated upon certain points, and a small number of revenue servants suffice to look after it. But in India the case is widely different; the travelling merchant is neither obliged to follow the high-road, nor to seek refuge in towns or villages from the weather. He can cross the country in every direction, without keeping any particular road, and he can rest in the open fields at a distance from any habitation. In the district of Ballari, for instance, the length of frontier is alone three hundred miles, and loaded bullocks may pass without any natural obstacle at every point throughout this whole extent. Travelling dealers, therefore, who avoid the road, either with the view of evading the customs or for the sake of pasture, can pass in the night at a distance from any village, and unknown to any revenue servant, except perhaps some remote petty chaukidar.* Were there only a few points at which goods could pass the frontier, the Collector might, by a reasonable degree of vigilance, prevent the commission of any very great fraud. But as things actually are, all his labours would do very little in diminishing the abuses of which he complains. I am therefore of opinion that he should be authorized, without further delay, to rent the customs of this district; and that the Board of Revenue should be directed to introduce the farming system wherever they deem it expedient, either into a part or the whole of the districts under this Presidency.

Tendency of the direct system of management to corrupt the revenue servants.

Difficulty of preventing abuses.

* Chaukidar, a village watchman. Here means a petty customs officer.

THE SAME SUBJECT.

8th May, 1821.

Objections made to the proposal to rent the land customs.

Although the objections are based upon theory, rather than upon experience, the operation of the new system should be confined to those districts in which the Collectors are in favour of it.

Nature of the principal objections urged.

In the answers of the Collectors to the Board of Revenue respecting the plan of renting the land customs, so many of them object to it, and upon such various grounds, that I think it will be better to give it further consideration before any final measure be adopted.

None of the present Collectors were in office when the system of renting the customs prevailed. They have seen them only under the management of the Government officers, and it is therefore natural that they should be alarmed, and regard the proposed change as full of danger, both to the interests of the people and of the public revenue. It is true that, in speaking of the evils likely to result from the renting system, their arguments are drawn from theory, and not from their own experience; yet, as the success of every system must mainly depend on those who are to carry it into execution, and as men seldom act well under a system which they imagine beforehand must render all their efforts for the attainment of success unavailing, it seems to be advisable that we should not urge too hastily the introduction of the renting system, but confine its operation for the present to those districts in which the Collectors are desirous of establishing it.

The principal objections made to the change by the great majority of the Collectors are—1st, that in those districts where we have no police officers but those of the customs, it would be necessary either to relinquish the control of the police, or to keep up an establishment for that purpose alone, at a considerable expense; 2nd, that in place of saving the time of the Collector, it would occupy more of it than the present system; 3rd, that it would diminish, rather than augment, the revenue; and, 4th, that it would occasion much interruption to trade, and prove extremely vexatious to the inhabitants. There is no doubt considerable ground for all these objections, but their prevailing or not to such an extent as to be in every case a counterpoise to the supposed benefit of the renting

system, must depend upon the nature of the Collectors' management, as well as upon many local circumstances, which can only be ascertained by a fair trial of both systems.

The first objection, namely, that of our having in some zemindári districts no police officers but those of the customs, is not of much weight. These police officers, though they cease to collect the customs, may, if necessary, be kept up at the same expense as at present. But in some cases I believe they answer no useful purpose, and that they have the effect of removing the responsibility from the zemindárs, where it would be more useful, and might be discharged with advantage.

Answers to the objections.

The second objection, namely, that the renting system will occupy more of the Collector's time than the present one, will, I imagine, depend upon the Collector himself. If he makes a proper choice of his renters, the customs will require much less of his time than they now do.

The third objection, namely, that the renting system would diminish the revenue, ought, if well founded, to produce its immediate rejection; but past experience, as well as a few recent offers, show that the customs yield more when rented than when under the Government officers.

The fourth objection, namely, that it would prove a hinderance to trade and vexatious to the people, is one of so serious a nature, that if it were well founded it ought to make us, without hesitation, abandon every idea of adopting the renting system. There is only one Collector who states it as his belief that the renters and their servants will be less likely than those of Government to harass the trade of the country. My own experience leads me to join in the same opinion. But the best way of determining the question will be by letting a few of the Collectors make the trial of the renting system, which might afterwards be extended to other districts or not, according as their report of its effects was favourable or otherwise. The Collector of Ballári has already recommended its adoption in his district; and the Board of Revenue should be directed to introduce it into that, as well as into other districts, where it may appear from the report of the Collector that it may be done without inconvenience, from the beginning of the ensuing Fasli. By suspending its introduction into the other districts, the Board of Revenue will have leisure to examine all the objections which have been made to it, to suggest such remedies as may be practicable, and to consider, from its effects in a few districts, how

far it may be expedient to extend it to all the rest. If the land customs could be collected at a moderate charge, and at the same time be secured from fraud, it would be better to keep them under the immediate management of the officers of Government. In proportion as the expense and the liability to fraud are great, so is the necessity of renting the customs. In districts, therefore, like Ballári, with a very extensive frontier, passable at every point and in every direction by a thousand paths, and where the collections, though made at a great charge, cannot be controlled, renting will be most necessary. In districts of very limited extent, where the collection of the customs may be easily superintended, and even in some of great extent, like Malabar and Canara, where the customs are levied chiefly upon a few staple articles at a few gháts and principal towns at a moderate expense, the renting will be less necessary, and it may probably not be found worth while in such districts to make any change.

PROPOSAL FOR ATTACHING A NATIVE ESTABLISHMENT TO THE BOARD OF REVENUE.*

9th April, 1822.

I HAVE long been persuaded that an establishment of native servants, similar to a Collector's cutcherry, was absolutely necessary to enable the Board to discharge with efficiency their laborious and complicated duties. A cutcherry seems to be as requisite to it as to a Collector. It is not merely in the preparation of accounts that the Collector derives advantage from his cutcherry—he has the benefit of its opinion on all matters connected with taxation and the improvement of the revenue; and there can be no good reason why the Board which presides over all revenue and directs the proceedings of Collectors, should not have the advantage of similar aid, and of every aid which can be obtained from constant communication with intelligent native revenue servants. There is no Collector, however long his experience may have been, who does not find himself obliged to make constant references to his cutcherry, for their advice in revenue affairs; and the Members of the Revenue Board, though they do not, like a Collector, enter into the executive details of revenue, must often, in a great variety of questions, stand as much in need as he does of the assistance of a cutcherry. They may, it is true, receive reports from the Collectors on any point on which they may call for information, but these reports are

A native cutcherry necessary to enable the Board of Revenue to discharge their duties efficiently.

Advantage of giving the Board the aid of intelligent natives.

* This establishment still exists. It is commonly known as the Mahratta cutcherry of the Board of Revenue. It may be doubted whether in practice the Mahratta cutcherry has proved as valuable as Sir T. Munro anticipated, and whether much of the delay which occurred in reforming the principles of the Madras revenue administration was not attributable to the influence of the sarishtadars of the old school. Of late years the office has been held by men better educated, and with more enlightened views than their predecessors. The question now seems to be, whether the chief native adviser

of the Board should not occupy a more responsible position than that assigned to the head sarishtadár—whether, in fact, the time has not come for appointing a native member of the Board of Revenue. There is certainly no office in which the co-operation of an enlightened and experienced native official, invested with definite responsibilities, and with a recognized position, would be more valuable than in the Board which superintends the entire taxation of the Presidency. The office would seem to be one to which the provisions of 33 Vict. c. 3, might be applied with special advantage.

often very defective; and even where they are most perfect, every person conversant in Indian revenue must be sensible how much additional weight is added to the opinions they contain, when they are supported by the approbation of intelligent natives. By the assistance of a cutcherry many of the references which are now made to Collectors by the Board of Revenue might be obviated, and any omissions or inaccuracies in the replies of Collectors to points referred to them would be more easily discovered. The Board of Revenue, which of all public bodies ought to have the most free and constant intercourse with the native, has the least. The Sadr Court, as well as the subordinate judicial courts, has its native law officers, with whom it may consult on every question that arises. The Board of Revenue has no help of this kind, and all its proceedings must in consequence be carried on under very great disadvantages. It has no native officers with whom it can communicate on matters requiring explanation, and must often apply to a distant Collector for information, which it ought to have been enabled to obtain on the spot. By having no personal discussions on revenue affairs with a cutcherry, and by being obliged to depend entirely on a tedious correspondence with Collectors whenever explanations regarding them are wanted, the Board of Revenue has not all the means which it ought to have, of knowing the effects of our system of taxation on the country; and by being so completely cut off from communication with the people, its interest in their concerns is naturally weakened, as well as its power of correcting whatever is oppressive. The welfare of every class of the community depends so much upon the amount of the public burdens, and the manner in which they are distributed and levied, and these matters are so entirely under the direction of the Board of Revenue, that I think it would be advisable that it should have a cutcherry, if it served no other purpose than that of bringing the Board into more immediate connection with the people, so that it might be better able than it now is to learn at all times their actual condition.

The proposed cutcherry would be useful on the occasion of a Member of the Board, or other public officer, being deputed on special duty.

Among the uses of this cutcherry one important end would be, that it would furnish a travelling cutcherry, to accompany any Member of the Board or other public officer who might be sent to conduct an inquiry into the conduct of the local authorities in any particular district. The way in which cutcherries have been usually formed for such inquiries, has been by taking some of the ablest native servants of a Collector and subjecting him to great inconvenience, and the revenue perhaps to some loss, from their absence.

PROPOSALS FOR A REVENUE BOARD-CUTCHERRY.

The advantage which might arise from occasional circuits in the provinces by a Member of the Board of Revenue has long been seen, and has been brought to the notice of Government. If he went alone, or accompanied only by revenue servants unaccustomed to such investigations, he would learn nothing. But a party from the Revenue Board cutcherry would be the most efficient assistants he could employ; because, from his being in the habit of doing business with them, he would find it easier to conduct his inquiries with their help, than with that of native servants, to whom he was a stranger, taken from the cutcherry of a Collector.

Advantage of occasional circuits by a Member of the Board. Utility of native assistants on such circuits.

A sarishtadár from the supposed cutcherry would also be very useful in attending the Governor whenever he visited the provinces. Without a person of this description his visit would answer no public end. He might see the people and hear all their representations, but he would be unable to ascertain from a cursory examination whether they were just or not, or to form any correct judgment of the actual state of the inhabitants. It is only with the help of the native revenue servants, who have been all their lives accustomed to such inquiries, and who know how to reject all useless statements, and to compress such as are of real importance, that he would be able to make any true estimate of the real condition of the people.

Advantage of such assistance to the Governor when visiting the provinces.

The duties of the cutcherry under the Board with regard to accounts should in general be similar to those of a Collector's cutcherry. It does not appear to be advisable to prescribe any set of rules on this head at present. This may be done to more advantage hereafter, when experience shall have shown what is best. Two or three general rules may, however, be adopted in the beginning. The accounts should all be in one language—the Hinduwī*—because in the peninsula it has long been the language chiefly employed in the revenue accounts, and because, from so great a portion of the country being now under the British Government, it is likely to become more prevalent every day.

Nature of the accounts to be kept in the proposed cutcherry, and language in which they are to be kept.

It is not necessary that the accounts should be in the same detail as those of a Collector, but they should descend as low as villages, and contain a statement of the land in each village, showing the quantity of sirkár and inám; of dry, wet, and garden; and of the cultivated, uncultivated, and waste of each class. They should also contain a state of the assessment by survey upon each village, under the different heads of dry, wet, and garden; and, when there has

* Hinduwī, an obsolete name for the Mahratta language.

been no survey, a statement of the customary rates of assessment and of the actual collection.

Advantage of having a set of village accounts at the Presidency.

The accounts of Collectors may be destroyed by fire and other accidents. By having a set of village accounts at the Presidency, the loss will not be so much felt; but, independent of such accidents, the village accounts will always be of great use for reference and comparison at all future periods, as they will furnish a standard by which all errors and falsifications of the revenue accounts which may hereafter take place in the provinces may be corrected.

Establishment of which the proposed cutcherry is to consist.

The cutcherry ought to have two sarishtadars,* each having a naib† and an establishment of gumashtas.‡ The sarishtadars should be selected from men who have served in the provinces either as sarishtadars or naibs in the Collector's cutcherry. The naibs may be selected from men who have held any revenue office in the provinces. The sarishtadars should be appointed and dismissed by the Board of Revenue, subject to the approbation of Government; the naibs and other servants should be appointed and dismissed at discretion by the Board of Revenue, without any reference to Government.

The pay of the senior sarishtadar may be—

That of a sarishtadar of the first class, Rs. 800 per month.

That of a junior sarishtadar may be Rs. 700 per month.

That of each of the naibs may be about Rs. 150 per month.

The annual expense of the whole cutcherry ought not to exceed Rs. 32,000; and the Board of Revenue ought to be directed to submit for the approval of Government a list of such an establishment as it may deem best calculated for the proposed cutcherry.

Mode in which the additional expense will be met.

No additional expense will be incurred by this cutcherry, because its charges will be defrayed from the savings accruing from the reductions in the judicial department. But even if there had been no judicial reductions, the whole of the expense of the cutcherry would not be an additional charge; because, as it will hereafter furnish the native servants, who have for some years past been drawn from the Collectors' cutcherries at a considerable expense, in order to assist commissioners employed in the investigation of revenue accounts, that expense will now be saved.

* Sarishtadar, the name commonly given to the chief native ministerial officer in an office or court.

† Naib, a deputy.

‡ Gumashtra, a native clerk.

ALTAMGHÁ* INÁMS.

1st February, 1832.

In 1783 Assim Khán, Diwán of the Nawáb Wallajah, obtained a ^{Grant of an altamghá inám to Assim Khán.} jágir, which was confirmed to him by a parwána dated 27th July, 1789, 'by way of an altamghá inám' of the Kámil jamá,† of 64,000 chakrams,‡ 11 annas. The grant is in the usual form, 'to be enjoyed by him and his descendants for ever from generation to generation.' He is authorized to divide it among his descendants, and the local officers are required to consider the parwána 'as a most positive, peremptory mandate,' and not to require 'a fresh sunnud every year.' The terms employed in such documents—'for ever,'—'from generation to generation,'—or in Hindu grants—'while the sun and moon endure,'—are mere forms of expression, and are never supposed, either by the donor or the receiver, to convey the durability which they imply, or beyond the will of the sovereign. The injunction with which they usually conclude—'let them not require a fresh sunnud every year'—indicates plainly enough the opinion that such grants were not secure from revocation.

This very grant to Assim Khán was resumed on the death of Wallajah by his son Omdat-ul-Omrah, but renewed by a fresh parwána, dated 30th August, 1797. On the assumption of the Carnatic by the Company, it was again resumed with other jágirs and ináms, for investigation on a change of Government, according to the usage of the country on such occasions. Soon after this event, and while the jágir was under resumption, Assim Khán died, in October, 1801. He left several children, for all of whom he made a liberal provision by his will, written in the September preceding his death; but he left the bulk of his fortune to his eldest son, Kalam-ullah-Khán, whom he constituted guardian to his younger

Subsequent resumption of the grant and renewal by Lord Clive. Sanction of the Court of Directors.

* Altamghá, a royal grant under the seal of a prince, from the Turkish *al*, red, and *amghá*, a stamp. Altamghá inám, a grant of land free of assessment, under royal seal.

† Kámil jamá, the full assessment. Kámil, lit. perfect, complete.

‡ Chakram, an obsolete coin equivalent to about sixpence.

children. He said nothing of his *jágir* in his will, because he was too well acquainted with the usage of India to believe that he had any permanent proprietary right in it, and was aware that these grants were revocable. Although, therefore, he knew that he could not claim the *jágir* as a right, he wrote a letter to Government, stating that he had held it by the favour of the Company. Lord Clive answered his letter, and assured him that attention would be paid to his high character; and in his Minute of the 28th May, 1802, recommended that, in conformity with the Resolutions of Government of 1790, all the country *jágirs* then current should be restored; and as the *jágir* of Assim Khán was one of them, it was restored to his eldest son, Kalam-ullah-Khán. But the grant was not for ever, and the revenue arising from salt, saltpetre, and the customs were expressly excepted; and as it was submitted to the Court of Directors and sanctioned by them, it might have been expected that it would not be shaken by any authority in this country.

proceedings instituted in the Supreme Court by the younger sons of the original rantees.

Decision of the Court in favour of the plaintiffs.

The expectation, however, has been disappointed by the proceedings in the Supreme Court. The brothers of Kalam-ullah-Khán, instigated by certain Europeans, endeavoured to set aside their father's will on the ground of insanity; but the will was established in Court in 1813. They succeeded afterwards in establishing their claim to the personal property, according to the shares prescribed by the Mahomedan laws; but the Court twice gave a decision against their claim to a share of the *jágir*. They soon after filed a new bill, in which the Company were made the defendants, as well as Kalam-ullah-Khán, and in which they prayed that he might be compelled to account for the revenues of the *jágir*, and the Company to issue a new grant to all the brothers and sisters jointly. The Company told their law officer that they had no interest on the suit, and that it ought to be prosecuted between the parties interested. But this objection was overruled by the Court, on the ground that the Company had an interest in the matter, and the cause was tried; but before judgment was passed, the Advocate-General, conceiving that the case was not well understood, proposed that fresh evidence should be taken on two points—1st, as to the nature of the interest conveyed by the *jágir* grants; and 2nd, as to the usage of native governments in the resumption of such grants. This application was refused, and judgment passed against the defendants on the 22nd May, 1820. The Court deemed that the *parwáns* granted by the Wallajah and Omdat-ul-Omrah are 'good, valid, and subsisting *parwáns*, and that the same are, and were,

and have been in force ever since the resumption of the civil and military authority of the Carnatic by the defendants; that the complainants are entitled to their several and respective shares of 'the *jágir* lands and villages,' and also to 'like shares of the rents, issues, and profits of such *jágir* lands and villages;' and it is also ordered 'that the said defendant Kalam-ullah-Khán, do account, before the Master of this Court, touching the said *jágir* lands and villages, and of the rents, issues, and profits thereof,' from the death of Assim Khán; and it is further declared that the 'said Kalam-ullah-Khán hath been during all the time aforesaid, and now is, a trustee of the said *jágir* lands and villages, and of the rents, issues, profits, and revenue thereof, for the benefit of the complainants, to the extent of their respective shares and interests in the same, according to the laws of Mahomedan succession.'

The arrears of rents decreed by the Court amounted to the enormous sum of eleven lakhs of pagodas, being the balance found by the Master, according to his report of the 27th March. The balance was found in the absence of Kalam-ullah-Khán, who, on finding himself involved in utter ruin, had fled to Pondicherry; and the report of the Master regarding it was confirmed by the Court on the 5th of April last. Previously to the confirmation of that report, an application on the part of the plaintiffs was made to the Court for the appointment of a receiver of the *jágir*, which the Advocate-General resisted on two grounds—1st, that the *jágir* being out of the jurisdiction of the Court, and the defendant having then quitted it, the Court had no authority to make such an order, the charter having restricted the Court's jurisdiction over the natives to such only as are inhabitants of Madras and its limits; and 2nd, that if the Court had, generally speaking, such authority, yet it did not extend to this case, on account of the specific nature and incidents of the property in question involving the *sirkár's* share of the produce, and consequently the collection of the revenue, from the intermeddling with which the Supreme Court is, by the charter, specially interdicted. Both these objections were overruled by the Court—the first 'because the defendant having been originally amenable and having submitted to the jurisdiction, the Court had a right, by its process, to act upon the property anywhere within the Company's territories;' and the second, 'because the Government having assigned to the defendant the *jágir*, it could no longer be regarded as public revenue, but was subject to the same process as any other property of the defendant'—and an order was made for the receiver. But on the Advocate-General urging the incon-

Resolution of the Government to appeal against the decree.

64,603 chakrams, 11 annas. Grants of land usually contain a clause saving all private rights; and when it is not inserted, it is always understood that no private, but only public rights, are transferred by the grant. It seems strange that the Chief Justice, after reading the sunnud, should have had any doubt as to what was granted being revenue. He seems to have been uncertain throughout, and sometimes to have thought that it was public revenue, and sometimes that it was not, and to have given his decision, in a cause of the highest importance, both from the magnitude of the property and the political consequences which it involved, without having any very distinct idea of the nature of the property on which he was deciding. But it is not surprising that an English judge should have believed that grants of land by the sovereign must be grants of Crown lands. It is easy, however, to show that they are not so in India; and it would have been better perhaps if the Advocate-General had more fully explained in what the difference consists. It may be shown in a very few words; and by defining the nature of the thing granted, the question of right will be more easily understood.

Nature of
the grant
defined.

If we suppose the gross produce of any village or parganá* to be 100: that of this amount, the expense of cultivation is 40; the landlord's rent or share, 20; the Government revenue or share, 40 = 100. If this village or parganá be granted as jágir, it is the 40 only, composing the Government share, which is granted. The 20 forming the landlord's rent is not granted, but remains as before in the hands of the owner; as also the 40 making the expense of cultivation, as he must defray it. If the jágir be resumed, the property of the landlord is not affected by the change; it is the 40 only, composing the Government revenue or share, which is affected by the resumption. It is paid to the Government instead of the jágirdar, in the same manner as it was before the grant. The jágirdar ceases to have any interest in the village or parganá, because he never had any property in the land, but merely in the revenue which is now resumed. Nothing can be clearer, therefore, than that wherever private proprietary right in the land exists, whatever is granted by Government must be public revenue only; and that as the grants to Kalam-ullah-Khán are of lands in the Carnatic, where all lands are the hereditary private property of the inhabitants, the thing granted was public revenue only, or the share which the proprietors paid to Government; and that there is

* Parganá, a tract of country comprising several villages.

not the smallest foundation for the supposition of the Chief Justice, that a proprietary right in the land itself, or any private property of the sovereign, was conveyed by the grant.

In stating the landlord's share at twenty per cent. of the gross produce, I have done so merely for the sake of illustration. It is in some provinces higher, and in others much lower, and in some so low as not to be distinguishable from the charges of cultivation.

Variable
extent of
the land-
lord's
share.

The jágir sunnud conveys the rights of Government, whatever they are, and no more. These rights vary in different parts of the country. Wherever the lands are held, as in the Carnatic, by ryots having a hereditary proprietary right in the whole lands of the village, they are limited to the public revenue or Government share of the produce, and do not give a foot of land. In some provinces of India, where the lands are held by ryots having a hereditary right to the lands in cultivation, but not to the waste, the jágir sunnud gives the Government revenue, or share of the produce only, in the cultivated lands; but in the waste it gives the proprietary right in the land, whatever it may be, by the custom of the country. When such a jágir is resumed, no private rent is affected by the resumption. The ancient hereditary ryots pay the public revenue of their lands to Government in place of the jágirdar, and the jágirdar himself pays the public revenue of the waste lands which he may have brought into cultivation; and if he agrees to this condition, he retains possession of them with the same proprietary rights as the other landowners or ryots of the district. It is obvious, therefore, that though in rare cases of unclaimed or waste lands Government may confer a private proprietary right, it never resumes it; and that there is no foundation for the opinion that resumption is an unjust violation of private property, since the thing resumed is always public revenue—never the landlord's rent.

Variable
extent of
the Govern-
ment share.

This long explanation respecting Indian grants will appear unnecessary to those who are conversant with the subject; but as the Chief Justice certainly never understood clearly what was the precise nature of the thing granted, and as the main part of his argument rests upon its having been private property, it became indispensably requisite to show at the outset that it was not private property, but exclusively public revenue.

Necessity
for the ex-
planation.

As the thing granted was public revenue, and as the grant itself was a political act of the Company in their sovereign capacity, the cognizance of it was on both grounds beyond the jurisdiction of the

The thing
granted
being publi
c revenue,
and the

venience which would result from an order so unprecedented, and intimating that there would be an appeal from the decree, it was agreed by the parties, on the recommendation of the Court, that in place of the aforesaid receiver the Collector of the district should be substituted, and should, under the orders of Government, collect the profits of the *jágir* lands, pay them into the public treasury with the privity of the Accountant-General of this Court, to the credit of the heirs, and subject to the further order of this Court. This course was acceded to by Government, for no other reason but that of its being the only one by which discussion with the Supreme Court could be obviated, and the Advocate-General was directed to take immediate measures for appealing the suit to England. Though Government has, therefore, already done all that it can do, I ought not, I think, to let so extraordinary a decision pass without stating individually my own sentiments upon it.

Review of the arguments advanced by the Chief Justice in support of his decision.

The case on the side of the Company has been so ably argued by the Advocate-General, and the long and able Minute of Mr. Thackeray has so fully explained the grounds on which the right of the Company rests in this case, that no room is left for me to add anything material to what has been already adduced; and I must therefore content myself with noticing the main arguments on which the Chief Justice founded his decision, and with stating those ancient usages of the country of which long experience has given me some knowledge, and by which I am led to regard his opinion as erroneous.

Supreme Court prohibited by their charter from taking cognizance of any matter relating to the public revenue. Argument by which this prohibition is evaded. Invalidity of the argument.

The Supreme Court are by their charter expressly prohibited from taking cognizance of any matter relating to the public revenue; but in the present instance they get over this difficulty by saying that the revenue of the *jágir*, having been assigned to Asim Khán, was no longer revenue but private property, subject to the same laws which regulate private inheritance. If this doctrine were admitted, it would lead to the most dangerous consequences; for it would enable the Court to entertain suits against the Company in all cases of *jágir*, *inám*, or other grant of public revenue, wherever situated, on the plea that, having been granted, it is no longer public revenue. As almost all the native religious establishments and municipal servants throughout the country are maintained by grants of land, the Supreme Court might gradually extend its jurisdiction over them, destroy their respect for the authority of Government, and throw the affairs of the country into confusion. Were the Court once to begin to receive suits respecting lands assigned for the maintenance of public servants, it would be impos-

sible for Government to realize the revenue, or to maintain good order in the country. It may be said that the Court is not likely to interfere in such matters, but of this we can have no assurance at present; for, but a few years ago, its interference in the *jágir* of Kalam-ullah-Khán, above a hundred miles from the limits of its jurisdiction, was regarded as at least equally improbable. There will never be wanting men whose interest it will be to bring into Court, at all hazards, the *jágirs* and lands allotted to the civil and religious establishments of the country; and as the Court will judge for itself in determining whether these lands do or do not come under the description of what is meant as revenue by the charter, I own that I see no hope, after what has passed, of their being regarded as anything else than mere private property. The only effectual way in which the Government could be secured from the mischievous effects of the Courts extending their interference to public revenue assigned in the form of service and charity for the maintenance of various establishments, would be by restraining the Court from taking cognizance of any suit respecting any land whatever, situated beyond the limits of its jurisdiction. It is manifest from the observations made by the Chief Justice in the course of the trial, that the notions of the Court regarding public and private lands in India were very vague, and that it must therefore be continually liable to exceed the bounds prescribed to its authority in the charter, by mistaking public revenue for private landed property. The Chief Justice says that it does not appear 'that it was not part of the private possessions of the Crown.' He thinks that the grant to Kalam-ullah-Khán is not revenue, because Lord Clive 'excepts the *sáyar*,* salt, and saltpetre, which are revenue.' He supposes that a private property in the land is granted, from the expressions used by the Chief Secretary, 'deliver over these lands,' and in Wallajah's grant, 'put him in possession of the *parganá*.' It is well known that the usual meaning of these terms is nothing more than that the *desmukhs*,† *despándes*,‡ and other public officers, shall make over the management of the village or *parganá* to the *jágirdar*, and pay him the public revenue. The *sunnud* says nothing of private revenue; it states clearly that what is granted is public revenue estimated, according to the *Kámil jamá*, or perfect or standard assessment, at

* *Sáyar*, customs, and other miscellaneous sources of revenue.

† *Desmukh*, a hereditary native officer under the former Governments,

exercising police and revenue authority over a district.

‡ *Despánde*, a hereditary revenue accountant of a district.

grant being
the political
act of the
Company,
the Supreme
Court had
no jurisdic-
tion.

Court. But the Court has set the Company's grant aside, and decreed that the parwana of Wallajah to Assim Khan is 'a good and subsisting grant.' If it is a good and subsisting grant, it ought to be so wholly, and not partially; it ought to be good for the salt and customs, as well as for the land. The decree of the Court has altered the nature of the grant altogether. It ought to have confirmed either the grant of the Company or of the Nawab. It has done neither. It has set aside the Company's grant, but has not restored the Nawab's. It has given to the parties the land, but not the salt and customs; and as the Chief Justice says that this is because these articles are revenue, we may infer that his decree is grounded on the belief that the private property only, and not revenue, was granted with the land. It may likewise be observed that the decree has deviated in another point from the Nawab's grant. By that grant it is required that a division of the jagir shall be made whenever Assim Khan requires it. To make the division or not is left optional with him. But he never made it, and most probably never intended it, for he makes no mention of any such design in his address to Lord Clive; and his whole conduct to Kalam-ullah-Khan, as well as his last will, leave no doubt that he wished, after allowing a moderate provision for his other children, that the rest of his property should go undivided to his eldest son, as the only way in which the rank and character of his family could be preserved.

All the cir-
cumstances
connected
with the
grant prove
that it was
a political
act.

All the circumstances connected with the grant of Wallajah, as well as with that of the Company, show that they were of a political nature, and not properly cognizable by the Court. The grant of Wallajah to Assim Khan was a grant by the sovereign of the Carnatic to his minister, as a reward for his long and faithful political services. When the Company succeeded to the government of the Carnatic, they granted the jagir of Assim Khan to his son Kalam-ullah-Khan. But in so doing they acted in their political capacity in concurrence with the Nawab; and a little attention to some of the articles of the treaty of 1801 will show that the regulating, not only of Kalam-ullah-Khan's jagir, but of all the other jagirs, was a measure of State, independent of the jurisdiction of every municipal Court.

Proofs ad-
duced from
the treaty of
1801.

By the 1st article, 'the Nawab Azim-ul-Dowlah Bahadur is formally established in the state and rank, with the dignities dependent thereon, of his ancestors.' By the 3rd article, the Company 'charges itself with the maintenance and support of the military force necessary for the defence of the Carnatic, and

further protection of the rights, person, and property of the said Nawab;' and 'the said Nawab stipulates that he will not enter upon any negotiation or correspondence with any European or native power,' &c. By this the Nawab does not relinquish his sovereignty—he merely renews the articles of former treaties, by which he engaged not to correspond with foreign states without the consent of the Company. By the 5th article, 'one-fifth part of the net revenue of the Carnatic is allotted for the maintenance and support of the said Nawab.' This fifth part is his claim as sovereign of the whole Carnatic; it is the revenue which remains after providing for the civil and military charges, and is probably as large a clear revenue as was received by any of his ancestors. By the 6th article, the one-fifth is to be calculated—after deducting, first, all charges of collecting; secondly, the amount of the jagir lands stated in the 9th article of the treaty of 1787—at pagodas 2,13,421, and the sum of pagodas 6,21,105 appropriable to the liquidation of the debts of the late Mahomed Ali. By the 9th article, the Company 'engages to take into consideration the actual situation of the principal officers of his late Highness's Government, and charges itself with the expense of a suitable provision for their maintenance, to be distributed with the knowledge of the said Nawab, in such manner as shall be judged proper.' By this article it appears that the Company, in conjunction with the Nawab, may regulate the provision for the officers as it thinks proper; and by the second separate article it is stipulated that it shall not be incumbent on the Honourable Company to appropriate lands yielding a revenue to the said amount of pagodas 2,13,421, but that the said Company shall be at liberty 'to exercise its discretion on the mode and on the extent of the provision to be made.' By the 10th article, the rank of the Nawab, as a prince and as an ally of the British Government, is declared. No change in the political situation of the Nawab has taken place since 1801. He is still Prince of the Carnatic; he is a party to the treaty by which one-fifth of the net revenue is secured to him. Without a breach of the treaty we cannot, except with his consent, alter any of the articles. By one of these articles we are bound to provide for the dependants of the Nawab, and among them of Kalam-ullah-Khan. The Nawab concurred in the provision made for him; if we take it away without the Nawab's consent, it is a breach of the treaty which is cognizable by the Government at home, but not by the Supreme Court here. The question is not one of private right between two brothers, as maintained by the

The ques-
tion at issue
is a question

of State policy, which is not cognisable by the Supreme Court.

Doubtful whether the Supreme Court can legally exercise jurisdiction over the Carnatic, even in cases of private property.

Incorrectness of the view held by the Chief Justice as to the political status of the Company.

Chief Justice, but one of State policy, whether a public grant confirmed by treaty shall or shall not be set aside by a municipal Court. If the Court has jurisdiction in any *jágir* included in an article of a treaty, it must have it equally with regard to all the other *jágirs*; and if it can alter any of the provisions of an article, it may, on the same principle, set aside the whole treaty.

I doubt whether the Supreme Court can legally exercise jurisdiction in the Carnatic, even in cases of private property. Had the Nawáb retained the civil administration it certainly could not have done so; neither could it have done so under a temporary assumption, similar to what has occurred in former periods. The present assumption of the country is more permanent, but the relative situation of the Company and the Nawáb is the same as in former cases of assumption. The Nawáb is still Prince of the Carnatic, receives in that capacity one-fifth of its net revenue, and has a right to object to any measure which, by the increase of grants or otherwise, may tend to the diminution of his dues. But if the Company, with the concurrence of the Nawáb, were to resume a grant of land or money, and if the Court were to consider the grant as private property and decree against the resumption, it is obvious that the revenue of the Nawáb would be injured thereby. There are many other cases in which the decrees of the Court might be at variance with the rights of the Nawáb; and whatever, therefore, may be thought of the expediency of the Supreme Court having jurisdiction in the Carnatic in matters of private property where the claim is against the Government or any of its officers, it would be advisable that it should have none in matters of private property where the Nawáb and the Company have a common interest.

The Chief Justice denies the sovereignty of the Company, and considers the words of Lord Thurlow as a clear authority against their being regarded as a sovereign power, except in the case of a dispute with a sovereign relative to peace and war with pagan states. Whether the Company have or have not either an independent or delegated sovereignty in the technical sense that the Chief Justice or Lord Thurlow may have affixed to the expression, is of little consequence; for, though the sovereignty be reserved to the Crown, all the powers of the State, by the present constitution of things, as far as regards the natives of the country, are exercised by the Company. They make peace and war, raise and maintain armies, have articles of war for enforcing their discipline, acquire and cede territories, impose and collect taxes, and make

laws founded on ancient usage, for the administration of the affairs of the country. The Chief Justice, after arguing that the Company can act as sovereign only in the two points of making war and peace, admits that the Nawábs exercised 'absolute and uncontrolled authority,' and that the Company 'have the same rights as the Nawábs of the Carnatic.' He says, if the Advocate-General can make out that the Omdat's son would have had a right to resume the grant made by his father and grandfather, 'I admit the Company has the same right; and this, after all, seems the great point in the case.' It is unquestionably the main point at issue between the parties; but the Chief Justice had decided that the Omdat's son could not resume the *jágir* of Assim Khán, and of course that the Company could not resume it, either from the reason of the thing, or by the custom and usage of the country, or by the Mahomedan law.

What the Chief Justice says, of the kings of England not having the power of resuming grants, has no analogy to the present case. The kings of England durst not, could not, resume these grants. They would have been opposed by their barons and churchmen who chiefly enjoyed them. The kings of England gave up private landed property, but this did not affect the public revenue. These Crown grants were not, like Indian grants, exempted from contribution to the public revenue. Though lost to the king as private property, they contributed like other lands to the national revenue. The land revenue in India is what the excise and customs are in England—the main source of revenue, and cannot be permanently alienated with safety to the State. The kings of England never could alienate the public revenue in perpetuity, nor could any government do so. No government can debar its successors from the use of the public revenue; the existing government must always have the power of calling it forth for the preservation and defence of the State. In India there is no assembly or public body between the prince and the people, to regulate the rate or amount of the taxation or revenue. The sovereign himself is the only authority by which revenue is levied and disbursed, and by which it is granted or resumed. The power to resume, as well as to grant, must be lodged somewhere, and in India, where there is no other authority, it is obvious that it must be vested in the prince. But this is denied, because opinions are drawn from European institutions, and strained analogies are found where none exist, between the usages of India and Europe; and hence the Chief Justice observes that 'he cannot see how any argument can be derived from the par-

There is no analogy between the position of the Sovereign in England and that of the Government of India as to the power of resuming grants.

'ticular situation of the Nawáb of the Carnatic, which shall
'general reasoning deprive him of the same right to alienate
'revenues of the State as was actually enjoyed by the kings and
'queens of England.'

No Crown
lands in
India. All
grants of
jágirs are
grants of
the public
revenue.

This is not a correct view of the case. The kings of England could not alienate the great sources of the public revenue in perpetuity; they could grant their Crown lands, but not the public revenue upon them. But the alienation by the Nawáb is that of the public revenue of extensive districts. The alienation in England was merely a transfer of the Crown lands to private individuals, to be liable to all the public taxes. The alienation by an Indian prince was a transfer from the State of all public taxes on land to individuals as private property. The Chief Justice does not appear to have perceived the distinction in the nature of English and Indian grants, for in speaking of the grant to Assim Khán, he says, 'It ought to appear that it was property belonging to the public, or at least that it was not part of the private possessions of the Crown.' It has already been shown that all grants of jágirs in India are grants of public revenue; they cannot indeed be otherwise, because there are no Crown lands. The Chief Justice is evidently acting all along under the influence of English analogies, and endeavouring to find a resemblance in things which have not the remotest connection. He thinks that because the sovereigns of Europe, under the feudal system, possessed extensive Crown lands, the sovereigns of India must, from their being more despotic, have had still more extensive private domains; but nothing can be more unfounded than such an opinion. Crown lands, according to the English acceptation of the term, are unknown in India. The most powerful monarchs had none. Neither Akbar nor Árangzib had any, and the despotism of the sovereign was itself the very cause of there being none; because, by giving him unlimited control over all land throughout the empire, it rendered the aid of any private domain altogether unnecessary. A small part of the public revenue arose from customs; the rest, about nine-tenths of the whole, from the land revenue or tax. All land was assessed to the public revenue. A part of the land was allotted to religious and charitable purposes, and to municipal institutions, and the public revenue of such lands was enjoyed by the incumbents. But the public revenue of all other land came to the royal treasury, unless when assignments of particular villages or districts were made to civil and military officers for their personal allowance, and the pay of their respective establishments, all which assignments, however, varied

or ceased at the will of the sovereign. As there was no public body, no class of nobles or clergy, which had any right to interfere in the settlement of the land-tax; as this power was vested in the sovereign alone; and as he could raise or lower the tax as he saw proper, and the whole produce was at his disposal, it is manifest that he could derive no advantage, and therefore have no motive for holding, as 'private possessions of the Crown,' any lands apart from the general mass of the sirkár or Government lands of the Empire; and it is also obvious that, whenever he granted land rent-free, he granted the public revenue.

The Chief Justice says that if we are to argue from 'the reason of the thing,' one may have recourse to the history of our own country, where he shows that it was declared by the twelve judges, as late as the time of King William, that it was the ancient and undoubted right of the Crown to alienate its hereditary estates; and he hence infers that the Nawáb of the Carnatic must have the same right. This argument would be very just, if the estates alienated in England and the Carnatic were of the same nature; but as they are totally different, it is not at all applicable. The king of England might, without injury to the nation, alienate his hereditary estates. The owners were changed, but the estates themselves were still liable, like the other lands of the kingdom, to all the public burdens of the time—to military service, aids, escuage, &c. By the transfer the Crown became poorer, but the nation richer. But an Indian grant is the reverse of all this. It gives away the public revenue of the lands; it exempts them from military service, from every kind of tax or public burden, and renders them entirely useless as a resource to the State. In England the alienation of the Crown lands does not lessen the resources of the State; in India it annihilates them. In England the effect of such alienation could only have been partial, as the Crown lands bore but a small proportion to the lands of the kingdom; in India it might have extinguished all revenue, as the sovereign, though he has no Crown lands, has the power of granting all lands.*

The Chief Justice observes that it was not in the contemplation of the great men who investigated the subject of the Crown grants when Queen Anne ascended to the throne, to remedy the evil by their resumption. He thinks that this moderation furnishes a contrast with the conduct of the Company's Government. But

Distinction
between
alienations
of public
revenue in
India and
grants of
Crown lands
in England.

* This expression conveys more than Munro intended. Read in connection with the rest of the Minute,

it evidently refers to the alienation of the land revenue, not to the alienation of the land itself.

The claim of the Government in India to resume grants does not extend to private property, but only to public revenue.

this Government has never claimed a right to make a resumption at all, similar to what a resumption of the Crown lands of England would be. It does not claim to resume any private property conveyed by the grants; it claims the public revenue only, and leaves the rent of the landlord with the proprietor.

Reasons for concluding that every Indian sovereign had a right to resume, as well as to grant, *jágirs*.

If all Indian princes could grant *altamghá jágirs*, and if now could resume them, a great portion of the country might in time be released from affording any aid to the State, either in revenue or in military service. Some idea may be formed of the probable effect of such a system by looking at what happened, in the course of a few years, under the Nawábs Wallajah and his son Omdat-ul-Omrah. Family *jágirs* were granted to the amount of above six lakhs of pagodas, and containing a population of about six hundred thousand persons. Of these *jágirs*, only about one-fourth was *altamghá*; but the whole might have been so, and the State would have been deprived of every kind of aid from more than half a million of its subjects. Many of these *jágirs*, too, might have been held, as was actually the case, by persons who, though attached to the donor, were inimical to his predecessor; but when once granted they could not, according to the opinion of the Court, have been resumed. If, therefore, the increase of *altamghás* during successive reigns might, if not checked, have materially impaired or altogether exhausted the resources of the State, and as the evil could only be remedied by resumption, it seems to follow from the reason of the thing that the sovereign must have had the right to resume as well as to grant.

Right of resumption in accordance with general usage.

The next ground on which the Company's right to resume the grant to Assim Khán has been denied by the Court, is that of the usage and custom of the country. The usage of the country is undoubtedly the rule by which the question ought to be decided; and in a case of this kind, the common practice of the native princes must be admitted to be the usage. It can easily be shown that princes resumed *altamghás* at pleasure; it cannot be shown that when they were disposed to resume, the act of resumption ever was, or could be, prevented. It may be said that they were despotic, and acted unjustly. Had they seized private property, they would have been regarded as unjust by the country; but no injustice was attached to the seizure of the *altamghá*, as the people knew that it was a grant of public revenue. The princes were, it is true, despotic; but they were liberal and profuse in their grants: and the grants themselves grew out of their very despotism, for it was because they found no difficulty in resuming that they made

none in granting. *Altamghás* were not in fact more respected than money pensions, which, though every day liable to resumption, are frequently continued for generations. The resumption and renewal by the Nawáb Omdut of the grant to Assim Khán, the favourite minister of his father and himself, is a strong proof of the practice of the country, and of the opinion of the public. If *altamghás* were not resumable, it may be asked, what has become of them? Their very scarcity is a proof of the usage to the contrary. There is not one in the Carnatic older than Wallajah. Where are all those of his predecessors, which, according to the Chief Justice, ought to have been protected by usage and by the Mahomedan Law? The right of resumption never was doubted in the Carnatic till called in question by the Supreme Court. The Company's Government could have had no doubt of it when, in 1801, they resumed all *jágirs*, though they afterwards continued most of the old ones, but none of the *altamghás*, to the Nawáb's family. The usage is shown by Wallajah himself, who certainly best knew what it was in his own dominions. But his opinion is in direct opposition to that of the Court. In his letter to Government of the 18th October, 1790, he says, 'I am Prince of the Carnatic, and for these forty years I have granted, resumed, and altered *jágirs* from time to time, in such manner as I have thought proper.' The right of resumption is in native states the usage and the constitution, and it ceases only when the Government is too weak to enforce it; and when this happens, the Government is soon overthrown, and a new one arises and maintains itself by exercising the right of grant and resumption.

It is not easy to collect written documents respecting *altamghás*, because most of these grants have long since been resumed; but enough still remain to show what were the opinions of the Nizam and Wallajah on the subject, and their practice ought certainly to be received as the best proof of what was the usage of the country. The Nizam granted *altamghá sunnuds* to several members of Wallajah's family, and resumed them again. On the death of Omdat-ul-Omrah, the Nizam resumed the *altamghá jágir* which he held of him, and re-granted it to his successor, Azim-ul-Dowlah; on whose decease he resumed it again. The *jágir* of Aimangundla was held many years by Hisám-ul-Mulk, the third son of the Nawáb Wallajah, under an *altamghá* grant from the Nizam; as was also the Kiladri of Ghanpura, under a similar *sunnud*, by his younger brother, Nasar-ul-Mulk; but on the death of Nawáb Omdat-ul-Omrah, both these grants were resumed by the same subahdar of

Instances of the resumption of *altamghá* grants.

the Deccan who had granted them, and conferred by a new sunnud on the late Nawáb Asim-ul-Dowlah. Wallajah was so sensible of the little respect paid to altamghás, that when he granted one to Rais-ul-Nissa Begum, he made his son, Omdat, put his seal and signature to it, as affording the only chance of its being continued after his own death. No case can evince more strongly the insecurity of altamghás beyond the pleasure of the donor, than this of a father requiring confirmation from a son to such a grant. But notwithstanding all this precaution, the grant was soon after the death of the Wallajah resumed by the Omdat, in consequence of the conduct of the officer placed in charge of the estate by the Begum, and was not restored until she had consented to dismiss him from her service.

Want of confidence in the permanency of altamghá grants exhibited by the Nawáb Wallajah.

Wallajah had no confidence in altamghás, since, though he had obtained one from Ahmad Shah, Emperor of Delhi, for the Carnatic, he did not think it sufficient, and afterwards solicited and obtained similar grants from Salabat Jang and Nizam Ali Khán, subahdars of the Deccan. The very circumstance of such extensive provinces as the Deccan and the Carnatic being disposed of by altamghá sunnuds, indicates clearly the political nature of these grants; and Wallajah's application to every succeeding superior for a new one shows that he considered them as liable to be resumed at pleasure. He knew that this must either be the case, or that they must be maintained by force. The usage in this respect has probably arisen from necessity; for as altamghás are chiefly given to members of the reigning family and to the higher officers of State, and as they are usually for extensive districts, it is obvious that in every case of a new dynasty, and in every instance of disputed succession in an old one—which is so common in India—the new prince could not be secure unless he had the power of redeeming the altamghás of all whom he supposed were not well affected, and of rewarding his adherents by new grants. This has been the usage with regard to all larger grants. The small ones of a few hundred rupees are from their insignificance sometimes neglected, and allowed, like charity lands, to pass through several generations.

Resumption more common in the case of altamghá grants than in the case of other grants.

There is nothing either in existing records, or in the state of the country, to support the opinion that altamghás were not resumable at pleasure. The altamghá was so far different from a common grant, that it was not for any specific grant, and that it frequently, but not always, contained the words, 'from generation to generation.' It was therefore a grant which the donor was anxious should be durable, and his son might on this account continue

it, if he had no cause of being dissatisfied with the jágirdar; but the next prince could hardly show the same forbearance, as he would probably have new favourites to provide for by the resumption of old grants. If we examine Mr. Falconer's report on the jágirs of the Carnatic, we find no old altamghás in the list. The whole of the altamghás, sixteen in number, are by Wallajah and his son. The old grants which have passed through several generations are not altamghá, as might have been expected from the principle of their not being resumable, but common jágir grants; neither hereditary, nor for life, but temporary. Many of these common jágirdars were kiladárs of strong forts, and, from this circumstance, held their jágirs longer than they would probably have done under the dynasty by which they were granted; because, in the convulsions attending the decline of the Moghul power, their forts enabled them to secure terms for themselves. But even after the new governments became strong, and could easily have removed them, they frequently permitted them to remain, either on account of family alliances, or of respect for their high birth, or some other cause. The greater part of the jágirs of Assim Khán was held under a royal firman, not altamghá, by Mulk Mahomed Ali Khán, with the fort of Mustaphanagar. Though the grant was merely temporary, yet it continued in the family, and descended lineally from father to son for three generations, until 1780, when, the jágirdar having died during Hyder Ali's invasion of the Carnatic, his family was sent into captivity in Mysore by that prince. The jágir of Amalconda, and several others held by the common tenure, have in the same way descended through several generations. It appears from these facts that in the Carnatic, altamghá grants, so far from being irresumable, have not been so much respected as many of the ordinary jágirs.

It would not weaken the argument, even if it could be shown that in other parts of India the practice was different, because the question before us regards the usage in the Carnatic only. But I believe that it was nearly the same throughout India. We know at least that it was so in the Peshwa's dominions, for the commissioner at Poonah, in answer to a reference made to him on the subject, has stated that he has not been able to find a single altamghá in the Deccan, and has transmitted a list of 559 jágirs resumed by the Peshwa's Government, within the last fifty years, none of which are altamghá. Of these, he observes, 364 were resumed for reason assigned, usually offences against the State, and 195 without any reason assigned. In the Nizam's dominions, too, the resump-

Practice in other parts of India.

tion of jágirs appears, from the note of his minister, Chandú Lal, transmitted by the Resident, to have been regulated, as in the Carnatic, by the will of the Prince. It is stated that 'altamghá jágirs, which are granted to children generally, without any specification of names, are continued to the descendants of the deceased person; but if any great fault has been committed, or there are no descendants, the jágir is resumed.' It is also stated that the sons sometimes share equally; 'but if one is found fit, and another unfit, the sovereign exercises a discretion and continues the jágir as he may think proper, in consideration of the merits of the persons; and it is added, 'There are no persons to whom jágirs have been continued without some change or modification.' What is here said corresponds very nearly with the practice of the Company and the Nawáb in the Carnatic, with regard to the jágirs of Kalamullah-Khán, and others. When any great fault is committed, the jágir is resumed. The sovereign exercises his discretion in renewing or continuing the jágir to all the sons, or to one son in preference, and no jágirs are continued without some change.

Question of
resumption
not one of
law, but of
usage.

The next ground on which the Chief Justice maintains that altamghás are not resumable, is that of the Mahomedan law. The Advocate-General cites Mahomedan law authorities to show that the king has power to grant or resume khiráj, or the sirkár's share of the produce of the land. The Chief Justice did not think that the authorities cited by the Advocate-General forbidding the alienation in perpetuity were conclusive, but admitted that if he had adduced instances of similar grants having been resumed, it would have greatly aided his case. The Advocate-General, had time been allowed, might easily have adduced instances of similar grants in the Nawáb's own family having been resumed by the Nizam. The law officers of the Sadr Adálat, in answer to the queries from the Advocate-General, observe in speaking of the Mahomedan law authorities 'respecting lands belonging to the State, and the private property of princes,' that there 'is so much discrepancy of opinion among these learned personages respecting the legality or illegality of grants of land, and of the revenues of land belonging to the State, by the sovereign to individuals, that it is next to impossible to come to any determination, or to arrive at any satisfactory conclusion.' The discrepancy here complained of is not to be wondered at. It could not have been otherwise; for, as no person had ever seen the Mahomedan law applied in the case, the question was not one concerning any practical matter of fact, but was one of mere theory, as to what would be the operation of the Mahomedan law,

if made applicable where it had never before been permitted to enter. As it was never used in the continuance or resumption of altamghás by the sovereign, every attempt to ascertain its operation must always bring us back to the usage of the country, by which alone the transaction was regulated. The Indian princes consult no law either in granting or resuming; they grant from favour or political expediency, and resume at pleasure. Their right to resume is never questioned, and as there is no tribunal that can take cognizance of it, it is evident that it is regulated by no law but their will. If it be said that this right, though it could not be denied or opposed, was not exercised, we shall find that this assumption is not supported by facts, and that it is at variance with the usage of the country. It is useless to consult Mahomedan lawyers regarding this usage, for the resumption of grants is a question which was never submitted to them by any sovereign; and when we seek any legal opinions on matters of policy which never were or ought to be subjected to legal discussion, we must expect endless conflicting opinions, all equally well supported by texts and quotations from Mahomedan and Hindu law. It is not necessary to go to Arabia or Hindustan to discover the usage of the country; we ought to search for it on the spot in the south of India, and look for it in the history of the Deccan and the Carnatic. If we adopt this course, we shall see, as has already been observed, that altamghá grants were not more inviolable than common jágirs. If they were, what has become of them all? There are none in Mysore, none in the Ceded Districts, and none in the Carnatic of an earlier period than a few years before the death of Wallajah. We must admit either that former princes in these countries never granted altamghás, or that they have been all resumed. But we have no reason to suppose that altamghás were not granted under former princes, or to doubt that their disappearance is owing to their having been resumed by their successors. It was, in fact, because such resumptions were considered as an ordinary transaction, that they excited little attention and were soon forgotten, and the very record of them lost. It has been seen that altamghá and all other jágirs were resumed; it ought to have been shown by those who disputed the right of the Nawáb and the Company to dispose of the jágir of Assim Khán, when and where resumption was, or could be, hindered by the Mahomedan law.

The last ground of objection made by the Chief Justice to the resumption of Assim Khán's jágir is Lord Clive's proclamation. He remarks that it has been argued that by the

Right of
resumption
not barred
by Lord
Clive's pro-
clamation.

words of the proclamation, 'all *jágírdars* may rest satisfied that their interest will sustain no injury from the temporary arrangement made by the Company,' that Lord Clive renounced his rights if he had any to resume. He states also that the words of the re-grant have raised in his mind, as in that of the *Sadr Adálat* at Calcutta, a strong doubt whether Lord Clive did himself intend to resume the grant in question at all. The proclamation of Lord Clive cannot be regarded as anything more than a general assurance of the attention to the interests of the *jágírdars*. This was fulfilled by allotting a provision for them. But the assurance was not intended to preclude Lord Clive from exercising the authority always exercised by the Nawáb, of limiting or extending the *jágirs* at discretion. Lord Clive was the best judge of his own intentions; and if we are to judge of them from his acts, he leaves us no ground to join in the doubts of the Chief Justice. He certainly did intend to resume the grant, for he resumed the customs, salt, and saltpetre belonging to the *jágirs*, and continued the land-rent only; and the new grant which he issued for the land-rent was not a renewal of the old *altamghá*, but a common *jágír* grant to Kalam-ullah-Khán, as the heir of Assim Khán. It was not in the name of the other sons and heirs, because Lord Clive knew that Assim Khán was desirous that the *jágír* should be conferred on his eldest son. His lordship also knew that it was only on account of the high character and long services of Assim Khán that the *jágír* had been originally granted; that the respectability of the family could only be maintained by giving the undivided *jágír* to the eldest son; and that the Nawáb approved of the measure. The original grants, both of Wallajah and of the Omdat, left the division of the *jágír* to Assim Khán, to be made as he chose; and he never expressed a wish to make any. The sunnud of Lord Clive states expressly that it is on account of 'the respectable character and commendable conduct of the said bahádúr' (Assim Khán), and a well-founded expectation that his son Kalam-ullah-Khán 'will pursue the same 'laudable line of conduct,' that the *jágír* is renewed.

It is probable that the opinions of local officers will vary on the subject. Causes of this variance.

I expect that the answers to the queries respecting the *altamghás* transmitted to various public officers will contain different opinions as to their being resumable or not. They will vary according as they are founded on the usage of one province or another, or on the opinions of native lawyers, or on extensive or limited observation. We are too apt to be carried away by supposed analogies, and to build up systems of uniform practice where none ever existed or ever was thought of; and much of the argu-

ment on the present occasion seems to have arisen from this cause. The conflicting opinions may be easily accounted for by considering what really took place. The small *altamghás* were frequently neglected on account of their insignificance, and allowed, like common charity or *inám* lands, to continue for two or three generations, and to be regulated by the laws of private property. But the greater *altamghás* were, from their value, objects of State policy, and were resumed or transferred at the discretion of the sovereign, to punish one person or to reward another. They could not be left as private property without danger to the State.

I have now delivered my sentiments on the principal objections made by the Chief Justice to Lord Clive's grant to Kalam-ullah-Khán. The sum of what I have said is this: That the grant of the Omdat to Assim Khán was resumed by Lord Clive; that the grant by his lordship to Kalam-ullah-Khán was a new grant, different in its nature from the old one by the Nawáb; that the Nawáb of the Carnatic had a right to resume the *altamghá* of Assim Khán, and that the Company's Government had the same right; that this right was founded in the reason of the thing and in the custom of the country; that it was not affected by the Mahomedan law of inheritance; that this law was applicable only between individuals where the sovereign permitted the *altamghá* to descend in this way in the family, not between the sovereign and the individual where it was resumed; that the thing granted to Kalam-ullah-Khán was public revenue, from all cognizance of which the Court are precluded by their charter; and that, even if it had not been public revenue, the resumption was an affair of State, which, whether right or wrong, did not come within the jurisdiction of the Court, and for which, as well as for all other political acts, the Government in this country are amenable only to the superior Government at home.

Summing up of the question.

Although Government at the commencement of the trial in the Supreme Court were not fully aware of the important political considerations which it involved, they soon saw them; and on the 8th January, 1819, they tell the Advocate-General that they 'attach a high degree of importance to the principles in dispute'— 'the right of the Supreme Court to take cognizance of the matter, and, secondly, the denial of the authority of Government to revoke grants of the nature of that now called in question.' It is absolutely necessary, both for the good government of the country and the security of the revenue, that the jurisdiction of the Supreme Court should be more strictly limited and more clearly

Necessity for debarring the Supreme Court from interfering in affairs of State.

defined, and that it should be completely debarred from all cognizance in any shape of the acts of Government. If the Supreme Court are permitted to set aside by their decrees the orders of Government, we shall weaken, and at last perhaps destroy, that authority which our own safety demands should in this country be strengthened by every possible means. The proceedings of the Court on the present occasion have ruined the first private family in the Carnatic, and lowered the Government in the eyes of the people; and if measures of prevention be not adopted, the evil will increase every day. Most of the old wealthy families of Madras have already been impoverished by their litigation in the Court. The attorneys and law dabashes now look to the provinces; and if the doctrine maintained by the Court continues to be acted upon, its jurisdiction will in time reach to every zemindár, jagirdár, and official landholder under this Presidency, because Madras being the capital, many of the great proprietors and principal inhabitants will occasionally visit this place, and reside in it for a time, and thus become amenable; and every person also holding an official or charitable grant, which it may be deemed expedient to assess or resume, will be able to bring his case before the Court as a complaint against European oppression. The powers of the Supreme Court and of the Government should never be suffered to come into collision; and both the Court and the Government will thus be enabled the more effectually to discharge their respective duties, and to command the respect of the natives.

Proposed
restrictions
of the
jurisdiction
of the
Supreme
Court.

But in order to attain these objects it will be necessary (1) to exclude from the jurisdiction of the Supreme Court all civil suits between native and native, except where both parties agree to submit to their decision; (2) to alter the present boundaries of the local jurisdiction of the Supreme Court so as to include the fort and town of Madraspatnam, but to exclude Chepák and Triplicane; (3) to exclude from the jurisdiction of the Court all grants of land or public revenue, of whatever denomination; (4) to exclude from the jurisdiction of the Court all lands situated beyond the limits of the Court; (5) to exclude from the jurisdiction of the Court all acts done by the Government, as a Government, and making such acts cognizable only by the superior authorities in England; (6) to vest in Government the powers now exercised by the Justices, of assessing the inhabitants of Madras for paving, lighting, and cleaning the streets, or at least to vest in it the power of exempting from the tax all such Brahmans, priests, and other

privileged persons, as, from the usage of the country, are exempted from such taxes.*

If suits between native and native are excluded from the jurisdiction of the Supreme Court, it will check litigation, and lessen greatly the expense where it actually occurs, and save thousands from ruin. The local boundaries of the Supreme Court are far too extensive; they seem to have been fixed at first without much consideration. They reach a distance of five miles from Madras, and include several populous villages, which ought never to have been within them. They contain a population of above 500,000 persons. The line proposed by Mr. Stratton ought to be the new boundary. It runs along the river at the Government House to Cochrane's canal, and would place about 200,000 natives under the jurisdiction of the Company's Courts. It would also enable us to accomplish a most important object in withdrawing the Nawáb, with all his relatives and adherents, from the jurisdiction of the Supreme Court. That jurisdiction has for many years been a source of constant complaint from his Highness. While it exists, it cannot be otherwise, for, whatever may be the forbearance of the judges and their attention to native prejudices, circumstances must occur almost every day offensive to the Nawáb and to every Mussulman of rank. The authority of the Nawáb over his family and dependents has been impaired by political events, and still more by the interference of the officers of the Court. Daughters of Wallajah have turned prostitutes, and been released from the custody of their husbands and the Nawáb by Habeas Corpus. Other women of rank have been encouraged by their example and their impunity to follow the same courses. The disgrace of their women is felt, not only by their own families, but by every Mussulman here, as a degradation of their caste. The Mussulman population

Grounds
for the
restriction.

* Of the suggestions made in this paragraph, the first and second have never been acted on. The third was practically met by the decree of the Privy Council, to which reference is made in the note at the end of this Minute. The sixth was carried out by the enactment of Act XXVIII. of 1836, which declared that no assessment made by the justices of the peace should be levied until approved by the Governor in Council. All municipal taxation in Madras is now levied by the Municipal Commissioners, under (Madras) Acts IX. of 1867 and V. of 1871, but requires the previous sanction of the Government.

In regard to the remaining suggestions, it may be observed, that the jurisdiction of the Supreme Court over land situated beyond its local jurisdiction has never been admitted. Such jurisdiction, in the case of the High Court, which has taken the place of the Supreme Court, is expressly barred by the letters patent constituting the Court. It has also been decided that the Supreme Court was barred by the provisions of 21 Geo. III. c. 70, ss. 1 and 2, extended to Madras by 39 & 40 Geo. III. c. 79, from exercising jurisdiction over any act done by the Government as a Government.

of Triplicane, always distressed and dissatisfied since the assumption of the Carnatic, has had its discontent increased by these transactions; and it is therefore desirable that the cause of them should be removed, by placing the Nawáb without the jurisdiction of the Supreme Court. It is also chiefly for the purpose of removing the causes of discontent that I have proposed that Government, rather than the justices, should possess the authority of taxing the inhabitants of Madras for paving, cleaning, and lighting the streets. The majority of the justices is composed of men either not in the Company's service, or who, having always resided at Madras, know little of the native usages. Brahmans, priests, and other privileged persons have in consequence been subjected to this house-tax, from which they are everywhere else exempted by the custom of the country, and the Hindu population has been rendered discontented as well as the Mahomedan. The discontent has shown itself only in complaint and clamour; but for this we are indebted to the presence of a military force. Had the same measures been attempted to be carried into execution where there was none, they would have been resisted by insurrection. The Advocate-General has given it as his opinion that Government has no authority over the assessment, as it is by the Act of Parliament committed to the justices alone. Government has requested and the justices have agreed that the privileged classes should be exempted; but nothing final has yet been done, and whatever may be done will always be liable to alteration at the discretion of the justices. Government is placed in the extraordinary situation, not of being restrained from taxing, but from relieving its subjects from taxation. The justices, although they are themselves nominated by Government, can levy taxes without its consent; and, though it may be convinced that the levying of a tax may excite discontent, and even occasion disturbance, it can only obtain a remission of it by application to the justices. Government should never be obliged to solicit: such a proceeding must always weaken the respect by which it ought to be supported.

If the framers of the Act did actually intend to exclude Government from all authority over the assessment, they must have supposed that the justices had a common feeling with the people, and were more likely than Government to protect them from undue exactions. Nothing can be more erroneous than such an opinion. The justices can neither from their habits or situation have any such feeling. They have no common interest with the people; Government has, and to it therefore should be confided the direc-

tion of the assessment, or at all events the power of modifying or admitting it whenever it is apprehended that it may excite disaffection or outrage. It seems to be contrary to every sound principle of policy that a body of justices should be able, by an injudicious application of a tax, to produce disturbance in the country, and that Government should not have the means of preventing it.

The inconvenience which has arisen from the suits relative to the *jágir* of Kalam-ullah-Khán naturally lead to the consideration of the means by which the extension of the evil to all other *jágir* and *ináms* lands may most easily be obviated. These means appear to be—(1) to prohibit the Supreme Court from all interference regarding such lands; and (2) to rescind Regulation XXXI., 1802. Enough has already been said concerning the interference of the Court. The Regulation in question was too readily adopted when we had little experience, and the sooner it is repealed the better. All native states exercise in the most unlimited manner the right of granting and revoking *ináms* at pleasure, sometimes at once, sometimes gradually, by a small quit-rent at first, and then raising it to a quarter, next to a half, and so on to the full rate of assessment. In India revenue always follows the population and the person wherever they go. This is the usage, and it cannot be relinquished without endangering the future resources of the country; because, as the Government waste lands, together with the *jágir* and *ináms* lands, are equal to from one-fourth to one-half of the whole of the lands in cultivation, if they were permanently exempted from the payment of revenue, they would gradually, instead of lying half waste and poorly cultivated as at present, become completely cultivated, by drawing off the cultivators and stock from the lands now paying revenue, which would be proportionably diminished. If an effect of this kind has not already been experienced in provinces containing a large proportion of *jágir* and *ináms*, it is because it is prevented by the usage of transferring the assessment from the deserted to the newly cultivated lands. Whenever it is found that the revenue of a district has been considerably diminished by the abandonment of assessed land and the occupation of waste land belonging to *jágirdárs* or *inámdárs*, an assessment, proportionate in some degree to the loss, is imposed on the *jágir* and *ináms*. It is this which relieves the public revenue from loss by former profuse grants, and if this power were relinquished, we should have no means of saving it from very considerable defalcation. The smaller *ináms*, though they separately contain only a few acres each, are very extensive collectively. They have for the most part been

Importance of the power of resuming grants in order to prevent diminution of the revenue of the State.

granted without authority by heads of villages and revenue servants; and when they have escaped notice for a few years, and have afterwards been discovered, they have been allowed to continue from charitable and interested motives, and they have from various causes a constant tendency to increase. The investigation of ináms was therefore, among the native governments, like an inquiry into the state of the nation, and it is advisable that we should occasionally investigate and resume, in order to prevent the abuses and increase to which ináms are liable from neglect.

The decision of the Supreme Court referred to in the foregoing Minute, having been brought before the Privy Council in appeal, that tribunal held that the resumption of the jagir, and its re-grant to Kalam-ullah Khan, were acts of sovereignty, exercised by the Government on behalf of the East India Company, which the Supreme Court had no jurisdiction to

annul or to question, and accordingly reversed the decree of the Supreme Court, so far as it affected the interests of the Company, and declared that the grant to Assim Khan did not prevail against the Company, and that their rights to the jagir in question were limited only by the grant which they themselves had made to Kalam-ullah Khan.

ON THE PROGRESS OF THE REVENUE SURVEY.

10th May, 1823.

THE answers by the Collectors to the queries of the Board of Revenue, which accompanied the letter of that Board to Government, dated the 18th April, gave a summary view of the survey in the several districts under this Presidency.

Replies of the Collectors regarding the progress of the revenue survey.

It appears from this summary that only a few of the districts have been regularly surveyed; that in some nothing has been done; that in others, surveys of detached parts have been made; and that different standards of measurement have been adopted in different districts, and sometimes even in the same district.

The main objects of a survey are to record the exact quantity and description of all the land in every village; to ascertain the tenures and rights of the occupants or owners, as well as the rights of Government; to fix limits, and, by removing doubts, to obviate disputes respecting them; to establish mutual confidence between the ryots and the Government, by showing each what belongs to it; to ascertain the grounds of the assessment, not for the purpose of increasing the amount, but rather for that of enabling Government to avoid over-taxation; and, in short, to make what is now vague and fluctuating, definite and permanent.

Main objects of a revenue survey.

But such a survey as will answer these ends cannot be made by every Collector. It requires a practical knowledge of details, which is never acquired in districts permanently settled, and not often in those under long leases. It will therefore be advisable to proceed cautiously, to undertake the survey at present only in the few districts in which Collectors may be found capable of conducting it, and to extend it to others hereafter, whenever it may appear practicable. To attempt to introduce it everywhere immediately, would only be a useless waste of money and labour.

Such a survey requires special qualifications.

A survey has been begun in Chingleput, and one is now making of the lands not included in former surveys of the northern and southern divisions of Arcot. A revision of the assessment is being

Surveys now in progress.

made in North Arcot, and is likewise required in Salem. The completion of the operations in these districts will probably be nearly as much as can be undertaken at present, but if the Board of Revenue can conveniently extend the survey to any other districts, it may be done.

Expediency of using the acre as the general standard of land measurement.

The observations of that Board on the expediency of using the acre as the general standard in all accounts of measurement transmitted to the Presidency, are perfectly just. Without some general standard, no correct idea can be formed of the assessment of any district, nor can any comparison be made between that of different districts. The advantages of such a standard are so many, and the objections to it so few and trifling, that I am satisfied that we ought to adopt the acre as the scale of measure, not only in the English accounts, but in all the native village accounts. The measures employed in different districts, and even in different villages in the same district, often differ as much from each other as from the acre. As no one scale will answer for all districts, and still less for all villages, it makes no difference to the people, whether the one adopted be the acre or any other; they soon discover in what proportion it is greater or less than their own. In a very few weeks the inhabitants of the Ceded Districts became acquainted with the acre, and introduced it into their language. The *bighá*,* in the same manner, is still in use over extensive provinces where it was originally unknown.

The assessment should have reference to the ordinary degree of cultivation in ordinary seasons.

The sentiments expressed by the Board of Revenue, regarding the impossibility of regulating the assessment by the varying fertility of the land, are what ought to be particularly attended to by the local officers. The rent which the assessment is intended to fix, is that of Government, not that of the ryot and his tenant. The Government rent should be that which is produced by the ordinary degree of cultivation in ordinary seasons—what the ryot may easily pay, without any labour or expense beyond what is usually employed. Whatever increase of produce may be derived from extra labour or expense should be his own—the assessment ought not to rise with it.

The actual produce in a long series of years is the safest guide in fixing the assessment.

In fixing the assessment of the lands of any village, the safest guide is the actual produce and collections during a long course of former years. Even when these have been ascertained, it is sometimes necessary to make some allowance for the kind of ryot by whom particular lands may have been held, because in villages

* *Bighá*, a measure of land, somewhat less than an acre.

where each ryot holds for himself, unconnected with the rest, the principal ryots often contrive to hold their lands at a lower rate than the inferior ryots.

The want of a regular survey does not in any way hinder the introduction of a ryotwár settlement, when there are no other circumstances to prevent it, because the village accounts always exhibit the detail of the lands, their distribution among the ryots, their rent, and the extent of the several fields or shares, either founded on estimate, or on some ancient measurement; and from such accounts it has long been the custom in most parts of India to make the ryotwár settlement.

The want of a regular survey need not delay the introduction of a ryotwár settlement.

The circular letter proposed by the Board of Revenue seems to me to be calculated to answer the purposes for which it is intended.

ON CERTAIN POINTS IN THE REVENUE SYSTEM IN FORCE IN MALABAR.*

16th July, 1832.

Completeness of Mr. Graeme's report on Malabar.

MR. GRAEME'S report on Malabar contains ample details on everything connected with the condition of the people and the various

* Malabar is an extensive district on the western coast of India, extending from 10° 12' to 12° 15' north latitude, and between the parallels of 75° 10' and 76° 50' east longitude. It is bounded on the north by Canara, on the east by Coorg and Mysore, on the south-east by the Nilgiris and Coimbatore, on the south by the native State of Cochin, and on the west by the sea. It covers an area of 6002 square miles, and, according to the last census, contains a population of 2,261,250 persons, of whom 72·2 per cent. are Hindus and 25·7 Mahomedans; only 1·9 per cent. are Christians; 31 persons were returned as Jains, and 54 as others. Malabar in former days was under the feudal system. It was held by a number of petty Hindu chiefs, who were quite independent of each other, and who, though generally yielding fealty to some paramount power, held their lands in absolute proprietary right. Some of these chiefs, gradually obtaining an ascendancy over the others, became the ruling Rájás of the country, exacting feudal servitude from the other landholders. Their revenues consisted, besides the produce of their own private domains, of custom duties on trade, mint duties, escheats of intestate property, poll taxes and taxes on professions, a variety of royalties on cardamom and other indigenous products, the wrecks of all vessels stranded on the coast, presents on festival days, and occasional contributions on extraordinary exigencies. There was no land-tax. In 1786 Malabar was conquered by Hyder Ali, and remained under Mysore rule until 1792, when by the

treaty of Seringapatam it was ceded by Tippoo to the East India Company. The Mysore rulers imposed a land-tax, but, owing to the long-established rights possessed by the landholders of private property in their land, were unable to exact more than a share of the landlord's rent. After Malabar became British territory, the revenue management was entrusted for a time to the native chiefs; but it was soon found necessary to take it into the hands of the Government, and the chiefs were granted permanent allowances equal to a fifth of the revenues. The principles of the land revenue system introduced by the Mahomedan Government, which was in essentials ryotwár, the settlement being made with each individual landholder, were retained. At the time when the foregoing Minute was written, the principal taxes imposed upon the land in Malabar were a tax on the land cultivated with rice, calculated not with reference to the extent of the land, but with reference to the quantity of seed required to sow it, which varies according to the quality of the soil; a tax on fruit-trees, such as cocoanut, areca, and jack; a tobacco monopoly, and an export duty on pepper. The tobacco monopoly and the export duty on pepper have since been abolished. The land-tax in Malabar is light, and its aggregate increase, compared with the increase of population, has been inconsiderable. In 1808 it was a little over £160,000; in 1873 it was only £186,000, while the population had increased from 700,000 in 1808, to 2,261,250 in 1871. Between 1808 and 1865 the value of the exports by sea

branches of revenue. It contains a great mass of information which will always be useful for future reference. It shows the defects of the present system of assessment, the amendments he proposes, and the mode of carrying them into effect; and it is, on the whole, the fullest and most comprehensive report ever received of any province under this Government. The improvements suggested by him in this and in former reports are too various to be adopted at once. Whatever is to be done, must be done gradually, beginning with what is most necessary and important.

That which must precede all other improvement, and without which no regularity can be introduced into the internal administration of Malabar, is the division of the country into villages and districts, with the allotment of a proper establishment of village and district servants, under the direction of an efficient Huzzár catcherry. After the introduction of a well regulated gradation of revenue servants, the first improvement to be undertaken by the Collector should be the revision of the assessment upon gardens, and the second should be the revision of the assessment on rice lands.

The main arguments against any alteration of the assessment are, that it would operate as a tax on improvement, and that it would destroy all confidence in the security of property. In some countries these effects would no doubt follow a revision of the assessment; but, considering the circumstances under which the assessment was originally made, and since occasionally modified in Malabar, I do not think that such effects would attend its revision in that province. It is supposed by the Board of Revenue, that the inequality of the existing assessment arises 'as much from the different degrees of labour bestowed on the land as from any original disparity of assessment, and therefore that any revision of it would be tantamount to a tax on improvement.' This opinion, however applicable to most of the provinces under this Government, is not so with regard to Malabar. The rice lands of that country have for ages past reached that degree of improvement beyond which they cannot be carried, and the landlords' rent has, in consequence, been ascertained and fixed from a remote period. As the produce cannot be increased by the cultivator, or the rent by the

First steps to be taken for improving the internal administration of Malabar.

Special reasons for revising the land assessment of Malabar.

rose from £200,000 to £1,620,000. Malabar is now one of the most prosperous districts in India. Land is very valuable, and its possession is eagerly sought. Mortgages, however, of vari-

ous descriptions are more common than outright sales, the landholders having a great aversion to relinquishing the Jenm, or fee-simple right.

landlord, the whole of the inequality must arise from the original disparity of assessment, and no part of it from improvement. The original assessment was extremely unequal, and, what is a greater evil, it was in many places much too high. The inequality has not grown up gradually, but was created at once by taking in some cases ten and in others ninety per cent. of the landlord's rent. This rent furnished a groundwork for regulating the public assessment, which is very rarely to be found. Had we ascertained its amount, and fixed a certain share of it, one-half or three-fourths, as the Government due, and had there afterwards been complaints of inequality or inability to pay the assessment, we might have been certain that they arose from mismanagement, or from temporary causes which would easily be remedied. But when we take ninety or ninety-five, and sometimes even one hundred per cent. of the proprietor's rent, we annihilate one species of property, his rent as landlord. We reduce him to the necessity of living, like his tenants, on the agricultural profits of such lands as he may have in his own hands, and we leave him no way of retrieving himself, because his land has long since attained its highest point of fertility. In most of the other districts under Madras the reasoning of the Board of Revenue is perfectly just, because in them the Government assessment is regulated, not by the landlord's rent (because there is in general no such rent), but by the gross produce obtained by the cultivator from the soil; and as he can increase the produce by many various ways—by manure, by labour, and by irrigation—the rate of assessment to the produce must everywhere and every day become more and more unequal; and to attempt to equalize it would often operate as a tax upon industry, and prove extremely vexatious.

The revision of the assessment to the extent to which it is proposed to revise it, will not impair confidence in the security of landed property in Malabar.

I can see no reason for believing that the revision of the assessment would destroy confidence in the security of property. It could not have this effect unless we were to raise the assessment beyond the rates usually considered as the standard rates of the province. But as it is not intended to do this, there can be no cause for alarm, or for supposing that persons who may have purchased land under the Company's Government will regard any increase of assessment upon it from the revision as a violation of the rights of property and of the faith of Government. These persons could have had no reason to infer from anything that they had seen or heard, that their own particular assessment was permanent. An assurance had been given that the assessment on rice land would not exceed sixty per cent. of the landlord's rent; but this

THE REVENUE SYSTEM OF MALABAR.

was generally for the whole province, and they must have known, from the changes and proceedings which had taken place, that it was always intended to equalize the assessment upon the landlords' rent, and they must have regulated their purchases by the probability of such an event. They had seen a new assessment imposed by Hyder Ali; they had seen it changed by Tippoo Sultan, more than once by the Commissioners, by Major Macleod, by Mr. Rickards, and partially by Mr. Warden and the present Collector. They had seen surveys or estimates made by Major Macleod, Mr. Rickards, and Mr. Warden avowedly for the purpose of equalizing the assessment; and until such an equalization, founded upon one or other of these surveys, was made, they could have no ground for supposing the assessment to be permanent.

The chief reasons in favour of the alteration of the assessment are its inequality, the impossibility in many cases of collecting it, the distraint of property and the sales of lands necessary for its realization, the unpopularity of this novel measure, and the general wish of the landholders themselves for a revision. It is stated by Mr. Græme that if what Mr. Warden says—that though the 'existing assessment is light on many estates, it bears heavily on a few'—were true, he would not think revision necessary; but personal inspection, numerous complaints, the earnest request of the principal people of all the districts which he visited, that a revision should take place, and the difficulty of collecting the revenue, convinced him that many individuals suffered from the weight of the assessment. There cannot be a better reason for revision than very great inequality, more particularly when it has been caused by the unequal imposition of the tax at first, and not by the different degrees of labour bestowed on the land; and when we consider the loose system of accounts which has prevailed in Malabar—the adoption of the assessments of Hyder and Tippoo, by the Commissioners, as the standard for the future revenue of the province, without knowing the principles on which they had been framed—the admission by Mr. Rickards of the general accuracy of the accounts of rent delivered by the proprietors, though extremely false—the great errors in the estimate by his successor of the resources and rent of the country, and the hurried manner in which the produce and assessment accounts of Hyder and Tippoo must have been prepared in times of constant disturbance,—when we consider all these things, we must perceive that little reliance can be placed upon any statements of the actual condition of the landowners drawn from the present cutcherry accounts, and that

A revision of the land assessment in accordance with the general wish of the landholders.

in place of another, and in others a smaller in place of a larger measure of the same denomination, the Collector overrated the Government revenue more than fifty per cent. This excess, however, is partly corrected by another error in taking too low a price. The price he assumes is Rs. 14-1-1½ in place of Rs. 19-9-4½, which Mr. Græme states to be the proper one, and which, if applied, would raise the value of the landlord's rent, but leave it still thirty-four per cent. below the Collector's abstract. Mr. Græme shows also that the same abstract contains very considerable errors in the estimate of plantation rent, and that it cannot be received as an authority for judging of the real amount of either the rent of rice or plantation land.

Mr. Græme's
calculations
and pro-
posals.

Mr. Græme then states the principles on which he calculates the amount of the landlords' rent, and the share of it which ought to form the Government revenue. He estimates, from information from many different sources, that the share of the rent which remains to the landlord after paying the Government revenue, varies in different districts from twenty to thirty and thirty-five per cent. He finds by calculating these rates at the selling prices, and adding the amount of the several districts together, the total rent is Rs. 14,30,700-3-3½, of which the Government share at six-tenths is Rs. 8,60,220-2-3, which is below the present revenue—Rs. 2,11,607-2-5½—but he recommends, as being nearer to the estimated rent of Mr. Rickards, that the Government share should be six-tenths and a half instead of six-tenths, which will make the Government revenue Rs. 9,31,905-2-19, or thirteen per cent. less than the present revenue, Rs. 1,39,922-1-89½.

Remarks on
them.

It may be thought that the six-tenths and a half now proposed is a higher assessment than the six-tenths proclaimed to the inhabitants in 1805 under the sanction of Government, but it is actually less; because the rent assumed by Mr. Rickards was not the real rent, but one formed by 'deducting the seed, and an equal quantity 'for expenses of cultivation, and one-third of the remainder for the 'cultivator, from the gross produce.' As the allowance made here for cultivation is too low, the estimate is consequently higher than the actual rent, and the taking six-tenths and a half, in place of six-tenths, as the Government share, will merely make the amount of that share correspond with what it would have been according to Mr. Rickards' calculation.

After establishing these rates, he allows the owners of plantations to cut down whatever old trees cannot pay, and to receive a proportionate remission. He thinks the rates so light, that almost

every tree, however old, will be able to pay them; but he estimates that if even twenty per cent. of the old trees are cut down, the revenue of Government from the whole province will be reduced only about Rs. 31,000 below its present amount.

It is undoubtedly a defective principle of taxation which induces a man to cut down a tree. Though it did not produce the full tax, it produced something, or it would not have been left standing, and that something is now lost. Some method might perhaps be found in practice of making such a remission for old trees as would save them from being prematurely cut down, without exposing the revenue to any material loss. As we must, at all events, count the trees, it would not be much additional labour to ascertain what number of old trees the owner proposed to cut down, to examine whether only a part or the whole could not bear the tax, and to make a proportionate remission, leaving them standing. If this cannot be done without being liable to too much abuse, we must be content to sacrifice a part of the old trees. The injury will not be great, and will soon be counterbalanced by increase of produce, because the relief which the owner will derive from the remission on his old trees, will enable him the more easily to replace them with a greater number of young trees.

The result with regard to the revenue of the proposed revisions would be as follows:—

	Present revenue.	Future revenue.	Decrease.
Low rice land ...	10,71,828 0 8½	9,31,905 2 19	1,39,923 1 89½
Upland rice and oil, &c.	21,887 1 62½	21,887 1 62½	
Plantation ...	4,26,201 2 48½	2,94,503 2 24	1,31,698 1 24½
	15,19,917 1 19½	12,48,296 2 5½	1,71,620 3 14½
But if we restore the pepper-tax	...	...	1,20,000 0 0
The decrease of revenue would not exceed	...	...	Rs. 51,620 3 14½

Mr. Græme has taken great pains in framing a rule for the revision of plantation revenue. The best principle would be that of a certain share of the rent, if the rent could be easily ascertained. But unfortunately this cannot be done, because the rent of plantation is constantly fluctuating; and Mr. Græme is therefore obliged to adopt another, which he explains at full length, and which appears to be as free from objection as any that can be found. His plan is in substance as follows:—He takes the whole number of trees according to the accounts delivered by the owners themselves in 1805-6; he makes additions of young and deductions of old trees for the interval of time; he deducts all young trees not yet bearing; he takes the produce of all the remaining trees

Method of
revision
proposed by
Mr. Græme
in the case
of planta-
tion reve-
nue.

an obstinate adherence to an assessment, originally extremely unequal, must every year ruin many of the old landowners, but more particularly those of garden lands.

The revision of the assessment on the garden lands should be periodical, and should have reference to the productive capacity of the land. A revision not so requisite in the case of the rice lands.

The revision of the rice lands is not so urgently required as that of the garden, because the rent of the rice land is in general steady through a long period of years. A comparison of old and modern deeds shows that at the distance of centuries it is often the same. But there are no accounts of the old rent of garden or plantation, because it does not remain for any length of time recorded in deeds. This of itself is a sufficient proof, were there no other, that the rent of plantation has always been variable—rising, declining, or disappearing entirely with the produce; and the imposition, therefore, of a permanent assessment on what is so liable to fluctuation, and even annihilation, must frequently be impracticable and oppressive. The usage of the country has always been for the landlord and the tenant of the plantation to revise the rent periodically, and to fix it according to the state of the produce, and Government ought to do the same. No fairer or safer rule can be adopted. There is no danger that industry would be discouraged, or property in plantations rendered insecure, by fixing the Government assessment at a declared proportion of the rent, and revising the rent at intervals of not less than twelve years. The custom of revising plantation, and not revising rice land rent, among the inhabitants is no doubt founded upon experience having taught them that the distinction is both useful and necessary.

The sale of land for arrears of revenue is politically an evil.

It has been supposed by the Collectors that it is better not to make any revision; that the country is improving; that the occasional sales of land are rather an indication of individual failures, than of any decline of the public resources; and that when offers are not made for lands exposed for sale on account of balances, they should be purchased on the public account. This is a measure to which Government ought never to resort in Malabar. It ought either to lower the assessment or to remit the balance. But could purchasers always be found, and could every arrear be realized in this way, I should neither think it any sign of the prosperity of the country, nor any argument for supporting our revenue by an innovation so unpopular as the sale of land. It appears that, though it has been only recently introduced, and was at first very trifling, it is increasing rapidly. From Fasli 1220 to 1227, in order to satisfy public balances, 1225 rice fields and gardens, besides personal property, were sold; and in 1228, in one single taluk, 1330 plantations and rice fields were sold. The sales of lands for arrears, besides

occasioning the ruin of the proprietors, are productive of evil consequences. The best parts are sold first, the worst last; and as the tax is not equally apportioned according to the produce—that which was before too high on the whole land is now still higher on particular parts—unequal assessment is continued and increased, and, what may be regarded as a serious evil, much of the land sold is transferred from the possession of Nairs to that of Moplahs, the worst race in Malabar and the most hostile to our dominion. By selling the land we often destroy the landlord. It is no proof of his not being overassessed, that another buys it; a purchaser may be found as long as there is a rupee of rent. If the landowner who formerly had a clear rent of a hundred rupees, has now, from over-assessment or some other cause, only five or ten rupees, he can no longer maintain his family, and must sell his land. The over-assessment is no loss to the purchaser; he only pays for what is left. The rent is still paid, but a valuable link in society, the landlord, is gone.

If we look merely to revenue, it is not essential to its realization that we should have a body of landlords; for were there not a single landlord in Malabar, the present and even a much greater revenue might be drawn from the profits of the cultivators. But the preservation and the independence of the great body of landlords, though not necessary for the purpose of securing our revenue, is essential to the attainment of the higher objects of good Government and the future improvement of the people. Mr. Græme has taken a liberal and judicious view of this subject. He says 'that by leaving a rent to landlords, a class will then be formed of men, whose ideas, not being exclusively confined to the tillage of the ground or to servile occupation, are possessed of education to qualify them to be intelligent arbitrators in disputes, and able revenue and police officers of Government. It is by the means of such men alone that any general improvement in knowledge, in morals, and religion can be brought about.' In order, however, to preserve so useful a class of men as the landlords, it is necessary to leave them a rent, and to revise our assessment for this purpose, and lower it where too high.

The preservation and independence of the great body of the landlords much to be desired.

Mr. Græme has shown that the estimates of the produce and the landlords' rent of Malabar by former Collectors were erroneous. In an abstract transmitted by the Collector to the Board of Revenue, he made the landlords' rent amount to parrals 124,29,363, and the Government revenue on this rent at six-tenths of the amount, Rs. 10,65,372. By taking in some districts one measure

Mr. Græme's remarks on this point.

according to the owners' accounts of 1805; he calculates the value of the produce by what he has ascertained to be the average price of each district; he estimates the Government share generally according to the custom of the country at one-third of the gross produce, but in some districts a little higher, where it is so by usage. From these calculations he finds the average Government assessment.

Objections
to an export
duty on
pepper.

Mr. Græme thinks an export custom revenue so much preferable to a land revenue on pepper, that he recommends trial of it on an increased rate, so as to make up from the export duty a sum of Rs. 1,20,000 for land revenue abolished. He states, however, that it is liable to strong objection from the inducement it would offer to smuggling. But there is a difficulty which he does not notice—the Act of Parliament which prevents the imposition of new duties. The export duty required to make up the sum proposed would be twenty-seven per cent. If the land-tax were revised, it should, in Mr. Græme's opinion, be fixed at one-fourth of the gross produce, and would at this rate yield Rs. 1,20,000. He thinks that the quantity might be fixed at 6000 candies, and the price at eighty rupees per candy, both of which are lower than the average of late years. From 1812 to 1817 the average export by sea and land has been candies 6712-13-2 $\frac{1}{4}$, which at the tariff rates of Rs. 94-1-22 $\frac{1}{2}$ gives Rs. 6,33,051-1-18, on which the land revenue is only 20 $\frac{1}{4}$ per cent. Mr. Græme proposes that one-fourth of the gross produce shall be the share of the Government, and that whenever this one-fourth at the tariff rate of the day shall exceed Rs. 1,20,000, the excess shall be remitted to the owners of the plantations.

Points im-
mediately
demanding
considera-
tion are the
estab-
lishment of a
proper gra-
dation of
revenue ser-
vants, the
division of
the country
into dis-
tricts and
villages, and
the revision
of the plant-
ation or
garden
assessment.

Should it be found advisable hereafter to revert to a land-tax on pepper, I am persuaded that it will not meet with any opposition from the landowners, and that it will be established with as little difficulty as the tax on any other kind of plantation. But the consideration of the pepper-tax, the tobacco and timber monopolies and even of the revision of the rice land-tax, may be deferred for the present. The points which demand immediate attention are those already noticed in the second paragraph, namely, the establishment of a proper gradation of revenue servants, the division of the country into districts, or tahsildaries, and villages, and the revision of the rent of plantation. These arrangements cannot be carried into effect unless by a person well acquainted with the revenue and with the people of Malabar. The present Collector has had long experience, and might, had no change been contem-

THE REVENUE SYSTEM OF MALABAR.

plated, have answered very well to conduct the existing system. But from his having been long habituated to loose and defective accounts, from his want of confidence in the people, from his disinclination to the intended change, and from other circumstances, I am satisfied that he could not, with any hope of success, be chosen as the instrument for the introduction of the new system. The person best qualified for this purpose is Mr. Græme, by whom it has been proposed and supported by so many facts drawn from an accurate knowledge of the state of the country. By selecting him we shall lose for a time the benefit of his services in the Sudder Adalat. But this ought to give way to the higher consideration of the interests of a whole province, which are essentially concerned in the establishment of a system of internal order, which shall render it more easy than at present to learn the actual condition of the people, and to remove every cause of real grievance. I have therefore no difficulty in recommending that Mr. Græme be sent back as Commissioner to Malabar, to carry into effect the system proposed; and that, in order the better to facilitate his progress, he be authorized to assume the immediate revenue management of any one or more districts, whenever he may deem it advisable.

TIMBER MONOPOLY IN MALABAR AND CANARA.

26th November, 1833.

Origin of
the timber
monopoly.

THE forest monopoly has arisen partly from public, partly from private views. As far back as 1799, only a few months after we had got possession of Canara, the Collector was requested to recommend the appointment of a Conservator of the Forests; but he refused, because he was convinced that it would prove injurious to the country.

In 1805 the Madras Government assented to the appointment of an agent from Bombay, to ascertain to what extent the forests could be made available for ship-building. This was no sooner done, than Captain Johnson asked assistance to get timber not claimed by individuals as private property. The Government promised reasonable assistance; but there can be no reasonable assistance where Government interferes, and this slight beginning with reasonable assistance has now grown up into a wide and oppressive monopoly.

Forests of
Malabar
and Canara
placed
under the
superin-
tendence of
the Bombay
Govern-
ment.

The Supreme Government, in 1806, forwarded an order of the Honourable the Court of Directors, dated the 3rd of July, 1805, to the Madras Government to transfer to that of Bombay full authority over the forests and timber trade of Malabar, in order to insure a supply of wood to the navy, as well as for their own shipping, 'provided the Supreme Government saw no weighty objection.' None appears to have been seen, as the transfer was made immediately. The Madras Government went even beyond the orders of the Honourable Court, which applied only to Malabar; for in December, 1806, at the request of Bombay, it made over to that Government the forests of Canara also, because they were said to have crooked timber, which Malabar wanted. The Conservator of the Forests, at this early period, wanted a regulation to arm him with powers in the country. The Madras Government answered that 'it was not intended to give him powers which might infringe 'on the positive right of the inhabitants,' and refused to enact a regulation; but being constantly urged, gradually gave way, and

TIMBER MONOPOLY IN MALABAR AND CANARA.

April 1807, a proclamation was issued in Malabar, which begins with declaring that 'The Honourable the Court of Directors having resolved to assume the sovereignty of the forests,' &c. This proclamation excited a discontent which has never subsided. It places the forests of Malabar and Canara under the superintendence and control of the Bombay Government, announces Captain Watson as Conservator, and prohibits the cutting or destroying trees in the teak forests. Orders were transmitted with this proclamation to the local officers, to assist the Conservator in preserving the forests. Orders were likewise soon after issued, at the request of the Bombay Government, exempting the timber trade generally on the Malabar coast from the payment of duties. The Judge at Tellicherry having requested instructions as to whether the Conservator was at liberty to prevent the transit and export of private timber without a permit from him, the Madras Government answered that they saw no objection, provided it was only with the view of ascertaining the quantity of timber exported; but that the Court was to see that it did not interfere with the right of individuals to export their own private timber.

Complaints had been constantly coming even before this time against the system, and Mr. Thackeray, who was then in Malabar, recommended that the private rights in the forests should be bought up by Government. This plan was adopted by Captain Watson, but seems to have been executed only in part, and to have been relinquished, on his departure, by his successors. Complaints still continued, and the Madras Government, in transmitting to Bombay a petition from certain timber merchants against the proceedings of the Conservator and the monopoly of the forests by Government, suggested the propriety of the Conservator's confining his operations to the forests, undoubtedly public property. But this was the very difficulty, for it had never been ascertained what was public and what private, and the Conservator's establishment had, therefore, little difficulty in extending their claims over the private forests. After the petition in question had been referred to Bombay, and received from thence with the Conservator's reply, the Judge of Tellicherry was directed by Government to inform the petitioners that their claims could not be admitted, and that they might prosecute them in the manner prescribed by the regulations. But it is evident that, whatever have been the merits of these petitioners' claims, the actual proprietors were exposed to great hardship; for they are first placed under a system whose inevitable tendency is to invade their rights, and then left to seek redress in

Complaints
of the work-
ing of the
system; its
tendency to
invade the
rights of
the people.

the Courts. The consequences were what might have been foreseen; the evil increased every day. The Conservator gradually asserted a claim to teak grown on private estates, which not being sufficiently resisted, the monopoly, by the end of 1809, was pretty well established over Malabar and Canara.

Proposal to prevent the export of timber from Cochin and Travancore to the Gulfs of Persia and Arabia.

In 1809 the Bombay Government proposed, on the ground of weakening the pirates, to prevent the export of timber for ship-building from Cochin and Travancore to the Gulfs of Persia and Arabia; but the Supreme Government, on the case being referred to them from Madras, refused to interfere. In 1811 an application to the same effect was made by the Bombay to the Supreme Government, who authorized the Madras Government to endeavour to carry the measure into effect if it appeared advisable.

Proposal to exclude the Mangalore merchants from purchasing timber in Coorg.

In September, 1811, the Bombay Government stated that the Mangalore merchants, being shut out from getting timber in Canara, resorted to Coorg, and requested that the Rajah might be required to hold all the teak and poon in his country at the disposal of the Company. The Supreme Government refused their assent to this proposition. Had they decided otherwise, the merchants of Mangalore would surely have had much ground for complaining of the rigour of our administration. They had been shut out by us from getting timber in their own country, and when they go for it into a foreign one, they are also followed by our restrictions.

The Conservator of Forests having made a contract for one year for supplying the Mahratta districts with timber from Sunda above the Ghâts, the Board of Revenue objected strongly to this measure, and showed that it was a complete deviation from the intention of the Conservator system, as it raised a land revenue from the forests of Sunda by the sale of wood for inland consumption.

In 1812 the Bombay Government, in forwarding to Madras an application from a native merchant to build a ship at Cochin, suggested the propriety of removing the restrictions on the timber trade of Malabar; and this measure, on being recommended by the Madras to the Supreme Government, was authorized. But as it was interpreted merely to remove the prohibition on the export of timber to the Gulfs of Persia, Arabia, and Cutch, the monopoly still remained with little diminution as before. The Madras Government, in answer to a question from Bombay on this subject, explained that their late orders on this head were meant to put the timber trade on its former footing, and not to open the Company's forests to private merchants. But the original and main grievance was not removed by this declaration. The line between public and

private forests had not been ascertained. All that the merchants wanted was that they should be allowed to dispose of private timber not required for the King's or Company's ships; but what they called private, the Conservator called public timber.

In 1814 the Conservator attempted to stop Cochin teak on its passage to the sea. Though the Bombay Government had agreed, on the representation of the Resident, that timber belonging to Cochin should be allowed to pass through the Company's territories on paying the regular duties, and though this resolution had been communicated to the Resident, they afterwards, on the recommendation of their Marine Board, objected to the arrangement; but it was allowed to continue, on the suggestion of the Madras Government that it was too late to withhold what had already been granted. The Bombay Government communicated at the same time that they had it in contemplation to treat with the Rajah of Cochin for all his timber. This was followed by another application for assistance in obtaining all the timber cut in Cochin and Travancore for the purposes of ship-building. The Resident, in answer to a reference made to him on this subject, stated that the Rájás of Travancore and Cochin would be happy to enter into engagements to sell all their wood to the Company, provided they got a fair price. He exposed the impolicy of acting on any other principle, and by his just and enlarged views he saved the people of Travancore and Cochin from the evils of the forest monopoly. But though these two provinces have been kept out of the hands of the Conservator, we have still, down to the present year, frequent complaints by his department and the inhabitants of mutual encroachments.

Attempt to introduce the monopoly into Travancore and Cochin.

In our provinces of Malabar and Canara, the severity of the forest system increased every day; and no wonder, for it was so undefined that the Judges who punished the ryots for trespasses, were in doubt whether the Conservator was amenable to the Courts. In such a state of things it was quite natural that the system should, from one of mere preservation, become one of oppressive monopoly. It was complained of by all the local authorities, by the Judges, the Magistrates, and the Collectors. The Judge of South Malabar observes that, by the Bombay instructions of 1806, 'it was considered that the timber on the inhabited parts of the country is the property of the landlords, and the jungles forming the eastern boundary the undoubted right of the Honourable Company; and that it may be equally unknown to the Bombay Government and to that of Fort St. George that teak timber,

Proposed legislation with reference to the conservancy of forests in Malabar.

'the growth of private estates paying revenue to Government, in cut down and appropriated to the use of the Honourable Company; and that jungle timber, the growth of the cultivated parts of the country, is equally liable to the duty levied by the Conservator with that felled in the forest.' These remarks were contained in a letter submitting his opinion on the draft of a proposed Regulation for the Conservator. The Madras Government had, in 1814, suggested to that of Bombay the propriety of a Regulation to define and limit the powers of the Conservator. In the following year the draft of a Regulation was received from Bombay which had been proposed by the Marine Board; but as it was calculated rather to strengthen than to limit the authority of the Conservator, it was objected to by the local authorities, for whose opinion it was circulated. Mr. Warden, the Collector of Malabar, stated the hardship of the inhabitants not being permitted to cut wood for ordinary purposes without paying duty, or even firewood without a permit, proposed to draw the line between public and private forest, and submitted an amended draft. This amended draft was approved by the Honourable Court of Directors, and ordered to be engrafted upon the body of the proposed Regulation. It was sent to Bombay, but was not returned until the present year.

The Regulation in its present shape, though much improved, is still highly objectionable. Section II. provides for the appointment of the Conservator by the Bombay Government. If we are to have Conservators at all, they should be from Madras. It is contrary to all just principles of Government that the servants of one Government should be vested with such powers in the territories of another, as are given to the Conservator. The appointment of the Conservator should be vested in the Government to which the forests belong, as being the arrangement most likely to insure cordiality and efficiency. By Section III. the collection of the interior duties on timber and the general superintendence of the export timber trade are transferred to Bombay. These powers are very objectionable in the hands of the servants of another Government, who can have no interest in the protection of the inhabitants of this. We are foreigners in this country even under our own Government, and can seldom take all the interest we ought to do in the welfare of the natives. But when we bring the servants of another Presidency to exercise authority over them, we augment the evil of this indifference. By Sections VII. and VIII., cutting and wasting are to be punished, and the Magistrates are to order their servants to assist those of the Conservator in apprehending

The appointment of the Conservator by the Government of Bombay objectionable.

The servants of one Presidency should not be invested with powers in another.

offenders. This is erecting a double jurisdiction, with all the confusion and clashing of authorities which the transfer of the police to the Collector was intended to obviate. By Section XII. the public forests are defined to be the ghâts and the hilly tracts. But this definition is not accurate, and would not prevent abuse, as private lands and forests are often situated among the ghâts and the hilly tracts along their bases. But it is needless to examine the provisions of a Regulation which ought never to be enacted. To pass a Regulation at all would only serve to confirm the system which we wish to abolish.

In order to protect the property of the public and of individuals in the forests, their limits must first be ascertained, and this can only be done by a survey. But there can be no investigation of rights while the monopoly continues. The Conservator and the monopoly must first be withdrawn, and then public and private rights may be freely and fairly ascertained. It is inseparable from the very nature of such an establishment, having interests and objects at variance with the prosperity of the people, that it should perpetually encroach; and while it is allowed to stand, it will create so many impediments as to render a survey quite impracticable. By abolishing the monopoly, private rights will at once be secured by each man looking, as formerly, after his own. Public rights may suffer some little invasion from smugglers, but the Collector can easily, by the means in his hands, prevent the mischief from becoming of any importance, and he and the inhabitants will easily adjust their respective rights when they are freed from the intervening authority of the Conservator.

Under the Native Princes and under our own Government, before the appointment of the Conservator, the trade and timber was perfectly free, subject to a duty on exportation. Every ryot planted or cut down at pleasure on his own property. Part of his property consisted of hills, some near, others remote, from his habitation. On these hills he occasionally cleared away spots in succession for cultivation, by selling or burning the trees without any interference whatever, because they were his property as much as his rice fields, and were included in the deeds of sale of his estate. They constituted a material part of the property by which he was enabled to pay his revenue, because they furnished all the materials for his buildings and implements of husbandry, and also the manure of his lands; for as there are no sheep and few cattle on the Malabar coast, the manure is principally composed of shrubs, leaves, and branches of trees. The ryot had complete

The enactment of a Regulation inexpedient, as tending to confirm a system which ought to be abolished.

The Conservator and the monopoly should be withdrawn.

Hardships inflicted on the inhabitants of Malabar by the conservancy system.

MINUTES OF SIR THOMAS MUNRO.

control over his wood of every kind, whether on the hills or in the villages, because it could not be taken from him without a violation of private property and administration both of his income and of the revenue. But what is his situation now? He cannot cut down or sell a bit of wood on his own property for the most ordinary purposes. He cannot even remove the young teak plants, which spring up from seeds scattered by the wind, though they are injuring. Though he cannot himself cut down his own trees, the Conservator cuts them down at pleasure, both on his hills and in his fields and gardens, and makes him pay duty on the wood; and he not only levies duties, but he confiscates property. A monopoly, or even any restriction on the cutting of wood, is in Malabar vexatious and oppressive in the highest degree. Wood is wanted in large quantities for every purpose, for boats, houses, barns, and granaries. In a country where the fall of rain during the five monsoon months is from a hundred to one hundred and sixty inches, and sometimes nearly fifty inches in one month, it is almost impossible to make any building waterproof. The houses of all the more substantial ryots have a double roof or two stories. In the lower the family resides; the upper serves as a lumber-room, but its chief use is to defend the lower and carry off the water. The barns and granaries are necessarily constructed in a still more substantial manner, because a great part of the grain is reaped in the rainy season during short intervals of sunshine, and, in order to be dried, is instantly carried into the barns, which are made large for that purpose. The principal public buildings were formerly covered with copper, as the only means of completely excluding the water. The copper was stripped off and coined into money by Tippoo Sultan. But we go beyond him. He only deprived them of the copper, but we of the wood of their roof, or, what is the same thing, we prevent them, by our restrictions, from replacing it. These harsh measures have had their natural result—clamour and confirmed aversion and discontent, if not open resistance.

Free trade in timber more conducive to its growth than any conservancy system.

Why should we persevere in such conduct, when we have not even the pretence of any great national object to vindicate it. The world is at peace, and even if we were pressed by war, nothing could defend a continuance of such injustice towards the people of Malabar and Canara. The aid of the British navy was the original ground of the monopoly; the weakening of the pirates was a subsequent one. The danger of the pirates has long since passed, and the restriction on the timber trade to the Gulfs of Arabia and Persia has been abandoned. But the navy, it may be said, still

requires the forests of Malabar to build one or two ships annually. If this is the case, the timber should be purchased in the market without any restrictive system; or if economy be the sole object, if we can believe that it can be of greater importance to the navy to get the timber of its Indian ships a little cheaper than usual, it may be got as cheap without a Conservator as with one, nay, much cheaper, if we reckon the expense of his establishment and the loss which private property and the public revenue sustained from the hindrance of trade and agriculture by the forest laws. Even if the timber under a free trade were a little more expensive, what great matter? Better that it should not only be a little more, but that not a single ship should be built, than at the expense of such misgovernment. There is no danger, however, of a want of timber. The course we are now pursuing is the most likely to cause the want. A system to which a whole country is hostile can never succeed; the inhabitants will neglect or destroy the trees they cannot gain by. The navy is not indebted to the Conservator for a bit of wood. All that has been used sprung up without him under the old system, and will, if permitted, continue to grow and furnish a constant supply. The people of Malabar and Canara are chiefly agriculturists and merchants. A considerable proportion of the ryots are traders, and their country, being intersected by rivers and creeks, enables them to bring the produce to the coast in their own boats for sale, and they are too good traders not to cultivate teak, or whatever wood is likely to yield a profit. They are fond of planting. They plant trees for sale, for their private use, and in order to devote to their temples, and to encourage them no Regulation is wanted but a free market. Restore the liberty of trade in private wood. Let the public be guarded by its ancient protector; not a stranger, but the Collector and Magistrate of the country, and we shall get all the wood the country can yield, more certainly than by any restrictive measures. Private timber will be increased by good prices, and trade and agriculture will be freed from vexation. If timber cannot be preserved by these measures, it will not by any other. Independent of what is due to justice, sound policy should lead us to be cautious in tampering with the feelings of a people often turbulent, and who now submit reluctantly to our monopoly, and we should recollect that no paltry profit in timber can compensate for the loss of their goodwill. It is a mockery to talk of the protection of property under our Government, when we maintain a Conservator's establishment, whose chief business it is to invade every man's property, to harass him in his own fields, in his barn, in his house, and in his temple.

The conservancy system likely to alienate the goodwill of the people.

Isolated
discon-
-e agricul-
re.

The system is one which is founded on the direct violation of private property, and sets every man, the landholder, the mechanic and the merchant, against the Government. It may be thought that these evils might be obviated by confining the Conservator to the public forests, but this would prove a very inadequate remedy. Endless interruption would still be given to the sale and transit of private wood, on pretence of its being public. Even if it were possible to believe that private timber could be perfectly secured from all interference, the complete preservation of the public forests would, of itself, be a serious injury to the country. If no part of a hill where teak or poon is now growing, is to be cultivated, it would stop the progress of cultivation over all hills belonging to Government. In many places, what is now forest and covered with teak and other trees, was formerly a cultivated country, and will again be cleared and have villages, if not prevented by the Conservator. The system we are following and now seeking to legalize by a Regulation, is worthy only of the times of the Norman Forest Laws. It is a system for preserving and augmenting the waste, or, in other words, for discouraging agriculture and laying waste the country. The only remedy for such evils is its entire abolition.

Course to be
taken pend-
ing a refer-
ence to the
Court of
Directors.

The appointment of the Conservator was sanctioned by the Honourable Court of Directors only on the condition that there should be no material objection to it. The many strong objections which have since appeared were probably not then foreseen; but I am persuaded that whenever they are brought to the notice of the Honourable Court, they will concur in the necessity of putting an end to the system which has produced them. The attainment of this desirable object may perhaps be hastened by an immediate application to the Supreme Government on the subject, because, as that Government was authorized by the Honourable Court to exercise its discretion in permitting the appointment of a Conservator, it may deem it expedient to exercise a similar discretion in ordering the abolition of his office. I have already said that no Regulation is necessary; but it will be proper, pending our reference to Bengal and England, to direct the Collector to levy the duties on the timber at the usual rates, and to assist the Conservator in protecting the Company's forests, and to order him to publish the exemption of private wood from the Conservator's control, and to protect the inhabitants from the interference of his department with what is private property.

ON THE RELATIONS OF THE SUB-COLLECTORS TO THE COLLECTORS OF DISTRICTS.

13th December, 1822.

It appears from the case now under consideration, as well as from what took place in Tanjore, that the Sub-Collectors do not sufficiently understand their relative situation to the Principal Collector. A Sub-Collector and Magistrate is in every respect as completely under the authority of the Principal Collector as any assistant is. It is his duty to obey, not to discuss the orders of his superior. It is not likely that he will ever receive from him any order which it would be improper to execute. But even should anything so extraordinary occur, it is then his duty to state his sentiments respectfully to him, and should he persist in his former opinion, there ought to be no reply, but an appeal, if necessary, should at once be made to superior authority. The Sub-Collector can never be permitted to enter into controversy with his Principal, or to seek to put him in the wrong. Every such attempt will always be marked by the displeasure of Government. The Principal Collector must be left to his own discretion, guided by circumstances as to the extent of authority to be entrusted to the Sub-Collector; but as the main object of the appointment of a Sub-Collector is to enable him to qualify himself for the office of Collector, it is evident that he ought to be allowed to make his settlements, and to discharge and entertain his servants, and generally to perform every duty confided to him, with as little interference as may be compatible with the security of the revenue and the protection of public servants, as well as of the great body of the people.

Subordina-
tion of the
Sub- Collec-
tor and Ma-
gistrate to
the Princip-
al Collec-
tor and
Magistrate.

TOUR IN THE NORTHERN SIRKÁRS AND NELLORE.

7th January, 1823.

Objects of the tour.

My late journey through the Northern Sirkárs and Nellore occupied a period of three months, and as I marched every day, except when obliged to halt by the rising of rivers, or the necessity of giving rest to the cattle, no time was left for any minute investigations. The Sirkárs are among our oldest possessions, and so much had been written upon them that I did not expect to learn anything regarding them that was not already known. My object, therefore, was not the examination of details, but rather from personal communication with the local authorities and the zemindárs and principal inhabitants to ascertain the general condition of the people, the political state of the country, the main causes which led to the frequent disturbance of its tranquillity, and the means most likely to remedy the disorder. I was satisfied that my journey would at least show the people of the Sirkárs that Government took an interest in their welfare, and that, if it produced no other result, it would not have been altogether without advantage.

The zemindárs of the Northern Sirkárs.

The zemindárs have long had, and still have, such extensive power and influence as to claim the first place in every inquiry concerning the state of the country. I shall therefore notice most of those who met me on my tour, and the conversation I had with some of them, when it tends to throw any light on their character or their mode of managing their districts. The only principal zemindárs whom I did not see were those of Jeypore and Goomsúr. The Jeypore man was confined at home by age and sickness, and as the Goomsúr man's zemindári lies in the northern extremity of the Ganjam district, and as I went no further north than Iohchápúr, he could not have reached my tents unless I had halted four or five days longer at that place, which I could not venture to do, on account of the lateness of the season and the badness of the weather. I was very sorry that I did not see him, because I should probably have been better able to judge from his verbal communications than from his letters how far his reasons for wishing to exclude his son were just or otherwise.

TOUR IN THE NORTHERN SIRKÁRS AND NELLORE.

Ancient zemindáries in Ganjam.

I landed in the Ganjam district, near Calingapatam, on the 24th July. There are twenty-one ancient zemindáries in this district, which pay altogether an annual permanent assessment of Rs. 4,35,899-8. But some of them are very inconsiderable, and their chiefs with respect to extent of territory and amount of revenue would be little better than heads of villages, were it not that they derived a superior influence in the country from their antiquity and their family alliances with the greater zemindárs. The Khimidi Rájá being considered as the first in rank among the Ganjam chiefs, and his country being that which has most frequently been the scene of disturbance, I proceeded immediately towards Khimidi. On the day after my arrival I was visited by the Rájá. He was timid, and spoke but little, owing to his having been always kept among the women. He is just come of age, and it is yet uncertain how he may turn out. The present manager is a native of the district, and well enough qualified, if supported. The Rájá expressed his satisfaction with him. But I suspect that in order to gratify his mother and get rid of her importunity, he is secretly desirous that his maternal uncle, Padmanábha Deo, should be the diwán. I received, after leaving Khimidi, several letters on this subject said to be from the bissois* and principal reddies and the Rájá's mother. But I suspected from the nature and style of them that they were written at the suggestion of Padmanábha himself, or some persons about the Rájá's mother. On questioning Padmanábha some time after, when I saw him in his own district, regarding them, he denied all knowledge of them, and said they were probably written by some persons about the women, who of themselves would not have written anything so disrespectful and absurd. He observed, however, that his nephew wished to have him as diwán; that he would not go to Khimidi if Government had any objection; but that the Rájá had no other person who could establish his authority by putting down all the different intrigues. Both the Collector and the Sub-Collector, Mr. Bayard, thought that his only motive for seeking the office was to get possession of the treasure which had been saved during the Rájá's minority. But he disclaimed this, and offered either to give security for it or to let it be deposited with the Collector. Though he failed on a former occasion when he held the office of diwán, and was forced by a combination of the principal inhabitants to resign, I still believe that he is the fittest person for it; but I left the Collector to act as he thought best.

The Khimidi Rájá.

* Bissoi, a petty chief of peons, or constables, who held land on a favourable tenure, under conditions of rendering police service. (See page 209.)

Frequency
of revolu-
tions in
Khimidi.

There have been so many revolutions in Khimidi, that there are many claimants to the succession, sprung from Rájás formerly expelled, and there are parties within the district, at the head of one of which is the eldest widow of the late Rájá, who now resides at Chicacole,* far beyond its limits. But the young Rájá still thinks her too near, and the only request he made before my departure was that she might be ordered to a more distant residence, to prevent her exciting troubles in the district. The letters to me, both from the Rájá's mother and from the bissois, which have been already alluded to, were in the highest degree disrespectful and threatening.

Zemindár
of Mohiri.

On the route from Khimidi to Ichchápúr, I saw the Jalandra and several other zemindárs, and on reaching Ichchápúr I was visited by the minor zemindár of Mohiri, who appeared to be an intelligent boy. But though the people were well pleased with his appointment and the country was quiet, Mahartah had not left the hills to return to his former residence. I desired the Collector to endeavour to induce him to return, without showing too much solicitude about it, or giving him any cause for alarm. I believe that he is still apprehensive that he may be seized for his past conduct when off his guard. Such a suspicion is injurious to the character of our administration, and ought to be removed. He would probably never have disturbed the country had it not been sold to a shroff.† I concur with Mr. Thackeray in thinking that the troubles in Mohiri arose entirely from the disgrace which the Deos of the neighbouring districts supposed they incurred by a shroff becoming the master of an ancient zemindári.

Protector
to the zem-
indári.

The day before my arrival at Ichchápúr, I received a petition in the name of Vikrama Naraindar Deo, saying that he was the legal heir to Mohiri; that he is the son of Muja Deo by his third wife, and was adopted by the elder widow of the former Rájá, Harihar Naraindar Deo, who was murdered by his brothers, Muja Deo and Guna Deo, who were both in consequence imprisoned; that Guna Deo died in confinement, but Muja Deo, after eighteen years, was released; that Muja Deo had three wives, the second of whom was the supposed but not the real mother of the present Rájá, as she was sent away by her husband on account of infidelity, and the Rájá was born during her separation; that on her husband being released and getting a pension of a hundred rupees monthly, she sued him in the Zilla Court for maintenance, which decreed twenty

* Properly, Or-shákulam.

† Shroff—properly sarraf—a money-changer, banker, money-lender.

rupees monthly, but that this decree was reversed by the Provincial Court. The Collector, in answer to this petition, denied the illegitimacy of the Rájá, said the accusation was not proved, and that Muja Deo took back the Rájá's mother and lived with her till his death. There can be no doubt of the correctness of the Collector's statement, as it is confirmed by the report of Mr. Thackeray, and by all that I could learn during my short stay on the spot. But Ganjam abounds with pretenders to most of its zemindáries, who are always ready to bring forward petitions full of misstatements and unfounded accusations. In my progress through the district I met with no less than three of these pretenders to Khimidi alone. In my way south from Ichchápúr the Mandésa Rájá met me at one of his own villages. In the earlier part of his life he had been in the Nizam's country, and I believe held some office there, and he afterwards went to Benares. His travels have rendered him more intelligent than most of the other zemindárs, but he oppresses the ryots, and the cultivation of his district is declining, and he is at variance with all the neighbouring zemindárs, among whom is his son-in-law. He is accused by them of having caused several houses to be burned and some murders to be committed, but no proof has ever been brought against him. Even if the charges were true, he is so much feared that it would be difficult to establish them, as the fear of assassination would deter any person from appearing as a witness against him.

The Man-
désa Rájá.

Nothing is more remarkable in passing through the Ganjam district than the complete zemindári influence which prevails, and the little intercourse between the Government and the great body of the people. No village people ever came near me either to solicit favour or to seek redress. For both they look to the zemindárs, and, when necessary, to the Courts. The only complaint I received could hardly be called an exception to the general custom, because it was from salt manufacturers, who had formerly been public servants, and of course accustomed to go to cutcherries. Their complaint was against Padmanábha Deo, the uncle of the Khimidi Rájá. They had filed a bill against him for extorting a sum beyond the legal rent of some land which they held in his estates. But on his entering a bond for refunding the amount, they had gone to Court and given in their rázinámá,* and when the suit was thus withdrawn, he had sent and forcibly taken the bond he had given, from the umpire in whose hands it had been deposited.

Great influ-
ence of the
zemindárs

* Rázinámá, a written declaration that a claim has been settled.

The Vizagapatam zemindaries: Pálkonda.

On the 16th of August I crossed the Chicacole river, and entered the Vizagapatam district. At the village of Siripuram, where I encamped, I was visited by the proprietor, who is also diwán to the Pálkonda Rajah, and is much respected in the country. He told me that his father, who had purchased the estate, fixed money rents on the land, which continued till his death; that he himself still continued, and had no intention of altering them, as they were found to answer; and that his settlements were ryotwár. He apologized for his master not waiting upon me, as he was detained at home by age and sickness. In answer to a question about the state of his master's district, he said that it was not in a very good state, in consequence of the disorders of the hill people. I observed that this must be his own fault, as the hill people were everywhere few in number, and usually under subjection to those of the plains, by whom they must be instigated and supported, or else they could do nothing. He said that this was very true, that the hill people had been formerly under complete subjection to his master, but as he had found refuge among them when expelled from his zemindári by the Company some years ago, he had in consequence lost much of his former authority over them, and had not yet been able to regain it. In speaking of banditti he complained that it was difficult to suppress them, because his people were liable to punishment by the Court if they hurt them in seizing them, without which it was almost impossible. I asked him if he had not received the late order not to be afraid of wounding them on such occasions. He said he had, but that it was rendered nearly useless by the clause which stated that the wounding must be when the robbers were in the act of plundering or flying, and that they often knew who the banditti were, and could trace them to their fields and houses; and that unless they were permitted, in cases of resistance, to wound them there, though then neither plundering nor flying, nothing effectual could be done.

Bobbili zemindár.

9. The Bobbili Rájá met me at Suparnam, a large weaving village in his own zemindári. He came on his elephant, attended by his brother-in-law and another person employed in his service chiefly as a legal adviser on account of his supposed knowledge of the regulations. The Rájá is an active, intelligent man, and manages and looks minutely into all his own affairs. He answered with great readiness every question I put to him on the state of his country. He said that it was divided into four parganáas, in three of which he collected his rents in money, and in the fourth in grain; that his settlements were made ryotwár, except in a few

small villages, which were rented at a fixed sum to the heads of the village; that he gave every ryot a pottah* specifying the amount of his land and his rent; that the rent was fixed, not varying with the seasons, though he frequently in bad seasons granted some remission to the poorer ryots; that the rent which he received in kind in one parganá was not a share of the crop, but a fixed quantity of grain from each ryot, according to the nature and extent of his land; and that he treated his ryots well, as was evident from none of them ever bringing complaints against him before the Court. On my asking him how the state of cultivation in his country was at present, compared to what it had been when he succeeded to the zemindári, he said that there was very little increase, because his country being entirely open had long been all cultivated, except what it was necessary to leave waste for pastures, and that, therefore, almost the only increase that had arisen, was from his having repaired some tanks and got better crops from them. The Collector seemed to think that terror was the cause, rather than fair dealing, of there being no complaint against the Rájá. He is rigorous in exacting his dues, but I believe that he is just on the whole, and that were he otherwise, fear would not suppress all complaints in a zemindári so accessible and so defenceless. I had none, and his villages appeared to be populous and thriving. I must, however, make one exception to this favourable account of him, for I have reason to believe that he, as well as many other zemindárs, has resumed ináms without authority.

I received a visit of ceremony from the Rajah of Vizianagram in camp, about twelve miles to the northward of his capital. At Vizianagram I saw several new proprietors, and among others Suryanarayana Ráo, who possesses Rayavaram and two other estates, of which the permanent assessment is Rs. 43,143 in all. He told me that his rents were all ryotwár and in money, excepting one village, where they were paid in kind. As he has the character of a very active man of business, I questioned him as to the state of his villages. He said he had laid out about thirty thousand rupees in repair of tanks and other improvements, by which his rents had been augmented about eight thousand rupees.

I received a visit the following day from the zemindár of Sálúr, attended by his diwán. The conversation was, however, carried on by the zemindár himself, who appeared to understand perfectly the

* Pottah—properly *pattd*—a deed of lease, a document given by the landlord to the tenant, specifying the

conditions upon which the land is held, or in ryotwár districts by the Collector to the ryot.

affairs of his country. His settlements are ryotwār and for money rents, except where the ryots are very poor, and then he takes the rent in kind. He was satisfied with his situation, and his only complaint was against the Bobbili man, who would not permit him to pass through his country with his naubat* and other marks of distinction. He observed that it was great presumption in the Bobbili man to assume such authority; that they were all zemindārs; that they had all received their honours from the same superior Government of Hyderabad, and that they were now under the Company, who alone had the right to hinder or authorize the bearing of emblems of distinction. I promised to inquire into the matter.

On the 22nd and 23rd of August I had long private conversations with the Rājā of Vizianagram on the state of his affairs. I said I was sorry to see that he had borrowed money, not only to pay off the balance due to the Company in order to get possession of his country, but that he had borrowed from one to two lakhs more for other purposes. He said he had been obliged to borrow on account of his kiats, which had come upon him before he had time to prepare for them by his collections. As I had understood that he had given a sunnud to Ānanda Rāo, the late sarishtadār of the Collector, appointing him his diwān upon a salary of a thousand rupees per month, with full power to collect his rents and pay all his debts, I questioned him whether or not this arrangement had been made with his entire consent. After a good deal of hesitation he said that it was not; that he did not wish to employ the sarishtadār, but that the fear of offending higher authority, meaning the Collector, had induced him to agree to it, and that he would dismiss him immediately if I would secure him from the displeasure of the Collector. I told him that he was at liberty to dismiss him whenever he chose, and to employ in his service the person in whom he himself had most confidence, and I exhorted him to pay more attention himself to his affairs, and not to trust too much to any agent. He promised that he would, but I expect little from him. From what I saw of him, as well as from all that I heard, I can give but little faith to what he either says or promises, and I am not certain that the appointment of the late sarishtadār was not entirely a measure of his own, though his fickleness has already made him desirous of a change. I have no doubt the real truth is that the sarishtadār has lent him money, and that the Rājā, for the sake of this money, and also of the aid which his experience might afford

* Naubat—lit. turn, succession—a band playing at intervals.

on the first taking charge of his country, appointed him diwān, with the intention of getting rid of him as soon as possible. The original sunnud is dated in December, 1820, so that the sarishtadār appears to have secured a new office for himself before he resigned the old one. The Collector assured me that he knew nothing of the sunnud of appointment to the office of diwān given to the sarishtadār by the Rājā until I mentioned it to him. He said that he had in consequence questioned the sarishtadār, who said that he had accepted the office at the urgent request of the Rājā; that he did not wish to have anything to do with him, and would be glad to give it up; and that he did not consider the sunnud as a document that could give him any claim upon the Rājā. The Collector informed me that the sarishtadār had resigned the service of the Company in consequence of domestic misfortunes; that the death of all his children, and of most of his grandchildren, had made him believe that there was a judgment of Heaven upon him, which could only be mitigated by a pilgrimage to Benares; and that he was preparing for his journey, when he was detained by the earnest entreaties of the Rājā to take charge of his affairs. I must own that I have very little more faith in the sarishtadār than in the Rājā. It has already been seen that before resigning one office he had secured another. He remains in the Company's service during all the time that the Rājā's country is in their hands, and when he himself, under the Collector, has the entire charge of all its affairs. When it is to be given up to the Rājā, he resigns the Company's service, and soon after appears as the Rājā's diwān, so that he follows the country wherever it goes, and his pilgrimage to Benares has ended in one from the catcherry of the Collector to that of the Rājā. There is great reason to suppose that he encouraged the Rājā in calling for the restoration of his country, and assisted him in raising the loans to pay off the Company's balance, in order that he might himself have the management of his affairs. The period chosen for the restoration of the country was the most unfavourable that could have been selected for the Rājā. It was the month of April, when one kiāt was already due, and two more were to be paid in the two following months. The Rājā was not prepared, and was in consequence forced to borrow money to discharge the April kiāt. When I asked him why he hurried the measure so much to his own disadvantage, since, by waiting till the end of the Fasli in July, the kiāts would have been realized from the country, and on taking charge in the beginning of the year he would have had an interval

MINUTES OF SIR THOMAS MUNRO.

of some months to make his arrangements before any kist to the Company became due, he answered that he had no particular anxiety himself on the subject, but that he was urged by the people about him to hasten the measure. I believe, however, that he wished for the change, but that he would have waited till the end of the year, had he been aware of the difficulty in which its being made at an earlier period, would have involved him; and had the Collector stated this objection to the Board of Revenue, Government would certainly have deferred the restoration of the country till the end of the Fasli, and saved the Rájá from very heavy loss.

The proposed entail Regulation.

In the course of conversation the Rájá himself introduced the subject of the proposed entail Regulation for ancient zemindáries. He observed that he, as well as all zemindárs who understood the matter and acted for themselves, was anxious for its introduction; that he had had communications from many zemindárs and their principal advisers regarding it, and that some of them had wished him to object to the measure, but that the authors of the objections were either money-lenders or servants of the zemindárs, who wished to obtain a part of his possessions. He said that whatever he did, his example would be followed by all the rest. I have no doubt of this, because his family, though modern, compared to many of the others, has yet, from the extent of its possessions, been long regarded as the first among the northern zemindárs.

Unsatisfactory management of the zemindári when under the Collector.

The collections from Vizianagram, while in the hands of the Collector, from June, 1815, to April, 1822, were on an average about 8½ lakhs of rupees annually. They might under skilful management have been Rs. 70,000 per annum more, as had been the case under a former diwán, from 1809 to 1812, and about Rs. 20,000 per annum might have been saved in the charges; and had this been done, the Rájá might have been free from debt, instead of owing about nine lakhs of rupees. For a part of this sum he has given assignments upon his zemindári, not redeemable after a certain period, and they will be lost for ever unless we again interfere to assist him, for he is careless and profuse, and these habits have become worse from his intercourse with Europeans and his fondness for their customs, which have had the effect of making him add the most frivolous of their expenses to those which are common to his own caste. Although I think that his debts might have been discharged during the eight years that his country was in our hands, I do not impute any blame to the Collector for the failure in this respect; for when it is considered that he had never before been in the revenue line, that he was unacquainted with the lan-

guage, and that his cutocherry was inefficient, like that of all permanently settled districts, as much appears to have been done as could have been expected.

On the 29th of August I entered the Rajahmundry* Collectorate, and was on the same day visited by the zemindár of Golconda and his diwán, the late outlaw Náganna, who appears to be the leading man both in this zemindári and the neighbouring one of Mádugala, both belonging to Vizagapatam. I found that his influence in Mádugala arose from a considerable part of the district being mortgaged to him. He has now too much at stake to have any inducement to run the risk of turning plunderer. He promised to exert himself in taking up all banditti. He observed that it was as much his interest as the Company's to suppress them, as they were equally hurtful to both the zemindári and the sirkár districts. He stated, and I believe with truth, that the party which robbed Mr. Shuter's house, near Binlipatam, were collected from different quarters, and had no fixed leaders. He said that the rents of the zemindári were almost entirely collected in money. On the following day I was visited by the son of the zemindár of Mádugala and the diwán, but they could add nothing to the information which had already been given by Náganna.

The Rajahmundry Collectorate. The Golconda zemindári.

On the 31st of August, I received a visit at Annur from the Rájá of Peddapur and his brother, who is also his diwán. The Rájá complained much of his distressed situation. He said that the zemindári was held by the Collector, pending a suit in Court between the second widow of the late Rájá and himself, and that she claimed it for her adopted child. He asserted that, though the eldest widow had a right to manage the zemindári during life, and to adopt an heir, none of the other widows had, when there was a dayádit like himself. This and some other questions regarding the law of inheritance seem to call for examination and final settlement, for though they occasion no doubt or difficulty in the ordinary ranks of life, yet when they affect zemindáries, they seem to excite much discussion in our Courts. I have understood that the Rájá and the widow have each already expended about a lakh of rupees on this cause. A considerable part of this money has no doubt been applied by their agents to their own use; the rest has gone to the Court servants. The zemindári, which has long been by far the greatest in Rajahmundry, has, within the last ten or twelve years, been reduced above one-half by the expense of disputed succession.

The Peddapur zemindári.

* Properly Rájamahendravaram.

† Dayádit, a kinsman, a collateral.

The Pittah-
pur zemindár.

On the 1st of September I received a visit from the Pittahpur Rájá on entering his district. He complained that his zemindár had been assessed higher than any of the rest, because it had been done by the estimate of the Committee of Circuit without any reference to the produce of subsequent years. I observed that the punctuality with which he had always paid his revenue, and his having within the last few years purchased many other estates from Poddapur and other districts, were proofs that he could not have been very much overassessed. He said that the time of correcting this was now gone by, but that he hoped it was not too late to rectify one error of which he had cause to complain, namely a charge upon him of Madras pagodas 2706 for the lands and rusúms* of the mazamdárs,† made over to him in place of Madras pagodas 1195-24, their true annual produce. That this over-valuation had been made to the Committee of Circuit by the mazamdárs, when they became aware that their lands were to be commuted for an annual pension to themselves. But, from the report made to me by the Collector, the error appears to have originated with the Special Commission, who added to the revenue of the district a sum of Madras pagodas 1325-21 on account of rusúms not received from the villages, but paid by the zemindár from his own treasury to the mazamdárs, and the sum of Madras pagodas 185 included in the revenues of the zemindár by the Committee of Circuit; but the land from which it arose having been subsequently given by the zemindár in inám to the mazamdárs, it was a second time added to the revenue by the Special Commission. These two sums, making together Madras pagodas 1510-21, are the difference claimed by the zemindár.

Family differences.

He mentioned the conduct of his wife and her brother, his late diwán, who had carried off from his house in open day by force a great part of his property, Rs. 424,000 in money, jewels, &c.; their having set up a boy, his wife's sister's son by a dayádi of the Rájá, as his adopted son, and filed a bill in Court to force him to make an allowance to the boy, though he had never adopted him. That he had himself suffered the disgrace of being obliged to bring his family misfortunes into Court, and that the boy had been registered as his heir in Court, without his knowledge, by his diwán. If the fact of the registry should be established, the

* Rusúm, fees levied from tenants for particular purposes.

† Mazamdár, the custodian of the revenue accounts. The duties of this

officer are now performed in the Madras Presidency by an officer designated Taluk Serishladdar.

boy has merely a right to maintenance, as the Rájá has now a son of his own. The registry in such matters is unusual, and therefore liable to suspicion. The old rule should be observed, of making a communication to the Collector at the time, which would provide an additional check upon fraud. The Rájá said that he made his settlements almost entirely in money, and usually once in three years, sometimes with the heads of villages, and sometimes with the ryots, and that money settlements had always been the usage. His country is well managed and highly cultivated. He is rich, and was one of the very few zemindárs who had kept out of Court until he was forced there by his wife and her relations, who probably wish to involve him in expensive suits, in order that they may make an easy purchase of a part of his zemindári.

During a period of twelve days that I was detained at Rajahmundry by the overflowing of the Godáviri, I saw most of the proprietors as well as all the zemindárs of the district, and among others I was visited by the Rampa zemindár, who is said to have been always independent. This has probably been owing to the poverty of his country, which is barren, mountainous, and unhealthy, and of which the chief produce is dry grain. He had never been at Rajahmundry before, and only saw the Godáviri when he visited the Collector this year at Polavaram. Four villages said to have been once held by his family were granted to him by Government in 1813, on which occasion documents were interchanged by him and the Collector. On his part he acknowledges the sovereignty of the Company, promises to aid in securing offenders, and engages not to collect duties on the Godáviri. It is singular enough that he engages to relinquish duties, at the desire of the Collector, which he never could have levied, as his country does not touch the Godáviri, and that Government direct the Rampa country, which he had always possessed, to be restored. The four villages given to him by the Company are the principal source of his revenue, and will, I think, have the effect of insuring his good behaviour. He has been accused of having instigated and assisted in the late attack on Polavaram, but, I believe, without any ground whatever. He is a little man, with a singularly blunt and abrupt manner, and, contrary to the custom of zemindárs, he was very plainly, or rather poorly dressed, and had very much the appearance of a common naik of peons. I had several conversations with his accuser Jaggaiya, who complained that the Rampa zemindár and his other enemies were encouraged by the Collector. Among his enemies he reckoned the zemindár of Ellore, who, he asserted, had sent peons

The Rampa zemindár.

to join the party by which he was attacked in March last. It is very likely that peons did actually go from the Ellore zemindári, because Venkata Narasimha, as well as all the neighbouring zemindárs, is indignant at seeing so ancient a zemindári as Polavaram in the possession of an upstart like Jaggaiya, who a few years since was only the curium of a village. The main body of the assailants, however, certainly came from some of Jaggaiya's own hill villages, with the reddies or head men of which he has long had a dispute about the nature of their rents—they maintaining that they are a fixed quit-rent, and he that they rise and fall with the cultivation, as in other villages. I believe that his statement is correct, but that he has been too hasty in raising their rents, and that they wish to drive him out of the district, because he is a low man, and because he is too well acquainted with its affairs to permit them to change their former situation of head ryots into that of tributary chiefs. I told him that he would have the support of the Collector in all his just rights, but not if he went beyond them. Although there was no doubt of the peons who attacked him having come from his own villages, yet, as no proof had been obtained of any particular individual having been present, I directed the Collector to prosecute his inquiries on the subject.

The Ellore
zemindár.

In my way through the Masulipatam district, I saw all the zemindárs except Venkata Narasimha, of Ellore. He lost his wife some years ago, and has ever since shut himself up, sleeping all day and sitting up during the night, and almost continually intoxicated. He never saw the late Collector, but on hearing of my approach, he cut off his beard and paid a visit to the present Collector, and announced his intention of meeting me. He did not, however, make his appearance when I encamped at Ellore; but at the encampment beyond it an apology was received, saying that he had been prevented from seeing me by indisposition. The real cause was his being unfit to be seen; he is an indulgent landlord, is much liked by the inhabitants, and his country is in general very well cultivated. I saw nothing remarkable about the other zemindárs; they are of but recent origin compared with those of the more northern districts. They never had much power of exciting disturbances, and what they had, is now lost by our influence in the Nizam country preventing their obtaining refuge among his tributaries. Almost all of them have been engaged in law-suits, and are in consequence very poor.

The Guntúr
district.

I crossed the Kistna at Bezwáda, and on my way through the Guntúr district, I saw all the zemindárs and most of the principal

inhabitants. The whole of the district had come into the hands of the Collector either from the minority of zemindárs, or from suits then pending in Court, or from arrears of revenue. The two sons of the late Vása Reddi, zemindár of Chintapalli, both complained to me of the distress they suffer from the temporary resumption of their zemindáries, and of the heavy debt which is accumulating upon them by their lawsuit about their father's property. They are both sons by adoption. The object of the elder is to obtain the whole zemindári, on the ground that the second adoption is illegal; that of the second is to retain the share which he obtained during his father's life. They are both tired of the suit. I recommended to them to withdraw and to settle the matter amicably. The younger is of course anxious to do this. The elder likewise expressed his willingness, but his native advisers are against it, and I imagine the suit will proceed.

The zemindárs of Guntúr are of modern date. They are the descendants of revenue officers, and are of a character entirely different from those of Ganjam and Vizagapatam. They have no predatory habits; they have no unhealthy hills and jungles, in which they might find refuge if they opposed Government, and they may be regarded rather as a higher class of ryots than as military chiefs. Before leaving the Northern Sirkárs, of which Guntúr is the most southern, I shall make some general observations upon them.

Modern
origin of the
Guntúr
zemindárs.

Although the Sirkárs are our earliest possessions, there are none, perhaps, of which we have so little accurate knowledge in everything that regards the condition of the people. Little or nothing has been added to the information given, forty years ago, by the Committee of Circuit.* By being so much nearer to the time of the conquest of these districts, they had the advantage of commu-

General re-
marks on
the North-
ern Sirkárs.
Fulness and
accuracy of
the informa-
tion fur-
nished re-
garding
them by the
Committee
of Circuit.

* The Committee of Circuit, which was appointed under orders from the Court of Directors, was composed of five members of the Council of Fort St. George. According to the Fifth Report of the Select Committee of the House of Commons (1812), the Committee of Circuit was directed to 'inquire into the state of the Northern Sirkárs and the jágir, by ascertaining with all possible exactness the produce of the respective countries, the number of the inhabitants, the state of the manufactures, the fortified places; the military strength of each Rájá, zemindár, or landholder; the expense of his household, and that of

'his troops, and the means he had of defraying those expenses; the gross amount of the revenues, the articles from which they arose, the mode by which they were collected, the charges of collection, the specific portion usually received by the Rájá or zemindár, and that which custom or usage allotted to the cultivator or the reward of his labour.' The Committee of Circuit appears to have been originally appointed about 1777, and was abolished by the Government of Fort St. George in 1778, but under orders from home was revived in 1783, and was engaged in prosecuting its inquiry until 1788.

Nature of the revenue systems obtaining under the Hindu and Mahomedan Governments.

nicating with many of the local officers and inhabitants who had lived under the native Government, and they had thereby a better opportunity than we now have, of ascertaining what had then been the rights of the different classes of the people, and the rules and customs by which the public revenue was secured. They had not themselves been brought up under any particular system of internal administration, and were therefore more likely than their successors to examine what they saw without partiality. The revenue system in the Sirkárs, as described by them, has a general resemblance to that of many other provinces of India. The people had no property in land; they were poor in their appearance, and oppressed. Under the old Hindu Government they paid half of the produce in kind; but after the Mahomedan conquest, the zemindárs employed in the management of the country imposed a shist or fixed assessment on the land, to which extra assessments were afterwards added, by which the share of the ryot was reduced nominally to one-third, but actually to one-fifth, of the gross produce in rice lands, which formed the chief cultivation of the country. In dry grain cultivation the shares of the ryot and the Government were equal. These were the shares which prevailed in the Chicacole Sirkár. In the more southern Sirkárs of Rajahmundry and Ellore the ryot's share was higher. It was in rice land forty, fifty, and sixty per cent., but he did not actually receive more than one-fourth or one-fifth. In dry grain it was one-half. More favourable rates were allowed to certain privileged castes and to strangers than to the fixed ryots. The rents were paid in money. The shist was a fixed sum; the extra assessments were usually regulated by the price of the grain, or by both the price and the estimated quantity. The Committee describe the revenue system then followed in the Sirkárs as differing very little from that which had existed under the Mahomedan Government. The principal alteration consisted in the practice in many places of regulating both the shist and extra assessments by an estimate and valuation of the crop; but as the share allowed to the ryot was still the same, the change was perhaps, on the whole, rather unfavourable to him.

Recommendations of the Committee of Circuit.

The Committee recommended the abolition of the shist and extra assessments; the revival of an annual estimate and valuation of the crops; that the ryot should have one-third of the produce in the best rice lands, two-fifths in ordinary, and one-half in poor and dry lands; that he should pay in money, except when unable from poverty or other cause. They thought that a fixed rent could not be established either by giving the ryots long leases or a property

in the soil, while they 'retain their present unresisting habits,' and that it could only be done when 'a judicial establishment shall 'have long taken place,' and 'accustomed the native to know the 'extent of his rights.' These opinions are nearly the same as were expressed thirty-two years afterwards by the Coimbatore Commission.

The Committee state that fixed money rents, under the name of shist, had been introduced about sixty years before by the Rájá of Vizianuagram; Mr. Oram states that they were introduced after the Mahomedan conquest, which would make them above a century older. It seems to be very uncertain by whom they were brought in, and to be as likely to have been done by Hindus as Mahomedans, for the Mahomedans usually left all these revenue arrangements to Hindus. The Committee appear to have adopted the opinion so common among Europeans, that under the Hindu princes the revenue was always a share of the crop paid in kind. This belief seems to have arisen from Europeans having acquired their first knowledge of native customs on the coast, where the produce being chiefly rice, and the cultivation depending on the supply of water from artificial sources, often very uncertain, rendered it almost impossible to have established a fixed money rent so high as to have answered the demands of the State. We are certain that the Hindus had no one uniform revenue system; for we find in the interior of India under Hindu Governments a variety of systems, and founded more frequently on a fixed money rent than on a share of the crop paid in kind. Collecting the revenue in kind is a clumsy, but very simple mode of realizing it; no contrivance is required; whether the crop be poor or abundant, a share of it can easily be taken, and Government can always draw from the ryot as much as he can possibly pay. The case is very different under money rents. If the assessment is to be a fixed one, it must be so moderate as to meet the contingencies of the seasons in ordinary times, and a more liberal share must therefore be allowed to the ryot than when he pays in kind; and the consequence is that when the ryots pay a fixed money rent, they are usually more substantial than when they pay by a share of the crop. My conversations with the different zemindárs were directed to ascertain the way in which they severally realized their revenues. I found that they followed various systems; that some received their rents in kind because they were traders; that some received them in kind because their ryots were poor; that some received their rents in money fluctuating in amount with the price and produce; that some had

Diversity of revenue systems obtaining under the Hindu Governments.

fixed money rents, either for a term of years or without limitation and that some made their settlements with the ryots, and others with the heads of villagers or with renters. When I see in a tract of country not exceeding four hundred miles in length all these diversities of system among Hindu chiefs, each pursuing that which he thought best, I cannot for a moment doubt that at least as great a variety must have prevailed in so extensive a country as India under its numerous native princes.

The different classes of village and district officers, from the zemindár down to the village watchman, appear from the reports of the Committee to have been the same nearly as in the neighbouring countries. The zemindár was appointed by the Nawáb of the province and confirmed by the subahdár. The naidu, or head of the village, settled petty disputes when the parties were willing, and he collected the rents from the ryots with the curnums; but the Committee remark that the curnum's accounts, which were meant to be a check both on the exactions of the zemindár and the frauds of the villagers, were rendered of no use by his dependent state on the zemindár.

Mr. Oram* proposed the gradual reduction of all the zemindárs, except the Deos, or ancient hereditary Rájás, and one of his arguments for their reduction is, that 'while they have revenues at their disposal, the integrity of Europeans and the public interest must be considered as precarious.' The Committee did not go so far; but they maintained that zemindárs had no right to alienate lands not authorized by their sunnuds, and they recommended that such alienations only should be continued as had valid grants, or had been held for twenty-four years, paying one-fifth of the gross produce to Government, and that all zemindárs and managers should be restricted from making alienations, and be directed to resume all such as fell vacant by death, &c. They asserted that the peace and good order thus established in the country was more owing to the reduction of the other Rájás under Kuram Ráz than to the Company's Government, and they therefore recommended that the Rájás of Bobbili, Sálúr, &c., then in the hands of Kuram Ráz, should not be restored, but be released and reside as pensioners at Vizagapatam, and that the zemindárs of Golconda and Mádgala, then tributary to Kuram Ráz should be dependent on him, because both districts were very unhealthy, were the retreats of thieves, and were more easily secured by him than by the Company's troops.

* Mr. Oram appears to have been secretary to, and afterwards one of the most active members of, the Committee of Circuit.

The village and district officers.

Recommendations of the Committee of Circuit regarding the zemindárs.

The plans of the Committee of Circuit might in general have been adopted with great advantage, but nothing was done upon them. The Chiefs and Councils* were abolished, and Collectors appointed in their room in 1794, but the same system of revenue continued with little alteration until the introduction of the permanent settlement. The want of sufficient information caused this settlement to be unequal. This would have been of less consequence, had it not in many places been too high, which will make most of the new estates, and probably some of the old zemindáries, revert hereafter to Government. We have left ourselves in the Sikkárs with so few means of acquiring information, that it is not easy to say, after a trial of twenty years, whether the fixed or permanent settlement has been beneficial or otherwise to the country. It has been favourable to the cultivation of estates whose assessment is moderate and whose proprietors are active, but it has not improved the condition of the ryots generally, and has certainly rendered it worse than before in all those villages which have come back to Government with diminished resources. It has not been favourable to the curnums and village servants, because the landholders have displaced many and deprived others of their just dues; it has not been favourable to inámdárs, a great number of whom have been ejected from their ináms without any authority whatever, and their lands converted to the use of the zemindár or proprietor without paying any revenue to Government; and it has been unfavourable to all the old zemindárs by making their lands liable to sale for private debts, by exposing them to frequent lawsuits, and by stripping them of the greatest part of their possessions, as in the case of the Rajah of Peddapur, and it has also been unfavourable to the authority of Government and to the efficiency of the Collectors and Magistrates.

The weakness of the authority of Government in the Sikkárs is owing to our restoring the districts of the petty zemindárs, who had been subdued, contrary to the opinion of the Committee of Circuit; to our erecting by the permanent settlement a new set of proprietary zemindárs; to our not reserving a single village in which we could exercise direct control over the ryots, and to our transferring to these proprietors the curnums, who are the source of all information. In open countries long under the immediate

* These were the Provincial Chiefs and Councils which were appointed in 1769 to take charge of four out of the five Northern Sikkárs, viz. Chicacole, Rajahmundry, Ellore, and Kondapalle.

The fifth Sikkár, Guntúr, was not acquired until 1788. The whole political, civil, and revenue administration of the Sikkárs devolved upon these Provincial Councils.

Adoption of the permanent settlement. Its effects on the country.

Ill effects of the restoration of the petty zemindáries.

authority of Government, the permanent settlement, though it tends to conceal the real state of the country, does not seriously affect the public authority by encouraging resistance or rebellion; but in mountainous unhealthy districts like the Northern Sirkárs, the greater part of which has long been in the hands of a number of petty Rájás, some claiming independence, and all constantly ready to withhold their tribute and to raise disturbances whenever they see a favourable opportunity; the permanent settlement has the effect of weakening the authority of Government over the whole province, and of rendering the establishment of security and of good order more difficult than before. When we received the Sirkárs from the Nizam, a considerable portion of them was sirkár land in the hands of the officers of Government, and was generally composed of the most fertile and populous tracts along the sea-coast. By having direct authority over a great population and over the most wealthy part of the community, the influence of Government increased daily, both over its own districts and those of the petty Rájás, and would in time have become sufficient, without the aid of military force, to have ensured obedience and tranquillity; but by creating new zemindárs and proprietors, and divesting ourselves of the sirkár lands, from the immediate possession of which our influence almost entirely arose, we have placed the prospect of the establishment of subordination and good order among the petty rájaships at a greater distance than ever. We are much more powerful now than in 1784, when the Committee made their report on the Sirkárs, but we are not now so able to establish the authority of Government over them as then, because at that time a considerable part of the country was sirkár land, and many of the smaller and most predatory chiefs have been reduced by the Rájá of Vizianagram, and their territories annexed to his own; but now we have made over the sirkár lands to new zemindárs, and restored all the reduced Rájás, and thereby augmented our difficulties, because it is much easier for us to reduce one great Rájá than several small ones. It would have been easier in 1784 to have reduced Vizianagram, then including eight or ten zemindáries which it had subjugated, than to have reduced any of those petty zemindáries singly; because it is not force that opposes us, but a mountainous and unhealthy country, and those chiefs who have the fewest followers can the most easily elude the pursuit of regular troops, and as they have less at stake than a great chief, they are more apt to be tempted to commit depredations for the sake of plunder, and as their numbers are greater, the chances of disturbances are also greater from them

than from the principal Rájás. Our system in the Sirkárs is one of forbearance, and we are obliged to connive at irregularities which would not be tolerated in other provinces, lest we should be compelled to use force and involve ourselves in a petty warfare against banditti in a pestilential climate among hills and jungles. I saw a very striking instance of this during my stay at Khimidi, and which I might never have known anything of had I not gone there. The Terrast lands and villages are noticed by the Committee of Circuit, and are described as possessions held on a favourable tenure under the Rájás by peons, for the purpose of protecting the country from the incursions of plunderers from the hills and countries beyond the Gháts. These villages are situated on or at the foot of the western hills, but the peons made no attempt to resist the passage of the Pindáries through them in 1816, because they are too weak and unwarlike for such enterprise; but I found that, notwithstanding this, they had had resolution enough to have withheld their quit-rent ever since this irruption, and that the Collector had not ventured to enforce its payment, so that the whole of the last five years' rent is now due. The petty chiefs of these peons are called bissois. The number belonging to Khimidi is nine, and they were formerly entirely under the Rájá, and paid their rents through him to the Company. This was the proper arrangement, and ought not to have been disturbed; but the bissois were very injudiciously, some years ago, separated from the Rájá's jurisdiction and placed immediately under the Collector. This measure was no doubt intended to increase the authority of Government and to lessen that of the Rájá, and would have had this effect, had the villages lain between the zemindári and the sea; but as they lie at the foot of the hills beyond Khimidi, where the Collector cannot get at them without passing through the whole of the zemindári, he has in consequence lost his authority over them, and cannot make them pay, but the Rájá can, and they ought therefore to be again transferred to him.

The affairs of the Sirkárs can never be well administered, nor the great body of the people be protected against oppression, nor the country be secured from disturbance and the incursions of plunderers, until our Government becomes more respected in those provinces than it is at present. The system which has already been adopted there, renders a speedy introduction of any great or general improvement quite impracticable, but much may be done in time by pursuing steadily measures calculated to give the Government more weight in the country, and more direct intercourse with and

No zemindári once forfeited for rebellion should ever be restored.

control over the people. No zemindári once forfeited for rebellion, should ever be restored, whatever temporary evil the retention of it might occasion. All estates falling in should invariably be kept and annexed to the sirkár lands. The raising of sepoy among the hill districts is not unusual at present, but it should be encouraged, as it tends through their means to make the inhabitants better acquainted with us, and to give some of them an immediate interest in the stability of our power.

Advantages
to be
derived
from the ex-
tension of
the sirkár
lands.

The gradual extension of the sirkár lands should be our main object, because it is by having the direct possession and management of landed property that we can best protect the ryots, grant them remissions of rent, assist them in agricultural improvements, and attach them to our Government. The extension of the sirkár lands gives us also a great influence over all the military classes residing upon them, as we have thereby the power of granting them indulgences in rent and other matters in their several villages. Were the open country all sirkár land, we should have little difficulty in raising peons, whenever it was necessary, sufficient to quell any disturbances among the hill zemindáries, with little or no aid from regular troops; but while the open country is in the hands either of old or new zemindárs, the peons raised in the villages will never act cordially in our service, or be deserving of any confidence, because we have no patronage in their villages, and can do nothing for them or their families, while the proprietor or zemindár of the village, if he be secretly adverse to the cause in which they are employed, can do them much serious injury in various ways. When the open country becomes sirkár land, a strong and just Government operates silently upon the people, and through them upon those of the neighbouring hill zemindáries. The better class of traders and cultivators in both districts find that their interest is promoted by the tranquillity of the country. Their influence gradually extends to the leading men of the zemindári and to the Rájá and his military followers, and discourages them from raising disturbance; and these men, when they see that the body of the people is against them, and that the Government is strong, remain quiet, and in time lose their turbulent and predatory habits.

Importance
of rendering
the Col-
lector's
cutcherries
more effi-
cient.

The inefficiency of the Collector's cutcherries has also contributed, though not in so great a degree as the sale of the sirkár lands, to weaken the due authority of Government in the Northern Sirkárs. One of the benefits expected from the permanent settlement was its enabling us to reduce the Collector's establishment to a few writers. In consequence of this measure, he is without any

person capable of assisting him in revenue matters when any difficulty arises. Instead of being surrounded with a body of intelligent native officers, his cutcherry is in this respect inferior to that of some of the zemindárs, and is held in no respect by the people. It may be said that a cutcherry was not necessary, because we wanted no details under the permanent settlement, and because when any arrears accrued, we had only to sell the land in order to discharge them. But it might have occurred that estates would often come under the Collector's management by falling under the Court of Wards, by decrees of Court, and by other causes, and that it would then be necessary to have men versed in revenue details to manage them. By not having such men the Collector is compelled, when a zemindári comes into his hands, to hire such persons as he can find, in order to manage its revenue; but as persons taken by chance in this manner can seldom know much of revenue, or be very trustworthy, the affairs of the zemindári are usually mismanaged, to the great loss of the proprietor and the discredit of Government. As we undertake the management of such estates, it is evidently our duty to take every practicable means to provide men qualified for the task. But no man can be so qualified without practice, and the Collector, therefore, instead of dismissing the manager of a zemindári whenever the temporary duty for which he was hired is over, should have such a small permanent addition to his cutcherry as would enable him, whenever a zemindári came under his charge, to allot to the superintendence of it the services of a man of experience from his fixed establishment in place of those of a stranger. This measure would occasion some additional expense, but which would probably be compensated by the increase of revenue from better management, and might at any rate be charged to the zemindárs for whose benefit it was incurred.

There is another point which requires some arrangement in order to promote the continuance of tranquillity in the Sirkárs, namely, the securing to the ancient Rájás the possession of their old hereditary domains. This subject has been long before the Board, and all that is wanted might be accomplished by passing a Regulation placing these domains on the same footing as they were previous to the introduction of the Judicial Code, by which they will be exempted from sequestration on account of any private debt which may hereafter be contracted. The object of this measure is not only to save the families of the old zemindárs from ruin, but to save ourselves from being forced into hostilities in order to support the claims of money lenders. The zemindárs,

Importance
of exempt-
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ancient
zemindáries
from being
sold under
decrees of
Courts.

MINUTES OF SIR THOMAS MUNRO.

but more especially those of the hill districts, will often submit peaceably to the resumption of their zemindári by Government, when they will oppose by arms its transfer to a merchant or saukár. They are not dishonoured, they think, by their possessions falling into the hands of Government; but they consider themselves as disgraced by seeing the abodes of their ancestors become the property of a low trader, and this feeling, as has been already noticed, was the cause of the long and harassing warfare in the Mohiri zemindári. As the Regulations now stand, we must, whenever a saukár obtains a decree against a zemindár for a part or the whole of the zemindári on account of a debt, support him by force both in getting and maintaining possession of it; and hence we are every day liable to be dragged into a petty warfare among unhealthy hills, where an enemy is hardly ever seen, where numbers of valuable lives are lost from the climate, and where we often lose but never gain reputation. We have hostilities enough on account of public objects, and it is undoubtedly our duty to adopt such measures as may remove the necessity of our being obliged to have recourse to them in support of private speculations.

The whole province of Guntúr, though permanently settled, has at present from various causes fallen under the immediate temporary management of the Collector. This circumstance, by giving him the direct control of the village and zemindári servants, is favourable to his reducing the extra peons raised during the Pindári irruption. In speaking of them to me, he said that their services might be dispensed with without any inconvenience. I would therefore recommend that he be directed to discharge as many of them as can be spared.

On the whole, it appears to me that, in order to render the local administration of the Sirkárs gradually more efficient, it will be advisable to restore no lands which have once reverted to Government; to restore the Terrast peons of Khimidi to the direct authority of the Rájá; to improve the revenue establishment of the Collectors; to pass a regulation for securing to the ancient zemindárs their hereditary domains; to pass a regulation for enabling the Collectors either to restore or to assess such ináms as have been resumed without authority since the permanent settlement, according as they may have been held under valid titles or otherwise.

The province of Nellore bears so close a resemblance to that of Arcot, both in the character of its inhabitants and the nature of its revenue, as to require no particular observation. The decennial lease appears to have been more nominal than real, and the collec-

TOUR IN THE NORTHERN SIRKÁRS AND NELLORE.

tions of each year to have been much rather upon an estimate of the crop of that year than upon the lease engagement. But it was impossible to obtain any accurate information regarding the manner in which the settlements were made, because the sarishtadárs were mere English writers, and unacquainted with revenue affairs. Where the heads are incapable, there can be little control over the subordinate officers, and the revenue must suffer from ignorance as well as from fraud. The employment of English writers as sarishtadárs is a very general practice from Nellore to Ganjam, and ought to be abolished. The Board of Revenue cannot interfere in the appointment of the Collectors' cutcherry servants, but it is their duty to order them to dismiss those who are evidently unfit for the situations in which they are employed. In my way through the Nellore district I was met by the Rájás of Venkatagiri and Kálastri. They have, in the enjoyment of long peace and security, lost the military habits of their ancestors. They are both well-disposed men, fond of ease and tranquillity. They attend readily to all the orders of the Collector, and seem only to be anxious for a continuance of the present state of things.

The whole of Guntúr at present under the Collector's management.

Summary of measures required to improve the administration of the Northern Sirkárs.

Nellore. Inefficiency of the cutcherry officials.

ON CERTAIN ALLEGED EMBEZZLEMENTS OF PUBLIC MONEY IN THE SALEM DISTRICT.

25th March, 1822.

Objects of the measures to be taken on the discovery of abuses in the revenue administration. Difficulties experienced in the present case.

In all cases of abuse in the revenue administration, the first object is to check the evil by removing the authors of it; the second is to punish them; and the third to recover the amount embezzled. The first has been attained by the removal of the late Collector and his principal servants. The other two have not, because there were circumstances which rendered success impracticable, and which, though they might have been suspected, could not have been certainly known to exist without our having first gone through the investigation. These circumstances were chiefly the lapse of seventeen years between the commencement of the abuses and that of the inquiry into them; the death or absence of many of the persons most capable of giving information; the destruction or concealment of original accounts; the unlimited confidence reposed in Narsaiya by the Collector; the complete control which Narsaiya, without holding any situation of trust, exercised over all the native servants, and over both the Huzzár and district treasuries; the facility afforded by the long duration of his power, for removing every document and conciliating every person likely to appear against him; and the advantage which, after being warned of his danger by the investigation in the neighbouring province of Coimbatore, he derived from having an interval of four years to provide for his safety. The inquiry in Salem was, from all these causes, much more difficult than that in Coimbatore, and the difficulty was greatly increased by the cautious character of Narsaiya, and by the disorganized state of the country. In Coimbatore a great degree of regularity prevailed, as the country was still under the ancient system, and the potails and curnums of villages assisted in the inquiry. But in Salem many of the old potails had been displaced to make room for adventurers as landholders, and many of the curnums had become both proprietors and curnums, and could no longer be regarded as public servants, bound to enable the Collec-

tor, by their accounts, to check unauthorized exactions; and many of them, as well as of the other muttadára, had destroyed not only their own annual accounts, but those of the survey, in order to conceal their unauthorized demands on the ryots, both from the Collector and the Courts of Justice.

Under all these difficulties, therefore, it is not at all surprising that such evidence has not been obtained of Narsaiya's frauds as would convict him in a Court of Judicature. It is however, I think, manifest, from the nature of the documents brought forward by the Commissioner, that the peculations of Narsaiya have at least equalled the amount stated by him; and that, if in some cases they have been less, they have in others been undoubtedly more. Narsaiya was too wary to venture upon extensive peculations in the treasury, because they were much more liable to detection there than anywhere else. He could commit them in many other ways with very little danger, by ordering the tahsildárs verbally to reserve a part of their collections for him, and receiving it from them privately when he visited their districts; by receiving money in the same manner from the gumáshtas employed in the collection of the customs and licences; by making stoppages from the pay of servants, and taking their receipts for the full amount; and by receiving money privately from the parties for the sale and transfer of estates. The great and permanent increase of the licences and customs since the suspension of Narsaiya is a sufficient proof of his frauds in those articles of revenue, and the numerous depositions on oath of the landholders leave little doubt of his frauds in the transfer of estates, which appears to have been by far the most fertile source of his gains. It is obvious that when a man like Narsaiya never receives a bribe from an individual, nor public money from a revenue servant in the presence of a third person, we can have no positive evidence, nor any other than assertion against assertion. But when, in opposition to the single denial of Narsaiya, we have the oaths of five or six hundred persons, most of them his equals, and many of them belonging to a higher class of society, I cannot but regard their declarations as the general voice of the country, and as leaving no doubt of the general truth of their charges against Narsaiya.

Evidence insufficient for the conviction of the chief culprit in a Court of Justice.

I have already in former Minutes stated my opinion of Mr. —'s conduct, and after having again perused the whole of the voluminous papers connected with his case, I see nothing to render it more favourable. He must, I think, be absolved from everything corrupt. But from his negligence in keeping accounts, he has left it

Conduct of the late Collector

impossible for me to say whether he has or has not unconsciously received more of the public money than was due to him. It appears that he ordered Narsaiya to hold funds at his disposal; that Narsaiya drew from the treasury whatever was necessary for both, kept the money as a kind of joint-stock, and supplied from it the demands of Mr. —; that one adjustment of this account was made in Fasli 1222 by Mr. — giving his receipt, according to his own statement, to Narsaiya, but according to Narsaiya's to the treasury, for upwards of pagodas 11,000, a sum about equal to his allowances as Collector for two whole years; and that, even after all the warnings which Narsaiya had received from the inquiry at Coimbatore, and from Mr. —'s more recent one in Salem, there was still in September, 1819, when Mr. — examined the treasury, a deficiency in it of above a lakh of rupees. When I consider these gross irregularities, and the long period during which they were fearlessly practised, I cannot say that the public revenue has not suffered from them. On the contrary, my experience in such matters leaves no doubt on my mind that the public has suffered, and that the deficiency was made good from the revenue, though, from the means which Narsaiya enjoyed of preventing discovery, we have not been able to prove this fact.

Duty of the Board of Revenue to interfere when mal-administration is notorious.

The Regulation* for the punishment of revenue servants will, I hope, have a great effect in securing both the revenue and its inhabitants from a recurrence of such abuses; but under a man like Mr. —, who never exerted the authority in his hands to check frauds, but abandoned himself blindly to the guidance of a native servant, no regulation whatever could have been of the smallest use. Some greater exercise of executive authority by the Board of Revenue might have been attended with advantage. It had been notorious for many years that Narsaiya, without holding any ostensible office of trust, directed the affairs of the Salem Collectorate. This alone was a sufficient indication that the revenue was mismanaged, and ought to have induced the Board to order the dismissal of Narsaiya. It is not advisable that the Board of Revenue should often meddle with the appointment or dismissal of Collectors' servants, but in extraordinary cases like the present it is their duty to interfere.

* Madras Regulation IX. of 1822.

STATE OF THE SOUTHERN AND OF THE CEDED DISTRICTS.

5th March, 1824.

THE provinces which I visited in my late tour, namely, the southern division of Arcot, Salem, and the Ceded Districts, are so well known to the Board from the reports of the different Collectors, that it is unnecessary to enter into any details regarding them, and I shall therefore confine myself to a few brief remarks regarding their present condition.

The cultivation of Arcot certainly has not made the progress which might have been expected during a period of thirty-three years since any hostile army has been in it. The chief cause of the present deserted state of many of the districts was the invasion of Hyder Ali, between 1780 and 1783, when he not only laid waste a great part of the country, but drove away large bodies of the people, but particularly of the younger part, above the Ghâts, from whence very few of them ever returned; another cause was the oppressive management of the Nawáb, from the restoration till the final assumption of the Carnatic; and a third was the exactions of the renters during the triennial and decennial leases. The cultivation is also said to be retarded by the high rate of assessment on the dry land, but especially in the more western districts from Thiágar to Chittápett. In the districts where there is a large proportion of wet land, the ryots do not complain, because the assessment of the wet being comparatively lighter, enables them the more easily to pay the rent of both. But in the western districts there is little wet, and where there is only dry, its cultivation is impeded by the rate of assessment. A great portion of these districts is occupied by jungle, extensive tracts of which have sprung up since Hyder's invasion. To clear this part again by degrees, and to cultivate it as formerly, would be of the greatest advantage to the country. Little or no progress has been made, and little will ever be made in this work, until some reduction can be allowed in the assessment.

Necessity of a reduction in the assessment of South Arcot.

Absence of complaints in South Arcot. Accountability and industry of the Collector.

In my passage through South Arcot nothing struck me so much as the almost total absence of complaint. I never was in any district in any part of India where there was so little. The very few complaints that came before me were all either of a very trifling nature, or had before been examined by the Collector himself.* Great praise is due to him on this account. He hears and sees everything himself, and devotes his whole time to the affairs of his district, so that he is well known to every inhabitant, and all of them have ready access to him at all times. It is not merely that they have ready access, but that he enters into a patient inquiry regarding their case.

Complaints in Salem limited to the case of certain favourable tenures, which had been partially resumed. Proposals on the subject.

In Salem there were very few complaints, and they were in general about private disputes, which the Collector had no authority to determine. Almost the only complaint of a public nature against the Collector, or rather the Government, was that by the muttadars, who claim the mohturpha† on the ground of its being included in the assets on which their rents were fixed. I believe that in many instances the articles composing the mohturpha were specified, and only a part of them entered in the assets. The question, however, has now been carried into Court for trial. The complaint next in importance to the mohturpha, was one regarding agrapharams,‡ and the small portions of inam land denominated bhattvarti. Both had been resumed under Tippoo Sultan, but the act was so unpopular that his servants never carried it but partially into effect. They rated the agrapharams at a low rent, about a half or a third of their proper amount, and they left the bhattvarti free. Colonel Read left both in the same state; but Major Macleod and his successor made some addition to the rent of the agrapharams, left all bhattvarti assessed at less than four pagodas free, but imposed a small quit-rent on all yielding above that sum. Some remission might be granted to such of the agrapharams as are assessed higher than others of the same class, and the quit-rent on bhattvarti might be reduced one-half. The sum is trifling to Government, and would be a great boon to the owners. The bhattvarti was originally almost entirely given by local officers under the native Government without authority, and as it was resumed by Tippoo, it should not be regarded as free inam, but be subjected to a small quit-rent.

* The Collector referred to was the late Mr. Brooke Cunliffe.

† Mohturpha—properly muhtarafa—a tax on trades and professions.

‡ Agrapharam, a village occupied by Brahmans, usually held either rent-free or at a reduced rate of assessment.

It has been stated by the Revenue Board, and generally believed, that excessive assessment was the main cause of the early failure of many of the muttadars in every district, and particularly in Ahtur, where every estate has long since been thrown up. But the present Collector doubts, and, I believe, with justice, the correctness of this opinion, and he is so far from thinking that a large reduction of the assessment is necessary, in order to restore the country to a better state, that he is not satisfied that any is required. There are several reasons for believing that the assessment had very little share in the failure of the permanent mutta system, of which I shall mention three. The first is, that the ryots make no difficulty about cultivating their lands at the survey rates; the second is, that in Ahtur, where the assessment was said to be highest, the ryots cultivate at those rates, and have gone on for the last three years increasing the cultivation; and the third is, that land has in several villages, in most of the districts, and even in Ahtur, reputed the most highly assessed, become a valuable property, and is mortgaged for several years' purchase. The Collector is therefore averse to any reduction of the assessment without further inquiry as to its necessity. I am convinced that none is necessary, if we have no other view than to enable the country in a few years to pay the revenue of the permanent settlement; but that some reduction will be necessary, if we wish the country to rise beyond its former state.

Allegations that the failure of the muttadars was due to over-assessment examined.

The Collector's establishment is not constituted so as to render it so efficient as it ought to be. His tahsildars have none of that class of assistants usually called karkuns. They are employed by all the native governments, and by our own wherever there is a ryotwar settlement. Each tahsildar has two, three, or more, according to the extent of his district. Each karkun has a portion of the district assigned to him, in which he looks after the cultivation, the collections, and the police, and discharges nearly the same duties as the tahsildars in the whole district. Without such aid it is quite impossible that any tahsildar can superintend properly the affairs of a district containing one or two hundred villages. He cannot know with any tolerable certainty the quantity of land in cultivation, and must take it in a great measure upon the reports of the pottails and curnums. I am therefore persuaded that there is a considerable amount of land in cultivation in Salem which is not brought to account, and that if karkuns were employed, they would, by discovering it, repay their own expense ten times over, and be useful to the tahsildar in every part of his duty.

Necessity for additional aid to the tahsildars.

MINUTES OF SIR THOMAS MUNRO.

Misconcep-
tion as to
the extent
of the waste
land includ-
ed in the
ryots' hold-
ings.

The Collector does not seem ever to have had a correct idea of the extent of the waste. Long before I visited Ballári, I was convinced that it was greater than was reported, from the circumstance of the fall of revenue not having been in any degree proportionate to what it ought to have been, owing to the remission of twenty-five per cent.; and after reaching the Ceded Districts, I found that it was greater than I had even suspected. The crowds of ryots who assembled every evening at my tent to complain of the waste, rather resembled a mob than an ordinary party of complainants. The pressure to be heard first was so great that it was not easy to hear any of them. It was clearly ascertained in numerous instances that the waste had not been limited to half the remission, but had been unequally distributed according to the supposed ability of the ryot, and that in many cases it equalled the whole, and in some instances exceeded the amount of the remission, so that the rent of the ryot was actually raised instead of being lowered by the measure. As far as I could judge from the complaints of the ryots and such information as could be procured, the amount of waste could not be taken at much less than three lakhs of rupees, and the ryots have therefore, in the course of the last three years, paid from eight to ten lakhs to Government above the just demand. This sum, if it were practicable, ought to be restored, because its receipt was a breach of public faith. The restoration would be easy, if only two or three hundred ryots were concerned; but as there are probably not less than from ten to twenty thousand, it would be almost impossible at this late period to make it reach their hands, except partially and after a minute examination of the waste of three years.

Effects of
the Col-
lector's
measures.

The effect of the Collector's measures has been to disappoint all the expectations which Government might have formed from the liberal remission granted to the people of the Ceded Districts. As they had in general suffered much by the leases, and as many of the principal men had been thrown into jail, and many ruined by lawsuits for rent, it was considered to be advisable, in order not only to restore the country to its former state, but to raise it to a more prosperous condition than it had ever before attained, to lower the assessment one-fourth. It was supposed that this great sacrifice would be only temporary, and that it would be gradually replaced by the extension of cultivation and trade from the increasing means of the inhabitants. But instead of our having seen the effect of a three years' trial of the reduced assessment upon the country, it is still to begin, and to begin under much greater diffi-

STATE OF THE SOUTHERN AND CEDED DISTRICTS.

culties than would have attended it when first ordered above three years ago. It is evident that, as a great part of the ryots have for some years been paying nearly as much, and some of them even more than the amount of the remission, they have derived no advantage from it. But this is not the whole of the evil; for as the ryots know that the remission was intended to be a real one, the exaction of its equivalent under another name excites great discontent, makes them pay it much more unwillingly than when it was included in the full assessment, and destroys all confidence between them and the Collector.

Necessity
for his re-
moval.

We cannot expect a very exact statement of the waste from the Collector, as we have had none for three years. We have no certainty that he will even now take off the whole, for we can give him no orders more positive than were given in 1820 and repeated in 1821. By leaving him where he is, we put it in his power still to defeat the intentions of Government, as he has done for the last three years. We commit the character of Government by allowing the people to suppose that we are not dissatisfied with his conduct. There will never be any cordiality between him and them. The imposition of the waste will for a long time be the subject of numerous complaints, and it is not right that he should be the person to decide upon them, and on all these grounds it appears advisable that he should be removed. The circumstance which leaves me the least hope of any advantage from his continuance is, that in two years hardly any complaints should have been made to him regarding the imposition of waste land, while in a few days hundreds were made both to the second member of the Board of Revenue, by whom I was accompanied, and to myself.

It was my intention to have brought forward the present measure soon after my return from the Ceded Districts, but it was delayed from time to time in expectation of receiving the decision of the Supreme Government on the succession to Karnúl; because I was anxious that the Collector, who had displayed great judgment and energy in directing the troublesome affairs of the vacant chiefship, should have brought them to a final arrangement. As the difficult part of that duty has, however, been already performed, his presence is not any longer necessary. It is with great reluctance that I propose his removal, because he possesses great zeal and ability and indefatigable industry; but he may in other places be employed with more advantage to the public service than in the Ceded Districts.

MINUTES OF SIR THOMAS MUNRO.

Decline of the condition of the people in the Ballari district. Causes of the decline.

In the Collectorate of Ballari, with the exception of three or four districts, the condition of the people, instead of improving during a long period of peace, has considerably declined within the last twenty years. This is to be ascribed to several causes. One was the rate of assessment, which, being framed from the customary ancient rates of the country, was calculated, not for an invariable lease, but for an annual settlement, in which allowance was always made for losses from bad crops or whatever cause. Another was the want of sufficient revenue experience at that time, which led the Government to adopt at once the survey assessment as the basis of the leases, instead of waiting until it should have been ascertained, by a trial of six or seven years, where and to what extent it was too high; for no assessment of the smallest district, and still less of a large province, can be depended upon until it has been corrected after such a trial. Another cause was the two leases of three and ten years, which, requiring the same amount to be paid in all years, did not make sufficient allowance for the inequality of the seasons, and whenever they were unfavourable, broke down many of the ryots; for, though the lease was made somewhat lower than the annual settlement, the abatement was not adequate to what was required by the change of system, because the advantage which an annual settlement derives from contracting or extending cultivation, and consequently of paying more or less revenue according to the nature of the season, is from ten to twenty per cent. in its favour, and a remission to this amount at least must be granted in a lease, in order to place the two settlements upon an equal footing with regard to the facility of payment; and to these causes may be added another—the practice among the Collector's servants of endeavouring to make up the loss of revenue in the deteriorated villages which fell in before the expiration of the leases, by forcing upon the ryots more land than they could cultivate.

Reduction of assessment ordered by the Government. Neutralized by the action of the Collector.

In order to relieve the country and to stop the further decline of its resources, instructions were sent in September, 1820, to the Board of Revenue to reduce the assessment of Ballari twenty-five per cent., to take place from the commencement of the current Fasli year 1230. When the Collector's report on the settlement of that year was received, it appeared that he had not executed the orders he had received. He stated that he had granted the remission, but had induced those ryots who could afford it to cultivate a portion of waste land, but in no case exceeding one-half of the remission. The whole of this waste was said to be Rs. 86,185. but

STATE OF THE SOUTHERN AND CEDED DISTRICTS.

the amount, though probably not known to the Collector, was actually much more. I was much disappointed by this proceeding, but I trusted that Mr. C——'s known zeal and talents would soon remedy this error. In communicating, therefore, to the Board of Revenue the sentiments of Government on the settlement, the Collector's conduct was generally approved. But in the case of the waste, it was observed that 'the tendency of that measure is to defeat the object of the remission. The ryots are to be allowed to occupy waste land when they want it; but it is evident in this case that, though they are stated to have been willing to take it, yet it was not of their own seeking.' No doubt was entertained that the Collector, on learning the sentiments of Government, would hasten to carry them into effect; but he did not take a single step for the purpose, though all that he had to do might have been done in an instant by issuing a proclamation that the ryots were at liberty to throw up all the waste that had been imposed in lieu of the twenty-five per cent. remission. No settlement was made for Fasli 1231, excepting in that portion of the province whose leases expired in that year. In all the rest the settlement of 1230 was continued, apparently from a notion which he had adopted without inquiry, and which has no foundation in truth, that every ryot in an extensive province can permanently cultivate and pay the rent of all the fields composing his putkutt or estate. In 1231 the waste was taken off some few ryots who complained, but on all the rest it was continued just as if no order had ever been issued by Government to the contrary, and waste was imposed in those villages whose leases expired in that year. In Fasli 1232 the former waste was continued, and in many places fresh waste imposed upon the ryots; and in Fasli 1233 I found, by inquiry on the spot, that the ryots were still burdened with it, and had little hope of being relieved from it. The tahsildars for some years had imposed as much waste as they could. They do not appear to have thought it necessary to wait for orders, but to have considered the keeping up of the revenue by the waste as a part of the new system, which it was their duty to support.

Few of the ryots ever complained of the waste to the Collector, because they, no doubt, imagined that it was continued by his authority. He undertook the labour of imposing it contrary to orders, but when directed to take it off, he did nothing. He could hardly have imagined that the ryots could have got rid of it without his orders, and he ought to have been as careful to see it removed as he had been to impose it.

His neglect of orders.

The district of Cuddapah. Its more prosperous condition.

It is not necessary to say much about the Cuddapah division of the Ceded Districts, as the same remarks which have been made on Ballári are generally applicable to it. The Cuddapah ryots have suffered less from the lease than those of Ballári, because their lease settlement was originally more favourable and their remissions during its continuance were greater, and because the province of Cuddapah, when it first came into our hands, was more populous and wealthy than Ballári. In Cuddapah, therefore, notwithstanding the disadvantages of the lease, several of the districts have improved since its commencement. This has happened chiefly in those districts where a great part of the ryots were too substantial and independent to submit to extra assessments. With such advantages it was to be expected that considerable improvements would be made in the course of fifteen years, though more would probably have been made, had they been left more free to adapt the extent of their cultivation and of their rents to the nature of the season. In most of the districts, though in various degrees, land has become a valuable property, partly from the long-continued operation of the fixed field assessment, and still more from the twenty-five per cent. remission.

The complaints of the ryots were, if possible, more numerous than in Ballári. They were chiefly on account of waste and of claims to land. The Cuddapah complaints were distinguished from those of Ballári by the great proportion of them which regarded claims to land. Every ryot who had been dispossessed of his land during the lease, or who had, from poverty or other cause, abandoned it, came to demand its restoration; and there can be little doubt but that the remission of twenty-five per cent. will have the beneficial effect of rendering land in a few years a valuable property throughout the Cuddapah district. The experiment, however, is still to begin there; for the Collector has not executed the orders of Government, but has in general either not granted the remission or imposed waste land on the ryots. The imposition of waste, however, has not been carried to so great an extent as in Ballári, as the Board of Revenue, having discovered that he was endeavouring in this way to make up for half of the twenty-five per cent. remission, ordered him to stop. He did stop, but he should have done more. He should have taken off the waste which had been imposed, but he had taken no steps for this purpose so late as October, when I was in the district. He was in consequence desired to issue a proclamation informing the ryots that they were to be relieved from it. But there is no probability that the proc-

lamation will be effectual. His tahsildárs have been too long accustomed to a total relaxation of authority to pay any attention to it, and he is too indolent to enforce it.

The Collector's habitual neglect of orders has long since been repeatedly brought to the notice of Government by the Board of Revenue. To show to what a length it has been carried, it is only necessary to specify the dates of some of his reports and of his answers to letters from the Board of Revenue.

[Here follow particulars.]

One of the most objectionable parts of the Collector's conduct is his treatment of the native servants of every description. His tahsildárs and other principal servants, on whom the good management of the country chiefly depends, are capriciously suspended and kept for months and years without being charged with any fault, or even examined. Their duties are performed by substitutes taken from subordinate situations, who act upon their former low pay. Such a proceeding has the infallible effect of destroying all confidence and all exertion and emulation. It was observed by Government, in passing the Collector's estimates for Fasli 1229, that the places of no less than five tahsildárs were vacant, and explanation of the cause was required. The Board of Revenue called on the Collector for the required information on the 20th of December, 1821, but with little success; for on a matter on which they ought to have received immediate information, they were not enabled to report until the 19th of June, 1823, when they stated that what they had even then received was of a very unsatisfactory nature. The Board of Revenue noticed one remarkable case of a tahsildár who was suspended, without being informed of the cause, on the 14th of March, 1818, whose petition they forwarded for report to the Collector on the 30th of April, 1821, and to which they received no answer until the 14th May, 1823, above two years after its transmission. As nothing was proved against the tahsildár, his pay for nearly three years, which had been kept in deposit, amounting to Rs. 5266, was ordered to be discharged.

Injudicious treatment of the native officials.

The Collector, besides suspending the higher classes of servants, dismisses many of the inferior and keeps their places long vacant. The want of these men, whose aid is necessary in keeping the ordinary accounts; the practice of suspending servants, of having every man acting for another, and no one in his proper place, has introduced general confusion into every branch of the revenue, so that the accounts are in disorder, and many which are most useful, entirely neglected. It must long since have been evident to the

Disorder of the accounts.

Board from the reports of the Board of Revenue that the Collector is not calculated for his present office. But the reports of the Board of Revenue convey but a faint idea of the disorder which prevails in the internal affairs of the Collectorate; and as there is no hope of amendment, but a certainty that the evil will increase daily while the present Collector remains in charge of the country, it appears to be an indispensable measure, in order to secure its future prosperity, that he be removed to a situation where less is left to discretion, and where less personal exertion is required.

Proposal to remove the Collector to a less responsible post.

ON THE DEPRESSED CONDITION OF THE BALLÁRI DISTRICT, CONSEQUENT ON THE TRIENNIAL AND DECENNIAL LEASES.

20th April, 1834.

THE report of the Board of Revenue on the account given by the Collector of Ballári of his settlement of that district for Fasli 1232 explains very fully the causes of the decline of its agriculture during the last fifteen years. It shows that it has resulted chiefly from the operation of the triennial and decennial leases; that this system was unknown in the country, and was totally unsuited to the condition of its inhabitants; that the evil of its unbending nature, in exacting nearly the same revenue in all years, good or bad, was augmented by an assessment which, according to the custom of the country, was intended for annual settlements, and to receive remissions in unfavourable years, and was too high to be invariably realized in all seasons; and that the conclusions of the Collector are necessarily wrong, from being founded on statements which are full of errors.

Effect of the triennial and decennial leases on the agriculture of the Ballári district.

The report is long, but this is rather an advantage, as it brings together everything that can be said in elucidation of the subject years it discusses. It will always be a valuable record for future or serves, and it would alone have been sufficient to have set at rest object g agitated question between ryotwár and lease and village would ents, had this not already been done by the orders of the cowle, able Court of Directors.

abandreport has so completely answered all the Collector's objec-

The field assessment, that nothing beyond a few short it will tions is left for me to add.

assess Collector appears to have formed a system of his own, least it from that which he was ordered to carry into effect. to leasystem, as far as can be gathered from his correspondence, country each ryot should pay a fixed rent for the aggregate of his without any regard to the details of a field assessment. He an agreed to establish it very soon after his arrival in the Ceded

Erroneousness of the Collector's views as to the results of field assessments.

Districts; for in Fasil 1230 he issued what he called permanent pottahs to the ryots, and, in consequence of this supposed permanency, made no settlement with them for 1231. He had seen no district but Ballari, and had had no experience in revenue details, and hence he seems to have thought that all abandonment of land was owing to field assessments. He does not seem to have known that the same abandonment took place in the Ceded Districts before any field assessment was made, and that the same thing still happens in all countries above the Ghats. A part of this abandonment no doubt arises from high assessment, but by far the greater part is owing to other causes. It is easy to perceive why it should be so. For this purpose it is only necessary to consider what was the general condition of the Ceded Districts in 1805. In that year, when their agriculture was more flourishing than at almost any former period, it was stated that one-fifth of the land revenue was drawn from poor ryots, scarcely any of whom ever paid the full rent; and that the land under the plough so far exceeded what could be adequately cultivated by the agricultural stock of the country, that if cultivation were left free, one-fourth of the land would be thrown up.

Among the poor ryots, from whom one-fifth of the land revenue was raised, very few paid their full rent—most of them obtained a remission of from ten to fifty or sixty per cent.; but in so numerous a body, after every indulgence, many could not raise subsistence for themselves, far less pay rent. Many failed every year, and much land was in consequence thrown up. The same causes must have ever since produced the same effect. The proportion of land thrown up has certainly increased during the leases, and must have increased a greater abandonment and transfer of land than before.

It was intended that freedom of cultivation should be enacts, under the lease system: wherever this freedom was obtained could fourth of the land would be thrown up on account of the inadequacy of agricultural stock. If we consider the extensive infertile, in these two causes, namely, poor ryots and inadequacy of agricultural stock, on the abandonment of land, we shall not be surprised that so much has been thrown up, but rather that so much has been retained.

The assessment has also had a considerable share in the abandonment of land, and, though in a much smaller degree than these two main causes, I am inclined to think that it has. But the low rated lands retained, bear the same proportion to the high rated lands as the high rated lands bear to the low rated lands.

Poverty of many of the ryots, a main cause of the abandonment of land.

Inadequacy of agricultural stock, another main cause.

Overassessment, another cause.

Those thrown up, it is a sign that the relinquishment is not owing to the rate of the higher class. But when the high rated land is relinquished, is in a greater proportion to that retained than the low, it is a proof that the assessment is too high, and this has happened in a considerable number of villages. The mischief which would naturally have resulted from the overassessment in such villages, has, however, been augmented by the lease; because in a bad season, when the ryotwar settlement would have lessened the pressure of high rent by remission, the unbending nature of the lease exacted the full rent, and in proportion as it was high, its payment tended to break down the ryot, and, by diminishing his stock, to render him unable to cultivate the high rated land.

It should, however, be observed that in black land we are not to infer that when an extra proportion of the higher rated classes is thrown up, it is occasioned by the assessment. It may have been entirely owing to it, but it may also have been entirely owing to a different cause—the want of the usual cowle* for clearing the land of the long-rooted grass called nutt. All black land is liable to be overrun with this grass, and the richer the land the stronger the grass, and the more difficult its extirpation. In a large district many thousand acres are overrun in this way every year, but as many thousand are cleared by giving the land, according to the ancient custom of the country, upon a cowle or nominal quit-rent for five, six, or seven years. This cowle was continued under the ryotwar system, and by its means all nutt, as it sprung up, was cleared away. But under the lease this could not be done but within a very limited degree. A petty village renter could not let a ryot employ twelve or fourteen bullocks for several years, perhaps not within the term of his lease. His intention was that the cattle should be employed on land which he himself gave him rent immediately. He therefore refused the Honour and the black land, being overrun with nutt, was thrown up.

The land will not now be thrown up from the want of cowle, as it is now granted according to former usage; and the over-assessment, wherever it does exist, will be either completely or at least far removed by the twenty-five per cent. remission, as this system is no material obstacle to the future improvement of the land, which is properly kaul—literally means here a grant of land on favourable terms for a certain number of years.

Omission to grant the usual cowle, another cause.

Renewal of the cowle system and reduction of assessment.

DEPRESSED CONDITION OF THE BARRACK DISTRICT.

'natural competition for farms would, in time, point out their true value;' and 'the occupation of land in India might thus in time be regulated on a system similar to that in England.' This plan of the Collector is so contrary to everything that is right, that I am not sure whether I have not mistaken his meaning. If he mean by competition for farms, that the farm is to be given to the highest bidder, it could not be done without a general disregard of all the rights of property, without opening a wide field to fraud and corruption among the revenue servants, and without endless exaction and oppression. We already know what evil has resulted from competition in a few village leases; but the adoption of such a principle in the settlement of ryots' farms would produce general discontent, and excite endless village feuds, and, after all, it would involve us in more details than at present, without ever leading to any fixed assessment. The Collector looks upon the ryot as a mere tenant, and hence he infers that the occupation of land in India may be regulated as in England. But the station of the ryot is not so low as it is made by his plan. The ryot is certainly not like the landlord of England, but neither is he like the English tenant. If the name of landlord belongs to any person in India, it is to the ryot. He divides with Government all the rights of the land. Whatever is not reserved by Government belongs to him. He is not a tenant at will, or for a term of years. He is not removable because another offers more. The case, it is true, sometimes happens, but it is always regarded as one of injustice. He holds his land or putkutt, by inheritance, as long as he pays the public assessment upon it. That assessment has, under the native princes, always fluctuated, and been a great bar to improvement. It is our object to limit the demand upon his land, to secure him in the possession of it, and thus to render it a valuable property. But the proposed system of competition, instead of contributing to the attainment of this end, would take away all security, and not only prevent the growth of landed property, but shake and disturb all that now exists.

His misapprehension of the true position of the ryot.

The Collector says that, notwithstanding the twenty-five per cent. reduction, a considerable quantity of land will still be too highly rated to admit of its being brought into cultivation. It was stated nearly twenty years ago that no survey could at once be made so accurate as not to require correction. This is the very course which ought now to be adopted for that purpose. A very large proportion of the land under cultivation during the leases paid the full survey rent; a considerable proportion had a remission,

Inexpedient of further revision of the assessment at present time.

but very little of it beyond twenty-five per cent. There can therefore be no doubt that all the land which the ryots were able to hold throughout the leases, will now be easily and profitably held, after a reduction of twenty-five per cent. But as the land held during the leases was more than they could adequately cultivate, we must, for some years, expect rather a diminution than an extension of cultivation. When the stock of the ryots increases beyond what is sufficient for the due culture of their present lands, they will take more, and it will then be easily discovered by what they reject, what is actually overassessed. A revision should then be made, and a second and final remission be granted to all such land as may be found to be overassessed, which I do not believe will make altogether a difference of Rs. 20,000 on the present assessment of the whole Collectorate. But no revisions should be attempted for at least seven, or probably eight or ten years. In the mean time the assessment should not be touched in any instance, under any plea whatever. The mischief of tampering with the assessment is that it destroys all confidence in its permanence; that if indulgence is granted in one place, it is expected in another, and cannot be refused without occasioning discontent; and that, when once begun, it never stops. If, instead of twenty-five, we were to give up fifty per cent., it would not perceptibly diminish the calls of the ryots for remission, whenever they see that there is any chance of getting it. The facility with which they can obtain it, unless strictly prohibited, is exemplified in the cowles granted by the Sub-Collector, and recommended by the Collector, where it will be found that much land originally assessed as low as from one and a half to two and a quarter Cantarai fanams, or from one shilling to eighteenpence per acre, and afterwards reduced twenty-five per cent., was still thought too high, and all reduced to half a Cantarai fanam, or fourpence per acre.

Objections to frequent revisions of the assessment.

Temporary abatements may be made in the case of poor ryots.

It has already been observed that a portion of the land-rent, amounting probably to one-fifth, is paid by poor ryots, many of whom never pay the full rent. These ryots should, according to ancient usage, have an abatement of rent for one, two, or three years, until they can pay the full rate, but no alteration of the assessment should be made on their account, for it never could be adapted to their circumstances without sacrificing the revenue altogether. We shall always have these ryots as long as there is unoccupied land, however flourishing the country may be. No reduction of rent will enable us to get rid of them, for their existence is not connected with the assessment, but is inherent in the state of

DEPRESSED CONDITION OF THE BALLÁRI DISTRICT.

society and the customs of the country. They are chiefly composed of the sons of petty ryots, and of industrious labourers, struggling with small and often inadequate means to become independent ryots. Many of them fail, but more are successful; and they not only fill up the vacancies constantly occurring among the old ryots from various accidents and calamities, but augment progressively the great body of the more substantial ryots, on whom the security of the revenue chiefly depends.

ON THE STATE OF THE COUNTRY AND THE CONDITION OF THE PEOPLE.

31st December, 1834.

Inadequacy of our experience to enable us to determine the mode of administration best adapted to India.

Precipitancy of some of our measures.

Importance of a thorough knowledge of indigenous institutions, and especially of the system of land tenures and assessments.

We are now masters of a very extensive empire, and we should endeavour to secure and improve it by a good internal administration. Our experience is too short to judge what rules are best calculated for this purpose. It is only within the last thirty years that we have here 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 act as if this were as limited as the life of an individual.

We proceed, in a country 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 arising from it; and instead of seeking to remedy it by acquiring more knowledge, we endeavour to get rid of the difficulty by precipitately making permanent settlements which relieve us from the troublesome task of minute or accurate investigation, and which are better adapted to perpetuate our ignorance, than to protect 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 resources of the country increases, frame gradually from the existing institutions such a system as may advance the prosperity of the country, and be satisfactory to the people. The knowledge most necessary for this end is that of the landed property and its assessment; for the land is not only the great source of the public revenue, but on its fair and moderate assessment depend the comfort and happiness of the people.

STATE OF THE COUNTRY AND CONDITION OF THE PEOPLE.

Opinions respecting the ancient state of landed property in India are various, in consequence of our ignorance of it. The knowledge of it, however, is only useful, in so far as it may serve to throw light on its present state, and to aid us in finding the way for improving it. There is no reason to suppose that private landed property ever, at any one time, existed upon the same footing over the greater part of India. From Pulicat to Ganjam, in the Ceded Districts, the Baramahal and Coimbatore, it seems to have been always, as now, little known, except as inam from the sovereign. Along the Malabar coast, and above the Western Gháts from Sunda to Wainád, it seems to have existed from a remote period as now almost universally, and in the Carnatic, Tanjore, and Madras. In all these provinces it is important to recollect that, when they first fell under the British dominion, the land, whether private property or sirkár, was held in small portions by a great body of petty owners immediately of the princes, the poligárs of the south. The modern zemindárs of the Northern Sirkárs, whom the Company allowed to retain the districts which they had rented or managed under their native sovereign, and the old hill Rájás of that country, form no exception, as they were in fact petty princes, in whose districts the land was in the hands of small occupants, as in those of the Sirkárs. Unless we know in what manner the land of a province is occupied, we can form no just opinion as to how its internal administration should be regulated. In the Carnatic and the southern provinces, where the mirás, or private landed property, as described by Mr. Ellis, prevails, the land, as in other provinces, is distributed in small properties of from five or ten acres to one or two thousand acres. It may be proper to inquire a little into the mirási system of the Carnatic, in order to ascertain whether it possesses any such inherent advantages as should render it desirable to uphold the common tenure, where it still exists; or whether the change of common into separate tenure, which has been going on from a period beyond our knowledge, is not rather an improvement which ought to be encouraged.

The Board of Revenue seem to have considered mirásidárs of the village as the persons to whom the lands of the village were granted on its original settlement. They say that on the original establishment of every Tamil village, the hereditary right to all the lands was vested in all the occupants. They speak of this original settlement as a thing that was positively certain. But all this is

Extent to which private property in land existed. Varied in different parts of the country.

The mirási system.

Untrustworthy accounts given of its origin.

assumed, without the least proof, and is altogether incredible. The account given by Mr. Ellis is not more satisfactory. He supposes that the Carnatic was chiefly a forest, until Adála Chakravarti, sovereign of Canara, whose capital was Vanavási, settled three hundred thousand colonists, of whom one-fifth were vellalás, in Tondamandalam. This is evidently fabulous. No prince ever planted such a colony; no country could have supplied the drain. The number of deaths from casualties in such an undertaking would have been as great as that of the surviving colonists. New settlers brought from Canara and Vanavási would die very fast in the Carnatic even now, when it is cleared. We are not told how three hundred thousand colonists were to maintain themselves among jungles to be cleared away, when we know that even at this day such a population could not be maintained without the aid of numerous tanks and watercourses for the cultivation of the lands, which would be otherwise very unproductive.

The growth of the system was probably gradual,

and connected with the system of irrigation at the public expense.

It is much more likely that the mirásí tenure, with all its incidents as described by Mr. Ellis, was the gradual growth of a country long peopled and cultivated, than that it was created at once by a grant to a particular tribe of Hindu cultivators (vellalás), on their first settling in Arcot, and that province was then an uncultivated forest. It probably originated in local circumstances, and perhaps more in the great number of tanks and watercourses constructed at the public expense, than in any other. As the sarkár could be reimbursed for the expenditure on these works only by the regular cultivation of the lands for which he had provided water, he might have thought it advisable to grant the occupants certain privileges, to enable them to keep up the cultivation as high as possible. A moderate rent and an hereditary right in the soil were two of the most obvious means of effecting the object. The joint or sámudayam tenure, by which all the mirásídárs hold all the lands of the village in common, interchangeable at stated periods, probably arose out of the same view of keeping up the cultivation; for, as in unfavourable seasons a portion of the lands could not be fully watered, it is evident that the mirásídárs who held this land, unless there were a periodical interchange, would be worse off, and less able than the others to pay their rent regularly.

Distinction between the wet lands in Malabar and Arcot.

The great distinction between the wet lands of Malabar and Arcot is, that in Malabar the cultivation of them depends entirely

on the falling rains; while in Arcot it depends chiefly on tanks and other artificial sources of irrigation, constructed at the expense of Government. In Malabar, the cultivator of wet lands is not at all dependent on the aid of Government; in Arcot he can do nothing without it. In Malabar, therefore, the cultivator trusts to his seasons and to his own industry for success, and he can with confidence venture to employ all his savings in the improvement of his land. As Government furnishes him with no water and bears no share of the expense of the improvements, it has no fair claim to any additional rent on account of it, and has, in fact, not made it to any great extent; and hence he has been enabled to render his land a valuable private property, saleable at all times, and transferable at will. In Arcot the nature of mirásí hereditary landed property is very different, and is much less perfect; because, being dependent on the Government for its supply of water, and being, in fact, held in partnership with the Government, it does not hold out the same inducement to undertake improvement; and hence the land in general is but indifferently cultivated, and, though it is nominally saleable, it will seldom fetch any price in the market. In Malabar, where the falling rain during five or six months supplies all the water of cultivation, the proprietor can lay out his money with safety on the land; for he knows that he cannot be disappointed while the order of the seasons continues as it is. But in Arcot the proprietor has no such certainty: he is not even sure that he can keep his lands in their present condition, for unless Government keep the tanks in repair, this cannot be done. It may often happen that he cannot improve without a larger supply of water, and that this cannot be obtained without enlarging the tank or watercourse, which Government may think too expensive; and it may sometimes happen that the bursting of the tank may render his land for ever unfit for cultivation, because the tank may be allowed to go to decay, from its being found that the revenue of all the land watered by it would not defray the expense of repairing it. There are tanks in the country whose lands would not yield five or even four per cent. on the cost of the necessary repairs.

The native chiefs were fond of building tanks as good works, or as the means of transmitting their names to posterity; and as they frequently erected them at an expense far beyond what the land could yield any adequate return for, when they were broken down by floods, their successors did not always think it advisable to repair them; and hence the land formerly watered by them was necessarily either left waste or cultivated with dry grain, not

Where the Government provides the means of irrigation, it is entitled to a larger share of the produce of the land than when it does not.

yielding more than from one-fifth to one-tenth of the rice crop. In many parts of Arcot the soil is so poor and sandy, that it will not pay the expense of cultivation unless it be watered. It is evident, therefore, that when Government provides the water, which is the principal part of the expense of cultivation, it becomes a partner with the owner, and has a claim upon him for a fair return for this expense, and that he can never have the same share of the produce as the owner of rice land in Malabar, who bears himself the whole expense of cultivation. From these causes it happens that in Arcot, and still more in districts where the soil is richer, the most substantial ryots are found engaged, not in the cultivation of the wet land, where Government supplies the water, but in that of dry, where they can improve without the help of Government, and derive the exclusive benefit of every improvement.

Erroneousness of the theory that the mirásidár can keep his land uncultivated and at the same time be free from liability for the assessment.

It has been maintained by some that in Arcot and other Tamil countries, the mirásidár of wet land is bound to pay rent only for what he does cultivate; that if he leave it all uncultivated, Government has no demand on him for rent; and that if Government send another person to cultivate this land, the mirásidár has a right to exact from this person the landlord's share or rent. If such a right existed anywhere, we might have expected to find it in Malabar and Canara, where private landed property is more perfect than in Arcot, and where Government bears no part of the expense of cultivation. But in those provinces there is no such right, and the landlord is liable for the whole fixed rent of his land whether he cultivate it or not; and if he fail to pay his rent, his property is liable to distraint and his land to be sold. There does not seem to be any proof of the existence of such a right in Arcot. The belief of it appears to have arisen from confounding the tenant of the mirásidár with that of the Government. The mirásidár may undoubtedly make such terms as he pleases with his own tenant; but when he can neither cultivate the land himself nor find a tenant, and Government provides one, he has no claim for rent upon this tenant of Government.

Failure to pay the assessment in all countries renders the land liable to be sold.

It may at first sight appear to be hard that he should not be entitled to rent for his own land; but it is to be recollected that he has failed to pay the assessment, and that in such cases the land of the proprietor is in other countries, as well as in this, liable to sale, and that the mirásidár has still the privilege for a long, though not clearly defined, term of years, of recovering his land from the Government tenant and consenting to pay the rent.

The right of the mirásidár to derive a rent from land for which he neither pays the public revenue nor finds a tenant, is certainly not acknowledged now, and probably never was so at any former time. Government by the construction of tanks and watercourses at Arcot supplies the water, which is the chief article in the expense of wet cultivation, and has a right to see that the lands on account of which it has incurred such a heavy charge, are not without necessity left uncultivated, or exempted from their share of the public burdens.

Right of the mirásidár to rent from land for which he neither pays revenue nor finds a tenant, untenable.

In many parts of Arcot, as has been already remarked, the soil is so poor that, previously to its being watered and converted into rice land, it would not have defrayed the expense of cultivation, and must have lain waste.

Reasons for this view.

In general the produce of wet is to that of dry land as five to one, at least; if, therefore, we suppose that certain mirásidárs possessed a piece of land which under dry cultivation yielded two thousand rupees of annual revenue to Government, it would, after being converted into wet or rice land, yield ten thousand rupees; but the tank which would be required in order to supply the water, would probably cost Government a lakh of rupees. The additional revenue, therefore, which Government would derive from work would be eight thousand rupees per annum, which, making allowance for occasional repairs, would not be more than five or six per cent. for its money; and it would be much less, if we suppose that the mirásidárs, when they did not choose to cultivate, were not liable for the revenue. It is therefore reasonable to conclude that Government, where it sunk so large a capital, would expect an adequate return; and as this could only be obtained by the regular payment of the revenue, it would not grant to the mirásidárs a privilege which would defeat this object, but would follow the custom which we find at present established, of transferring the land to other tenants when they failed to pay the rent.

If the mirásidárs, without cultivating themselves or finding tenants to cultivate, had been allowed to levy from the Government tenants a swámibhogam, or landlord's share, of ten to fifteen per cent. they would, without any liability for the public revenue, and without any expense, have derived, by means of a tank constructed at the sole charge of Government, an income from the land four or five times greater than before. No private person would make a tank on such terms; and while there is no proof to the contrary, we cannot suppose that any Government would have done so either.

Principle in the Deccan opposed to the alleged claim of mirásidars.

It appears from the reports concerning the Poona territories, that the mirásidár of the Deccan, where mirás exists, is answerable for the revenue, whether the land be cultivated or fallow; that if he decline to cultivate or pay his rent, he may be compelled to give in a written deed of renunciation; that the right of Government to dispose of the land after a long absence of the mirásidár is not disputed; that the mirásidár gets back his land when his absence has not been long, and when it has been given in temporary lease to another person, but not after a long absence and its having been granted in mirás to another; and that, though he is supposed to have a right, even for a century, to reclaim his land, usage does not allow so long a period. These rules differ very little from those of Malabar and Canara respecting private landed property; and if ever it was the custom to exempt the mirásidár of Arcot from rent when he left his land uncultivated, it was a custom different both from that of other provinces, and from that which has long prevailed in Arcot itself. There is one case, and a very common one in Arcot, in which no demand can be made upon the mirásidár when the land is left uncultivated; it is when it cannot be cultivated in consequence of a want of water.

Claim of mirásidars to a proprietary right in waste land denied.

The waste in mirás villages in Arcot is supposed by Mr. Ellis to belong to the mirásidars jointly; and he supports his opinion by documents, showing that when a mirásidár sells his cultivated lands, he transfers by the same deed to the purchaser his right in the produce of the waste, the quarries, mines, fisheries, &c., within the limits of the village. But this appears to be a mere technical form, which can give no actual proprietary right in the waste. It is used in villages where there is no waste, as well as where there is, and may be used where there is no mirás. It confers a right, but not the right of ownership, to the pasture of the waste lands and the fishery of the tanks and nullahs, in common with the other mirásidars of the village. The same right exists everywhere. In those parts of the Deccan where mirás is unknown, the ryots of every village reserve the fishery and pasture to themselves, and drive away the cattle of strangers, and derive just as much benefit from the waste as those of mirás villages. Such a right seems to be a natural one everywhere, and it is accordingly assumed by the ryots of every village, without its being supposed that any formal grant is necessary for the purpose. Mr. Ellis does not appear to be very decided as to the nature of the property enjoyed by the mirásidár in waste. He admits that he cannot break it up without the permission of the sarkár. He does not say that he has any

specific share of it, or that he can sell it alone without the cultivated lands, or that he can do more than sell with his arable his right of common in the waste. The sarkár from ancient times has everywhere, even in Arcot, as well as in other provinces, granted waste in inám, free of every rent or claim, public or private, and appears in all such grants to have considered the waste as being exclusively its own property. It may be objected that if this were the case, it might give away the whole waste lands of a village, and injure the inhabitants by depriving them of their pastures. It certainly might give away the whole; but whether the exercise of this right would be injurious to the inhabitants, would depend on circumstances. If the lands, according to the general custom of the country, were left unenclosed, there would be no injury, as the cattle of the village would graze on them whenever the crops were off the ground. If the lands were enclosed, the inhabitants would be no worse off than those of many other villages whose lands are entirely cultivated and enclosed, and who are, in consequence, often obliged to send their cattle during the dry season to graze in distant jungles, and to incur a trifling expense for the wages of the herdsmen and the tax on pasturage. This expense, even where greatest, could never have affected the right of the sarkár to dispose of the waste, though it might probably have induced it to compensate the mirásidár inhabitants for their loss by some reduction in the assessment of their arable lands.

It has been supposed that in mirás villages in Arcot, in the original compact between the sarkár and the first settlers, the exclusive use of the waste was secured to those settlers; but it has already been shown that in all villages, whether mirás or not, the inhabitants reserve to themselves the exclusive use of the waste. But this right is good only against strangers, not against the sarkár, which possesses, I think, by the usages of the country, the absolute right of disposing of the waste as it pleases in villages which are mirás, as well as in those which are not. In the Deccan, in mirás villages, the corporation has not the right of disposing of unoccupied land, but the sarkár has. All the lands of Arcot were at one time held, according to Mr. Ellis, under the joint, or samudáyam tenure. This tenure has been much praised by some revenue authorities, and its breaking up into the separate individual, or palabhogam tenure, has been regarded as a calamity to the country. The happy state of the natives in the joint tenure villages is not supported by the fact of most of them having long since adopted the separate tenure.

The right of the Government in waste land is absolute.

Reasons for the change from a joint to a separate tenure of land.

The common tenure adapted to a rude state of agriculture,

and to a country where the ryots are poor and the Government looks more to its immediate wants than to the future.

The system of paying revenue in kind adapted to the same state of things.

When this change took place, is not exactly known; but it was probably the gradual work of time, long before the Company's Government. It appears in some places to have occurred at a very early period; for in many villages, but especially in those south of the Coleroon, the mirásidars, instead of dividing the cultivated lands periodically, according to the share held by each, appear, after having once divided them in that manner, to have declared the division permanent. Such a change is the natural course of things, and must always precede every material improvement, and is only restrained from becoming general by overassessment, or by difficulties regarding water. If one part of the lands of a village has advantages over the other in these respects, the common tenure will be acceptable to the proprietors, by giving to all in their turn the benefit of the favoured land; but where the advantages of the several lots of land are nearly equal, the occupants will in general wish to keep their own permanently, because no man ever labours with the same spirit to improve what he is to share with another, as what he is to retain exclusively for himself. The common tenure has existed in many nations, but usually in the rude and early stages of agriculture, and has always, I believe, been considered as hostile to improvement. I do not know that there is any cause to suppose that its effect has not been the same in India as in other countries, for the same substantial ryots are seldom found in villages where this tenure exists, as in those where the individual tenure prevails. The common tenure is well suited to a country whose mirásidár ryots are poor, and whose Government looks always to its present wants, and little to futurity; because, as the village community is bound to make good all deficiencies of its members, and to cultivate and pay the rent of all the arable land for which there is water, Government by this means draws as much revenue from the country as is possible under its then actual condition.

The system of paying in kind a share of the produce as the Government rent, is also well adapted to the same state of things, because Government is always sure of obtaining half of the produce, or whatever its share may be, from the ryot, whether the crop be scanty or abundant, and because the ryot is also sure of not being called on for rent, when the crop has entirely failed, and he is, perhaps, unable to pay. Such a system is better calculated to save the ryot from being oppressed by demands which he cannot pay, than to enable him to become wealthy.

This protection to the ryot from the payment of revenue in a season of calamity, is the only advantage which appears to belong to the system; but it is an advantage which could be necessary only under a rigid system, and would not be wanted under a more liberal one of assessment. The very existence of such a system in Arcot, and other districts where it is prevalent, is a proof that, however light Indian revenue may be in the theories of Indian writers, in practice it has always been heavy. Had the public assessment, as pretended, ever been, as in the books of their sages, only a sixth or a fifth, or even only a fourth of the gross produce, the payment of a fixed share in kind, and all the expensive machinery requisite for its supervision, never could have been wanted. The simple plan of a money assessment might have been at once resorted to, in the full confidence that the revenue would every year, in good or bad seasons, be easily and punctually paid. No person who knows anything of Indian revenue can believe that the ryot, if his fixed assessment were only a fifth or a fourth of the gross produce, would not every year, whether good or bad, pay it without difficulty, and not only do this, but prosper under it, beyond what he has ever done at any former period. Had such a moderate assessment ever been established, it would undoubtedly have been paid in money, because there would have been no reason for continuing the expensive process of making collections in kind. It was because the assessment was not moderate, that assessments in kind were introduced or continued; for a money rent equivalent to the amount could not have been realized one year with another. The Hindu Governments seem to have often wished that land should be both an hereditary and a saleable property; but they could not bring themselves to adopt the only practicable mode of effecting it, a low assessment. It is, however, supposed by the Board of Revenue that it was low. The simple fact of its being paid in kind, is sufficient, were there nothing else, to disprove this opinion. The Board says that the Mahomedan exactions converted the Hindu tax into a land-rent, reduced the landlord to a land occupant who ceased to employ tenants, and restricted himself to such land as he could cultivate with his own servants, and then Government transferred the vacant land to strangers temporarily, and more often permanently. But there is no proof whatever of this former state of light assessment, of the time when it existed, or when the change began, or when it reached its present standard. It is somewhat singular that the Board of Revenue, though they consider a light assessment and the payment in kind of a fixed

The existence of such a system is proof that Indian revenue has always been heavy.

No proof that the assessment was lighter under the Hindu than under the Mahomedan Governments.

share of the crops as fundamental parts of the old Indian revenue system, yet in their conjectures as to the origin of the custom of the revenue of wet land being demandable in kind, they never once think of ascribing it to any cause tending to favour the ryot, but only to those causes which tend to secure a high revenue. They say the fluctuation in the produce, in the value of the produce, the desire to obtain the utmost possible revenue in times of high price, a knowledge of the fluctuation in the value of the precious metals, and the impossibility of otherwise obtaining so large a proportion of the gross produce as fifty per cent., may all or in part have perpetuated the custom of receiving in kind the revenue demandable from rice land. I never could discover the least foundation for the assumption that the Hindu assessment had been raised by the Mahomedan conquest, or for believing that the assessment which we now find, did not exist before that period. We find the assessment as high in the territories of Hindu as of Mahomedan chiefs. This cannot have been owing to the progress of the Mahomedan arms, because over many of the petty states they never established more than a nominal dominion, nor ever assumed the management of their revenues. Among the chieftains of the Northern Sirkárs, descended from the ancient sovereigns of Orissa, and who have for ages been in a great measure independent, as well as among many of the Rájás of the Upper and Lower Carnatic descended from the sovereigns of Vijayanagar or their deputies, and who also, since the fall of that empire, have in a great degree been independent, we find the same rate of assessment, amounting usually to about one-half, and fluctuating, according to the soil, from two-fifths to three-fifths of the gross produce, with little variation, except that in some places it is paid in kind, and in others in money. It cannot be maintained that the demands of the Mahomedan conquerors may have compelled these chiefs to introduce a new and higher rate of assessment; because the peashcash imposed upon them by the Mahomedans was trifling, was often withheld, and was generally less than they had paid to their own princes. The few imperfect records which have reached us of the revenues of Vijayanagar, the last of the great Hindu powers, do not show that the assessment was lighter under that Government than under its Mahomedan successors. If, then, there ever did in any age prevail throughout India a moderate land-tax, its loss must be attributed to some other cause than that of Mahomedan invasion. After the time of the first fanatical conquerors, many of the Mahomedan princes seem to have been more enlightened, and as much disposed to be moderate

as the former Hindu rulers; among these were the Emperor Akbár and other princes, by whom great and systematic reforms were introduced. There is, however, no ground, either from tradition or from record, or from the present state of the country, for believing that a moderate land-tax was ever at any time throughout India the general principle of its revenue system. It is much more likely that a variety of systems have always prevailed in different provinces at the same time, some more, some less favourable to the people, some admitting of private landed property, some rejecting it; that in the same province different systems have predominated at different times; and that the system of all land being the property of the sirkár, has sometimes succeeded that of private landed property, and sometimes given way to it. At Vijayanagar, the seat of the last great Hindu Government, and in the countries immediately around it, where, according to the theory of private landed property having been the ancient Hindu system until destroyed by foreign invasion, we might naturally hope to see it in its greatest perfection, we find no trace or record of its having ever existed. In the countries in the peninsula, it is most perfect in Canara, which was long, and in Malabar, which was a considerable time, under a Mahomedan Government. Next to these provinces, it is most complete in Travancore, which never was subdued by that power. In Arcot and Tanjore it is less valuable than in Travancore, and in Madura and Tinnevely still less so than in Arcot. In a narrow strip of country along the eastern side of the Western Gháts, from the south of Mysore to Sattára, it is found nearly in the same state as in the adjoining districts below the Gháts. With the exception of this narrow strip, it is unknown in Mysore, in the southern Mahratta country, in the Ceded Districts, and in the Northern Sirkárs. It is unknown in Bijapur; it is found further north, at Sholapur, on the same footing as at Sattára, but again disappears to the eastward, on the Nizam's frontier. In Sattára the proportion of mirásidárs to other occupants of the land is two to one; in Poonah, three to one; and in Ahmednagar, about equal. In Khandesh there are very few mirásidárs, and it is thought by the Collector, Captain Briggs, that mirás has generally ceased in that province since its conquest by the Mahomedans in 1306.

But Mr. Chaplin thinks that there is no proof that it existed antecedent to the Mahomedan conquest. The mirás system was established in Ahmednagar about the year 1600, by Malik Ambar, the Mahomedan ruler of that province; and in some other provinces where it is found, and which were long under the Mahomedan

No trace of private property in land at Vijayanagar. Countries in which it existed.

dominion, it is uncertain whether it is of Hindu or Mussulman origin. It is, no doubt, possible that private landed property may in some countries have been swept away by the violence of Mahomedan invasion, and the long continuance of oppressive government; but it is equally possible that the same thing may have been produced long before the Mahomedan conquest, by the wars among the Hindus themselves, and by the subversion of one great Hindu empire by another; and it is probable that enlightened princes, both Hindu and Mahomedan, seeking the welfare of their subjects, may have either revived or introduced private landed property into their dominions.

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But the question regarding mirás is one rather of curiosity than of utility; for in most districts the mirás is worth little, and has no value that might not be easily given to the lands in every province by a moderate reduction in the assessment. It is much more important to ascertain how this moderate assessment is to be gradually introduced, and private landed property reared upon it, than to seek to trace the origin and fluctuations of mirás. It is only on the Malabar coast that the mirás yield such a landlord's rent as to make it saleable. In Arcot it yields little landlord's rent, and, though nominally saleable, can seldom be sold. In the southern provinces it gives hardly any landlord's rent; and in the Deccan the assessment is usually so high as to leave little or none, and the land, when thrown up by the mirásidár, can seldom pay the old rent, because the uncertain tenure of the cultivator prevents his bestowing the same labour on it. It may therefore be assumed that, except in a few districts, mirás land yields no landlord's rent.

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But this does not hinder it from being a desirable property; for, as a man cannot always find employment for his labour and stock, it is of great importance to possess land by which their employment may be secured. In sirkár land, as well as mirás, ryots sometimes have a landlord's rent; for it is evident that whenever they so far improve their land as to derive from it more than ordinary profit of stock, the excess is landlord's rent; but they are never sure of enjoying this advantage, as they are constantly liable to be deprived of it by injudicious overassessment. While this state of insecurity exists, nobody of substantial landholders can ever arise; nor can the country improve, or the revenue rest on any solid foundation. In order to make the land generally saleable, to encourage the ryots to improve it, and to regard it as permanent hereditary property the assessment must be fixed, and more moderate in general than

it now is; and, above all, so clearly defined as not to be liable to increase from ignorance or caprice.

This cannot be attained by receiving as revenue a specific share of the produce in kind, because it is exposed to fluctuation from fraud and many other causes, and because the usual share would be too heavy a tax on improvement; or by a money rent, fixed according to the custom of the country, because, though nominally fixed, it is nowhere registered or accurately known, but it is merely understood to be so much, or about so much. It can be attained only by a moderate money assessment, fixed specifically on every separate field or piece of land, and accurately registered in the accounts of every village curnum and of every Collector. This is, in fact, no new system, but it is merely giving a more accurate form to the system of money rents followed by the natives, where such rents prevailed. There can be no doubt that this system is perfectly adequate to the accomplishment of every object of improvement for which it is intended. All doubt that might have existed on this subject ought to be removed by what has happened in Baramahal. It was supposed that, soon after the introduction of the permanent assessment into that province, the survey rates of assessment, which had been previously established by Colonel Read, were entirely abandoned between the múttadárs, or newly constituted proprietors, and the ryots; but this is so far from being the case, that the survey assessment was always considered by the ryots as their great landmark, and it was it alone which, by providing them with a clearly defined standard and maximum of rent, enabled them, when withdrawn from the protection of the Collector, and left to that of the múttadárs and the Courts of Justice, to which they were too poor to appeal, to undergo the experiment of such a system for nearly twenty years, and to revert from the múttadár to Government with much less loss than could have been expected, and, in some instances, in a much better condition than they had ever been before. In a considerable part of the land, the múttadárs found it advisable to lower the survey assessment, in order to induce the ryots to extend their cultivation,—in some cases they raised it illegally, by the aid of the influence derived from their situation; but in by far the greater part of the land, the survey assessment still continued to be followed in the engagements between the múttadár and the ryots. This long continuance of a known and fixed assessment has begun to introduce saleable private landed property into the Baramahal, where it was never known before. I do not speak of múttas or zemindáries, because they are

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The spirit of adventure is one cause of the number of small holdings.

merely saleable portions of the Government revenue, but of the single field, or aggregate of fields, which usually compose the possession of a ryot. In many mütas several fields are saleable, and in some every field is so. This effect has been produced by the survey assessment, not from its moderation—for it is hardly lighter than that of the native Governments usually is—but from its having been fixed, and so clearly defined as to leave no uncertainty, and thus to encourage one party to improve and the other to purchase the land.

Effected under many disadvantages.

This effect, too, has been produced under many disadvantages, and it would have been much more extensive, had it been assisted by a lighter assessment, and not been impeded by the petty oppression of the mütadári system. The land which has become saleable in the Baramahal, has been sold at from two or three to ten or twelve years' purchase. This is an advantage which it possesses over the old mirás land of Arcot, which, though nominally saleable, is rarely so, except in the neighbourhood of Madras, or of towns on the coast, and there more commonly for building than for agricultural purposes. It possesses a great advantage in its simplicity; for it is not a complicated property, made up of various shares and fees, and bound to pay Government a large share of every improvement, like that of the mirás; but it is a fee simple, held immediately of Government, and liable only to the same fixed rent, however great the produce derived from improvement may be. The land of the Baramahal will probably in time all become saleable, even under its present assessment. But private landed property is of slow growth in countries where it has not previously existed, and where the Government revenue is nearly half the produce; and we must not expect that it can be hastened by regulations or forms of settlement, or any other way than by adhering steadily to a limited assessment, and lowering it wherever, after full experience, it may still in particular places be found too high. By pursuing this course, or, in other words, by following what is now called the ryotwári system, we shall see no sudden change or improvement. The progress of landed property will be slow, but we may look with confidence to its ultimate and general establishment. We have never yet followed with perseverance any plan calculated to create or extend private landed property, and where we have laid the foundation of such a plan by a survey and fixed assessment of the land, as in the Baramahal, Coimbatore, and Arcot, and some other provinces, we have counteracted its design by injudicious leases and permanent settlements.

Some men are apt to suppose, when they find in almost every district two or three hundred ryots who require remission for a part, for the half, or even the whole of their rents, that the assessment is too high, or that there is something wrong in the system, and they proceed immediately to recommend a change from the ryotwári to something else. But assessment, though it is often the cause, is not the chief cause of the failure of such ryots. Where the landed property of a district is distributed among many thousand ryots, and where there is no limitation to subdivision, except what is imposed by the produce of the land being inadequate to the subsistence of the ryot, it is evident that there will be many gradations of ryots, descending gradually from those holding the largest properties to those holding portions of land too small for their maintenance. It is evident that a lower assessment will not prevent this, nor cause any other change than that of making the smallest portion of land on which the ryot can subsist somewhat smaller than before, without rendering him in any degree less liable to failure. There are many ryots who fail from another cause which no abatement of assessment can remove, and which it is not desirable should be removed; it is occasioned by a spirit of independence among the caste of husbandmen, which urges every labouring servant who can buy a pair of bullocks, to quit his master and to take land and cultivate for himself. In this undertaking many fail, because the loss of a bullock, or an adverse season, destroys their small means; but by far the greater number finally succeed, and their success adds to the resources of the country. It is like the spirit of adventure in trade, which, though it frequently ruins individuals, yet promotes at the same time the prosperity of the country. We must, therefore, in a district containing two or three thousand ryots, always expect to find two or three hundred who are unable to pay their rent. We must, according to usage, grant them a remission for a few years, until they can do without it, and encourage rather than repress the spirit of independence, which, we may be sure, will excite industry.

It is not necessary that we should have either permanent settlements with zemindárs or leases with the ryots: neither of them is the usage of the country, and neither is requisite for the security of the revenue or the benefit of the ryot.

But though we cannot obtain a permanent rent from each individual ryot, we may, by a fixed assessment upon the land, obtain a revenue from the whole body of the ryots sufficiently permanent for every useful purpose. It will rise or fall somewhat with bad

Permanent settlements with zemindárs and leases with ryots are neither the usage of the country, nor are they beneficial. The question is whether we shall raise our present

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new set.

seasons, but the average for a term of years will be nearly the same. If we wish to make the lands of the ryots yield them landlord's rent, we have only to lower and fix the assessment, and we shall then in time have the great body of the ryots possessing landed properties, yielding a landlord's rent, but small in extent. They cannot be otherwise while their present institutions remain, as these all tend to the subdivision of property. If, in place of lowering the assessment and letting landed property rise in the natural way, we want to have great landlords raised at once where none exist, and for this purpose create zemindárs, and turn over to each of them some hundreds of ryots, we shall commit a gross injustice, because we shall enable the zemindár 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. We say that we leave the ryots free to act, and to make their own terms with the zemindárs or renters, and that if they are wronged, the Courts will protect them. We put them out of sight, deliver them over to a superior, and then we tell them that they are free to make their own terms, and that there are Courts to secure their rights. But with what pretence of justice can we place them under any set of men, to make terms for their property, and to defend it against them in Courts of Law? They have no superior but Government, they are tenants in chief, and ought not to be obliged to make terms except with Government. But it is said that the zemindár does not infringe their rights, because he has no authority to demand more than the dues of Government, as regulated by the usage of the country, and that if the parties be left to themselves, things will find their proper level. They will find the level which they have found in Bengal, and in several districts under that Government, and which the weak always find when they are left to contend with the strong. The question is, whether we are to continue the country in its natural state, occupied by a great body of independent ryots, and to enable them by a lighter assessment to rise gradually to the rank of landlords; or whether we are to place the country in an artificial state by dividing it into villages or larger districts, among a new class of landholders, who will inevitably at no distant period, by the subdivision of their new property, fall to the level of ryots, while the ryots will at the same time have sunk from the rank of independent tenants in chief to that of sub-tenants and cultivators? It is, whether we are to raise the landholders we have, or to create a new set and see them fall? This question, it is to be hoped, has been set at rest by the orders

of the Court of Directors to make the settlement with the ryots, in all districts in which the permanent zemindári settlement has not been established.

In all those provinces whose revenues are, by ancient usage, paid chiefly in money, surveys appear to have been made at different remote periods, in order to fix the assessment. In some districts they are only known by tradition; in others they still exist, in a mutilated shape, in the curnum's accounts; but there is no certainty that these accounts belong to any particular survey, or that they are not made of fragments of several, or that the village accounts have not been so altered by the curnums, without any regular authority, as to contain no trace of any survey whatever. Though the village accounts were supposed to have a specific rate of assessment for every field, according to the class to which it belonged, the Collectors were not made to conform very rigidly to this rate, but were usually somewhat above or below it, according to the nature of the season and other circumstances. The farm or estate of a ryot was generally composed of three parts: the first and principal was his old farm, containing the lands which he always occupied; the second, but much smaller part, containing land of an inferior quality, was called his katguta, and was held at a low and fixed rent; and the third was his cowle land, taken from the waste of the village, which he cultivated one, two, or more years, and then threw up or kept, according to the terms of the cowle or engagement. In all cases where the rent of a ryot was raised, it was done by imposing an additional assessment on his old farm. The katguta and cowle lands were always exempted, because to have imposed an additional settlement upon them would have been regarded as a breach of engagement, and would have discouraged the extension of cultivation. In some districts the addition made in one year to the rate of assessment was taken off the next; in others it was continued, and fresh additions of five, ten, or fifteen per cent. were made at subsequent periods and rendered permanent. The aggregate of these extra additions frequently came in time to equal or exceed the original assessment. But there is reason to suppose that these additions were in a great degree nominal, and that they did little more than counterbalance the fraudulent reductions made by the curnums in the accounts of the original assessment. These extra rates were usually unwillingly paid at first; and instead, therefore, of imposing them, it was often thought more advisable to give the ryot a piece of waste land, the rent of which he was required to pay, whether he

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could cultivate it or not. The ruling power always endeavoured to encourage, or rather to force, the extension of cultivation as a plea for drawing a larger revenue from the country. The result of such a system, pursued for ages, has been what was to be expected, namely, that the extent of land in cultivation and paying revenue is much too great for the agricultural stock of the country; that every ryot has more land than he can cultivate properly, and that he is only prevented from throwing up a part of it by the well-grounded fear that the difference of rent would be thrown upon the part which he retains. This is the state of cultivation generally throughout the Deccan, and it was, and still is in a great degree that of most of the provinces which have fallen by conquest under the authority of the Madras Government. The excess of land occupied by the ryots, beyond what they can adequately cultivate, varies in different provinces, and is estimated at from one-tenth to one-third, and may be reckoned on an average at one-fifth. It is obvious, however, that by more land being occupied than could be properly occupied, the rent must in time have adapted itself to this state of things and become lower than it would otherwise have been, and that a fixed assessment made on such rent would be favourable in general to the cultivators or ryots. It is also obvious from what has been said, that if, after making such a fixed assessment, perfect freedom were given to the ryots to throw up whatever land they did not want, they would throw up about one-fifth of their land, and thereby diminish the revenue nearly in the same proportion. But this diminution would only be temporary, because, as the ryots, by concentrating their agricultural stock upon a similar extent of land, would obtain a greater produce from it, their means would gradually increase, and enable them to take and cultivate again the land which they had relinquished. Under annual settlements and fluctuating assessments they are not very anxious about throwing up land, because they know that, by the custom of the country, we can raise the assessment upon the remaining land, according to its produce and improvement; but whenever the assessment has been fixed, they soon discover the advantage which it gives them, and endeavour to get rid of all their extra land. The liberty of doing so has already been partially granted, and must be fully granted to them; for, though it will cause a temporary loss of revenue, it is a sacrifice which ought to be made for the sake of securing the great public benefit of a permanent revenue, founded upon the general establishment of private landed property. It is the ever-varying assess-

ment which has prevented, and, as long as it continues, will prevent, land from becoming a valuable property; for even where the assessment is lowest, the knowledge that it may at any time be raised, hinders the land from acquiring such a value as to render it a saleable article. We cannot communicate to it the value which it ought to possess, or render it a private property, capable of being easily sold or mortgaged, unless the public assessment upon every part of it be previously fixed. When it is fixed, all uncertainty is removed, and all land which is not absolutely overassessed, soon acquires a value, which is every day increased by improvements made in consequence of the certainty of reaping all the profit arising from them.

The introduction of the fixed assessment into the Baramahal, Coimbatore, and other provinces, has not been so successful as it ought to have been in establishing private landed property; but it has been as successful as could reasonably have been expected, when we consider that it had no fair trial, and that it had hardly begun to operate when it was supplanted by a new system of permanent leases and settlements. Had it been left to produce its own effect, undisturbed by a change, there can be little doubt but that private landed property would by this time have been very generally established in those provinces. Its progress would have been faster or slower, according as the rate of assessment was more or less moderate. The rate of assessment, though somewhat lower than that of the native princes, was generally high, but not so high as to prevent the gradual growth of landed property. Wherever it might, in particular cases, have been found to produce this effect, the evil would have been easily remedied by a proportionate reduction. The survey assessment, however, notwithstanding all the difficulties by which it was opposed, has laid the foundation of private landed property in districts in which it was never known before, in the Baramahal, Coimbatore, and the Ceded Districts; and this beginning will gradually spread over all the land of these provinces. In the Baramahal, land has become saleable for several years' purchase in many villages of every district, and even in Ahtur, the most highly assessed of all districts. In the Ceded Districts land has become saleable in two or three districts of the Ballari division, and in several villages of almost every district in the Cuddapah division. In all these districts the survey assessment has, besides giving a beginning to private landed property, simplified and facilitated the collection of revenue. No survey assessment of a great province can ever at once be made so correct as

The effects of a fixed assessment in Baramahal, Coimbatore, and in the Ceded Districts.

Every assessment requires to

new zemindárs during the twenty years they have existed, or from that of the old zemindárs during a succession of generations. In old zemindáries, whether held by the Rájás of the Sirkárs or the poligárs of the more southern provinces, which have from a distant period been held at a low and fixed peshcash, no indulgence has been shown to the ryots, no bound has been set to the demand upon them. The demand has risen with improvement, according to the custom of the country, and the land of the ryot has no saleable value; we ought not, therefore, to be surprised that in the new zemindáries, whose assessment is so much higher, the result has been equally unfavourable to the ryots. The new zemindáries will, by division among heirs, and failures in their payments, break up into portions of one or two villages; but this will not better the condition of the ryot. It will not fix the rent of the land, or render it a valuable property; it will merely convert one large zemindári into several small zemindáries or múttas, and múttas of a kind much more injurious than those of the Baramahal to the ryots; because, in the Baramahal, the assessment of the ryots' land had previously been fixed by survey, while in the new zemindáries of the Sirkárs it had been left undefined. The little will in time share the fate of the great zemindáries; they will be divided and fail, and finally revert to Government, and the ryots after this long and circuitous course will again become what they originally were, the immediate tenants of Government; and Government will then have it in its power to survey their lands, to lower and fix the assessment upon them, and to lay the foundation of landed property in the land of the ryots, where alone, in order to be successful, it must be laid.

Meaning of
the term
ryotwári
settlement.

The state of the landed property of the country, held almost everywhere by the ryots directly of Government, clearly points out to us what our revenue system ought to be, and that it cannot, consistently with usage, be other than ryotwári. This term has been often much misunderstood, and been supposed to mean some mode of settlement entirely new, which overthrows all former rights. But this is altogether a mistake; the term itself is the ancient and common one of the country, and is used merely from the want of an English one exactly corresponding with it. In revenue language it means a settlement with the individual ryot who owns or occupies the land, and the receiving the public assessment from him without the intervention of any renter or zemindár. Whether the assessment be a fixed rent in kind, or a fixed share of the crop in kind, or commuted into money, or a fixed or varying money rent, it makes no difference; it is still ryotwári. All these

destroyed by violence all these ancient usages and customs, and so completely, that both Mr. Græme and Mr. Ravenshaw have denied the existence of mirási in these provinces. The ryotwári settlement, when properly conducted, respects all private rights: to ascertain and secure them are among its principal objects. The carelessness or the over-zeal of Collectors may invade them under any settlement whatever, if they are not restrained by superior authority.

It has been objected to the ryotwári system, that it is intricate, difficult of management, and expensive; but experience contradicts these opinions, for wherever ryotwári has been properly established, it has been found to be more easy, simple, and efficient than any other kind of settlement. The idea of its being more expensive arises from not considering that it includes all the expenses of collection which would be incurred by zemindárs if the country were under them, and which would, in that case, be necessarily deducted from the amount of the revenue, and not appear as a charge. One great advantage which the ryotwári settlement has over every other, is the strength and security which it gives to our Government, by bringing us into direct communication with the great body of the ryots, or landowners. Objections may be urged to every system: it is enough to recommend it to our adoption to know that it is the common one of the country. It is one of the primary obligations of a Government like ours to suit its rules and forms of local administration to the condition of the people, to provide every establishment which it may require, and not to withhold anything which may be necessary to its efficiency, for the sake of avoiding either labour or expense.

Answers to
the objec-
tions com-
monly
advanced
against the
ryotwári
system.

When we have determined the principles on which the land revenue is to be fixed, the next question is, by what agency is it to be managed? There can be no doubt that it ought, as far as practicable, to be native. Juster views have of late years been taken of this subject, and the Court of Directors have authorized the employment of the natives on higher salaries and in more important offices. There is true economy in this course; for by it they will have better servants, and their affairs will be better conducted. It was from a conviction of the policy of extending native agency, that the establishment of the Revenue Board catcherry was recommended in 1822. The right of the people to be taxed only by their own consent has always, in every free country, been esteemed amongst the most important of all privileges: it is that which has most exercised the minds of men, and which has oftenest been as-

Agency by
which the
land
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Policy of
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natives on
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in more
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offices.

be revised
after a few
years' trial.

not to require future alteration: when therefore it has been completed with as much care as possible, a trial should always be made of it for six or seven years. - This period will be sufficient to discover all defects in the assessment. A general revision of it should then be made, and wherever it may be found too high, it should be lowered, and it may then with safety to the revenue and benefit to the people be made permanent. None of the districts, however, in which the survey assessment has been introduced, had the benefit of such a trial, as in all of them a permanent settlement or lease was introduced very soon after the completion of the survey. Coimbatore was more fortunate than the rest: it escaped the decennial lease, and is now the best ordered, the most easily managed, and the most thriving district under the Madras Government. A survey assessment, besides its other advantages, prevents thousands of disputes and litigations about rent and boundaries, and it furnishes a standard by which the revenue of the country can at any time be raised or lowered, according as the state of affairs may require an increase of the burdens of the people, or may admit of their diminution. I trust that we shall never have occasion to go beyond the original assessment, and that we shall in time be able to make considerable reductions in it. The fixed assessment will not for some years have the same effect in encouraging improvements as it had before the introduction of the leases and permanent settlements; because these measures have shaken the confidence of the ryots in the continuance of the present system, and will render them cautious in undertaking improvements, lest they should be prevented from enjoying the full benefit of them, by being again placed under a renter or zemindár. Some years, therefore, must yet elapse before this apprehension can subside and the survey assessment have its full effect in encouraging improvement and promoting the growth of landed property.

Unfavourable position of the ryots in the Northern Sirkárs owing to the omission to define their rights.

There are, however, several extensive provinces in which we have no control over the assessment, and scarcely any means of bettering the condition of the ryots; I mean the Northern Sirkárs. When these districts came into our possession, one part of them was in the hands of zemindárs, and the other and most valuable part was in the hands of Government, and has since, by the permanent settlement, been made over to new zemindárs of our own creation. As in these provinces no fixed assessment has been introduced, nor the rights of the ryots been defined, the ryots never can become landholders, nor their lands acquire such a value as to make them saleable. It may be said that they have a right

to be assessed only according to ancient usage, and that this right will secure them from undue exaction, and give them the same facilities as the ryots of the Government districts of rendering their land a valuable property; but many causes combine to prevent this. The ancient usage was different in every little district or even village. It is not recorded or defined, and is very little known to us. It is, I believe, in the Northern Sirkárs very generally so high as to leave the ryot no more than the bare recompense of his labour and stock, and thus to preclude his ever obtaining any portion of a landlord's rent. Even supposing that usage did leave to the ryot some surplus as landlord's rent, the zemindár might not permit him to enjoy it. He might raise the assessment. If he were an old zemindár or hill Rájá, the fear of violence would deter the ryot from complaining. If he were a new zemindár the ryot would, nine times in ten, submit quietly to the loss, not from fear of personal injury, but from the well founded fear of losing his cause in the Court. He knows that the influence of the zemindár would easily procure witnesses to swear falsely on the question of usage, and that they would be supported by the fabricated accounts of the curnum, who is entirely under the authority of the zemindár, and that if he even gained his cause it would be of no advantage to him, as the zemindár, without transgressing any law, would be able to harass him in many ways, and make his situation uncomfortable.

There is therefore no prospect, or only a very distant one, of our being able to establish landed property among the ryots of the Northern Sirkárs, or to improve their condition in any material degree. In the old zemindáries, which are chiefly among the unhealthy hills, our prospect is as good now as it ever was; because we never there exercised any direct authority over the ryots, and could not expect to see landed property grow up among them, until time should gradually have wrought such a change in the manners and opinions of their leading men, as to make them see the expediency of encouraging it. But in the new zemindáries we exercised a direct authority over all the inhabitants, and could have raised their condition and landed property at our pleasure; but we lost the power of doing so by the permanent settlement. It may be said that Government having set a limit upon its demand upon the zemindár, he will also set a limit to his demand upon the ryot, and leave him the full produce of every improvement, and thus enable him to render his land a valuable property. But we have no reason to suppose that this will be the case, either from the practice of the

Prospect of an improvement in their position very remote.

serted by the defenders of liberty. Even in countries in which there is no freedom, taxation is the most important function of Government, because it is that which most universally effects the comfort and happiness of the people, and that which has oftenest excited them to resistance; and hence both its utility and its danger have, under the most despotic Governments, taught the necessity of employing in its administration the ablest men of the country.

It is both necessary and politic to admit natives to a share in the business of taxing their own country.

In this point, at least, we ought to be guided by the example of those governments, and employ intelligent and experienced natives at the head of the revenue, to assist the Revenue Board. If in other departments we give experienced natives to assist the European officers, shall we not give them in this, whose duties are the most difficult and most important? We cannot exclude them from it without injury to ourselves as well as to them; we cannot conduct the department efficiently without them. But even if we could, policy requires that we should let them have a share in the business of taxing their own country. It attaches them to our Government, it raises them in their own estimation, and it encourages them, by the prospect of attaining a situation of so much distinction, to qualify themselves for it by a zealous performance of their duty. Although we can never leave entirely to the natives the power of taxing the country, we ought to entrust them with as much of it as possible under our superintendence. We ought to make them acquainted with our objects in taxation, and with the principles on which we wish it to be founded, in order that in communicating their opinions to us, they may not be guided by the mere object of raising the revenue, but that of adapting the revenue to the wants of the State and the circumstances of the people. It is desirable that this knowledge should be widely diffused among natives; but it can only be effected by their having the benefit of free intercourse with us, and of acquiring experience in important official situations. They have the advantage of this intercourse already in the cutcherries attached to Collectors, and to the Board of Revenue; and under many of the Collectors this advantage is rendered more general, by their hearing the opinions of the most intelligent heads of villages, and of respectable inhabitants not in the service of Government, and discussing in their presence questions of revenue. This establishes confidence in us among the natives, and gradually extends among them juster and more enlarged views of the purposes for which taxation is intended.

This kind of intercourse, however, could hardly subsist, or be productive of any advantage, if we adopted the opinions of most of the advocates of zemindári settlements, that the Collector ought not to enter into details of revenue, but leave the natives to conduct them and settle with each other in their own way, and that he should confine himself to their general superintendence under the guidance of general principles. This appears to me to be a mistaken doctrine, which ought to be avoided; because in order to maintain our power in India we must have able and skilful servants, and such servants could not possibly be produced by merely learning a few general principles, without making them acquainted with the character of the people and the rules and customs by which their transactions with each other and with the officers of Government are usually regulated. The good government of the country must rest very much on the talents of our local officers, as it is from them chiefly that Government must derive its own information; and hence there is no country in the world in which it is more absolutely necessary to have good public servants than in this. When a European is placed in charge of a district permanently settled and belonging to a few great zemindárs, who conduct all the details of the assessment and collection of the revenue, he has very little to do. No exertion is required from him, and he naturally becomes indolent: if the affairs of the district fall into confusion, he cannot put them right, because, as he has not made himself acquainted with the revenue details and local usages, and has no practical experience, he is ignorant of the cause of the disorder, and of the means by which it is to be remedied. His knowledge of general principles, however extensive it may be, will in such an emergency be of little use, because he will not know how to apply them to the local circumstances of the country. The duties of the Collector of a province should be such as to make it imperative on him to know the real state of the country, the amount of the assessment paid by the different classes of the inhabitants, its effects upon them, but especially upon the ryots, in promoting or discouraging industry and in rendering them satisfied or discontented with their rules, and to know all the details of internal administration by which the revenue is developed and realized; for it is only by possessing such knowledge that he can understand either what are the actual resources of the country, or the means by which they may be improved, or furnish useful information to Government.

Mistaken views of the advocates of zemindári settlements

The duties of a public officer entrusted with the charge of a province ought to be such as to require the constant use of his

faculties. Without this employment they become dull, and are not satisfied with remaining at the head of a province, for the management of which he is totally unqualified, and it is probably not until something goes wrong that his utter unfitness is discovered.

The Civil Servants of the Company mix but little with the native community; they have no common interest with it, and it is only such of them as have naturally a spirit of inquiry, or who are forced by the duties of their situation to inquire, that know anything about it, or can tell Government whether any particular law is popular or the reverse.

Importance of enabling the Government to obtain accurate information as to the condition and opinions of the people through the local officers.

Government itself knows nothing of the state of the country, except what it learns from its local officers. In other countries, Government and its officers are a part of the community, and are of course acquainted with the effect of every public measure, and the opinion of the country regarding it. But here Government is deprived of this advantage. It makes laws for a people who have no voice in the matter, and of whom it knows very little; and it is therefore evident that it cannot adapt its laws to the circumstances of the people, unless it receive accurate information upon this subject from active and intelligent local officers, whose duty it is to investigate carefully the condition and opinions of the inhabitants, and to report upon them. But these officers can acquire this information only through an establishment of experienced native servants, who have, beyond all other men, from the very nature of their official duties, the best means of obtaining it. Intelligent Collectors are necessary at all times, but more especially when it becomes expedient either to raise or lower the revenue. Such an operation requires not judgment alone, but great knowledge of details; and if undertaken without these essential requisites, would be productive of much mischief. We ought, therefore, not to be satisfied with a superficial knowledge of the general state of the country, but make it a part of our system to obtain the most minute and accurate information concerning its internal condition, and preserve and accumulate that information in clear and detailed revenue accounts and statistical statements.

Incapacity of the ryots to resist oppression.

The peculiar character and condition of the ryots require that some laws should be made specially for their protection. The non-resistance of the ryots in general to oppression has been too little attended to in our Regulations. We make laws for them as though they were Englishmen, and are surprised that they should have no operation. A law might be a very good one in England and useless here. This arises from the different characters of the people. In

England the people resist oppression, and it is their spirit which gives efficacy to the law: in India the people rarely resist oppression, and the law intended to secure them from it can therefore derive no aid from themselves. Though the ryots frequently complain of illegal exactions, they very seldom resist them: they more commonly submit without complaining, and they often abscond when they have no longer the means of paying for them.

It is in vain to caution them against paying by telling them that the law is on their side, and will support them in refusing to comply with unauthorized demands. All exhortations on this head are thrown away, and after listening to them they will the very next day submit to extortion as quietly as before. Some of the more bold and intelligent, it is true, withhold payment and complain; but the number is so small as to have no sensible effect; for the great mass submit quietly, and will continue for generations to submit, until a total change shall have been wrought in their character. There is nothing extraordinary in this: it is the natural consequence of their condition. They had always, under their native princes, been accustomed to implicit submission to the demands of the Government officers. Both they and their princes have long since been under a foreign yoke, first of Mahomedans, and afterwards of Europeans, and their exclusion under both from all share in the Government, has rendered the ryots of less consideration, and made them still less disposed to resist unauthorized exactions than under their ancient native rulers. As, therefore, they will not protect themselves by resisting injustice, we must endeavour to protect them by laws which would be unnecessary in England, or in almost any other country not under foreign dominion; and we must, for this salutary purpose, invest the Collector and Magistrate, the person most interested in their welfare, with power to secure them from exaction, by authorizing him to make summary inquiry into all illegal exactions, to recover the amount, to restore whatever is recovered to the ryots, and to punish the offenders. We suppose that our laws are founded upon just principles, and that they must therefore have the same beneficial operation here as at home; but we forget that one great first principle, the freedom of the people, from which they derive their influence, does not exist here. Our institutions here, not resting on the same foundation as those of a free country, cannot be made to act in the same way. We cannot make the inanimate corpse perform the same functions as the living body; we must therefore, in making Regulations here, think only of their probable effect in this country,

Causes of this incapacity.

not of what such Regulations have or might have in England. We must often entrust powers here which we would not there; we must even sometimes make a man a judge, where he may be said in some degree to be a party; but in this case we are to consider whether it is not indispensable to the protection of the people.

Evils resulting from the joint action of the judicial code and revenue system.

For some years past it has been the object of Government to legislate as little as possible, and the few Regulations which have been passed are less to provide for new matters, than to cancel or amend former Regulations found to be unsuitable to the circumstances of the country. Two great evils which resulted from the joint operation of our judicial code and revenue system, were the frequent distraint of the property, and imprisonment of the persons of the principal ryots on account of balances. The confinement usually continued for many years, the prisoners frequently died in the course of it, and the debt was seldom realized. The default was sometimes occasioned by fraud, but much oftener by inability arising from unavoidable losses, and it was always difficult to ascertain the real cause. It has been the main end of the provisions of some late Regulations to lessen these evils; and if they produce the desired effect, which there is little reason to doubt, they will confer a most important benefit upon the people. The practice of distraint has been already greatly diminished, and the Collector of Salem, in his report of last year, observes that the whole of the land revenue of that province, amounting to about seventeen lakhs of rupees, has been realized without a single case of distraint. It was my wish to have abolished altogether the punishment of imprisonment for arrears of land-rent, because I thought that the loss from fraud would never be very considerable, and that it would be better that the revenues should suffer, than that a remedy so harsh and unpopular should be continued; but it appeared safer, on the whole, to adopt the opinion of my colleagues, that the power of imprisonment should be retained, but its exercise limited. The good effects of this measure have already been extensively felt: the imprisonment of a ryot for a balance of rent is now a rare occurrence. On the 30th of September last the number of persons in gaol under this presidency, confined by the several Collectors for arrears of rent, was forty-five; but of these only two were ryots—the rest were adventurers, who generally engage in farming the sale of spirits, intoxicating drugs, and tobacco, and are usually fraudulent defaulters. When we consider that the land-rent is collected from 954,952 individuals holding immediately of Government, this result is extremely satisfactory.

Our great error in this country, during a long course of years, has been too much precipitation in attempting to better the condition of the people, with hardly any knowledge of the means by which it was to be accomplished, and indeed without seeming to think that any other than good intentions are necessary. It is a dangerous system of Government, in a country of which our knowledge is very imperfect, to be constantly urged, by the desire of settling everything permanently, to do everything in a hurry, and in consequence wrong, and, in our zeal for permanency, to put the remedy out of our reach. The ruling vice of our Government is innovation; and its innovation has been so little guided by a knowledge of the people, that, though made after what was thought by us to be mature discussion, it must appear to them as little better than the result of mere caprice. We have in our anxiety to make everything as English as possible in a country which resembles England in nothing, attempted to create at once, throughout extensive provinces, a kind of landed property which had never existed 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 zemindárs and other imaginary landlords. Changes like these can never effect a permanent settlement in any country; they are rather calculated to unsettle whatever was before deemed permanent. We erroneously think that all that is necessary for the permanent settlement of a country is, that Government should limit its own demand, and that it is of no consequence by whom this demand is collected; and that, provided the amount be not exceeded, the ryot is not injured, whether he pay it to the officer of Government or to a newly created zemindár landlord. But nothing can be more unfounded than this opinion, or more mischievous in its operation; for it is a matter not of indifference, but of the highest importance, by whom the Government land-rent is collected and paid. Every proprietor or ryot, great and small, ought to pay his own rent and that of his tenants, when he has any, to the Government officer. If, instead of doing this, some hundreds of proprietary ryots are made to pay their public rents to a zemindár, they will soon lose their independence, become his tenants, and probably end by sinking into the class of labourers. Such an innovation would be much more fatal to the old rights of property than conquest by a foreign enemy; for such a conquest, though it overthrew the Government, would leave the people in their former condition. But this internal

Innovation the ruling vice of our Government.

As instigated by the creation of zemindárs.

change, this village revolution, changes everything, and throws both influence and property into new hands: it deranges the order of society; it depresses one class of men for the sake of raising another: it weakens the respect and authority of ancient offices and institutions, and the local administration conducted by their means is rendered much more difficult. It is time that we should learn that neither the face of a country, its property, nor its society, are things that can be suddenly improved by any contrivance of ours, though they may be greatly injured by what we mean for their good; that we should take every country as we find it, and not rashly attempt to regulate its landed property, either in its accumulation or division; that, whether it be held by a great body of ryots, or by a few zemindars, or by a mixture of both, our business is not with its distribution, but with its protection; and that if, while we protect, we assess it moderately, and leave it to its natural course, it will in time flourish, and assume that form which is most suitable to the condition of the people.

Necessity
for an accurate
survey
of each province.

I have in the course of this Minute urged again and again the expediency of lowering our land revenue, and of establishing a moderate and fixed assessment, because I am satisfied that this measure alone would be much more effectual than all other measures combined, in promoting the improvement both of the country and of the people. But before we can lower the land revenue to the best advantage, we ought to know clearly what it is we are giving up. As the information requisite for this purpose can only be obtained from an accurate survey of each province, these surveys, where still wanting, should be undertaken wherever the Collectors are equal to the task. When completed, they will furnish a groundwork on which the land revenue of the country may with safety hereafter be lowered or raised, according to circumstances. We should look forward to a time when it may be lowered. India should, like England, be relieved from a part of her burdens whenever the state of affairs may permit such a change. Whatever surplus might remain after the payment of all civil and military charges, and of all charges connected with the improvement or protection of the country, should be remitted. The remission granted in peace might be again imposed in war, and even something additional. This would probably obviate, in a great degree, the necessity of raising loans on the recurrence of war. The people would bear the addition willingly, when they knew that it was for a temporary object; and the remission which had been previously granted would dispose them the more readily to place confidence in the assurance of Government, that the increase was not intended to be made permanent.

The land
revenue
should be
lowered
when circumstances
admit of a
reduction,
and raised
again in
time of war.

THE SUPERINTENDENCE OF TANK REPAIRS.

8th August, 1835.

THE present system under which the repairs of tanks are conducted, leads to much unnecessary correspondence, and to inconvenient delays in commencing upon the works, which, I think, might be remedied by adopting the following alterations:—

Unnecessary correspondence and delays in connection with the repair of tanks. Remedies proposed.

1st. The whole of the Tank Department, including the Inspector-General and his office at the Presidency, to be placed under the immediate directions of the Board of Revenue.

2nd. All communications on the subject of tank repairs, roads, and choultries to be addressed by Collectors and Civil Engineers, as at present, to the Inspector, who will conduct the duties of the department in communication with, and under the orders of, the Board of Revenue, corresponding by order of the Board direct with Government, the Collectors, and Civil Engineers.

3rd. As it is proper, however, that Government should have the advantage of receiving the individual opinion of the Inspector in cases where it might differ from that of the Board, he should be at liberty to record it whenever he might think his doing so would be for the good of the service.

4th. The chief advantages which would result from this change would be:—(1) Greater celerity in the despatch of business, which, in the Tank Department, is of the first importance; (2) the rendering unnecessary the frequent correspondence and references between the Board of Revenue and Inspector-General, which now occupy much of the time of both officers; (3) the settling at once of all questions involving revenue, by personal communication with the Board; (4) the superior weight which the directions and suggestions of the Inspector-General would have with Collectors and Civil Engineers, when issued under the orders and known to be the sentiments of the Board; and (5) the benefit of a ready reference to the records of both officers.

Advantages of the proposed changes.

5th. The present system has perhaps too much the effect of removing responsibility from the Collector, and of making him take less interest than before its introduction in watching over the due repairs of his tanks. It has also a tendency, by the length and minute detail of its estimate forms, to cause the proper season of repairs to be lost in waiting for the preparation of the estimate, and it gives allowances to the native surveyors educated at the expense of the Company, far beyond what persons in that ~~ages~~ of life seem to be entitled to. The Board of Revenue, in communication with the Inspector-General, should be directed to revise the existing rules, and to suggest such alterations as would, in their opinion, remedy the defects which have been noticed, and at the same time secure the efficiency of the system.

QUESTION OF PUBLIC SERVANTS HOLDING LAND.*

11th July, 1826.

I CONCUR entirely in the sentiments expressed by the Board of Revenue regarding the possession of lands by public servants, either by inheritance or private purchase, in the district in which they are employed, and the sale of lands by public auction for arrears of revenue to them and their connections. There is no prohibition against the possession of private property in land by public servants in the districts in which they serve. It is however better, on the whole, even in districts permanently settled, that a proprietor of land should hold no high office in the district in which his land lies. In districts not permanently settled the possession of land ought not to cause the removal of a tahsildar or other principal servant, but it ought to be sufficient to prevent the owner from being appointed to any high office in his own district. An influential officer like a tahsildar ought not to be permitted to purchase land in his own district, when sold either by private or public sale, without previously resigning his office. Should he purchase without resigning he should be dismissed from office, and if the purchase of land sold for arrears of revenue, the sale should be null. It may be thought that there could be no harm in allowing him to purchase land when sold by private sale. But it appears to me to be objectionable on two grounds: first, on that of his becoming a landholder in his own district; and, secondly, on that of its leaving an opening for converting into a private what would otherwise have been a public sale. In all unsettled districts, but especially in the Muzaffargarh, where the settlements fluctuate annually according to prices, and in many villages both according to prices and to produce, the principal revenue servants have many means of using the sale of lands and villages without appearing to be

Public servants should not hold land in the districts in which they serve.

* The principles enunciated in this Minute still regulate the holding of land by native public servants.

concerned in it. They may overrate the produce and the prices; they may prevent remission where it is necessary by underrating the loss of crop from want of water or other cause; and they may insist on punctual payment of the kist when the delay of a month or two would have saved the landowner from great loss, and he may in this manner often be obliged to sell his land in order to avoid a heavier loss by attempting to retain it. I believe that it is generally understood by the revenue servants that they are not to purchase land in the district in which they serve, and that this circumstance restrains them; but were this check removed by such purchases being openly authorized by Government, they would soon be carried to an extent which would be extremely injurious both to the landholders and to the public revenue.

The objections to the purchase by revenue servants of land sold for arrears of revenue.

The question of revenue officers being proprietors of land in their own districts, is, however, of much less consequence than that of they and their relations being the purchasers of land sold by public auction for arrears of revenue. Wherever such a practice is suffered to exist, it must tend to facilitate the oppression of the landowners, to spread corruption among the revenue servants, and to destroy the confidence of the people in the protection of the Government. The statement given by the Board of Revenue sufficiently proves how rapidly such a mischievous practice increases when it meets with any encouragement, as in Tanjore.

Balances of land revenue should not be demanded after a certain lapse of time.

The custom of keeping the accumulating balances of a great number of years standing against districts is productive of many serious evils, and is scarcely ever attended with any real advantage. We see how small a portion of them has been recovered in Tanjore, after the lapse of so many years and the adoption of such rigorous measures, and if we could trace all the effects of this recovery, we should probably find that it had been obtained partly out of the current year's revenue, and partly by disabling the proprietor from carrying on his cultivation to the usual extent, and that Government had, in fact, gained little or nothing by the recovery. We see that these old balances are good for little else than furnishing the means of corrupting the revenue servants and of oppressing the inhabitants, and I am therefore of opinion that a period should be limited, beyond which no balance of land revenue should be demanded. It ought perhaps in no case to exceed two years after the close of the year in which the balance became due, but in

QUESTION OF PUBLIC SERVANTS HOLDING LAND.

General it might, probably with advantage, be confined to the commencement of the kists of the ensuing year or to the first six months of that year. This rule might be applicable, not only to all unsettled districts, but, with some exceptions, to all under temporary leases. The Board of Revenue might be desired to take the subject into consideration and report their sentiments regarding it, and in the meantime the remissions recommended by them in 1816, on account of the triennial and quinquennial leases in Tanjore, ought to be authorized.

ON THE REVENUE MANAGEMENT OF CERTAIN OF THE SOUTHERN DISTRICTS.

30th January, 1837.

System of
assessment
in Tanjore.
Proposal to
survey the
district with
a view to a
fixed assess-
ment.

ALTHOUGH Tanjore has been so long in our possession, very little progress has yet been made in the establishment of a fixed assessment upon the land. We have endeavoured of late years to make some approach to this important object, by fixing the amount of the grain rent of a large portion of the villages, and making the money rent of that grain fixed, as long as the market price does not fall five per cent. below, or rise ten per cent. above, a certain assumed standard rate. But this plan, though it might in time lead to a fixed money assessment for each whole village, would still leave the extent of land and the rate of assessment on each field in each village uncertain; and as a field assessment can only be effected by means of a survey, I am of opinion that it ought to be begun without delay.

Principles
of the pro-
posed survey
and assess-
ment.

The survey ought to be made upon the same principles as in those districts where the most complete surveys have been made. It should embrace all land—cultivated, waste, hill, and jungle. It should show the grain rent of each field, as well as the money rent, in order that the grain rent may be available in case the money rent should anywhere, from unforeseen causes, fail for a time.

Assessment
should be
moderate.

The assessment ought to be moderate. It is not the wish of Government to raise the revenue, but rather, by equalizing it, to make the burden lighter on the people. By equalizing, I do not mean that the rent of lands which have been rendered more productive at the expense of the owners, should be raised; but that when the assessment of lands equally productive is from fraud or neglect very unequal, without any expense having been incurred in their improvement, such assessment shall be corrected.

No detailed rules can be laid down for the conduct of the survey. Any such rules would only tend to impede the work. The Principal Collector must be chiefly guided by his own judgment. Old

REVENUE MANAGEMENT OF THE SOUTHERN DISTRICTS.

accounts, former partial surveys, and former grain and money assessments may afford him some assistance, but he must exercise his own discretion, either in adopting what is right or rejecting what is wrong.

My principal object in visiting Tanjore was to ascertain whether there was any insuperable obstacle to the making of the revenue settlement by a fixed money assessment, and whether such a settlement would be acceptable to the people. The danger of prices falling, and remaining low for several successive years, has always been the main objection to a fixed money assessment. From all that I could learn on the spot during my short stay in the province, it appears to me that the mirásidars, or landowners, but particularly the more substantial ones, are in general desirous of having a fixed money assessment on the land, provided it be moderate, and of being relieved from all interference, except in the collection of their rents.

No objection
to substituting a
fixed money
assessment for the
system of
assessment
in force.

The establishment of a fixed money assessment ought to be more easy in Tanjore than in most other provinces, because none of them have a supply of water so certain and abundant as Tanjore has from the Cavery, and because the distribution upon the mirásidars severally of the sum imposed upon the village, which in most other provinces is the most difficult part of the process, is in Tanjore the most easy, because the relative value of the land or fields to each other having long been known, and the share which each mirásidár was to pay of the whole assessment having long been settled among themselves, they would continue, under the fixed assessment—whether it might be higher or lower than the present or any former one—to pay according to the usual proportions, and each man would take care that no more than his fair share was imposed upon him.

Circum-
stances
which
facilitate
such an
assessment
in Tanjore.

The chief difficulty in Tanjore will be in determining the sum to be laid on each village, because there is a very great want of accounts for our guidance on which any dependence can be placed. We have only some defective accounts of produce for the early years of the Company's administration, and none hardly during the long interval of the subsequent leases. There can be no doubt, however, that among upwards of four thousand villages comprised in the province, many are assessed at their just amount. By taking these villages as a standard, and by employing the mirásidars of them in conjunction with the revenue servants—to assess the contiguous villages at the same rate in relation to their produce, the same scale of assessment may be gradually extended

Only diffi-
culty con-
sists in the
defective
character of
the ac-
counts.

over all the villages of the province; and when this is effected, there will be little difficulty in distributing the amount upon the several properties and fields.

Favourable
situation of
Tanjore.

The situation of Tanjore is singular, because, though placed on this side of the peninsula, the main part of its produce depends upon the rains of Malabar. It therefore frequently happens that in seasons when there is a scarcity in the adjoining districts, Tanjore enjoys the double advantage of an abundant harvest with scarcity prices. As Government has always partaken in this advantage under the system of a land revenue, founded on a commutation of a share of the produce for money at the market price, it probably realizes as much revenue by following the old usage as it would by adopting any other, and it may therefore be thought that no change is necessary. If we looked only to revenue, this might be true; but if we look to the constant vexatious interference with the ryots in the reaping and removing of their crops, to the fraudulent collusion between them and the inferior revenue servants in pilfering the grain, and to the general corruption in the superior revenue servants which such a system encourages, we cannot but feel the necessity of endeavouring to substitute a system less liable to abuse. Although a fixed money assessment on the land may for some years rather diminish than augment the revenue, I am persuaded that it will augment it in time, by facilitating the culture of products more valuable than grain, by rendering the proprietors more substantial, and by thus enabling them to extend their cultivation, and to bear without remission the losses of unfavourable seasons.*

Objections
to a system
of land
revenue
founded on
a commu-
tation of a
share of the
produce for
money at
the market
price.

Trichi-
nopoly.
Extinction
of the mirási
rights in
the dry
districts.

In Trichinopoly, in the districts watered by the Caverry, the lands are held by the same mirási or hereditary tenures as in Tanjore. In the dry districts the inhabitants do not claim the mirási rights. They cannot sell their land, and whenever they cease to cultivate it, it is transferred to any person the Government pleases. The mirási rights were enjoyed by the poligars of these districts, by whom they had probably been usurped upon the ancient proprietors, and they are now considered as having devolved upon the Government by the expulsion of the poligars. While the land was regarded as public property, while the assessment was so high as to leave little or no profit to the cultivator, and while there was abundance of waste which any person might have, who chose to cultivate it and pay the assessment, it could hardly become private property, or acquire such value as to become saleable. But the assessment has

* It was not until 1860, under the government of Sir Charles Trevelyan, that a fixed money assessment was introduced into Tanjore.

late years been considerably reduced, and when the inhabitants shall have for some time longer enjoyed the benefit of the reduction, and shall from experience have gained confidence in its stability, they will set a higher value on their lands, occupy them permanently, and gradually render them a valuable private property, as in the wet districts.

The annual settlements in Trichinopoly are more satisfactory than in Tanjore, because they are formed upon a principle known to everybody—upon a money assessment which is probably moderate, because there were no complaints against it, and because the value of land has increased within these years. Trichinopoly, by having a register of fields and a fixed assessment upon each, possesses the means by which its annual land-rent may be easily and fairly settled.

Money
assessment
in force in
Trichina-
poly.

In Tinnevely there is no system of revenue management—none appears to have ever been established. The system, such as it is, is calculated to keep the Collector in ignorance of the state of the district, and seems to have answered this purpose completely. There are no detailed accounts, or even abstracts, in his cutcherry that can be depended upon. Too much is left to the curnums. They execute many of the duties which properly belong to the Collector and the tahsildárs; they distribute the assessment; they assess the ryots as they please, by entering their lands under a class of a higher or lower rate of assessment; they harass them by remeasuring the lands of many every year, which has in fact been rendered necessary by the improper custom of allowing any portion of a field they choose instead of the whole or none. The present Collector has begun to correct these irregularities; but the orders of the Board of Revenue regarding a money settlement have been entirely misunderstood. The orders of the Board to fix the money rent upon the average produce and prices of a number of years have been interpreted to mean that, after ascertaining the average of any village, the whole of the lands of that village, whether good or bad, are to be assessed at the same rate, instead of being assessed according to their relative produce. The mistake was, however, known to the Board of Revenue before any bad effects could result from it, and measures are now in progress in the district to reform its hitherto defective revenue system.

Tinnevely.
Great de-
fects of the
revenue
manage-
ment.

In Madura and Dindigul, the survey and assessment was made by Mr. Hurdis. In Dindigul the assessment was regulated by what is called the hulus, or produce of the land; in Madura it is said to have been regulated rather by the nature of the soil than

Madura and
Dindigul.

by its actual produce. But I have little doubt that the process was the same in both districts, and that though the estimated produce was not registered in Madura, it was taken into the calculation, along with the kind or quality of the land, in fixing its taram or rate of assessment. All assessors of land, however differently their accounts may be framed, must be guided in making the assessment by the average collections of former years, and by the nature and present produce of the land and the usual prices of produce.

The fields are not numbered either in Dindigul or Madura; but in Dindigul the assessment of each field is inserted in the register of fields, so that each ryot knows exactly what he has to pay to Government. In Madura the fields are registered in different classes, according to their quality. The extent of each is shown, but not its money assessment. A separate register contains the assessment which belongs to each class, so that great room is left for the curnums to raise or lower the assessment by altering the class of any particular fields.

Omission to
preserve the
survey
accounts.

In both districts very little care has been taken to preserve the survey accounts. Those of several villages are not to be found. Of the remainder, only a small share is in the Collector's cutcherry, and the rest is in the hands of the curnums, written on cadjans.* Measures should be adopted for completing the survey accounts. There ought to be a complete set both with the curnums and the Collector. The expense incurred in the preparation of survey accounts, whatever it may be, is always greatly overbalanced by the advantages derived from them, by the very great saving of time and labour which they enable us to make in all settlements, and by the confidence which they establish between the ryots and the Government by fixing distinctly the amount of assessment in every case, and leaving nothing regarding it arbitrary or doubtful.

Coimbatore.
Its satis-
factory con-
dition.

In Coimbatore the survey system has been long established, and has for many years been so carefully followed, that all the ryots are perfectly acquainted with it; and, feeling the security derived from it, they are exerting all their means to improve their lands, and the revenue is in consequence gradually but steadily increasing. Nothing is required in this district but to continue in the course which is now observed.

* Cadjans, books made of the leaves of the palmyra palm, on which the natives write with an iron style.

SECTION II.

JUDICIAL.

TRIAL BY PANCHÁYAT.

15th August, 1807.

THERE is such a strange mixture of fraud and honesty in the natives of India, and even in the same individuals, in different circumstances, that none but a native can, on many occasions, penetrate the motives from which such opposite conduct arises. The numerous petty dealings constantly going on, with comparatively very few disputes, the frequency of depositing money and valuable articles without any kind of voucher, and the general practice of lending money without any kind of receipt or document but the accounts of the parties, manifest a high degree of mutual confidence, which can originate only in a conviction of the probity of each other. But, on the other hand, every native will perjure himself. In every litigation respecting water, boundaries of villages, and privileges of caste—in all these cases, he never speaks the truth, unless from the accident of its being on the side which he conceives himself bound to espouse. He will also perjure himself (not uniformly indeed, yet with little hesitation) in favour of a relation, a friend, or an inhabitant of the same village; and even in favour of persons in whose welfare he has apparently no concern. These causes, added to bribery, render perjury so common, that scarcely any dependence can be placed upon evidence, unless where it is supported by collateral proofs. The number of witnesses, and even their general character, is therefore of less consequence than an acquaintance with those particulars, customs, and prejudices by which their evidence is likely to be biassed. The Judge must always be inferior to a native in knowledge of this kind. He will likewise be deficient in language; he never can be so much master of it as to follow and detect the minute points by which truth and falsehood are often separated. The voice of a witness, the manner, the mode of expression, the use of words of a less positive, though often similar sense—all these must be beyond the reach of a European, whose knowledge of an Indian language can never extend to such niceties. The Judge must, therefore, often require

Strange mixture of fraud and honesty in the native character. Difficulties of a European Judge in appreciating native evidence.

explanation from the officers of the Court, and trust to their opinion. Where he forms a wrong one, there is little hope of his being enabled to correct it from any arguments that may be adduced by the pleaders; for these men will most probably agree among themselves, and divide all fees, and care very little which of the parties in a suit is successful.

Trial by
panchayat
the most
effectual
remedy.

Popularity
of this mode
of trial.

It is to be feared that no complete remedy for these evils can be found; but the most effectual one would be to resort to the trial by jury, termed by the inhabitants panchayat, or sabhá, according to their respective languages. The judicial code in civil cases authorizes trial by referees, arbitrators, and munsifs, but says nothing of trial by panchayat. It seems strange that this code, which has been framed expressly for the benefit of the natives, should omit entirely the only mode of trial which is generally so popular among them, and regarded as fair and legal; for there can be no doubt that the trial by panchayat is as much the common law of India in civil matters, as that by jury is of England. No native thinks that justice is done where it is not adopted; and in appeals of causes formerly settled, whether under a native government or under that of the Company, previous to the establishment of the Courts, the reason assigned in almost every instance was that the decision was not given by a panchayat, but by a public officer, or by persons acting under his influence or sitting in his presence. The native who has a good cause always applies for a panchayat; while he who has a bad one, seeks the decision of a Collector or a Judge, because he knows that it is easier to deceive them. It may be objected that a panchayat has no fixed constitution, that the number of its members may vary from five to fifty, or even more, and that its verdicts are often capricious. But all these objections formerly lay against juries, and they might unquestionably be removed from panchayats by future improvements. The native commissioners are so much restricted, and their proceedings so liable to be suspended or reversed, that the whole administration of civil justice may be said to centre in the person of a Zillah Judge, who, though he may be endowed with the greatest talents and application, must ever remain but imperfectly acquainted with the language and customs of the people on whose rights he decides. A panchayat has greatly the advantage of the Judge in these matters; and being less exposed to intrigue and bribery than the officers of the Court, it would be more capable than the Judge of ascertaining the truth, and more willing than his officers to support it. It would be idle to expect that justice could be administered personally by a single European

Reasons for
adopting it.

to a whole province or zillah. In every populous country justice can be properly distributed only by means of the natives. If it is supposed that they cannot be made to dispense it to each other, it is still more unlikely that this can be accomplished by a stranger. The code has, however, imposed this task upon the Zillah Judge, evidently from the idea that the natives are not to be trusted. There is certainly no situation in which a native can receive bribes with greater facility and less risk of discovery than in that of a commissioner; but the evil might be prevented in a great measure by obliging him to try all suits by a panchayat, where either of the parties required it. The natives cannot surely, with any foundation, be said to be judged by their own laws, while the trial by panchayat, to which they have always been accustomed, is done away. The code provides referees and arbitrators; but these are not what the native wants. He has most probably had recourse to them already; and when he comes forward to complain publicly, he expects a panchayat. The rapacity of many of the native governments and their officers compelled the inhabitants, for their own sakes, to settle all disputes concerning property as secretly as possible, by the help of referees or arbitrators; but where these means failed, they were constrained to make the suit public, merely because a panchayat could not be assembled without the interposition of authority. They still proceed in this manner; and where the parties can agree about referees or arbitrators, they can generally obtain them without application to a court of justice.

Panchayats will, no doubt, be occasionally influenced by corrupt motives, as well as the officers of a court of justice; but when this happens, it is better that the disgrace should fall on the panchayat than the Court; for in the one case, the inhabitants can only lament the depravity of their own morals, but in the other, the Court and the Government by which they have been introduced, will be rendered unpopular.

THE ADMINISTRATION OF JUSTICE.

22nd November, 1813.

Advantages and disadvantages of the judicial system introduced by the British Government.

THE judicial system introduced into India by the British Government, though it has, in many instances, given to the natives a greater degree of protection and security in their persons and property than they had before enjoyed, yet in others, again, from the collision of authorities which it has occasioned, from the want of a more summary process in petty suits, and from the annihilation of the ancient jurisdiction of the potails, or heads of villages, it has left justice more difficult of attainment than it was before. It has had the beneficial effect of showing to the people of India that not only individuals, but public officers and Government itself, are accountable for every act done by them contrary to the laws, and that it is the wish of Government that its power should be founded on justice. But though the natives admire this principle, they certainly do not think so highly of the means which have been adopted for its accomplishment; for the system is regarded by them rather as one of good intention than of efficient operation. Its main defects are, that it is too artificial, and too little adapted to the state of society in India; that it proceeds upon the assumption that the natives are altogether unworthy of trust, and, in consequence, it requires too little native and too much European agency; and that it takes the duties of Magistrate and Superintendent of Police from the Collector, by whom alone they can be adequately discharged, and throws them upon the Judge, who has no time to attend to them, and who cannot engage in them without deranging the municipal institutions of the country, which connect them inseparably with the office of Collector.

Alterations required. Restriction of the Judge to judicial functions. Restoration to the Collector of the functions of Magistrate and Super-

In seeking to facilitate the administration of justice and the police, it is not necessary to overthrow, but to correct the existing system; and with this view two important alterations must be adopted—first, the confining the Judge entirely to his judicial functions; and, second, the separating the offices of Magistrate and Superintendent of Police from that of Judge, and reuniting them

to that of Collector, as they formerly were under the British Government, and as they always are under the native princes. It would also be expedient to grant to the Collector and the heads of villages a limited jurisdiction in petty civil suits. By this arrangement, the Judge would be relieved from the duties of Magistrate and from the hearing of a number of petty causes, which occupy the greater part of his time, and would have abundant leisure to get through all the suits that came before him. The police would be infinitely better managed by the Collector than by the Judge; and the potails and curmums of villages would be relieved from serving two masters, the Collector in matters of revenue, and the Judge in those of police, and would regain their usual authority, which has been too much weakened, and strengthen Government. The union of the powers of Magistrate and Collector may appear extraordinary in this country; but as the municipal institutions of India are calculated for those duties being vested in the same person, it is much better that they should remain united in him, by whom alone they can be adequately discharged, than that, by a separation, the important office of Magistrate should be rendered totally inefficient. We are not to consider English maxims as always applicable to India, but to follow those rules which are most applicable to that country, as it now is. India has no political freedom, no voice in framing laws or imposing taxes; and many regulations are now proper there, which might be otherwise under a state of greater freedom.

Intendant of Police.

Removes the changes.

English maxims not always applicable to India.

The judicial system will be rendered more effective by the proposed changes.

The present judicial system can suffer no detriment, but will rather be invigorated by restoring the office of Magistrate to the Collector. The duties of Magistrate and Judge are so totally unconnected, that no collision of authorities can possibly arise from the measure. But it will require much consideration, and perhaps great practical experience, before such a line of distinction can be drawn between the powers of the Judge and of the Collector in his judicial capacity, as may prevent their clashing with each other. The usage of India entrusts to the Collectors the fiscal and judicial powers in an equal degree: the British Government has made a complete separation of them. Their union to a certain extent would render the administration of justice much more efficacious, by enabling it to reach numberless petty cases which would otherwise be left without remedy; but the separation should still be sufficiently wide to preserve a perfect control over the Collector, whenever it was supposed that he could have any bias as a party concerned.

Argument derived from the ancient constitution of Indian villages.

Powers and duties of the pottail.

Procedure.

If the Collector is invested with the authority of Magistrate, his situation as far as regards the police will be exactly the same as under the native princes: he will have the undivided command of all the village servants, and will be able to employ them, according to the custom of the country, in the duties both of revenue and police. The constitution of Indian villages has been so often explained, that it is hardly necessary to repeat that, under the Hindu Government, the police is directed by their respective pottails, or head farmers, with the assistance of the tóttis and taláris, the hereditary village watchmen. The powers of the pottail, as Magistrate, though not defined by any written law, are sufficiently limited by the custom of the country to prevent their being converted into an engine of oppression. He has every facility for apprehending offenders, but he is rarely permitted to inflict even the most trifling punishment. In petty affrays or assaults, he may confine in the cutcherry for one or two days, and take bail for good behaviour. Where the conduct of the aggressor has been particularly outrageous, he may put him in the stocks for a day, or punish him with two or three strokes with a cane; but the stocks and the cane are seldom resorted to. In offences of magnitude, such as housebreaking, robbery, or murder, he apprehends, examines, and reports, but cannot punish. The proceedings, on such occasions, are usually as follows:—When a robbery happens within the limits of the village, information is immediately brought to the pottail, who, if the robbery has been perpetrated by a gang, and resistance is expected, puts himself at the head of a number of armed inhabitants, and goes in quest of the banditti; but if there be only one or two robbers, he instantly calls the village watchmen together, and despatches them in pursuit. They repair to the spot where the robbery has been committed, and are guided by such intelligence as they can obtain there. If they can procure none, they shape their course by their knowledge of suspicious characters in the neighbouring villages, or they endeavour to trace the marks of the robbers' feet in the land; and where it passes their own boundary, they show it to the watchmen and pottail of the village within whose limit it has entered, who are then answerable for the apprehension of the offender. But if the offender is taken within the jurisdiction of the village where the robbery was committed, he is carried before the pottail, who, with the curnum, investigate the matter publicly in the cutcherry. The deposition of the prisoner is taken in writing; that of the principal witnesses is also sometimes, but not always, committed to writing. When the examina-

tion is finished, the pottail and curnum, with the prisoner and witnesses, proceed to the station of the district amildár, who again examines the parties, and commits the whole of the depositions to writing. He then reports the circumstances to the amildár of the province, and, according to the orders he may receive, either detains the prisoner for future examination, when the head or provincial amildár comes to the spot in his ordinary circuits, or immediately sends forward the prisoner and witnesses to him. Under the Hindu princes, the provincial amildár has not only the authority of a Magistrate, but all the powers of a Criminal Judge in their utmost extent, and his sentence is therefore final. He is sometimes restrained from ordering the execution of a capital sentence until he has made a reference to the prince; but this is not usual. The sentence of death is, however, rarely passed, except in cases of murder, or in some very atrocious cases of gang-robbery, accompanied with maiming.

The Hindus did not employ pancháyats in criminal cases. The Judge, either alone, or with the assistance of his deputies or other public officers, tried and passed sentence.

The account which has been given of the pottail in his capacity of village magistrate, in the States of the native princes, was equally applicable to him in the dominions of the Company until the introduction of the judicial system. The district amildár of the Hindus was similar to the tahsildár of the Company's Government. His powers as a Magistrate very little exceeded those of the pottail, only that he might, and the pottails could not, levy small fines for petty offences. The provincial amildár of the Hindus was the old Collector of the Company's Government exercising judicial authority. The Collector has very properly been deprived of the functions of a Criminal Judge, but all those of Magistrate ought to be left to him entire and undivided; for by no other arrangement can there be a cheap and active police, capable of protecting the persons and property of the inhabitants. There may indeed be an expensive police establishment, but its inefficiency will be nearly proportionate to its expense. No new or extraordinary powers are requisite to enable the Collectors to superintend the police. Those vested in the Magistrate by Regulation VI., 1802, will be amply sufficient for this purpose; and those exercised by the pottails and tahsildárs, being as limited as they well can be, consistently with efficiency, ought to be continued to them, in the same manner as under the Hindu sovereigns. By this means the duties of Collector and Magistrate will be conducted

Pancháyats not employed by the Hindus in criminal cases.

Hindu system retained in the earlier years of the Company's Government. Advantages of uniting the supervision of the police, magistracy and revenue in the Collector.

ordered it to be assembled. Such of the members as the parties chose to challenge were withdrawn. The first step of the pancháyat was to take a bond from the parties, stating that they were willing to abide by their decision: the pancháyat then proceeded to examine the parties and their witnesses. If the cause was one of considerable magnitude, the depositions of the witnesses and parties were taken in writing and inserted in the decision, copies of which, signed by all the members and the litigants themselves, were given to each of the parties. If the suit was for a thing of little value, the decision was given in writing, but the depositions of the witnesses, and very frequently also those of the parties, were omitted. Appeals might be made to the district amildár, and from him to the amildár of the province, for a new pancháyat, which was, however, rarely granted, unless when it appeared that corruption or intimidation had been employed. The pancháyat was sometimes placed under restraint with regard to communication with other persons, and obliged to decide without separating; but this was not so usual as adjournments, particularly in matters of account.

Duty of
potail in
connection
with pan-
cháyats.

Disputes
between
individuals
and Govern-
ment.

Judicial au-
thority of
the amildár
of a district.

The potail had no control over the pancháyat. It did not even sit in his presence; for this circumstance alone would have been a plea for a new trial, on the ground that he had influenced some of the members. His judicial authority, therefore, in suits between individuals, extended no further than the assembling of pancháyats and carrying their decisions into effect. It is true that application was often made to him in the first instance as an arbitrator, but this was optional, and depended much upon his personal character. When he acted in this capacity, the curnum usually sat with him, to assist with his advice and to witness the decision. The only occasion on which he could be said to exercise the authority of a judge, was in cases of disputed rent or property between individuals and Government. In all cases of this kind no pancháyat or arbitration was admitted: he heard the complaint, and gave his decision or order verbally. The party might appeal to all the different gradations of amildárs, and even to the sovereign, but in no stage of the business was any arbitration or trial necessarily allowed. The amildár, however, frequently referred such cases to the opinion of respectable inhabitants, and acted accordingly.

The judicial authority of the district amildár differed in no respect from that of the potail, except in the greater extent of his jurisdiction, and in his being authorized to compel persons who refused to answer demands against them, to submit them to trial by arbitration or pancháyat. He, like the potail, decided all suits

which the parties voluntarily brought before him as an arbitrator, and of his own authority all cases of rent in which Government was a party.

The amildár of the province, or Collector, was governed by the same rules as the district amildár in his judicial capacity. He decided of his own authority in questions where Government was a party, and in all those between individuals which were submitted to him by the parties; but in all other cases, settled by arbitration or pancháyat, he had no power beyond that of enforcing the execution of the decisions given. Appeals were very seldom made from him: they could be made only to the sovereign, and, unless in cases of the most glaring injustice, they were not attended to.

Of the amil-
dár of a
province.

From what has been said, it appears that under the Hindu administration there were no courts of justice, excepting the out-cherries of the potails and amildárs, and that all civil causes of importance were settled by pancháyats. The number of persons composing the pancháyat was not limited by any rule; it was five, ten, and sometimes twenty, but most usually eight or ten. There was no limitation as to the value in suits tried by pancháyats, assembled by the potail or amildár. It was left entirely to the discretion of the parties, who, if they thought that a sufficient number of persons properly qualified to give a decision, were not to be found in the village, repaired to the town in which the district amildár resided, who ordered a pancháyat either there or in any other place that they desired. Copies of decisions by pancháyats, arbitrators, or potails and amildárs, were seldom preserved in any public office, except in suits of great importance or for real property. But this was attended with no inconvenience, because, the practice being founded on the supposition that the people could read and write, the parties are, in India, always the keepers of their own records, and are, from many local causes, much better guardians of them than any public office.

Under the
Hindus
there were
no courts of
justice, ex-
cept those of
the potails
and amil-
dárs, and
pancháyats.

Records of
suits kept
by the
parties.

There is probably no native government in India which has not lost the whole of its records more than once by the devastations of war. A native army, sometimes in advancing, and always in retreating, sets fire to everything within its reach, and the dryness of the climate and the alightness of the buildings render the destruction rapid and extensive. Even in the strongest hill-forts, the public records are not secure; for when such places are taken, the assailants enter every public building, and, in searching for plunder, toss the records into the open air, where they are destroyed by fire or the weather. This was the fate of all the records of the

Frequent
destruction
of records
under
native
govern-
ments.

without any jarring of European authorities, without innovating upon ancient usage, by placing the heads of villages and the village servants under two masters, the Judge and the Collector; without disgusting the potails and curnums and village watchmen, by subjecting them to the constant interference, and even to the control of hired darogahs; and without any additional expense, because the hereditary village servants and the Collector's revenue servants are fully adequate to every object of police. By the Hindu institutions the duties of police and revenue are closely interwoven. The village watchmen, the potails, and even the curnums or village registrars, are both revenue and police servants, and the tahsildars and their establishments are employed alike in both duties. When, therefore, the Collector is also Magistrate, everything flows in its usual channel. The village watchmen act zealously under their hereditary potails, whom they respect; and these again, proud of the station which they occupy, endeavour to justify the confidence reposed in them, by a vigilant performance of their duties as village magistrates; and the amildars, knowing perfectly how useful the potails are in maintaining the internal tranquillity of the country, and how necessary it is to support their influence, never interfere with them in the management of the village police, but, on the contrary, assist them with their own servants in cases of need. The union of police and revenue is supported by veneration for ancient customs, and by the habits of the people. As the system is under the direct management of the potails, who are the most respectable body of landholders in India, and as they are more deeply interested in the preservation of the peace of their villages than any other class of men, and have the willing co-operation of the inhabitants, the police in their hands has every advantage which can be derived from the employment of a most active and zealous body of village watchmen and from the cordial assistance of the people.

Objections to the system established by the Judicial Regulations.

The new system of police established under the Judicial Regulations has everything against it and nothing in its favour. It is at variance with the feelings and prejudices of the people, and has therefore no moral force to uphold it. It rests almost exclusively on the services of a set of hired darogahs and peons, who, having no connection or common interest with the inhabitants, and not having, like the hereditary watchmen, been trained from infancy to their business, have neither the requisite zeal nor skill for its execution; and as it places the potails and taláris in some degree under the control of the darogahs, it lessens the influence of the

potails in their villages, and deprives the taláris of the credit and rewards they usually obtain from successful exertions in the apprehension of robbers; and it thus injures the only men by whom the duties of police can be efficiently discharged.

Few persons who have bestowed any attention on the municipal institutions of the village corporations, or little republics, of which India is composed, will doubt the absolute necessity of placing the police in the hands of the Collector; but some may question the expediency of granting him judicial powers, and many who think that they should be granted, will entertain very different opinions with regard to their nature and extent. In framing new regulations for India, it is always desirable to examine previously what are the existing ancient ones of the country, and what part of them it would be prudent to preserve or abolish. It may, therefore, be necessary to state, in a few words, what were the judicial powers exercised under the Hindu princes in the countries now forming the British empire in India, by the various gradations of revenue servants, from the potail to the head amildár or Collector. The authority which they possessed in criminal matters has been already noticed; it now, therefore, only remains to show what it was in civil cases.

Expediency of granting the Collector judicial powers as Magistrate may be questioned. Such a measure, however, is in accordance with the ancient system of the country.

In matters of caste and religion they never interfered, unless in order to guard the peace of the country from being disturbed by tumults which sometimes arose from litigations on these subjects. Disputes relative to caste or religion between individuals were settled by the head of the caste, or the spiritual guide, without any communication whatever with the officers of Government. If either of the parties was dissatisfied, he appealed from the head of the caste or the spiritual guide of the village, according to the nature of the case, to the head of the caste or the head spiritual guide of the province, and their decisions were usually final; and, when necessary, they enforced them by fine or excommunication.

Description of that system as regards the decision of civil disputes. In questions of caste and religion.

When a dispute arose regarding property, the parties, in the first instance, usually chose arbitrators in the village, who, unless the amount was very trifling, always gave their decision in writing to both parties. When the disputes respected accounts, an adjustment of them was made, and copies, signed by arbitrators and litigants, were mutually exchanged. If either party was dissatisfied, he appealed to the amildár of the district or province; but no second adjustment was allowed, except in cases of the most evident partiality. When either of the litigants wished to have his cause settled by a *panchayat*, he applied to the potail of the village, who

In questions of property.

Assembly of *panchayat*. Procedure.

MINUTES OF SIR THOMAS MUNRO.

Mysore Government at Seringapatam; they were thrown from the cutcherry into the parade below, and were almost entirely dissolved by a torrent of rain which fell next day. Besides the danger from the enemy, the cutcherry of the village and the house of the curnum, in times of disorder, are often maliciously set fire to by persons who expect to derive some advantage from the annihilation of particular documents. From these causes the curnums usually keep two, and even three copies of the revenue records, and one copy is generally buried. Individuals also preserve their valuable documents in the same manner. We ought, therefore, to continue the Indian practice of giving copies of judicial decisions to the parties concerned, since, in fact, they cannot be so safe under any other custody.

The mode of distributing justice has been described as it was under a vigorous government. When the government was weak and rapacious, corruption descended from the head, through every gradation, to the lowest officer of the State, and justice was bought and sold. Still, however, the evil was greatly diminished by the universal practice of resorting to arbitration and pancháyat, and their proceedings were extremely unpopular, and, where undue influence had been exerted, the successful party was liable to loss what he had unjustly gained by a new trial, and the first change of the administration of the province. The strong attachment of the natives to trial by pancháyat has, no doubt, in some degree, arisen from the dread of the venality of their rulers; but it has probably been increased and confirmed by the conviction resulting from experience, that no judge, however upright and active, was so competent as such a body to dispense justice correctly and expeditiously.

The main defect of the Indian system was its resting too much on the personal character of the men who happened to be in office. This evil will, as far as possible, be gradually remedied by the courts established under European Judges; and under such a check; the ancient simple Hindu forms might be preserved in practice, to the great satisfaction and benefit of the inhabitants. The adoption of this measure would not involve any essential change in the constitution and authority of the judicial courts. These ought to be maintained; but with a jurisdiction so regulated, as to give full effect to the operation of pancháyats in facilitating the dispensation of justice. Nothing would be so effectual in promoting the attainment of this object as a recurrence to the Hindu system in all minor cases, under such limitations as might guard against abuse.

Practice of giving copies of judicial decisions to the parties should be continued. Corruption prevalent under a weak and rapacious government. Diminished by the pancháyat system.

Main defect of the Indian system was its dependence on the personal character of the officials. This evil will be checked by the supervision of European Judges.

THE PREVENTION OF RIOTS IN CONNECTION WITH CASTE DISPUTES.

3rd July, 1830.

THE unfortunate riot at Masulipatam on the 29th of May, in which three persons lost their lives, seems to have arisen from one of those disputes about ceremonies, which are so common between the right and left-hand castes. The great population of Masulipatam renders it peculiarly liable to such disturbances, and the well-known zeal of the Collector has led him to adopt measures for their prevention. But I fear that they will not have the desired effect, and that, if sanctioned, they will rather augment than mitigate the evil. The Collector's proposition is that all differences respecting procession and other ceremonies should be decided by the courts of law, and that, in the mean time, he should support the party whose claim seems consistent with natural right. He observes that the beating of tom-toms,* riding in a palankeen, and erecting a pandál,† are privileges which injure nobody, and naturally belong to every person who can afford to pay for them. This is very true; but it is also true that things equally harmless in themselves have in all ages and in all nations, and in our own as well as in others, frequently excited the most obstinate and sanguinary contests. The alteration of a mere form or symbol of no importance has as often produced these effects as an attack on the fundamental principles of the national faith. It would therefore be extremely imprudent to use the authority of Government in supporting the performance of ceremonies which we know are likely to be opposed by a large body of the natives. On all such occasions it would be most advisable that the officers of Government should take no part, but entirely confine themselves to the preservation of the public peace, which will, in almost every case, be more likely to be secured by discouraging, rather than promoting, disputed claims to the right of using palankeens, flags, and other marks of distinction during the celebration of certain ceremonies.

Fatal riot at Masulipatam. Proposals of the Collector and Magistrate for dealing with disputes regarding processions and other caste ceremonies. Reasons for questioning the expediency of these proposals.

* Tom-tom, a sort of drum used by the natives.

† Pandál, a temporary shed.

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state
or to

The Magistrate seems to think that, because a decision of the Zillah Court put a stop to the opposition given to the caste of Banians, in having the Vaduklam rites performed in their houses in the language of the Vedas, it would have the same efficacy in stopping the opposition to marriage processions; but the cases are entirely different. The Banians have the sanction of the *shāstras** for the use of the Vaduklam rites in their families: the ceremony is private, and the opposition is only by a few Brahmins. But in the case of the marriage procession, there is no sanction of the *shāstras*; the ceremony is public and lasts for days together, and the opposition is by the whole of the right-hand against the whole of the left-hand castes, and brings every Hindu into the conflict.

order pas-
ed by the
Magistrate
to result.

The result of the Magistrate's experiment ought to make us avoid the repetition of it. We find from his own statement that the mischief was occasioned by his wish to restore to the caste of goldsmiths the right of riding in a palankeen, which he considered to belong to every man who chose to pay for it. He annulled a former order against it, in consequence of the complaint of the writer of the Zillah Court, that he was hindered by it from performing his son's marriage in a manner suitable to his rank; and as he did not apprehend any disturbance, he left Masulipatam before the ceremony took place. The Assistant Magistrate, however, two days before its commencement, received information that opposition was intended. He did whatever could be done to preserve the peace of the town, but to no purpose. He issued a proclamation, stationed the police in the streets to prevent riot, reinforced them with the revenue peons, and desired the officer commanding the troops to keep them in readiness within their lines. But in spite of all these precautions, a serious affray, as might have been expected, occurs, in which property is plundered and lives are lost; and all this array of civil and military power, and all this tumult, arises solely from its being thought necessary that a writer of the court should have a palankeen at the celebration of a marriage. Had the writer not looked for the support of the Magistrate, he would undoubtedly not have ventured to go in procession, and no disturbance would have happened.

Customs in
regard to
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in different
places.

The Magistrate states that this very writer had gone about for many years in a palankeen without hindrance. But this is not the point in dispute: it is not his using a palankeen on his ordinary business, but his going in procession. It is this which constitutes

* *Shāstras* here mean the sacred scriptures of the Hindus.

the triumph of one party and the defeat of the other, and which, whilst such opinions are entertained by the natives, will always produce affrays. The Magistrate supposes that the opposition was not justified by the custom of the country, because it was notorious that in many places of the same district the goldsmith caste went in procession in palankeens. This is very likely; but it does not affect the question, which relates solely to what is the custom of the town of Masulipatam, not to what that of other places is.

It is not uncommon for a caste to have a privilege in one place which it has not in another. In a small village, or in a village where there are but few persons of the opposite caste, it goes in procession in a manner which it could not do in a great town, where the numbers are more equally balanced. The Magistrate has not shown that the goldsmiths had, in the town of Masulipatam, the privilege which they claim. Had it existed, he could have had no difficulty in finding the proof of it among the Mahomedan population, or even among the Brahmins, who, in general, have no interest in the disputes of the right and left-hand castes. We can infer, not only from the Magistrate's having stated no precedent, but from the unwillingness of the revenue and police servants to take an active part or even to give information, that the claim of the goldsmiths was unfounded.

The Assistant Magistrate remarks that the police servants con-
nived at the conduct of the rioters; but that the sepoys, though they might be supposed to act under the influence of the same prejudices, showed no improper bias. We are not, however, to conclude from the conduct of the sepoys that they were less inclined to the cause of the rioters than the police. Sepoys are often led by the habit of military discipline to act in opposition to their prejudices, but nothing can be more dangerous than to expose their fidelity to such a trial, and it ought never to be done, unless in cases of the utmost necessity.

Fidelity of
sepoys
should not
be exposed
to trial in
such cases,
except upon
very urgent
grounds.

It would be desirable that the customs of the castes, connected with their public ceremonies, should be the same everywhere, and that differences respecting them should be settled by decisions of the courts; but as this is impossible while these prejudices remain, we ought in the mean time to follow the course most likely to prevent disorder and outrage. The conflicts of the castes are usually most serious and most frequent, when one party or the other expects the support of the officers of Government. They are usually occasioned by supporting some innovation respecting ceremonies, but rarely by punishing it. The Magistrate ought,

Magistrates
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therefore, to give no aid whatever to any persons desirous of celebrating marriages or other festivals, or public ceremonies in any way not usual in the place, but rather to discountenance innovation. He ought, in all disputes between the castes, to take no part beyond what may be necessary in order to preserve the peace; and he ought to punish the rioters on both sides, in cases of affray, for breach of the peace, and on the whole to conduct himself in such a manner as to make it evident to the people that he favours the pretensions of neither side, but looks only to the maintenance of the peace.

I recommend that instructions in conformity to these suggestions be sent to the Magistrates for their guidance.

ON CERTAIN REFORMS IN THE JUDICIAL ESTABLISHMENTS.

16th March, 1831.

Most of the amendments of the Regulations proposed in the Minute of Mr. Stratton have already been sent to the Board of Regulations by Government, though not in so specific a form. They will be comprised in two Regulations—one criminal, the other civil—and they will, I have no doubt, be very useful both in promoting the ends of justice and in facilitating its distribution.

Proposed amendments in the judicial Regulations.

The criminal Regulation will vest in tahsildárs and heads of villages the power of punishing petty thefts, to a limited extent, without reference to the Magistrate. The Sadr Adálat object to these officers having the power of even taking examinations regarding petty thefts, in their remarks upon a proposition to that effect by the First Judge on circuit of the Centre Court. If we are to be guided by this objection, we must continue, as at present, to force thousands of people every year before the Magistrate as witnesses in trifling matters, for which they ought never to have left their homes; or we must consent to let numbers of petty thefts go unpunished, because those who know of them are deterred from informing by the fear of being sent to a distant court to give evidence.

Powers of punishment to be vested in tahsildárs and heads of villages.

The jurisdiction of the potail will be limited to thefts within one rupee, and that of the tahsildár to thefts within five rupees. The potail will have no power to punish beyond what he now has in petty offences; the tahsildár's power of punishing will be limited to six rattans. The probable effect of the Regulation, as far as the potail is concerned, will be that many petty thefts, which now pass unnoticed, will be punished by a few hours' confinement, and that many which deserve no higher punishment, but which are now sent to the Magistrate, will be punished in the same way upon the spot. The effect of the Regulation with regard to the tahsildár will be to give him more weight in his district, to render him more efficient as a police officer, to enable him to relieve the Magistrate from much unnecessary labour in investigating trifling cases, and by punishing

Proposed jurisdiction in each case.

Effect of the Regulation.

at once, upon his own authority and upon the spot, to render the example more impressive.

Impossible
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The doctrine that all thefts whatever should be cognisable only by the European Magistrate, and that not a single rattan should be inflicted throughout our wide territory, except by his order, has always appeared to me one of those visionary schemes which could never be reduced to practice, and which, even if it could, ought not to be adopted. A man must have had very little experience, or must have looked with very little attention at what was passing before him, who can believe that the few Europeans employed in the provinces are capable of investigating, in any adequate manner, all the various thefts that occur. Our native servants may tell us that we do all this, but we delude ourselves if we believe that we can. If we wish to do it, we must avail ourselves of the means within our reach, and make use of the intelligence of the natives in aiding us in this part of the internal administration, by granting to them jurisdiction in all those subordinate matters in which, from their habits, they are so much better qualified to act than ourselves. There are a great number of thefts of a trivial nature which, when not committed by persons of bad character, can scarcely be regarded as crimes; such as the stealing of a few roots or a little grain from a field by a servant of the owner or by some idle passenger, the pilfering in an open bazar of some tobacco or article of trifling value. Such matters ought not to be brought before the Magistrate. Before the introduction of the Judicial Code they were punished, as the case might be, either by the master of the house or the potail of the village, by some slight chastisement or by reprimand. They will now again be punished in the same manner, instead of being brought before the Magistrate, as too many of them have been of late years. There is no cause to apprehend that the limited authority proposed to be given will be abused by the tahsildars or heads of villages; for they have no motive to prompt them to exceed the bounds prescribed by law, but the fear of punishment and the dread of losing their places to restrain them within them.

The civil Regulation proposed by Mr. Stratton will extend the jurisdiction of the district munsifs, of the Sadr amins, and of the Registrars of Zillah Courts, and will abolish fees on all suits under ten rupees tried by the district munsif. I am anxious to make a more extensive use of the district munsif, who, experience has shown, can do so much judicial business with so few appeals. This institution affords great convenience to the inhabitants by

Effect of
the civil
regulation:

Advantages
of more ex-
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 gangs which formerly lived by plunder, are now
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 their earliest days has been robbery. These men,
 their immediate descendants, must pass away before
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POLICE.

govern, merely for the sake of public justice. Many of the Judges have, however, done justice to the character of the people in their support of the law, and stated that they have of late shown great alacrity in the preservation of the peace of the country and gallant behaviour in attacking robbers.

We should be careful that, in our anxiety to form an efficient police, we do not sacrifice the comfort of the people, and establish a system of general vexation and oppression. There is nothing by which we are so likely to be unintentionally led into systematic vexation, as by schemes of police, registering the inhabitants of villages, making them responsible for each other, dividing them into classes to keep alternate watch, making them account for their absence, etc., etc. All these are fond imitations of the Saxon tithing; a system well enough calculated, in an ignorant age, among a poor and scanty population, to ensure peace and personal safety, but calculated at the same time to check every improvement, and to perpetuate poverty and ignorance, and utterly unsuitable to a populous and wealthy country. In countries which have attained any degree of civilization, it is always found best to provide for the police at the public expense, and to leave the people at perfect liberty to pursue their several occupations without any restraint, and without any call upon them for police duties.

We should be careful that our police arrangements do not cause general vexation and oppression to the people.

ON CALLING OUT THE MILITARY IN AID OF THE CIVIL POWER.

15th March, 1856.

General rules should be laid down in regard to requisitions by the civil authorities for military aid.

THE duty of preserving the peace of the country being committed to the civil Magistrate, he is necessarily vested with authority to call out the military force of the district whenever it becomes necessary for that purpose. This power is liable to abuse from ignorance, rashness, and over-zeal, which it has hitherto been found difficult to remedy. Orders in particular cases have been issued by Government; but they have never been sufficiently comprehensive to meet the evil. This is to be attributed to the impossibility of providing for every case by any general rules, and to the difficulty of restraining the exercise of the power without the risk of rendering the civil authority in calling for aid, and the military officer in affording it, too slow and cautious, where promptitude and decision are urgently required. But though rules cannot be laid down for every contingency, they may be made so as to answer almost every case that is likely to happen.

Such requisitions should only be made on clear grounds of necessity. Rules to be observed.

The first and most important rule is, that no civil authority shall call out troops until he is convinced, by a mature consideration of all the circumstances, that such a measure is necessary.

When he is satisfied of the necessity of the measure, he should, before carrying it into execution, receive the sanction of Government, whenever the delay requisite for this purpose is not likely to prove detrimental to the public interests.

When he deems it inadvisable to wait for the orders of Government, he should address his requisition for troops, not to any subordinate military officer, but the officer commanding the division, to whom he should communicate his object in making it, and all the information he possesses regarding the strength and designs of the enemy. His duty is confined to these points: he has no authority in directing the military operations.

The officer commanding the troops has alone authority to deter-

CALLING OUT TROOPS.

mine the number and nature of those to be employed, the time and manner of making the attack, and every operation for the reduction of the enemy.

Whenever the officer commanding the division may think the troops at his disposal inadequate to the enterprise, he should call upon the officer commanding the neighbouring division for aid, and report to Government and the commander-in-chief.

No assistant or subordinate Magistrate should call out troops. When he thinks that such aid is necessary, he must refer the matter to his superior, the principal Magistrate of the district.

These rules should be observed wherever it can be done without danger to the public safety. Should some extraordinary case occur, which admits of no delay, civil and military officers must then act according to the emergency and the best of their judgment; but such a case can rarely happen, unless where the enemy become the assailant. In some cases the leaders of insurrection become alarmed and abscond, and in others they submit without the presence of a military force. In many cases insurrection is insulated and confined to a village, and there can hardly ever arise a case in which there will not be time to proceed in the regular way to call out the troops, by the requisition of the principal civil Magistrate of the province to the officer commanding the division.

In extraordinary cases, civil and military officers must exercise their discretion.

REDUCTION OF ZILLAH COURTS.

20th January, 1837.

Certain measures recommended by Court of Directors in connection with the judicial establishments of the Presidency.

I HAVE considered with attention the letter from the Honourable the Court of Directors in the Judicial Department, dated the 11th April, 1826. Some of the measures recommended in this letter may be immediately adopted with advantage; but there are some which it would not be advisable to adopt, and others which it may be found useful to introduce hereafter, when the system is more consolidated and better understood, but which it would be inconvenient to carry into effect at present.

Abolition of certain Zillah Courts was not hastily resolved on.

The Honourable Court, after noticing the abolition of the Zillah Courts between February, 1821, and March, 1823, observe that the local and superior judicial officers should have been required to report their opinion before measures of such extreme importance were decided on. The abolition was not hastily adopted. It had been frequently discussed among the Members of Government, who were unanimous in their opinion regarding its expediency. Had the Members of Government been men of little experience and unacquainted with the operation of the judicial system, I should undoubtedly have thought it necessary to make a reference to the judicial officers; but Mr. Stratton and Mr. Thackeray, the two Civil Members, were, from their general knowledge of the services and experience in the judicial line, at least as competent as any of the local officers to form a just opinion on the subject under consideration; and to have waited under such circumstances to collect opinions from every quarter, would have been a mere waste of labour. There are some cases in which it is useful to have the opinion of every local officer; there are others in which that of only one or two of the most intelligent can be of the smallest use, and there are some in which none is necessary. I considered the present to be a case in which Government could have derived no aid from other opinions in forming its own; for it possessed in itself as extensive a knowledge of the localities of every district under this Presidency, and of the character and customs of the

inhabitants, as could have been obtained anywhere else; and as it had before it the periodical returns of the business done in the several courts, it was enabled, by observing what was done in some of the larger and more populous zillahs, to determine how far some of the smaller ones might be united, without detriment to the due administration of justice.

It is obvious, too, that on such a question as that of the reduction of the number of zillahs, an impartial opinion could hardly have been expected from the judicial officers. They must be supposed to be, like other men, favourable to the branch of service to which they belong; and, however conscientious, they may be liable to be influenced, without being sensible of it, by their wishes and their interests. Had the number of Zillah Courts been double or even treble of what it actually was, I am satisfied that not a single reduction would have been recommended.

Judicial officers were not likely to recommend such resolutions.

Petitions against the abolition of the Courts are, in general of little weight. They prove nothing against the measure; they arise out of partial local interests. In whatever town or village a Zillah Court is established, it is beneficial to the inhabitants, not only for the sake of justice, but because it adds to the value of their houses and other property, and gives them additional employment and a better market for their produce. The removal of the Court will of course be a loss to the inhabitants of that place and its neighbourhood, and produce petitions. But the same thing would happen if the Court were not reduced, but removed, within the same zillah, from a small town to a larger one, more conveniently situated for the population of the whole zillah; or even if, on removing the Court, two Courts instead of one were established in the same zillah, the inhabitants of the place from which the Court had been removed, would still complain. Had the Courts been originally three times as numerous as they were, the reduction of any one of them would have produced petitions. Government cannot act upon such petitions, but must look to the wants of the whole country, and be guided by them in distributing the Courts.

Petitions against abolition of courts generally of little weight.

On the introduction of the judicial system the Courts were established at once, without any previous knowledge of the number that would be requisite. It was soon discovered that there were too many, and several were reduced. Longer experience showed that the business of some Courts was much less than that of others; that the business of all had been considerably diminished by the operation of the Regulations of 1816, and subsequent enactments; and that a further reduction could be made without incon-

Reduction in number of Courts based upon experience of their working. Not connected with establishment of Sub-Collectors.

MINUTES OF SIR THOMAS MUNRO.

venience, and without imposing upon the Courts more labour than they formerly had. It was upon this ground that the reductions from 1821 to 1823 were made, and it is to be regretted that any expression in the Minute proposing them should have led the Honourable Court to think that they were connected with the establishment of Sub-Collectors. There was no connection between the two measures. The Sub-Collectors would have been appointed, had there been no Courts to reduce, and the Courts would have been reduced, even if there had been no intention of appointing Sub-Collectors. But it was regarded as a satisfactory circumstance, that, while we were increasing the expense of one branch of the service, we could lessen that of another without impairing its efficiency. If we compare Bengal and Madras with respect to their relative extent of territory and amount of revenue, property, and population, and if we take into account the relief which the Madras Zillah Courts have derived from the Regulations of 1816, I believe it will appear that Madras has as large a proportion of Zillah Courts as Bengal.

The Honourable Court have quoted some reports of judicial officers regarding the great distance which witnesses have sometimes to travel. A case is stated in Canara, in which some of the witnesses resided at the distance of 200, and others of 260, miles from the Zillah Court. Mangalore, the court station, is about fifty miles from the southern extremity, and 160 from the northern extremity of Canara, and about 210 from the most distant part of Sunda. There was a Zillah Court at Honáwar, which was abolished many years ago by a former Government; and had the remaining Court been then transferred from Mangalore to Kundapur or Bárkur, where the Collector's cutcherry was for some years—it would have been equally distant from the northern and southern points of Canara—it would have obviated, as far as regards distance, every material inconvenience which has been since experienced. Canara is a long narrow tract of country, not more than twenty or thirty miles in its average width; and Sunda, which is situated above the Gháts, is almost an entire jungle, thinly peopled and very unhealthy. In such districts therefore as Canara and Sunda, the partial evil of distance cannot be removed without giving to them more Courts than the amount of their population and property requires. The pressure of business in Canara is much greater than in any other zillah, and has frequently engaged the attention of the Board, and though I have little doubt that it grew out of the misconduct of the Court at a former period, yet I am

liability of reasons to travel long distances to the Courts is sometimes unavoidable

REDUCTION OF ZILLAH COURTS.

convinced that it can now be remedied only by the aid of an Assistant Judge. A case is brought forward as one of great hardship in Chicacole, where some ryots travelled three times from Asaka and Gumsur to the Zillah Court, making a distance of a thousand miles. These are evidently extreme cases which seldom happen. Gumsur is a remote, unhealthy hill semindári, over which our Courts have a very imperfect authority.

These complaints are not peculiar to this country. In all countries we have the same, or perhaps greater, aversion of prosecutors and witnesses to attend the Courts and leave their homes and business, and the same complaints of distance and detention. In many of our old zillahs the Court station was not central, but at one extremity of the district, like Masulipatam. It would be a useless multiplication of Courts to attempt to bring every remote corner of a district within a limited distance of them. The people of India, both from habit and climate, attach much less importance to distance than we do. They travel at little expense, as they pay nothing on the journey for their accommodation. They would no doubt rather travel forty or fifty miles to a Court than eighty or a hundred; but it is the leaving their homes, and the time they are to be absent from them and their business, which they think most of. A man who has to go fifty miles knows that he can reach the court in two or three days; if a hundred, in as many more. But he can form no guess of how long he will be detained there. It may be one, two, or three weeks, or as many months; and it is this which they chiefly complain of, and from which no increase of courts could afford more than a very trifling relief.

It is observed by the Honourable Court, that, as the average of suits instituted in the Zillah Courts did not exceed the value of 175 rupees, most of them might have been carried to the district munsifs, had the parties wished it. It is not easy to ascertain the motives which may have led to this preference. In some instances it may have been the belief that the cases would be better examined in the Zillah Court: in others it may have been the contrary. The character of the Court, and the case being a plain or intricate one, would often influence the suitor in his choice of a Court. In many cases recourse was no doubt had to the Zillah Judge, because the suitors resided in the town which was the station of the Zillah Court. But one thing is clear, that, as all causes coming before the district munsif might have gone to the Judge, and as so small a proportion of them did go, the munsif's court is much more popular than the Zillah Court. It cannot be denied that the

Such liability not peculiar to India. In India distance of the Court not so much a cause of complaint, as the uncertainty of the period of detention at the Court.

Small proportion of cases taken to the Zillah Courts evidence of the superior popularity of the munsif's courts.

abolition of the Zillah Courts was attended with inconvenience from the loss of the services of the Sadr amins; but it was not remedied by the appointment of additional munsifs.

Apprehensions of Court of Directors as to increase of crime unfounded. Government in the Madras Presidency brought by the ryotwar system into direct intercourse with the people.

It is apprehended by the Honourable Court, that when, in consequence of the late reduction of the Zillah Courts, 'access to justice becomes very difficult, crimes are winked at or compromised; prosecutions are prevented; information is suppressed, and acts of fraud and violence, scarcely less terrible to the community in their commission than in their discovery and its consequences, must necessarily increase, although the Government may not be aware of the sufferings of the people.' There is no cause, I think, for the apprehension here expressed. When, at an earlier period, several Zillah Courts were reduced, and Cuddapah and Ballari, each more extensive than any of the enlarged zillahs, were left with one Zillah Court each, no such apprehension was entertained, and no such consequences followed; and there is no reason to believe that they were more likely to follow in the recently enlarged zillahs. Crimes have not increased; they are gradually diminishing, and will continue to diminish. If the Honourable Court suppose that crimes can be prevalent without the knowledge of Government, or that the sufferings of the people can be concealed from it, they have formed an opinion of the state of things under this Presidency which is far from being correct. There can hardly be any crime, and there can be no suffering of the people, concealed from Government. There may be a very few exceptions in some of the hill zemindaries, where the authority of Government scarcely reaches; but in all other districts the detailed nature of our internal administration, and the innumerable body of ryots who hold their lands immediately of Government, bring us into such universal and direct intercourse with the people, as to preclude the possibility of their sufferings being concealed from us.

No reason to apprehend excessive abuse of authority by the village munsifs. Experience shows that their tendency is rather to avoid exercising the authority with which they are invested.

It is remarked by the Honourable Court that the village munsifs, estimated to amount to fifty thousand, are vested with much uncontrolled power, and are subject to great temptations, which too many of them are unable to resist; that the fear of prosecution in the Zillah Courts was a useful check upon them, and that the late reduction of Courts will remove this check. This opinion is not supported by any experience we have yet had. The village munsifs are so far from abusing their power that very few of them act at all. Their dread of being summoned on some false complaint or other to the Zillah Court is so great, that most of them avoid exercising the authority entrusted to them. This unwillingness

was foreseen at the time the Regulation was passed, but not to the extent it has since been found to exist. Had they been left, according to ancient usage, responsible in the first instance only to their tahsildar, they would in general have discharged the duties of the petty jurisdiction assigned to them; but their fear of the Court is so great, that only a small portion of the more intelligent venture to act at all. The abolition of the Courts has not made them more confident, and it will yet be a very long time before they acquire confidence sufficient to enable them to become so useful in their subordinate station as they ought to be.

It is stated very justly by the Honourable Court, that in order to form a just estimate of the merit due to the district munsifs from the small proportion of appeals made from their decisions, we ought not to compare the number of appeals with the number of decisions, but with the number of suits appealable, and that if this were done the result would be less favourable to the munsifs. It is also remarked that many appeals are prevented by expense and other obstacles. But this, surely, is not peculiar to the munsifs more than to the Zillah and Provincial Courts? Even if we take only the appealable suits, the proportion of appeals will still be so small as to be very creditable to the munsifs. The records of the Government office do not supply the information required, as they do not distinguish between the suits above and below twenty rupees; and as it would take a considerable time to get it from the provinces, it will suffice for the present purpose to exhibit the returns which I have obtained from two of the nearest zillahs, Combaconum and Cuddapah.

Number of appeals from decisions of munsifs, in comparison with number of appealable cases, very small.

		No. of suits of twenty rupees and upwards instituted in the district munsif's court.	No. of suits settled by rá-inámah.	No. of such suits decided on the merits.	No. of such suits decided and appealed to the Zillah Court.
Combaconum	1825	1764	491	640	57
	1826	1620	491	618	37
Cuddapah	1825	—	—	—	—
	1826	1357	455	653	23

There is, I think, no sufficient foundation for the supposition that great abuses are practised by the district munsifs in the decision of suits under twenty rupees, from their not being appealable. Their proceedings are public, they are known to the whole district; and were they unjust, their courts would soon be deserted, and their fees would be lost. The cause of this would soon be

Power vested in munsifs of disposing of suits for sums under twenty rupees without appeal, has not been abused, and

should not
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drawn.

known to the superior court, and they would be dismissed from office. The Collectors and Magistrates can take up complaints against them, and as they have every facility in learning the conduct of the munsifs towards the inhabitants, it is impossible that abuse of authority in giving unjust decisions can long remain undiscovered. Suits under twenty rupees can hardly afford a bribe to corrupt the munsif, and it is very improbable that the trifle which could be given, should ever, except in very rare cases, tempt him to sacrifice his place and all his prospects in life. The district munsifs are disliked by the servants of the Zillah Courts, because they carry off much of their former business; and they are still more disliked by the tahsildars, because they exercise a new authority in the district superior to theirs, and occasionally summon them before them. It was therefore apprehended that, unless the munsifs were strongly supported and guarded from all unnecessary interference, as far as it could be safely done, they would meet with so much counteraction and opposition as would render them quite inefficient. It was with a view of giving them weight and character among the people that it was thought advisable to vest them with authority to decide, without appeal, suits under twenty rupees. This measure has answered the expectations entertained of it. The munsif courts have now acquired the confidence of the people, and are eagerly resorted to by them. But though they are now so firmly established as not to require the same support as at first, and though their authority might not be shaken by making suits not exceeding twenty rupees appealable, such a change would, I think, be highly inexpedient, as it would only tend to multiply business without any adequate advantage, and as it is impossible that the present exemption of petty suits from appeal could be materially abused by the munsifs without complaint and discovery; and as no such complaints have yet appeared, I am of opinion that the present system ought not to be disturbed. Should any evil be found to arise from it on future experience, Government has the remedy in its own hands, and ought then to apply it, but not before.

Unhealthi-
ness of par-
ticular jails
exaggerat-
ed.

Among the evils supposed to have been occasioned by the consolidation of Zillah Courts are the diseases, and even loss of life, to which prisoners are said to be exposed by being sent from the hilly parts of Rajahmundry to the jail at Masulipatam. I regarded this statement, at the time it was brought forward, as undeserving of attention, and as being founded in prejudice in favour of a favourite medical station and in a want of due investigation. Government

has often had cause to question the correctness of medical theories respecting the health of prisons. They are often at variance with each other. A prison is said to be unhealthy because it is too little ventilated, or too low, or too much exposed; while, after all, the unhealthiness is merely casual, and originates in causes not known, and perhaps affects the habitations of the people and the barracks of the military, as much as the prison. I doubt the authority both of the medical officer and the Foujdari Adalat, when they tell us that prisoners confined at Rajahmundry cannot be removed to the sea-coast without danger to their lives, more than those apprehended in the neighbouring districts. In every district under this Presidency, except Tanjore and the Jagir, there are unhealthy hilly tracts as well as in Rajahmundry; yet it has never been thought necessary to have particular prisons for the offenders from such tracts in these districts. The district of Rajahmundry is in general open; the population among the hills is very small. The great mass of the people and Rajahmundry itself are in the open country. Ganjam and Vizagapatam are both more hilly and unhealthy than Rajahmundry, and yet no objection has ever been made to bringing prisoners from the interior of these districts to the court. The hill districts of Masulipatam are as unhealthy as those of Rajahmundry; they are mixed with each other. The hill inhabitants of the one are sent without hesitation to Masulipatam, on the seashore; but the hill inhabitants of the other, it is said, can only with safety to their lives be sent to Rajahmundry. The real hill inhabitants—those who actually reside upon the hills—are very few, and they would probably suffer from confinement in any jail. But the people who fill our jails, are those of the plains and of the valleys among the hills, and they are so much the same race that no line could possibly be drawn so as to distinguish which of them should, for the sake of health, be sent to one jail, and which to another.

The Honourable Court have animadverted at considerable length, and with just severity, upon the conduct of the native police officers in extorting confessions from prisoners, and they specify some very atrocious cases, among which are the murder of a man by a peon in endeavouring to extort confession, and the maiming of a prisoner by a potail in torturing him for the same object. In both these cases, however, it is satisfactory to know that the offenders were convicted and punished—one capitally, and the other with two years' imprisonment and hard labour. The Judge who reports, fears that cases of forced confession are too common, even among the officers of Government, but observes that the proof is difficult.

Some bad
cases of ex-
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offence,
however, is
often falsely
charged.

When violence really takes place, the proof cannot be difficult; but I believe that in a great proportion of the cases where it is charged, none has been used. It is much more general in Malabar and Canara than in other zillahs; and the difference is probably owing to the people of Malabar and Canara still retaining much of the turbulent and vindictive character which they acquired while divided into petty States, and little restrained by any regular authority from exercising acts of outrage on each other.

Practice of extorting confessions attributable to the habits of the people. Complaints on the subject must be received with caution.

It is, no doubt, too certain that many irregularities are used in obtaining confessions, and that in some instances atrocious acts are committed. But when we consider the great number of prisoners apprehended, and the habits of the people themselves, always accustomed to compulsion when there is suspicion—how difficult it is to eradicate such habits, and how small the proportion of cases in which violence has been used is to the whole mass—the number of these acts is hardly greater than was to be expected, and is every day diminishing. The prohibition against forced confessions is known to all the native police officers, and it seems extraordinary that they should ever employ force; for they know that they have much to lose and nothing to gain by such conduct. But some of them, in spite of every injunction to the contrary, when they believe that a prisoner is guilty, think it right to extort confession. Police officers in general, however, will not gratuitously expose themselves to loss of place, and their families to ruin, by such conduct: Prisoners are sometimes hurt in attempting to escape, and notorious offenders are sometimes roughly treated by the villagers who assist in securing them. The marks thus caused are sometimes exhibited as evidence of extorted confession. Wherever there is proof of force having been used for such a purpose, the police officer should be invariably punished and dismissed from the service. But great caution is necessary in believing the accusation of force. It should always be very clearly established, before it is entitled to credit. Police matters are so public that the charge of violence, when true, can hardly be concealed. There are two things in which there is constantly very great exaggeration: the number of persons concerned in a robbery, and the number of extorted confessions. Only a small part of the alleged cases of extorted confessions are ever substantiated. The Circuit Court say that the proof is difficult; I believe that, when true, the proof is easy, and that the difficulty lies in by far the greater part being unfounded. The charge is easily made, and the effect of its receiving belief from the Court of Circuit is so generally known,

that offenders very frequently bring it forward in some stage of the trial. It is a point which demands the greatest possible circum-spection on the part of the Magistrate. If he lets the person escape who has been guilty of extorting confession, he encourages one of the worst offences against the administration of justice; if he punishes the police officer charged with this offence in only a very few instances on false evidence, he will effectually deter the whole body from the zealous exercise of their duty, and let loose a host of robbers upon the community. No number of Zillah Courts would prevent the excesses complained of among the native police. Were we to double the number, it would have no effect in restraining them. They can only be checked and effectually put down by the vigilance of the magistrates; by never letting them pass unpunished; by the police officers finding from experience that they never could gain anything from the use of force, but would certainly suffer disgrace and punishment, and by time working a change in their habits.

The irregularities committed by the police are now much more difficult of concealment than when the officers of Zillah Judge and Magistrate were united in one person, confined to a fixed station; and though too many of the police officers are still frequently guilty of such irregularities, yet the conduct of the great body of them is highly useful and meritorious, and its effects are becoming every day more evident in the increasing tranquillity of the country and the gradual diminution of organized bands of robbers. The amelioration, though occasionally retarded by the misconduct of local officers, continues to advance, and is gradually diminishing the number of crimes.

Police irregularities more difficult of concealment under present organization than previously.

The cruelties reported by the Circuit Judge to have been inflicted on certain inhabitants by the Párbátti and Kolkárs in Malabar were investigated by the Collector, and found to be without proof. The observation quoted from the report of the Board of Revenue as to 'the ryots not being in that state of ease and security which the justice and the liberality of the British Government mean to place them,' was made by the Board from perceiving that the Courts could give no effectual security to the great mass of ryots from the exactions of the village and district officers. The subject had frequently, during a long course of years, been brought to the notice of Government, and as it was manifest that the evil could only be remedied by empowering the Collector to enforce the summary restitution of all such illegal exactions, Regulation IX. of 1822 was enacted for that purpose. It is not

System of training needed for the judicial, as well as for the revenue, branch of the Civil Service. Appointment of Assistant Civil and Criminal Judges advisable.

more Courts that we want for the protection of the ryots from exactions, and of the inhabitants in general from theft and robbery, but more systematic experience, and consequently more aptitude among our local officers, both native and European, for the discharge of their several duties. I therefore entirely agree with the Honourable Court, that a system of training is as necessary in the judicial as in the revenue line, and that an intermediate class of functionaries, similar to that already established in the revenue, should be introduced into the judicial department. I have long thought that some of the senior Registrars should receive higher allowances and extended jurisdiction, but the appointment of Assistant Civil and Criminal Judges is a much better measure.

Five such appointments will suffice.

I think that five Assistant Judges will be sufficient for every object. Canara is the district in which an Assistant Judge is most wanted. The pressure there has frequently been the subject of deliberation at the Board, and of correspondence with the Sadr Court. Next to Canara, the want of an Assistant Judge is greatest in Malabar; and after Malabar, the district which at present most requires help, is Cuddapah. But I imagine that the pressure there is only temporary, that it has arisen in a great degree out of the disorder caused by the famine in 1823-4, and that it will soon cease. Salem, both from its great extent and population, ought to have an Assistant Judge, either at Coimbatore or any other convenient station. Masulipatam, for the same reasons, should have an Assistant Judge; but I am not sure that it may not be advisable to transfer the Zillah Judge to Rajahmundry, and station the Assistant at Masulipatam. The towns both of Rajahmundry and Masulipatam are situated on the extremity of their respective districts, but Rajahmundry is central to both.

Objections to Zillah Judges holding sessions at different places within their zillahs.

Some advantages might result from carrying into effect the suggestions of the Honourable Court regarding the Zillah Judges holding alternate sessions at different places within the zillah, but I imagine that they would be at least counterbalanced by the inconveniences which would attend the measure. The visiting and inspecting of the district munsifs by the Zillah Judge might be useful; but, on the other hand, the general progress of business would probably be retarded by his absence from the court station, by the time spent in travelling, and by the partial hindrance of the munsifs while engaged with him. The same object might perhaps be attained by his sending occasionally for such of the munsifs as most appeared to require instruction, and employing them for a time under his own eye at the court station. His travelling for the

pose of learning the state of the police and hearing complaints against it, and communicating his information to the Magistrate and the Provincial Court, would do no good, and might often lead to inconvenient interference, by diverting his attention from the duties more properly his own to those which did not belong to him. It will be much safer to leave the supervision of the police to the Magistrate and the Court of Circuit. Before coming, however, to any final resolution on the question of the Zillah Judge visiting the stations of the district munsifs, it may be advisable to refer it for the opinion of the judicial department.

The Honourable Court are apprehensive that the allowing fees to the district munsifs 'may have conduced rather to the quick 'dispatch, than to the satisfactory adjustment of the business before 'their courts;' and they observed that the number of suits appealed should be contrasted with the number of appealable, before it can be proved that their proceedings are of a satisfactory character. We have not, as already stated, before us the documents required for making this comparison; but it is sufficiently evident from the continued resort of the people to the courts of the district munsifs, that their decisions are in general satisfactory.

Question of allowing fees on suits to district munsifs.

As the Honourable Court disapprove of the abolition of fees on suits under ten rupees, which was done with the view of leaving no inducement to the district munsifs to use any undue means for drawing such petty suits into their own courts, and as the abolition of the fees does not appear to have had any material effect in any way, it seems proper that they should be restored.

Fees on suits under ten rupees should be restored.

In order to encourage the district munsifs, not only to dispose of their business without delay, but also to weigh maturely the merits of each particular case, the Honourable Court recommend that their payment by fees should be abolished, and that they should receive a salary somewhat higher than the average amount of their present salary and fees together; and that 'no suit instituted in a district 'munsi's court should be subjected to a higher fee than 2½ per 'cent.,' which reduction, they expect, will bring a large addition of business into the district munsi's court. I do not think that the reduction of the fee to 2½ per cent. would increase the business in the district munsi's court, because I am convinced that all now goes there that would go, even if there were no fees. The business in these courts is more likely to diminish than to increase. Some of the munsifs already complain of having too little business. It does not appear, therefore, to be necessary to give them a salary in place of fees to enable them to weigh cases more maturely.

Rate of fee should be reduced.

Such a plan may be proper at a future period, but not for many years. It is not suited to the present habits and opinions of the people. The munsif system is both popular and efficient, far beyond every expectation that was formed of it, and is becoming more so every day. It is better not to disturb it, but to let it go on as at present, until it shall have acquired more firmness by time, by the improved judicial knowledge of the munsifs, and the increased respect of the people. If the fee should have a tendency, in some cases, to stimulate the munsif to too hasty decision, it is to be recollected that this is checked by the fear of suitors not coming to his court. If his decisions were wrong, either from haste or any other cause, the people would soon discover it, and carry their suits to the Zillah Court, if they could not be settled in the village. If the business were in any case actually too great for him to get through properly, the inconvenience could always be easily remedied by appointing an additional munsif. But, though I do not think it safe to shake the public confidence in the munsif system by so great an innovation as the substitution of salary for fees, I highly approve of the recommendation that the fee in the district munsif's court should not exceed $2\frac{1}{2}$ per cent. I think, however, that it would be more convenient to make the fee half an anna per rupee. The difference is trifling, and the calculation would be more easily understood by the poorer classes of the people. The charge of half an anna is so light, that it may be adopted for every sum cognizable by the district munsif. The decrease of receipt which will be occasioned by the lowering of the fee should be borne by the Government, and it should in no way affect the income of the munsif, who should continue to receive, as at present, one anna per rupee.

Higher class
of native
judicial
office
needed.

The granting rewards to meritorious munsifs and to head police officers for exemplary discharge of their duty, as recommended by the Honourable Court, will no doubt be productive of considerable public benefit, and ought therefore to be carried into effect. It does not appear to be necessary to attach higher allowances to certain districts in each zillah, in order to reward extraordinary merit in munsifs, by appointing them to them. In almost every zillah there are at present one or two munsif districts, in which the allowances from fees are considerably higher than in the rest, and to which the more meritorious munsifs may be nominated as vacancies occur. It is not so much an addition to the pay of the munsifs, as a higher class of native judicial office, that we want. I have frequently thought that in each zillah one, or in some cases

two, native judicial officers might be invested, not only with civil, but with criminal jurisdiction, and be placed over a large district, somewhat in the same manner as is now proposed with regard to Assistant Judges. Such an office would give great respectability to the native Judicial Department, and would encourage the exertion and secure the services of men of integrity and talent in the administration of justice. The subject, however, requires too much consideration to be hastily adopted; but I shall endeavour at some future time to submit to the Board some proposition regarding it.

The Honourable Court are of opinion that, as individuals who may have suffered wrong from the Magistrates or the police have no means of appeal against their proceeding during the periods when the Judges of the Provincial Courts are not on circuit, the Judges of the Provincial Courts should have the same authority as the Judges on Circuit now have, to receive and pass orders on petitions against the Magistrate and police officers; that the Magistrate should transmit monthly a statement of all petitions against the police officers to the Provincial Court; and that the control of all the criminal and police proceedings of all the local authorities should be immediately in the hands of the Judges of the Provincial Courts. I apprehend that the alterations here proposed would, if carried into effect, produce more harm than good. There is hardly any case, I believe, except that of the vagrants or persons of bad character confined on suspicion, in which the interference of the Provincial Court could possibly afford any relief. In other cases the term of imprisonment would have expired, and the prisoner would have been released, before the Court could receive the petition, make the necessary inquiry, and communicate their orders to the Magistrate. The release of vagrants and suspicious characters would with more advantage be left, as it now is, to the Magistrate and Circuit Judge; no possible benefit could in any case be derived from the interference of the Provincial Court which could compensate for the inconvenience which it would produce. The Magistrate's own character, the reports of his conduct by the Circuit Judge and the Fojdári Adálat, and the danger of his being removed from his office by Government, are all securities against his committing any act of oppression in the interval between the departure and arrival of the Circuit Court. I am therefore of opinion that no change ought to be made, but that if any be made, it ought to be, not by giving any new power to the Provincial Court, but by authorizing the Circuit Judge to pass orders on petitions from every zillah within his range, during the

Control of
the Magis-
trates and of
the police
should be
vested in
Govern-
ment, and
not in the
Provincial
Courts.

whole course of his circuit, without any reference to the particular zillah in which he may be at the time.

Multiplication of checks impedes.

The control of the Magistrates and of the police ought not, I think, to be in the hands of the Provincial Court. The proceedings of both are already sufficiently under check, and to multiply checks would only tend to embarrass the operations of the police, and to divert the Provincial Court from their proper business without producing the smallest increase of real control. The Magistrates are entrusted with the direction of the police; all charges against them are cognizable by the Court of Circuit, and, when necessary, are referred to the Sadr Adalat and to Government and the Government ought to reserve to itself as much as possible the immediate control of the Magistrates. By delegating it to too many intermediate authorities, it becomes more circuitous and less efficient, and will augment rather than lessen the business of Government.

Judicial establishments must be framed with a due regard to economy.

I have not hesitated, in the course of this Minute, to avail myself of the permission of the Honourable Court to dissent from their opinions where I could not agree with them. The Court do not seem to be acquainted with the change which has taken place, and which is still going on, in the character of the people and the state of the country, from the operation of the courts, of a standing army, and of a strong government. They reason, throughout their dispatch, as if the reduction of certain Zillah Courts had left such zillahs unprotected by law, instead of being, as they were when incorporated with other zillahs, from the effects of the munsif system, of the Magistrate's increased jurisdiction, and of other causes, as much protected by the Zillah Court and as completely under its control as they were in their separate state when first established. It is unquestionably the duty of Government to establish all judicial courts that may be necessary for the due distribution of justice; but it has also another duty, not to waste the resources of the country in useless and expensive establishments. The judicial establishments of this Presidency were at one time on a scale of extravagance far beyond that of any other country, or what the resources of any country could maintain. They have since been reduced at different times, and are now at a standard more proportionate to the wants of the people; and any temporary pressure which may arise, will be easily relieved by the appointment of an Assistant Judge, without the necessity of any additional Zillah Court. In every country some districts must be far from the principal court, because no country could afford to maintain expen-

sive judicial courts, merely because some individuals of such remote districts may otherwise have to travel an inconvenient distance once or twice in the course of their lives. Expensive establishments, when once sanctioned, are not easily put down. There is never any difficulty in finding plausible reasons to keep up a lucrative office, and if the office be judicial, the protection of the people can always be brought forward in defence of it; but the people would be much more solidly protected by abolishing the expensive establishments, and remitting the amount in their assessment.

TRIAL OF CRIMINAL CASES BY JURY OR PANCHÁYAT.

3rd July, 1837.

Criminal cases should be tried by juries.

I HAVE long been satisfied that criminal cases among the people of the provinces under this Presidency ought to be tried by native pancháyats or juries, because I am convinced that they are much better able to trace facts from evidence than the Mahomedan law officers, and that much time and useless labour would be saved to the courts, and much delay and inconvenience to the prosecutors and witnesses; and because, what is of no less importance, the character of the people will inevitably be raised by being employed in distributing justice to their countrymen.

Administration of criminal justice should not be entirely in the hands of foreigners.

It is impossible that the criminal justice of a great country can ever be administered to the best advantage, when entirely in the hands of strangers, as it is now under this Government; for the Mahomedan law officer is, in fact, a stranger, as well as the European Judge, among Hindus. Even if all their decisions were correct, it would not compensate for the evil of the exclusion of the people. It would merely be executing strict justice among men whom we had degraded; for nothing so certainly degrades the character of a people as exclusion from a share in the public affairs of the country, and nothing so certainly raises it as public employment being open to all.

Co-operation of the people essential to efficient government.

We can never expect to make our government in this country what it ought to be, without the co-operation of a public-spirited and intelligent people. A public spirit may be created in all nations, varying, of course, in degree according to the freedom of their institutions. In order to excite such a spirit in India, we must make the people eligible to all offices. In proportion as we do this, we may be sure that they will qualify themselves for them, that they will endeavour to outstrip their rivals, and that they will seek distinction, not only in offices of profit and honour, but also by serving their countrymen in those of utility, such as members of pancháyats or juries, from which they derive no reward.

The great object of our Government should be to extend the knowledge and to elevate the character of the people. No way is so likely to be successful as the bringing them into constant intercourse, and in a great degree associating them with ourselves in every department of public affairs. From this confidence they will gradually acquire new habits: they will perceive the advantages of the enlarged views of Europeans in all matters of government, and will in time seek to learn the knowledge which they have found to be so much more useful than their own.

Natives should be associated with Europeans in every department of the administration.

But our views regarding the improvement of the natives cannot be accomplished while we continue the present system, which excludes them from all share in the administration of the criminal justice of their country. Such a system may serve for a time, when no other has been established, but it cannot be rendered permanent without excluding the people from a most important part of the internal administration, and destroying every hope of enlarging their knowledge or raising their character. We surely cannot, consistently with any enlarged views of good government for this country, say that such a system ought to be rendered perpetual, or even maintained longer than is absolutely necessary; we ought therefore to lose no time in beginning to introduce another, better calculated to give efficiency to criminal justice. ●

Should not be excluded from the administration of criminal justice.

It ought not perhaps to be regretted that the attempt was not sooner made; for there was a strong feeling in favour of the present system on its first establishment, and for some time after, which was adverse to any change, and would have rendered the success of any new measure very doubtful. But the long trial which the system has now had, has shown all its defects, and how utterly unsuited it is to its purpose, and has convinced many of our most experienced Judges, who were once its zealous supporters, that it cannot be continued with advantage to the country. There cannot be a stronger proof of this change of opinion, than the draft of a Regulation for trial by native juries in criminal cases, which has now been brought forward by the Second and Third Judges of the Centre Provincial Court; and it appears to me that no time can be more favourable than the present for making the experiment, when it will have the advantage of being superintended by men so well qualified for the task by their long experience of the present system, and by their knowledge of the language and habits of the natives.

Defects of the present system proved by long trial.

The introduction of trial by jury should not be considered as an experiment, which may be abandoned on the occurrence of any

Trial by jury should be adopted

lators, and of preparing many records for reference both to their own law officers and to those of the Sadr court, enable them to give their whole undivided attention to the trials before them. Public curiosity and interest will be raised by native juries; spectators will come to see the trials; the courts will be crowded, instead of being empty a great part of the time, and the presence of a native public will excite the jury to attend carefully to the evidence and to give a true decision. By the trial by jury the innocent will be protected, the guilty be more sure of punishment, and the evil which arises from impunity and the guilty being let loose on the public, and emboldened in their guilt by the facility of evading conviction, will be greatly diminished.

Rules for
regulating
the jury
system.

The Regulation for the native juries should, I think, be as short and simple as possible at first, leaving it to future experience to add such improvements as may be found necessary. Its operation should be limited for a time to the quarter sessions at Chittoor; but it should be made applicable to the quarter sessions at the stations of all the Provincial Courts, whenever it may be deemed advisable by the Governor in Council. It should, in all cases not referrible to the Sadr Adálat, dispense with written evidence. It should, in all cases referrible to the Sadr, record the evidence; but, after experience may have shown that the decisions of the juries are sufficiently correct, these cases also should dispense with written evidence and be no longer referrible to the Sadr court. The number of the jury may be ten or twelve, perhaps twelve, because, as juries are wanted only for the quarter sessions, this number will be easily found; indeed, the point has already, I believe, been ascertained by the Magistrate. A majority should decide. Not less than three-fourths should form a majority.

SECTION III.

POLITICAL.

as a measure
to be per-
sued in,
and not as
an experi-
ment.

unforeseen obstacle; but as a measure which, though local at first, is to be steadily and systematically pursued, until it shall be everywhere established. We must make a beginning without being discouraged by any difficulty, whether real or imaginary. If we hold back from fear of failure, or in the expectation of discovering a plan which shall be efficient at first, we shall never begin. We must not be discouraged by any want of success in our first attempts, but be confident that whatever is defective will be discovered and corrected by time and practice, and that the innate excellence of the institution will gradually carry it through every difficulty. It is undoubtedly an innovation, but not a greater one than the adoption of the Mahomedan criminal law. This law never was formally established in this part of India: a few petty offences in some of the principal towns were occasionally tried by it; but it was unknown as rule for general practice, and it may well be doubted if it ever existed, in its present form, as the code of any Mahomedan country.

Natives
well quali-
fied for the
duty.

As far as success in the proposed plan may depend upon the qualifications of the natives, we have the strongest reasons to expect it; for having been in former times, and still being in the present, accustomed to sit on pancháyats, they are in general sufficiently expert in examining and weighing evidence; and the efficiency of such of them as are employed as district munsifs, evinces how well qualified they are to become good jurymen. Most of them will, I believe, be found at least as capable as any Mahomedan law officer of deciding upon the merits of evidence. Nothing can well be worse, in all that concerns the useful application of evidence, than our present establishment of law officers. From the want in this part of India of Mahomedans learned in the law, we have been obliged to have recourse to Hindustani for our law officers. These men, as may be supposed, are ignorant of the language of the prisoner and witnesses. They do not wish to learn it, for they avoid mixing with the Hindus, and even if they had no prejudice of this kind, they are usually too far advanced in years to acquire new languages. They know nothing of what is said in court during a trial, except from the Persian translators of the depositions. They are no doubt men of learning, and often highly respectable; but these advantages can never compensate the serious defect of their being utter strangers to the character and language of the people. The evil might in time be partly remedied by educating Mahomedans of this country for law officers, but the process would be tedious. The selection would be too limited, and would give us

Inefficiency
of the pre-
sent system
of adminis-
tering
criminal
justice with
the aid of
Mahomedan
law officers.

learned men instead of men of business; and we should still be left embarrassed with all the absurdities of the Mahomedan law. This law will, as long as it is suffered to remain, present an insurmountable obstacle to the suppression of crime, because the law officer allows no validity to the official documents of the heads of native police, and rejects the evidence, not only of police servants, but of every person in the service of Government. The evidence of persons, not in the service of Government, who may apprehend robbers, is rejected, because they are supposed to be influenced by the hope of reward. The evidence of every villager or other inhabitant, who may have been engaged in a conflict with robbers in defence of himself or his neighbour, provided he has received a blow from a stick or a stone, is also rejected, because he is considered as a prosecutor. It is true that where evidence is objected to on the score of the incompetency of the witness, the mufti may be required to state what his decision would have been, had the witness been competent. But this will not meet every case, and is at best but a very unsatisfactory remedy. The case, though within the jurisdiction of the Court of Circuit, must then be referred to the Sadr Adálat, and much labour and delay be incurred. All this labour might be well bestowed, were it calculated to ensure a better decision. But it is not likely to have this effect, because distant Judges, who merely read the depositions, cannot be so well qualified to decide on the evidence as the Court of Circuit, which both sees and hears the prisoner and witnesses. The rules of Mahomedan evidence, as applied in our courts, seem better suited to exercise the subtlety of learned muftis than to facilitate the administration of criminal justice.

The loss of time is not the only evil which results from the present forms of trial. The attention of the Judge and mufti must often be harassed and exhausted, and diverted from the merits of the case, while the evidence is taken down in the native language, while the deposition is read over to the witness, while it is translated into Persian for the mufti. It is not in human nature, under such circumstances, in an Indian climate, to keep up the requisite attention, during a long trial, for a whole day, and sometimes several days, and we accordingly find that in some trials the facts are not so well examined as they would undoubtedly have been, had the process been shorter.

The jury system will, in all those cases where written evidence is to be dispensed with, be the best remedy for this evil. It will also, by relieving the Judges from the duties of clerks and trans-

Tediousness
of the sys-
tem of re-
cording the
depositions.

Advantages
of the jury
system.

ON THE SUBJECT OF INTERFERING WITH THE SUCCESSION OF NATIVE PRINCES.

27th April, 1831.

MR. CAMPBELL, the Collector of Ballári, has stated that the Nawáb of Karnúl is in such bad health that his death may be looked for every day, and he has requested instructions as to the conduct he is to observe should that event take place. He suggests the expediency of placing Muzaffar Khán in confinement and of compelling the Nawáb to release Daúd Khán, whom the Supreme Government are disposed to regard as the person having the best claim to the succession, and who is now kept as a prisoner at Karnúl. We have already, within these few years, engaged in two expensive military expeditions to Karnúl, for the purpose of placing a Nawáb on the masnad,* and the execution of the measures proposed by Mr. Campbell would oblige us to engage in a third.

Suggestions as to the succession to the chiefship of Karnúl.

The nature of the particular dependency of Karnúl upon us does not seem to require that we should be forward in interfering with the succession, but rather that we should abstain from such interference whenever we can do so without injury to ourselves.

Inexpedient that the British Government should interfere.

On the breaking up of the Moghul empire, the Nawáb of Karnúl, like the Nawáb of Cuddapah and many other chiefs, seized his own district, and became in fact the prince of it, acknowledging, however, the Súbah of the Deccan's claim to military service as his feudal lord, but maintaining his own exclusive right to the internal government of his country. Karnúl† was transferred to us upon this footing by the Nizam in 1800.

Political position of the Nawáb of Karnúl.

Whatever may be the rule of inheritance among private persons, it is certain that priority of birth in claims to dominion has never in India been much attended to, except among sons of the same mother. The elder son is frequently excluded by the choice of the father falling upon a younger son by a mother of higher birth than

In cases of succession, the Government ought to confirm the choice of the Chief and of the leading men of the country.

* Masnad, throne.

† Karnúl was annexed to British territory in 1830, consequent upon the

then Nawáb having become implicated in a treasonable conspiracy.

that of the elder, and the choice in such a case is usually supported by the principal officers; and I think that it will in general be our best course to adopt this choice. Were an adventurer to set up his standard and endeavour to get possession of Karnúl by force of arms, our interference might then be proper; but this is not a case ever likely to occur. In all cases where the dispute is between the different members of the family, I think we ought to confirm the choice of the father, and of the leading men of the country.

Objections
to the adop-
tion of any
other
course.

I see no good, but much evil, in following any other course. It may be asked, What useful object is to be attained by our interference? If we wish to establish a prince who is disagreeable to the leading men of Karnúl, we must do it by force, at an expense probably of eight or ten lakhs of rupees. This is as much as the whole *peahcash** is worth; for it amounts only to a lakh of Hyderabad rupees yearly. If we wish to reimburse ourselves, we can do it only by taking possession of the country, and collecting the revenue for ourselves; but, as it amounts only to about eight lakhs of rupees, and as a great part of it is mortgaged to creditors or assigned to military followers, it would require several years to liquidate our demand, during which time we should, in fact, set aside the prince whom we had undertaken to protect. Could it be shown that any material advantage, either immediate or distant, is likely to result from this interference, either to the people of Karnúl or to those of our own provinces, there might be some reason for incurring the expense with which it is always attended. But so far from doing any good, we always do mischief by it. The Nawáb whom we set up, will, from his confidence in our support, commit many acts of oppression which he would not otherwise have thought of, because we remove the salutary check which the fear of his own followers and people imposes upon him. If we expected to make him act rightly by giving him advice, we should only make him worse; he would become jealous and suspicious, and would punish every person, either openly or secretly, whom he suspected of having complained against him. We know perfectly that there can be no middle course in such interference; that if we seek to interfere effectually in the internal affairs of Karnúl, or any other Indian principality connected with this Presidency, we must go on, from step to step, on the specious plea of protecting the inhabitants, until we have usurped the whole government of the country and

* *Peahcash*, tribute. The word, as ordinarily used in Madras, means the annual quit-rent paid by the zemindárs.

leposé the prince. Unless, therefore, we are determined beforehand to go to this extremity, we ought cautiously to abstain from intering upon a line of measures which must inevitably lead to it.

As I think that we have no right to meddle in the affairs of Karnúl, on the pretence of mal-administration or the sufferings of the people, or on any other grounds than those of securing our own rights of *peahcash* and military service, and the peace of our own districts, I think that we ought to wait quietly for the Nawáb's death, and to acknowledge as his successor the person of his family, who, by his choice and the support of his officers, may be enabled to assume the government. If we were now to move a military force to release Daúd Khan, or to support his claims, we should voluntarily, and without the smallest necessity, incur all the expenses that would be likely to be occasioned, even by a contested succession. No party in Karnúl could make any serious opposition; so that the expense of the military force would be nearly the same, whether employed in placing a Nawáb peaceably on the *masnad*, or in removing one who had already usurped the government. If we march so suddenly as to give the Nawáb no time for preparation, and instant submission follows, we gain nothing; for if we withdraw our troops, the same opposition may be renewed, whenever the succession becomes vacant. If, on the other hand, we wait for the death of the present Nawáb, and he is quietly succeeded by a candidate whom we approve, we avoid all expense. If the successor should be a person whom it may be deemed advisable to remove, and a force is required to effect it, we can in this case resume the *jágirs* of his adherents, and remove them from the district, which will be the most effectual means of ensuring future tranquillity.

Course to be
taken in the
present
case.

It is not at all unlikely that were we to make any movement in favour of Daúd Khan, it might induce the Nawáb to have him secretly put to death. Ghulam Rassúl, who was destined for the succession by his father, the late Nawáb, is said to be the favourite of the present Nawáb and of the people, and would probably succeed without opposition; and in that case we could not do better than acknowledge his title. It is of no importance to us whether he or any other person of the family ascend the *masnad*: whoever does, will always be punctual in the discharge of his duties to the British Government. The Nawábs of Karnúl are too dependant ever to act otherwise; they have always been regular in the discharge of their tribute, and zealous in their endeavours to apprehend and

It does not
matter to
the Govern-
ment who
the suc-
cessor is.

deliver up all disturbers of the peace. Had no former reference been made to the Supreme Government, I should on the present occasion have proposed that the Nawáb should be called upon to declare whom he intended for his successor, and that we should acknowledge the person named by him, if no material objection appeared to his right; but as the Bengal Government have already said that they are disposed to give the preference to the claim of Daúd Khan, it seems advisable that a letter should be written to them, stating our view of the question, and strongly recommending the policy of abstaining from interference, unless in cases of urgent necessity, and that we should take no steps in the business until we receive their answer.

THE TENURE ON WHICH A GRANT OF LAND FOR MILITARY SERVICES SHOULD BE GIVEN.

20th March, 1821.

THE Governor-General in Council, in forwarding to this Government a recommendation of Major-General Sir John Malcolm for the grant of a *jágir* to *Súbahdar* Syed Hussein of the Body-guard, informed us that he was disposed, 'with some qualification,' to comply with his recommendation, 'if not incompatible with the practice of the Government of Fort St. George on similar occasions.' As the custom of granting villages to meritorious officers had long been observed under this Presidency, orders were issued to the Board of Revenue for carrying into effect the orders of the Governor-General, and after some correspondence with that Board relative to the situation and rent of the village which the *súbahdar* had been desired to select, it was resolved to confer on him the village of Ulyinur on *shrotriam** tenure for his own life and for the lives of his two sons, with a reserved rent of Rs. 600.

Recommendation of Sir John Malcolm in favour of a *súbahdar* of the Body-guard.

A letter was received some months after from the officer commanding the Body-guard, requesting that the village might be granted rent-free, and not on *shrotriam* tenure. On reconsideration it was found that the reserved rent must be reduced to Rs. 100, in order to leave the *súbahdar* a clear annual revenue equal to the amount of the pay of his rank, which was accordingly resolved.

Recommendation that the grant should be rent-free. Quit-rent fixed at Rs. 100.

It appears, however, from a communication from the Board of Revenue, that no person has appeared on the part of the *súbahdar* to receive charge of the village, and as there is reason to believe that the delay proceeds from his wish to have the grant not on *shrotriam*, but on *jágir* tenure, which is according to ancient custom, and is deemed more honourable, I recommend that it be *jágir*.

Jágir tenure considered more honourable than *shrotriam* tenure.

The *shrotriam* tenure, by the custom of the country, is more applicable to grants to Brahmans and Hindus distinguished by their learning or civil services than to grants to military officers.

Shrotriam tenure more applicable to grants for civil services.

* *Shrotriam*, an assignment of land revenue.

It has the advantage of being limited in its duration, and of therefore not being a permanent alienation of revenue. But as *jágrs* are properly all liable to resumption, whether the period of their termination be expressed or not; as it is just as easy to limit the *jágr* as the *shrotriam* tenure; as it is reckoned much more honourable by the native army; as it costs Government no more, and as it is advisable that we should under such circumstances consult the feelings of those who are to receive the grant, it would be desirable that all future grants to deserving military officers should be in *jágr*.

Proposed
reduction of
quit-rent.

I would also recommend that as so much delay has already occurred in settling the question of Syed Hussein's *jágr*, and as he will next month be promoted to the rank of the *súbahdar* of the first class, the reserved or quit-rent be reduced from Rs. 100 to Rs. 10.

A DISPUTED BOUNDARY.

11th September, 1831.

I HAVE perused with attention the report of Mr. Higginson, and the documents accompanying it, regarding the disputed boundary between Dindigal and Travancore. The evidence respecting the right of possession is very contradictory. This is always to be expected in boundary disputes, but more especially when the boundary is among hills and uninhabited wilds. But though the evidence is imperfect, there are some circumstances which satisfy me that the tract in dispute belongs to Travancore.

Disputed
boundary
between
Dindigal
and
Travancore.
Contra-
dictory
evidence.

The villages of Kambam and Gudalur, situated in the Dindigal valley and belonging to that province, had been for some years held by the *Rájá* of Travancore, and were by him delivered over to the Company in 1794. From that period till 1807 no dispute concerning boundaries occurred. But in the month of December of that year an affray took place between the servants of one Allamat Shetti, who rented some cardamum gardens under the Collector of Madura, near the boundary, and some of the Travancore peons. Complaints were in consequence made to Government both by the Collector of Madura and the Resident in Travancore; and several investigations were made, in order to determine the boundary, by native as well as European commissioners, between the years 1810 and 1817. But these inquiries ended in nothing being done, as the Resident always maintained that the lands belonged to Travancore, and the Collector that they belonged to Dindigal.

Past history
of the dis-
pute.

The tract in dispute lies between the eastern ridges of the mountains which separate Travancore from Dindigal and the Terkeperiár river to the westward of that ridge. This tract appears to have belonged to the *Rájás* of Waddakankur and Puneat, who were subdued by the Travancore State in 1754 and 1755, and to have become the subject of contest only because it produced cardamums. It was not delivered over to us with the villages of Kambam and Gudalur, which ought to have been the case had it belonged to them, but was afterwards occupied at different periods

by the Collector of Dindigal. I can see no ground for this proceeding: no account or document is brought forward, nor anything in its favour except the mere testimony of the chetties and other inhabitants of Kambam. The chetties had long been accustomed to rent the cardamum gardens from the Puneat Rájá; and when, by the transfer of Kambam from Travancore, they became subjects of a stronger government, they appear to have been desirous of availing themselves of the power of their new masters, to relieve themselves from the payment of rent to their old one, and to claim as their private property the cardamum gardens, which had always belonged to him. They therefore maintained that the lands in dispute belonged to Kambam, and they found no difficulty in getting the inhabitants, who are always ready enough to extend their boundaries, to join them in their assertion.

It is supposed that no demand for investigation was made by Travancore until 1808, and that this long silence was an acquiescence in the justness of our claims. But this is a mistake, as it is evident that the Puneat Rájá as early as 1800 made frequent complaints of the Company's officers to the Travancore Government, which always promised redress, but delayed bringing the subject to the notice of this Government, probably from the expectation that it would be adjusted by the Resident and Collector.

The Collector of Madura produces an account of the customs of Kambam for 1796 and the succeeding years, in which it is said that customs levied at a Company's chowky on the Terkeperiár river were also included. The Assistant Resident of Travancore denies the existence of any such chowky, or of any other except the one at Kambam, where all the revenues are dated. But even if it were admitted that customs had been collected in 1796 by the Company at Terkeperiár, it would prove nothing more than that the servants of the Collector had levied duties beyond the ancient boundary. The Collector does not show any record previous to 1796 in support of his claim. Indeed, his Assistant says that no accounts before 1799 show that Mr. Hurdis had a chowky on the east bank of Terkeperiár river. Whatever right we have to the disputed tract, we derived from Mysore when Tippoo Sultan in 1792 ceded Dindigal: we can have no right that the Mysore Government does not possess. Dindigal was subject to Mysore during thirty years, at a time when that Government was in all its vigour, and when its rulers were constantly encroaching upon the territory of their neighbours, and certainly never neglected to occupy all that was their own. If they possessed the tract in dispute, the Collector ought to have shown

Conflicting views of the British district authorities and of the Resident in Travancore. Insufficiency of the evidence adduced by the Collector of Madura.

it. His not having done so, is, I think, conclusive against our claim. He tells us that the accounts of Kambam having been burned during the disturbances, had prevented his obtaining written documents to support our right. It may be true that the curnum's accounts were burned, but this is no excuse for not producing other vouchers. The Mysore possession was not a distant and obscure event, but a recent one, and there must have been many persons in Dindigal who had been employed under that Government in the management of the revenue of Kambam and Gudalur, and who had accounts showing the boundaries of their collections. There must also have been copies of the accounts which were burned, either in the possession of the curnum himself, or of some of his relations. I have no doubt of the existence of such accounts, or of their being kept back only because they would not substantiate our claim.

In opposition to our total want of documents, the Travancore Commission brings forward a great number of different dates and different kinds, but all corroborating each other. They contain sales and transfers of the disputed territory at different periods, showing that its eastern boundary was the ridge of the mountains, and one of them is a survey of the cardamum gardens, including all the disputed gardens, in 1772, when Hyder Ali was in possession of Kambam and Gudalur. The Collector of Dindigal questions the authority of these documents, because they had not been brought forward on former occasions, and because they were not similar to any which had then been produced. As to the delay, it should perhaps be ascribed, not to the difficulty of producing the documents, but to the inexperience in such matters of our own servant, the Resident, and his not exactly knowing what would be required. Their dissimilarity to the documents previously exhibited is no argument against their validity. They resemble documents of the same nature which are so common in Malabar and Canara. Col. Munro, the Resident, who was from his talents and experience so well qualified to form a correct judgment on the subject, declares that he knows perfectly how they were obtained, and that he had the fullest confidence in their authenticity. In opposition to these documents we produce nothing: we cannot go further back than the time of Mr. Hurdis, when our encroachments commenced. We do not even attempt to establish that the Mysore Government, from which we derive our claim, ever held the lands in question. We do not bring a single village register to support our pretensions, and we acknowledge that the only accounts which could prove our

Superiority of the Travancore case.

Travancore
title should
be admitted.

right, have been burned. I really do not see how we can, after all this, deny with any justice the superior title of Travancore to the disputed territory. I would therefore recommend that it be given up without delay, making the ridge of the hills the boundary between the two states; and that, in communicating this resolution to the Ráni, we inform Her Highness that we have deemed it proper to make any doubts which remained on the question yield to the wish of showing our consideration for so ancient an ally of the British Government.*

* Travancore is a native State at the extreme south-west of the peninsula, bounded on the north by the native State of Cochin and the British district of Coimbatore, on the east by the British districts of Madura and Tinnevely, and on the west and south by the sea. It contains Cape Comorin, the southern point of the Indian pen-

insula. The Rájá was an ally of the British in the wars with Hyder Ali and Tippoo. In consideration of the protection afforded to the State by the British Government, the ruler of Travancore pays to that Government, under treaty, an annual subsidy of eight lakhs of rupees.

MAL-ADMINISTRATION OF MYSORE.

23rd August, 1825.

It appears from the late communications from the Resident of Mysore that the revenues of His Highness the Rájá are decreasing, and his expenses increasing at such a rate as must, if continued, disable His Highness at no distant period from fulfilling the conditions of the treaty. It appears also that the diwán is corrupt and inefficient, and that there is no hope of remedying the existing evils through him; that the Rájá is indolent and neglects his affairs, and that there is no prospect of order being restored unless he can be made sensible of the danger of his situation.

Financial
mal-admin-
istration in
Mysore.

I deem it therefore expedient that I should without delay proceed to Mysore, in order that I may ascertain on the spot as accurately as possible the real state of the Rájá's affairs, and that I may, by personal conference with the Rájá, endeavour to prevail upon him to adopt such measures as may be calculated to re-establish order in his affairs. I must own, however, that the weakness and fickleness of the Rájá's character leave but little ground to expect any great degree of success.

Expedient
that the
Governor
should visit
Mysore
and confer
with the
Rájá.

It is my intention to leave the Presidency to-morrow. The distance of the journey will prevent my returning under two months, and in the mean time the duties of the Government will be conducted, as on former occasions of a similar nature, by the Members of the Board.

The political position of Mysore at the period to which this and the following Minute relate, and Munro's

previous employment in connection with the affairs of that State, are noticed in the introductory memoir.

ON THE SAME SUBJECT.

8th November, 1825.

Misunder-
standing
between the
Rájá of
Mysore and
the British
Resident.
Disorgani-
zation of
the finances.

THE Board are already acquainted with the reasons which induced me to go to Mysore. It was evident from the Rájá's letter to Government of the 28th May, that there was a misunderstanding between him and the Resident; and from the communications of the Resident under date the 30th of May and the 20th of June, it appeared that the revenue was declining rapidly, that the expenditure had increased, and that though in fifteen years almost the whole of the treasure amassed by the late Diwán, Purneah, amounting to above seventy-three lakhs of kantirai pagodas, had been dissipated, every department was in arrears. It was necessary to ascertain, and remove, if possible, the causes of irritation. It was still more important, especially when so many of our own troops were on foreign service, to see that those of the Rájá did not become discontented and mutinous for want of pay, which, with an arrear of six months, there was too much cause to apprehend. Such a state of things could not be suffered to continue without its leading in a very short time to the measure which it is so desirable to avert, of assuming the direct management of the Rájá's country in order to insure the fulfilment of the terms of the treaty.

Unsatisfac-
tory charac-
ter of the
Mysore
accounts.

A few days after leaving Madras, I learned from the Resident that the Rájá evaded giving the accounts called for by Government. This was not to be wondered at, because they had not been furnished from the time of Purneah, and because they were probably not ready, or not in such a state as to be produced. The Rájá, however, though he did not furnish the accounts required, delivered to the Resident an abstract of the arrears due to every department, civil and military. This paper showed that a large amount of arrears had lately been discharged; but it is inaccurate in several points, and particularly in assuming as paid three months' pay due to the Sillah-dár horse, which, though some preliminary orders have been issued for its payment, will probably not be discharged for several months yet. The actual payments have been chiefly occasioned by the late

discussions between the Rájá and the Resident, and my expected visit to the Rájá. Every time that I have entered the Mysore territory, the Rájá, supposing that I would either make some inquiry or receive some representation concerning arrears to the several departments, but especially to the four thousand horse he is bound by treaty to maintain in readiness for service, has been accustomed to discharge a portion of the balance due. This is fortunate, in so far as it has kept the amount much lower than it would otherwise have been, but it has the bad tendency of making the troops look rather to the interference of Government than to the justice of the Rájá for what is their due.

I arrived at Mysore on the 16th of September. The 17th and 18th were occupied in visits of ceremony. As my business with the Rájá was to draw his attention seriously to the terms of the treaty, and to point out to him, in a friendly yet decided way, the consequences which would certainly result from a failure in their observance, and as this did not require any lengthened discussion, I thought it most advisable that whatever I had to say to His Highness, or to hear from him, should be finished at one meeting. I therefore intimated to His Highness that I should either, as might be most agreeable to him, meet him alone without attendants on either side, or accompanied by the Resident, if he wished to have a confidential servant of his own. The Rájá answered that he should bring no servant of his own, but that he wished the Resident should be present, and a few hours after he sent a message to express his desire that the Assistant to the Resident might also accompany me.

Arrange-
ments for a
meeting be-
tween the
Rájá and
the Gover-
nor.

The meeting took place on the 19th of September, and lasted between three and four hours. I began the conference by observing that it was now above five and twenty years since the Rájá had been restored to the throne of his ancestors; that during a great part of that time the affairs of the country had been prosperously conducted, but of late years they had, from a variety of causes, fallen into some disorder, which, if not corrected, would in the end prove extremely detrimental to both sirkárs; that in order to obviate such an evil, it was proposed that I should co-operate with His Highness in devising a suitable remedy; that in speaking of a remedy, it was my wish that he should be under no alarm about the security of the treaty, but set his mind at rest regarding it, because it was not the intention of the British Government to alter it in any point; that by keeping it unchanged, many advantages accrued to both States; and that I was myself so convinced

Account of
the confer-
ence.

Unwilling-
ness of the
Governor to
deprive the
Raja of his
administra-
tive autho-
rity.

of this, that it was my earnest desire that no event should ever occur which might compel the Company to have recourse to the fourth article, but that His Highness might himself, and his descendants after him, long continue to enjoy the sovereignty of Mysore; that there were, however, some conditions, without attention to which no State could long endure—there must be order in its affairs; that if there were no order in the affairs of the Company, its dominions could not stand; and that in the same manner, if the affairs of the Mysore sarkar were without order, there could be no hope that the prosperity of His Highness's house would last.

Important
that the ex-
penditure of
the State
should be
kept below
the income.

I then stated that, among the requisites of order, the most essential was that the expenditure should not exceed the income; and that, for a time at least, it should not even equal it, but be less, because if both were equal, there would be no provision to meet the emergency of any unforeseen event—such as war or famine, or even of those which were foreseen—such as the repairs of Bangalore and other fortresses in Mysore, of which His Highness was bound by treaty to bear half the charges. And that for such purposes it was necessary that a treasure of ten or twelve lakhs of kantirai pagodas (about £300,000) should be gradually amassed; and that when this was accomplished, there would be room for again replacing the diminution which the present state of things might render it necessary to make in some of the departments.

Duties im-
posed by the
treaty upon
the respec-
tive Govern-
ments.

I observed that the treaty imposed certain duties on both Governments: on the British—to maintain the treaty unimpaired, to defend Mysore, and to assist the Raja with advice, when it appeared to be necessary, either for promoting the welfare of his country, or for protecting the people from oppression: on the Raja—to improve his country, to pay his subsidy regularly, and to keep his troops and other establishments efficient by not suffering them to fall into arrears; that it was the desire of Government to avoid interference as much as possible in the internal affairs of Mysore, unless when the tendency of particular measures appeared to threaten the stability of the treaty; but, if the revenue decline, if the disbursements exceed the receipts, if the troops from not being paid be discontented, there is danger to the treaty, because His Highness cannot in such circumstances fulfil its conditions, and we must for our own security give effect to the fourth article; that the best way for His Highness to prevent such an occurrence would be to cause statements of his annual receipts and disbursements to be furnished regularly to Government through the Resident; that by seeing these documents we should always know the true state of

affairs, and if any loss or difficulty were likely to arise, we should be able to provide for it in time; that if we do not get these statements, we should have no knowledge of the affairs of Mysore, except from vague reports, and we might possibly act upon them when they were erroneous. Our doubts would sometimes produce interference. By the statements doubt will be removed, and the more correct they are, the less ground will there be for interference.

I concluded by saying that the disorder of the Raja's affairs had reached to such a height as would justify the Government in acting upon the fourth article of the treaty; but that as a direct interference in the administration, or the assumption for a time of a part of the Mysore territory, could not be undertaken without lessening the dignity of His Highness, and shaking his authority in such a manner that it would be impracticable ever to re-establish it, I was unwilling to adopt such a course until the last extremity, and wished to give him an opportunity of restoring order himself. But that if reform were not immediately begun, direct interference would be unavoidable.

Disorder of
the Raja's
affairs such
as to justify
direct inter-
ference by
the British
Govern-
ment in the
administra-
tion.

The Raja heard me with very little interruption. In reply he acknowledged the justice of many of my observations; but maintained that there had been no material decline in the revenue, or disorder in affairs till of late years; that the decline had arisen partly from the prevalence of the cholera, and other unavoidable causes, but chiefly from the misconduct of a Diwan appointed against his inclination. The Resident denied the correctness of this statement, and reminded the Raja that he had himself, after weighing the merits of the candidates, preferred the present Diwan. The Raja, after a little hesitation, admitted that this had been the case. The fact is that His Highness is too suspicious to like any Diwan, and too fickle to manage his own affairs. In support of his assertion respecting the revenue, he read from a paper the totals of the settlement, collection and disbursement in each year from 1799, differing little from the statement which had been transmitted by the Resident. He argued very earnestly that this document proved that the settlement had not fallen considerably till within the last few years, and that the expenditure had not been much augmented. As my object was rather the future than the past, I did not consider it advisable to expose the fallacy of these observations by stating that the cholera had been less felt in Mysore than in any part of India; that its effect on the revenue had been very trifling; that bad seasons might cause an occasional partial decline, but not a constant progressive one; that the late Diwan Purneah, while he

Excuses
made by the
Raja. Their
unsatis-
factory cha-
racter.

raised a much greater revenue, and disbursed more on public works, had left a treasure behind him amounting to above seventy lakhs of kantirai pagodas; and that His Highness, besides his ordinary revenue, had in the period of fifteen years dissipated nearly the whole of this treasure. I contented myself with saying, that whatever might have been the cause, bad seasons or bad management, the revenue was now less than the expenditure, and that the only remedy was a reduction of expense in the departments where it could be made with least inconvenience, until an improvement in the revenue should enable them, if necessary, to be again raised to their former establishment.

Reduction of expenditure absolutely necessary.

Suggestions with this view made by the Governor.

The Rájá assented without hesitation to the expediency of this measure. As I was aware that he meant to discharge more of his peons and irregular troops than could be done with safety, in order that there might be the less diminution in the sum which he squandered on his pleasures, I told him that, looking at the late Diwán's and the present expenditure, I had prepared an estimate which I hoped would answer the purpose in view. I then gave him the paper. After glancing over it, he said that he thought what was proposed by it, might be done. I observed that I wished His Highness to consider it at leisure, as, though the present state of affairs precluded any augmentation of the general amount, the sums allotted to particular departments might perhaps, in some instances, be modified to advantage.

Desire of the Rájá to dispense with a Diwán.

His Highness now returned again to the subject of the mismanagement of the present Diwán. He said that heavy balances had been left outstanding, much of which might yet be got; that if the management of the revenue were left entirely to him, without the intervention of a Diwán, he would recover a great part of them, and would gradually restore the revenue to its former level. I answered that I was not sanguine as to any great recoveries, that the balances due by ryots could seldom be exacted after the approach of a new season, without oppression to them, and ultimate loss to Government; but that whatever balances were due by revenue officers or renters should, as far as possible, be realized; that with regard to His Highness conducting the affairs of his country without a Diwán, I did not doubt his capacity, but no prince in his situation could carry on the duties of Government without one; that the direct administration of the affairs of so extensive a country as Mysore was too much for any one man, and that the agency of a Diwán was indispensable; that a general superintendence of the conduct of the Diwán, and other great

Objections to such an arrangement.

officers, would furnish ample employment for His Highness. The Rájá did not persist in his proposal, but agreed to appoint another Diwán in two or three months.

He then went on to complain of the Resident's servants, of their treating him with disrespect, of their sometimes not noticing him when he passed; of the principal servant, Kishan Ráo, interfering in the affairs of the country; and of the Resident allowing written orders to be sent to the cutcherry, lowering his dignity and authority. His Highness spoke on these points at great length, with many repetitions and with some irritation. The Resident, in answer to the Rájá, said that there must be some mistake or misrepresentation; that no servant of his would treat His Highness with disrespect; that he was certain that no written order had ever been sent to the cutcherry, and that if His Highness could only produce one out of the many supposed to have been sent, he would acknowledge the charge; and that with respect to Kishan Ráo's interference, he had never gone to the cutcherry except in company with the Rájá's servants, placed with the Resident for such purposes by His Highness himself; and that they had gone merely to see whether the accounts called for by Government, and ordered by the Rájá, were ready. His Highness, on this representation, seemed to feel that he had gone too far, made an apology and spoke kindly to the Resident, for he is much attached to him personally, but persisted in his complaints against Kishan Ráo.

Charges made by the Rájá against the Resident's servants.

It was evident that in these complaints, the Rájá had been excited by his low favourites to consider the ordinary intercourse which had always existed, for mutual convenience, between the Resident's servants and his own, as interference, and that this design was favoured by the resentment which the Rájá felt upon the subject of the letter to the Peshwah. Kishan Ráo is an old servant of the Residency. He is a native of Mysore, is connected with many of the principal inhabitants, and is thereby enabled to inform the Resident of the state of the country, of the abuses of power, of the low pursuits of the Rájá, and of the waste of his treasure upon favourites; and it is this which makes them inimical to him. These men urge the Rájá to get rid of all control in the administration of his country, beyond the payment of the subsidy; and the Rájá himself would be glad to be free from all check whatever, and, while he pays his subsidy, to reduce useful establishments, without which the peace of his country cannot be maintained, to keep others in arrears, and to dissipate his treasure in idle amusements.

Origin of these charges.

Idleness-
cravings of
the Rájá.

The Rájá has never yet furnished the accounts which Purneah always readily gave, and he marks with displeasure all persons who convey information to the Resident. He has very good natural talents; but he has, unfortunately, just that degree of activity which will neither permit him to give up the management of affairs to others, or to manage them himself. If we were to accede to his wish of acting without a Diwán, he would give great attention to public affairs for a few months, but in one or two years he would come back upon us with his revenues in complete disorder, his departments unpaid, his troops discontented, and many of his districts mortgaged.

Steps to be
taken,
should the
Rájá persist
in disre-
garding the
advice of the
Resident.

If the Rájá should persevere in neglecting the advice of the British Government at any point which may materially affect the security of the terms of the treaty, the effectual remedy is to establish rules for the occasion, or to assume the direct management of a part or a whole of the country, as stipulated by the fourth and fourteenth articles. But, as one of these courses would lower the authority, and the other entirely disorganize the Government of the Rájá, they ought both to be avoided as long as possible. By the orders of the Supreme Government, our superintending influence is to be exercised with caution, delicacy, and moderation; and it is supposed that the 'reasonable interposition of our advice, combined with the disposition of the executive administration to cultivate the good opinion of the Company's Government, will always be sufficient to prevent the occurrence of any flagrant abuse.' There can be no doubt but that, in general, a prince situated like the Rájá will not persevere in disregarding the advice of Government, when he knows that the consequences must be his own ruin as a sovereign. If he does not persevere, the difficulty is removed; but he sometimes will persevere, in spite of all the caution and prudence which may be employed by the Resident in dissuading him. There is no reason why he should not sometimes, as well as a private individual, want firmness to restrain himself from pursuing a course which he sees clearly must end in his ruin. He is, in fact, much more likely than any private individual to act in this manner, because his own inclination to profusion is continually encouraged by that of artful favourites, by whom he is surrounded, who expect to enrich themselves by his prodigality. When this is the case, the advice of the Resident, however cautiously and delicately given, will generally be neglected—because these men do not, like the Resident, see him only occasionally, or advise him to make any present

Beneful
influence
of low
favourites
over native
princes.

sacrifice for the sake of the future. They are his constant associates; the companions of his pleasures. They are about him in all his unguarded hours, and have ample opportunities of removing any favourable impression which the Resident may have made. They encourage him to consider every suggestion or request of the Resident which was formerly attended to without hesitation, as an interference derogatory to his dignity, and to withhold compliance by evasion or concealment.

It is only within these few years that we have begun to see the effects of the system under which the affairs of Mysore are administered. From 1799 to 1810 Purneah was the Diwán, and during the three following years the office was held by the Bakshi, Ram Ráo, who adhered to the plans of his predecessor. It is to this period of fourteen years, during which Purneah either was at the head of the Government, or his system remained in full force, that all former reports on the affairs of Mysore refer. These reports were in the highest degree favourable, because Purneah was a man calculated to realize the most sanguine hopes that could have been formed. He had in the time of Hyder Ali found his way by his talents from an obscure situation to one of the first offices of the State, and he maintained himself in it, in opposition to many able rivals throughout the reign of Tippoo Sultan. When Seringapatam fell, we found him willing to accept the post of Diwán. He was beyond comparison better fitted than any other person for it; and both his interest and his ambition led him to exert every means to promote the welfare and resources of the country under his administration. But we cannot expect again to find a man so qualified; for Mysore is not now a field in which such men can be found. The task, therefore, of preventing the affairs of Mysore from falling into confusion is now, and will hereafter continue to be, much more difficult than it was formerly.

It would be easier to give a right direction to the conduct of the Mysore Government under almost any other prince than the present one. A weaker one would be more easily guided. An abler one would act more prudently for his own sake. But still I think that the Rájá may yet be brought to give such attention to his own affairs as will obviate the necessity of our assuming the management of them. The most likely way of effecting this would be to make him furnish accounts regularly of his revenue and expenditure. By these accounts we shall see the general state of affairs, and we shall know when interference is really necessary, and be saved likewise from making inquisition

Ability of
Purneah,
the Diwán of
Mysore from
1799 to 1810.

Difficulty of
finding an
equally
competent
Diwán.

Desirable
that the
Rájá should
be required
to furnish
regular ac-
counts of his
revenue and
expenditure.

upon uncertain grounds, and a great source of jealousy and irritation will be removed. The transmission of these accounts will also draw the Rájá's attention, if not constantly, at least periodically, to the state of his affairs much more than would otherwise have been the case; and will stimulate him, if anything can, to conduct them in such a manner as may prevent their falling into such confusion as to render our direct interference unavoidable. The accounts will not be very correct, because it is probable that they will not come to the Rájá himself in that state; but they will be sufficiently correct to answer the purpose for which they are required. They will show us whether the establishments necessary for the security of the country are maintained, whether they are paid, and whether the revenue is improving or declining. With a knowledge of these points we shall be able to judge how far the Government is well or ill-conducted, and how far the Rájá is in a condition to fulfil the terms of the alliance. Should there appear from the accounts sufficient evidence that affairs are falling into disorder, and that if a remedy be not applied, the Rájá will soon be unable to fulfil his engagements, he will then be more likely to receive and follow our advice, because he will be sensible that it is not only necessary, but that it is founded on statements furnished by himself. Should there not appear to be any serious mismanagement, our advice can be very little wanted, and should be given as sparingly as possible.

Interference
in petty
matters in-
expedient.

The Rájá is less tenacious on great objects which regard the country at large, than on minor ones which concern the personal interests of his favourites. He will appoint no Diwán who is not acceptable to us; and he will furnish, though at first perhaps with some delay, the accounts we may request of his revenue and expenditure. But he will persist in lavishing money upon his favourites; in appointing, at their desire, low and unworthy persons to public offices; and in conniving at their corrupt practices, in spite of all the advice which the Resident may offer. As interference in such matters can answer no purpose, but to irritate the Rájá, it ought to be carefully avoided, unless the evil be carried to such a height as to affect the resources of the country.

Perfectly
accurate
accounts not
to be ex-
pected.

As no accounts have been called for since the time of Purneah, and as the Rájá has furnished none, the Resident has been obliged to seek information regarding the state of the country through various channels, which has frequently excited unnecessary jealousy, and injured the persons suspected of having given it. The necessity of such inquiries will in a great degree be obviated by the

accounts to be furnished by the Rájá, which, though they may not be very accurate, will be much nearer to the truth than any that could be procured from private sources. We must not expect more accuracy from the Rájá than from Purneah, whose accounts were certainly defective, as they do not show how the treasure which he left, could possibly have been accumulated. It is probable that some heads of extra revenue may have been kept in a separate account and not brought forward; and that he may, in some instances, have charged for the complete establishments of departments in place of the actual strength.

The measures which it appears most important to require the Rájá to carry into effect, are the following:—

- 1st. To reduce his expenditure.
- 2nd. To collect gradually, and keep in reserve, a moderate treasure, in order to meet the contingencies of war and bad seasons, and the repairs of fortresses, half the expense of which he is bound to pay by treaty.
- 3rd. To pay his departments regularly, and to cause the Sillah-dár horse to be mustered according to treaty when required by the Resident.
- 4th. To furnish statements of his revenue and expenditure according to such forms as may be submitted to him by the Resident.

I recommend that a letter be addressed to His Highness, calling his attention particularly to these points, and generally to the other points regarding the administration of Mysore, which were mentioned by me to His Highness at my last visit.

Summary of
points to
which the
attention of
the Rájá
should be
called.

ON THE COMPLIMENTARY EXCHANGE OF PRESENTS ON THE OCCASION OF AN INTERVIEW BETWEEN THE GOVERNOR AND A NATIVE PRINCE.

24th July, 1831.

Disposal of presents sent to the Governor by the Rájá of Mysore.

On my route to Bangalore I was received on the frontiers of Mysore by Balla Ráj, a relation of the Rájá, and several of the principal officers of the durbár, who accompanied me during my journey to Bangalore. The Rájá proposed to meet me at that place, but I declined his offer on account of the shortness of my stay. I wished also to have declined accepting the presents, of which a list was forwarded in the Resident's letter of the 28th June; but on communicating with that officer and some of the principal natives, I found the refusal would hurt the Rájá's feelings, who would regard it either as a slight on my part or as a mark of the displeasure of Government. The presents were therefore received and transferred to the Resident, who was directed to give others to the Rájá and his principal officers of the same value.

Reasons against prohibiting the practice of receiving presents from native princes and not giving return presents.

The native princes consider the giving and receiving of presents as an attribute of sovereignty, and our endeavours to discontinue the custom as a design to lessen their dignity. As they are gratified by the consequence which they suppose it gives them, both in the eyes of their subjects and of strangers; as the loss of much of their real power makes them the more anxious to preserve the forms that yet remain of royalty; as our putting a stop to the ancient usage of presents would mortify them without producing advantage to either party; as it can be attended with no abuse while kept under proper control; and as the form in which it is now conducted, answers this purpose, I am of opinion that it ought to be continued, for the satisfaction of the native princes. It is, as the Board know, a mere ceremonial of exchanging equivalents. The Resident, previous to the ceremony, ascertains from the officers of the durbár the value of what is to be given by their master; he provides articles of a similar value to be given in return, and he keeps an account of the receipts and disbursements, which nearly balance each other in the course of the year.

ON THE QUESTION OF TRANSFERRING THE SOUTHERN MAHRATTA DISTRICTS FROM THE BOMBAY TO THE MADRAS PRESIDENCY.

5th May, 1836.

I CANNOT deliver my sentiments on the question of the transfer of the southern Mahratta country without making my acknowledgments to the Honourable the Governor in Council at Bombay, for the manner in which it has been referred to this Government, in the Minute which accompanied the Chief Secretary's letter of the 20th April.

Question of the transfer of the southern Mahratta country from Bombay to Madras.

My own knowledge of the southern Mahratta districts is extremely limited, and is not to be put in competition with that of either the present or the late Commissioners, who have so long administered their affairs. My residence in them was only during a period of war, and the view which I then took, and which I am still inclined to consider as on the whole the best one, is the same as that which was originally adopted by the Honourable the Governor of Bombay; namely, that these provinces ought to be transferred to the Presidency of Madras.

Munro's views favourable to the transfer.

The present Commissioner has stated very clearly the arguments for, as well as against, the transfer. Those in favour of the transfer are, he observes, as stated by the former Commissioner, the intervention of the territory of the Rájá of Sattára between the Bombay acquisitions in the Deccan and the southern districts; the country being a part of the Carnatic already under Madras, and the people Canarese, like those of the adjoining district of Ballári; the country being occupied by Madras troops, and the probability of its continuing to be so; and the expediency of the Madras establishment participating in the benefits of the conquest of the Peshwah's dominions.

Arguments in favour of the transfer, as stated by the Commissioner.

The arguments urged by the Commissioner against the transfer are in substance as follows:—

Arguments against the transfer.

The difficulty of managing the Mahratta chiefs, some of them

having extensive territories, and the Rájá of Kolapur being an independent prince.

That some of the Patwardári family, whose possessions lie chiefly to the south of the Krishna, have their residence to the north of that river, and that some have possessions scattered over districts contiguous to Sholapur and Poona, which must keep them connected with Bombay, and make them look to it for redress.

That the difficulty of managing these chiefs increases as the seat of government is more remote, and that there is great danger among future changes of local authorities.

That if the Political Agent be deficient in the qualities requisite for his situation, the last respectable remains of Mahratta chiefs may subject themselves to confiscation or degradation, and thereby render our Government unpopular.

That the distance of the Madras Government must render it in some degree liable to be guided by the representations of the local authorities, in measures connected with these chiefs, and tend to diminish their security; and that the facility which Bombay possesses, of throwing in reinforcements by sea at a week's warning, gives her the best means of putting down insurrection in these provinces, and renders her the best qualified for their administration. The Honourable the Governor of Bombay considers the management of the southern jágirdars as a matter of primary importance. He thinks, for the reasons assigned by the Commissioner, that Bombay is a more convenient Presidency for them than Madras, and that their Mahratta origin and former connections would render a transfer to Madras almost as great a revolution as that which they underwent on the fall of the Peshwah. The arguments against the transfer are no doubt strong, but they seem to rest rather upon circumstances of a temporary than of a permanent nature.

The latter arguments rather of a temporary than permanent nature.

Residence of some of the southern Mahratta chiefs to the north of the Krishna river, not a valid objection.

The residence of some of the Mahratta chiefs to the north of the Krishna, whose possessions chiefly lie to the south of that river, constitutes no solid objections to the transfer. The residence of such chiefs cannot be regarded as certain, but changes with their fancies. Those who now reside north may in another year or two take up their abode to the south of the Krishna—or if the present chief continue where he is, we cannot be sure that his successor will. It is most likely that they will all in time fix their residence in the province where the great bulk of their possessions lie. It is not unusual for these chiefs to have scattered possessions under different governments. It will not prevent them, under any

of the Presidencies, from receiving the same attention to all their references as if their possessions had been entirely under it.

The distance of Madras does not seem to me to form any serious obstacle to the transfer. It is not so much greater than that of Bombay from Dhárwár, as of itself to render the one Government much more liable to be guided by the representations of the local authorities than the other. The opinion of these authorities must usually have some influence with all Governments, but neither Madras nor Bombay are so distant as to be dependent wholly on it. They have the advantage of former records, and of the experience of many civil and military officers of both Presidencies, derived from a long residence in these provinces.

Distance of Madras not a serious obstacle.

The facility which Bombay has of throwing in reinforcements by sea, does not make up for the military advantages possessed by Madras for controlling the southern Mahratta country. There are some months in the year when troops cannot be sent by sea from Bombay, and even when the season is favourable, it may not be convenient to send them. The real foreign frontier of Bombay is to the north-west, the opposite extremity of its territories. It is in that quarter that the chief demand for its troops will always be, and their services ought not to be made liable to be diverted from it by the affairs of the southern Mahratta districts. The military force has always been in those districts composed of Madras troops, and it may easily, without any addition to the army, be so increased as to prevent or to put down any insurrection which might be attempted. The unexpected call for Bombay troops in the disturbances which took place within the last two years in Kittur and Kolapur arose from the absence of a great part of the Madras army in Ava, an event which is not likely to happen again. The ordinary force allotted to the Dhárwár districts, when complete, is quite enough; but if more should, contrary to probability, be wanted, there is no spot within the Madras territory where so great a force could with so much ease be concentrated; for, besides the troops in the adjacent district of Ballári, nearly the whole of the troops at the great military cantonment of Bangalore, together with the greater part of the Rájá of Mysore's horse, might be thrown at once without any inconvenience into the southern Mahratta country. The long settled state of the Mysore dominions does not require the constant presence of the great force stationed there, so that the chief part of it is always disposable for service, either in the southern Mahratta country or in the southern districts of His Highness the Nizam.

Superior military advantages possessed by Madras for controlling the southern Mahratta country.

Incon-
venient that
the civil
Govern-
ment should
belong to
one Govern-
ment and
the troops
to another.

Besides the facility with which Madras can supply the troops, it may be urged, too, in favour of the transfer, that it is evident that inconvenience must frequently arise from the civil government belonging to one Presidency and the troops to another, and that affairs are more likely to be smoothly conducted where both are under one.

The manage-
ment of the
chiefs, at
one time a
difficulty,
has now
ceased to be
such.

I think that the management of the chiefs was the only real difficulty that ever existed in making the transfer; and had such a measure been proposed on the conclusion of the war, I should have thought it wrong to adopt it, because there can be no question that Bombay, from its intercourse with the Mahratta chiefs, was much better qualified than Madras to manage and reduce them to order. But this difficulty is not now what it was. Time and experience have so greatly reduced it, as to make it no longer serious. It has been nearly done away by the administration of the present and late Commissioners. Any future Political Agent will have their example for his guide, whether he be from Bombay or Madras. The present Commissioner was till lately a stranger to Bombay, but he had the benefit of his predecessor's example, and his successor will have that of his. The principles to be observed in regulating our conduct towards the Mahratta chiefs in every case, whether of interference or forbearance, have already been ascertained by the Commissioners, under the direction of the Bombay Government, and would serve as a guide to the Political Agent and to this Government, if the transfer were made.

Transfer to
Madras ad-
visable,
both on
military and
on political
grounds.

In this, therefore, as well as in every other respect, it appears to me that the transfer to Madras would be the best arrangement, both as regards the civil and military administration. Madras has always furnished the troops, and can more easily augment them when necessary. The civil and military authorities will be united under one Government. The country forms a part of the Carnatic, which is already under the Madras Government, and the people are Canarese, like those of the neighbouring districts of Ballari and Sunda; and their reunion to their nation, though it does not force itself so much on our immediate attention, is, as a permanent measure, perhaps more entitled to it than anything regarding the convenience of the Mahratta chiefs, who should not now, I think, continue to look to Poona and Bombay for redress. It has the effect of keeping alive the memory of the Mahratta confederacy, which had better be lost, and this would be more likely to result from the transfer to Madras.

ON THE SAME SUBJECT.

August, 1826.

In the letter from the Secretary to the Supreme Government, dated the 22nd July, enclosing a copy of a letter to Bombay on the subject of the southern Mahratta country, this Government is desired to state its sentiments 'on the practicability, as well as 'expediency, of continuing the political control over some of the 'chieftains in the hands of the Government of Bombay, should it 'be ultimately decided to annex the southern Mahratta country 'generally to the Presidency of Fort St. George.'

Letter from
Supreme
Govern-
ment on the
subject of
the transfer.

I am of opinion that the administration of the province or zillah of Dhárwar, and the political control over the chieftains holding jagirs within it, ought to be united under the same Government, and that they could not be separated without the most serious inconvenience, and weakening the authority and efficiency of the public officers.

Administra-
tion of pro-
vince of
Dhárwar,
and political
control over
the chiefs
holding
jagirs in it,
ought to be
united in the
same Gov-
ernment.
Reasons for
the above
opinion.

I believe that the different chieftains now hold their jagirs rent-free. There can therefore be no demand upon them for revenue, which is usually the great source of vexation and discontent. The cause in which almost every discussion with them is likely to originate, will be the disputes between the jagir and sirkar villages about boundaries, trespasses of cattle, local duties on goods, and other matters which, from the great intermixture of the villages, must frequently happen; and as these disputes ought to be amicably settled the moment they arise, it becomes the more necessary that the political and civil authority over the whole country should be united in the same Government. Were these powers possessed separately by different Governments, the most trivial disputes, which ought to have been settled the same day, would become the subject of political discussion; and, by giving importance to things having none in themselves, and wasting time upon them, would seem rather to keep alive than to terminate petty dissensions.

Dhárwár
really a Can-
natic, and
not a
Malabar
province.

All the
chiefs in
that pro-
vince,
except the
Rájá of
Kolapur,
should be
placed
under the
political
control of
Madras.

I have on former occasions stated my opinion, founded on the country of Dhárwár being a part of the Carnatic, the people Canarese, not Mahratta, and other causes, that the whole of that province ought to be annexed to the Presidency of Madras, as was originally intended. But, as the letter from the Supreme Government requires to know whether, in the event of such annexation, it might not be expedient to continue in the hands of the Bombay Government the political control 'over some of the chieftains,' I must, in answering this question, still say that I deem it highly inexpedient to continue any of them under the political control of Bombay; but that the one which might with the least public inconvenience be so continued, should such a measure be resolved upon by the Supreme Government, is the Rájá of Kolapur, because his territory lies nearer to Bombay than that of any of the other chiefs, because it is compact, with the single exception of the district of Manouli, given to him by the British Government in 1818, and because he is a sovereign prince. As the village of Nepanni is situated in the heart of the Kolapur territory, it should with its chief be under the control of the same Government as Kolapur.

ON THE SAME SUBJECT.

27th June, 1826.

It was not my intention to have said anything more regarding the transfer of the Dhárwár province than what was contained in my former Minute; but, further proceedings of the Bombay Government on this question having since been received, I think it advisable to offer a few short explanations on some of the arguments brought forward in them.

It is inferred that 'the Madras military establishment has been 'increased to an extent beyond its wants,' because it can furnish troops to protect Dhárwár. The increase was made under the authority of the Supreme Government in 1819, when no doubt was anywhere entertained that after doubling at once the Bombay territory, by the addition to it of the greater part of the Peshwah's dominions, this small portion of them would be annexed to Madras. But there are general grounds, independently of the defence of a particular district, connected with the first rise of our power in India, which have rendered the maintenance of an efficient army at Madras indispensable. From early times it was absolutely necessary for the safety of our Indian empire, and even for our existence in India, to keep up a larger military force at Madras than it could support from its own resources, because it was on the coast of Coromandel that the great contest for dominion was carried on against the French and Dutch, and Mysore, the most formidable of all the native powers. It is on this coast still that we must be prepared to meet the French; for a European enemy attacking India will always land on this coast, because he can be supplied with everything and easily advance into the country, and because an invading army cannot be equipped on the coast of Malabar, and cannot even move during several months in the year. Our long connection with Hyderabad, and the maintenance of our influence there, have also required us to have some disposable force ready to act according to emergencies. Expeditions to Manilla, Amboyna, and other European settlements to the eastward, have

Further re-
marks on
the same
subject.

Reasons for
maintaining
a large mili-
tary force in
the Madras
Presidency.

Malabar
coast.

Coromandel. An inhabitant of Mysore will much rather come 90 miles to Madras than go 120 to Cananore. There cannot be the smallest doubt that a native of Dhárwár would much rather come to Madras than go to Bombay, because by going to Bombay he would experience a much greater change both of climate and of people, and would incur a much greater risk of sickness; and that therefore it would be much more convenient for the personal intercourse of the inhabitants with the seat of government in all their affairs, to be under Madras than Bombay. More distance, however, never has been nor can be the rule for the annexation of territory to any particular Presidency. Were it admitted, it would transfer many of the Bengal conquests, and even Delhi itself, to Bombay.

Transfer of
Dhárwár to
Madras will
enable that
Presidency
to pay its
own
expenses.

It is certainly desirable that each Presidency should be able to defray its own expense, because there is always some inconvenience in being obliged to depend on another for its resources. I do not, however, consider this as a matter of primary importance in the distribution of territory. Yet, as far as it goes, it is in favour of Madras, because neither Madras nor Bombay can at present pay its own charges, without aid from Bengal; but if Dhárwár be transferred to Madras, this Presidency will be able to answer all its own demands without assistance from Bengal, while, if the transfer be made to Bombay, its resources will still be far below its expenditure, and both Presidencies, instead of one, will still be dependent on Bengal.

SECTION IV.

MILITARY.

likewise required extra troops. The demand for these various services could never have been answered without an adequate force at Madras, or without something more than what is merely sufficient to protect its own territory. I do not mean that the circumstance of our having a military force capable of protecting the Dhárwár province, is of itself a sufficient reason for placing it under Madras; but I think that it is one which ought to have paramount weight, when it is combined with the consideration that the districts forming that province have always actually been occupied by our troops, and that they are not Mahratta but Canarese, the same as our neighbouring districts of Harpanhalle and Sunda.

Origin of the mistake of supposing the Dhárwár province to be Mahratta.

The mistake of supposing the Dhárwár districts to be Mahratta, has probably arisen from our calling them the southern Mahratta country, a term unknown to the natives, and only lately adopted by ourselves. They are so far from being Mahratta, that, though frequently overrun, only a small part of them was ever subdued by the Poona Government. The rest remained under the Nizam and the Nawáb of Sávanur until Hyder Ali, by the defeat of Abdul Hakim, the last Nawáb of Sávanur, in 1763, became master of them; and though they were still occasionally overrun by the Mahrattas, they remained annexed to Mysore until the first Mysore war, when Dhárwár was taken from Tippoo by the aid of a British force, and ceded, with its dependencies, to the Peshwah by the treaty of Seringapatam in 1792. While the Dhárwár districts were under the dominion of Hyder and Tippoo, the name of southern Mahratta country was unknown, and would have been unknown still, had they continued united to Mysore. They were considered as much a part of Mysore as Bangalore; for the inhabitants were a portion of the same Canarese nation, speaking the same language, and differing in no respect whatever. It must, therefore, be more satisfactory to the inhabitants themselves to be reunited to their own nation, than to be transferred to a country of Mahrattas, with whom they have no natural connection. A reference to the map will show that the Dhárwár province makes a deep indentation into Mysore; that it is bounded on the south-east by Harpanhalle, and on the west by Sunda, both districts of this Government; and that its transfer to Madras would have the advantage of connecting these districts. This advantage is so obvious, that it has been proposed to take away the force of it by transferring Sunda from Madras to Bombay.

Jágirdars of Dhárwár not ancient hereditary chiefs.

From the manner in which the jágirdars are spoken of, it might be inferred that they are ancient hereditary chiefs of the country, who possess great influence over the people, and in whose fallen

condition the people sympathize deeply. But there is no foundation for such a belief. Most of the jágirdars are strangers from the Konkan and the countries beyond the Krishna, and have no influence over the people. Appu Dessai, of Nepanni, is indeed a native, but never possessed any weight in the country. He is a younger branch of a family, the chief of which was potail of Nepanni, and of another village. He was first noticed by General Wellesley in the Mahratta war of 1803-4, for his activity as the petty leader of a few horse, and he was afterwards patronized by the Peshwah, who was fond of raising new men, and gave him jágirs and the title of sirlashkar. The Patwardáris, who are by far the most considerable of the jágirdars, are, I believe, strangers in Dhárwár, and were scarcely heard of until the time of Parasaram Ráo's father, or rather of Parasaram Ráo himself. They possessed none of that rank or consequence which belonged to the Gorpani and other Mahratta families, which held hereditary chiefships. They were, like most other jágirdars, mere servants of the Peshwah, who hated them, and would have stripped them of their jágirs, had he not been prevented by the British Government. These observations are made, in order to show that Dhárwár is not a Mahratta province, held by these jágirdars as hereditary chiefs, but a Canarese province, in which they are strangers, and in which their still having jágirs is owing to the accidental interference of the British Government; and that there can be no reason why the rights and privileges of those chiefs should not be as well secured to them under the Madras, as under the Bombay presidency. We know from experience that a Mahratta chief of much higher rank and antiquity than any of them, the jágirdar of Sundúr, in Ballári, a member of the Gorpani family, lives contentedly on his jágir between Harpanhalle and Ballári, and is well pleased at his separation from Poona.

The argument in favour of the transfer to Bombay, founded on the distance of that place from Dhárwár being only 290 miles, while that of Madras is 400, is not of much consequence. In the extended state of our Indian territory, it is of little importance whether a place is 300 or 400, or even 500 miles from the capital. There may be circumstances of climate and national connection which may render the more distant Presidency more convenient than the nearer, for the purposes of good government and the comfort of the people. The inhabitants of all countries above the Gháts have a great dislike to descending the Western Gháts to the Malabar coast, but have none to descending the Eastern Gháts to the coast of

Argument on the score of distance unimportant.

Dislike of the inhabitants of districts above the Western Gháts to the

ON A SUGGESTION THAT A CERTAIN NUMBER OF
NEGRO REGIMENTS SHOULD BE BROUGHT TO
INDIA FROM THE WEST INDIES, AND
THEIR PLACES TAKEN BY SEPOY
REGIMENTS FROM INDIA.

11th June, 1805.

It is not likely that the urgency can be so great in Britain as to render it difficult to allow a sufficient number of European troops for India. The number required can hardly exceed 5000 or 6000 annually. If it even amounted to 10,000, such a body as this would not be wanted for a succession of years, but only for one or two on some extraordinary occasion. If the British army could not spare so many men, the whole, or the greatest part, might be raised by recruiting. This would not much impede the recruiting for the regiments in Europe; or even if it did, it would probably be little felt, for though it might be often inconvenient to spare regiments, the emergency would never be so great, unless during an actual invasion, as to make it difficult to spare recruits. It may be observed, too, that many men would enlist to go to India who would not enlist for any other service, and that the raising of such men would not injure the recruiting for the corps in Europe.

Negro regiments are not, even in the West Indies, so efficient as Europeans, though they are superior to them in resisting an unhealthy climate, in traversing woods under a burning sun, and some other duties of mere fatigue. But in India they would lose these advantages in a great measure, for they would not bear either the climate or fatigue better than Europeans who have been a short time seasoned to the country. There is little service here among woods and swamps; and as such places, when unhealthy, are nearly as fatal to sepoys as to Europeans, it is not likely that negroes would escape their effects. The operations of war with the great native powers, and even with the petty Rájás, are chiefly carried on in open countries, to which the European is as well adapted as

Improbability of Britain being unable to furnish a sufficient number of British troops for India.

Negro troops would be less efficient than Europeans.

They would soon, by picking up a few followers from the lower castes, learn to make themselves understood, and to traverse the country without difficulty on common duties; but they never could with safety be entrusted with the escort of treasure. They would be actuated by none of those feelings which ensure the fidelity of the sepoy, and they would be as likely to plunder as to guard the treasure. Some of the sepoys are born, and most of them brought up, in the service. Their native village is in the dominions of the British Government. Their families live under its protection. They look forward to a maintenance in old age from its bounty, and to a retreat among their friends; and all these circumstances together operate so powerfully in maintaining them in their duty, that they are perhaps more trustworthy than European soldiers without an officer. But negroes brought to this country when grown up to manhood, would have little attachment to it, and could not with prudence be detached alone with treasure. They might perform all the other duties which are usually given to sepoys, but from being strangers and less acquainted with the inhabitants and their manners, they would hardly execute them so well.

Sepoys would have no jealousy of negro troops.

Sepoys would not be pleased to see slaves raised in India preferred to them in duties of honour; but they would feel no jealousy on account of the negro regiments. They know that His Majesty's Europeans take rank of the Company's, and they would ascribe the preference shown to the negroes to their being King's troops.

No inconvenience apprehended in sending European officers of sepoy regts. with their regts. to the West Indies. Sepoy regts. would be efficient with a smaller proportion of European officers than at present.

If the state of India is such as to admit of sending sepoy corps to the West Indies, there will be no inconvenience experienced from sending their European officers with them. A proportion of European officers above the establishment even of such corps might be detached with them without any detriment to the service in this country; for the sepoy regiments, by having native as well as European officers, are more completely officered than any troops in the world, and though they could not be depended upon without European officers, they would be as efficient in this country as they now are, with a smaller proportion.

Native troops sent from India to the West Indies must have the same allowances as in India.

The native troops must certainly receive the same allowances in the West Indies as in India. Those allowances might be frequently the subject of conversation; but it is not likely that they would ever excite any such jealousy as to impede the public service. The Bengal troops who served on the coast during Hyder's invasion of the Carnatic received much higher allowances than either the King's or Company's corps in the Madras army without occasion

g the smallest disagreement. The King's officers in the West Indies know that they would, on coming here, be entitled to the Company's allowances, and they will have too much liberality to suppose that the Company's own troops ought to be deprived of them for volunteering on distant service.

A deputy paymaster ought to be appointed to the Company's troops serving in the West Indies, who should receive his cash from the King's paymaster. I am not sure how far it might be practicable to obtain money in the West Indies from Portuguese or Americans for investments in this country, or for the Company to send out bullion or obtain bills on the West Indies on more favourable terms than those on which cash is issued there to His Majesty's troops.

Question of providing cash for the payment of troops of the East India Company in the West Indies.

The clothing must be sent direct from England to the West Indies, and the proceeds be carried to the general account in India.

Clothing.

Rice, when not procurable in the market, must be issued to the sepoys in the same manner as in this country, at twelve seers the pece, and at half a seer daily to each man where other grain is to be purchased; but where other grain cannot be got, it would be necessary to issue one seer per man. The rice might, I believe, be not cheaper from the Southern States of North America than from this country, and it is probable that the supply from that country would in general be so ample as to preclude the necessity of issuing from the public stores, except in cases of emergency. The want of dall would not be felt by the Madras sepoys. Those from Bengal could be easily supplied with split peas from America. Ghee, or substitutes for it, tobacco, pepper, etc., could all be found in the West Indies; and on the whole there would be no difficulty in feeding sepoys in those colonies.

No difficulty in feeding sepoys in the West Indies.

The deficiencies in corps might be supplied there by recruiting negroes and men of colour. The great objection to such recruits is that no confidence could be placed in them in the event of any internal disturbances; for they would not only be disposed to join the insurgents, but they would endeavour to seduce the sepoys from their duty. It would therefore be most advisable to send recruits from India.

Recruits should be sent from India to supply vacancies in sepoy regiments in the West Indies.

The rank between the King's and Company's officers must be adjusted precisely in the same manner in the West as in the East Indies. The King's commissions granted to the Company's officers must extend their rank to the West Indies.

Adjustment of rank between the King's and Company's officers in the West Indies.

the negro constitution. Negro regiments in India would certainly neither be so much respected by our native troops, nor feared by the enemy, as Europeans. Negroes in a military character are not unknown in this country. Bodies of Abyssinians were formerly employed in the cavalry of many of the Mussulman princes of the Deccan, and small parties in later times have served in the infantry of the armies of Hyder Ali and other chiefs; but they do not appear to have been thought better troops than the natives. No just comparison, it is true, can be drawn between them, dispersed among the rabble of an Indian army, and formed into regular battalions under European officers; but the same thing may be said of the native troops, who under British officers are so superior to their own countrymen in the service of the native powers.

Negroes not likely to be more steady in action or more formidable to the enemy than sepoy.

The bravery of a soldier depends on discipline, on a sense of honour, and on a high opinion of himself; and in all these the negro is perhaps inferior to the native of India. He has the advantage of him in personal strength and in the confidence which is inspired by it; but this does not compensate for his deficiency in other respects. The best negro regiments in the West Indies, brought to this country, would not be more steady in action or more formidable to the enemy than sepoy.

No difficulty in provisioning negro troops.

The difficulty of victualling negroes and Europeans could not be equally great, unless both are subsisted in the same manner in the West Indies, and unless the negroes are told that they are to be continued upon the same footing of equality in this country. A regiment formed of negroes imported direct from Africa might be subsisted as easily as sepoy. Negroes from the West Indies, even if victualled there like Europeans, if sent to this country without any stipulation on that head, might easily be brought to subsist in the same manner as sepoy. It would be no hardship upon them to exchange their salt provisions and grain, often damaged, for an Indian bazar. In the field they would not always find butchers' meat, but they might purchase it occasionally, and the common arrack of the country would supply the place of new rum.

The expense of negro troops need not be greater than that of sepoy.

The expense of victualling and pay need not be so great, for there can be no reason why negroes may not be victualled and paid exactly at the same rate as sepoy, provided no stipulation to the contrary has been made in their favour. The pay of a sepoy is equal in money to what the pay of the British soldier was formerly in Europe, when he received sixpence a day. It is greater in value than the British soldier's present advanced pay, if the difference between the prices of the common articles of life in India and

England is considered. Negro regiments might not only be maintained on the present, but on the former pay of the sepoy. The pay of sepoy in this country, compared with that of soldiers in Europe, is extravagantly high. In Europe the pay of the soldier is not in general greater than the hire of the labourer, the class from which he is chiefly drawn. The hire of labourers in India probably nowhere exceeds four rupees throughout the year. Those labourers, on becoming sepoy, received five rupees and a pension on being worn out. But this pay, notwithstanding the strongest evidence of experience, was deemed insufficient, and was raised to seven rupees, or about double the earnings of the labouring castes of the inhabitants. As this pay is equal in coin to that which the British soldier received some years ago, and much greater in actual value, there can be no doubt of its being enough, and more than enough, for negro troops.

The relative expense of transporting negro and European regiments from the West to the East Indies, is a subject with which I am entirely unacquainted. The difference would probably not be great, though something would be saved on the side of the negroes by crowding them more, and giving them an inferior kind of provisions.

If the West Indies can supply recruits, there will be no difficulty in keeping the regiments complete, by bringing over recruits at the same expense as was incurred in transporting the regiments.

In those States of North America in which the negroes have been declared free, recruits might be raised; but it is not likely that the Government of that country would authorize the measure. The importation of slaves from Africa would be too expensive; but if the freight, the pay, and the subsistence, and all other charges attending negroes from the West Indies, are calculated, they would probably fall little short of the price for which Abyssinians might be landed on the Malabar coast. India itself has no means of supplying the deficiencies of negro corps. There are still in many villages of the western part of the Deccan several families of negroes, descended from those formerly serving in the armies of the Bijapur princes; but they could hardly furnish any recruits, and these, except in appearance, would differ nothing from the lower classes of Mussulmans.

Negro regiments could never be so well calculated as sepoy for escorting treasure, and other similar duties in time of peace. Their ignorance of the country languages would for some time be an obstacle to their being detached in small bodies on distant services.

Difference of transporting negro and European regiments from the West to the East Indies would probably not be great.

If the West Indies can supply recruits, negro regiments can be kept complete.

Negroes could not be recruited in India.

Negroes would be in many respects less trustworthy than sepoy.

happen that a sufficient supply of British troops cannot be spared from Europe for their defence, they might be most powerfully aided by sepoy from India, who might be employed with great effect against any enemy, but with particular advantage against revolted negroes.

The West India may be as effectively succoured from India as from Europe.

The experiment might be tried on a small scale on the first instance.

If experience justifies the reasonable expectation that sepoy will bear the West Indian climate, it is possible that those islands may, on some future occasion, be as effectually succoured from India as from Europe.

In order to ascertain how far the plan is practicable, it might be advisable to try it on a small scale with a battalion of 1000 or 1200 sepoy. The employment of such a body would furnish the means of calculating the probable expense of a larger armament. It would show whether sepoy are capable of resisting the climate: it would point out whatever was deficient and had not been foreseen, and it would thereby enable Government, whenever it became expedient to equip a more considerable force, to estimate with confidence both the expense and the services which it might render to the country.

ON THE QUESTION WHETHER ADVANTAGE WOULD RESULT FROM FILLING UP THE CASUALTIES IN EUROPEAN REGIMENTS IN INDIA, WITH RECRUITS FROM EUROPE, INSTEAD OF RELIEVING ENTIRE REGIMENTS.

(Evidence before Select Committee of House of Commons, 12th April, 1818.)

I CONCEIVE that very great advantages would result from such a practice, because, by sending out recruits only, you have always veteran regiments. The recruits upon their landing are thrown into old regiments who are acquainted with the mode of living in the country, and the recruit soon becomes a perfect soldier. By sending out entire regiments, however excellent the officers may be, from their not being acquainted with the manners of the country and with the modes of living, a corps upon its first arrival, and sometimes for one or two years' time, is quite inefficient: if it is sent to the field, it is rather an encumbrance than an advantage to the army. There is likewise, by the system of sending out recruits instead of whole regiments, a considerable saving, not only in expense, but likewise in the lives of men; for when regiments are sent out in a body, from their inexperience in the country mode of living, a much greater proportion of them die, than among those recruits who are thrown into old veteran regiments established in the country.

Advantages of filling up casualties in British regiments in India by sending out recruits instead of relieving entire regiments.

MINUTES OF SIR THOMAS MUNRO.

Danger to the health of the sepoy from change of climate not great.

It is probable that the sepoy would suffer nothing from the heat of the West Indies, for their own country is hotter; and it is also probable that, from their temperament and diet, they would be more liable than the negroes to the attacks of the yellow fever. It may, however, be supposed that as a removal from one province of India to another, when there is any material difference in the heat or cold, dryness or moisture of the atmosphere, produces among them fevers, fluxes, etc., that on being transported to the West Indies, they would be subject to similar disorders; but it is not probable that they would suffer any considerable diminution in their numbers from this cause.

Sepoy would be as capable of opposing Europeans in the West Indies as in India.

They would be as capable of opposing Europeans in the West Indies as in this country under similar circumstances. They might not be so healthy, and consequently might not be quite so fit for service as here; but European troops are also less efficient in the West Indies, as in the East.

Period of service of sepoy in the West Indies.

The period of service might be three years. This would be long enough at a first trial, and might afterwards be lengthened when the sepoy became familiarized to the West Indies.

No difficulty about food for the different castes.

There seems to be no cause to apprehend any difficulty regarding provisions. The sepoy will be less scrupulous after reaching the West Indies than now about their provisions. Rice and water are the chief articles, and both may be easily supplied. The keeping the water and boiling the rice of the different castes separately on board ship might occasion some difficulty, but not such as might not always be surmounted by a little exertion. These difficulties would only occur on embarkation; and as the passage from one colony to another would be short, the same preparations would not be required as for the long voyage from India.

Courts-martial in the West Indies on native officers and men of sepoy regiments.

The native officers ought to be tried by the Company's articles of war. The difficulty of assembling general courts-martial for the trial of natives might be obviated, either by authorizing a smaller number of members to form a court, or the senior non-commissioned to sit as members. The end of impartial justice might be equally well attained by supplying the deficiency of native with European officers; but this would not be so satisfactory to the feelings of the sepoy. There would be no difficulty in finding interpreters. Most of the Bengal officers understand the Hindustani language, and on the coast there are some sepoy in every company who speak English.

EXPEDIENCY OF EMPLOYING NEGRO REGIMENTS.

With respect to the general policy of the plan, it may be said that if any advantage is to be derived from the employment of negro regiments in India, it must arise either from their proving more serviceable than the native troops, or from the necessity which may hereafter occur of removing them from the West Indies, lest they should mutiny or join an insurrection of the slaves. The negroes are regarded as good troops in the West Indies; but they owe their reputation less to their own excellence than to the sickly and often undisciplined state of the Europeans with whom they have acted. In India they would be far inferior to Europeans. They would resemble the corps of topasses, which have sometimes been employed in this country, composed of low-caste natives, of half-caste Portuguese, and a few Abyssinians, and they would certainly never be better troops than sepoy. They could add, therefore, nothing to the efficiency of the Indian armies; and to bring them here merely as auxiliaries, when as good and better troops can be found on the spot, would be a useless expense. If, however, they should become dangerous to the tranquillity of the West Indies, it would be highly advisable to send them to this country; for, whether embodied or disbanded, they could do no mischief here.

As to the general policy of the plan, negro regiments would not add to the efficiency of the Indian army, but would do no mischief in India.

The expediency of sending sepoy to the West Indies is a question of a very different nature. The troops employed in those colonies seldom appear to have been very respectable. A country in which military operations are often suspended during fifteen or twenty years, and in which the struggle is rather with the climate than with the enemy, is not one to form soldiers. It is not, therefore, surprising that an assemblage of soldiers, seamen, men of colour, and negroes under Victor Huguis, should have been a match for British troops. Sepoy are more habituated to discipline, to long marches, and to all the hardships of a camp life, than any troops in the West Indies. Acting with British soldiers, they would be inferior to them only in storming a breach, or in resisting the charge of a European enemy in the open field. In all other respects they would be equal, and in duties of fatigue superior, and they would perhaps suffer less by desertion. A body of such men would doubtless be formidable to any enemy in the West Indies. Their numbers would probably be little diminished by the climate, and as there would be no danger of their joining either a foreign enemy or internal rebels, they would, supported by a few veteran corps of Europeans, constitute the most efficient military force that has probably ever been seen in those colonies. If it should ever

Sepoy from India would doubtless prove useful in the West Indies, especially in case of a negro revolt.

ON THE QUESTION OF ABOLISHING THE EURO-
PEAN REGIMENTS OF THE COMPANY AND
CONFINING THE COMPANY'S ARMY TO
NATIVE TROOPS COMMANDED BY
EUROPEAN OFFICERS.

(Evidence before Select Committee of House of Commons, 12th April, 1818.)

The abolition of the East India Company's European regiments likely to be prejudicial to the efficiency of the entire army of the Company. The reasons for this opinion.

If such a separation were to take place, I am of opinion that it would tend materially to destroy the efficiency of the Company's army. It has been a part of our military policy in India to raise the European character by all possible means, to employ Europeans only in leading the assaults of all places taken by storm, and to employ them in the field in all enterprises where courage is required. By a separation of the European part of the establishment from the native, the European part of the establishment will be exclusively employed in all those services in which military distinction or renown is to be acquired. In the sepoy service, the officers cannot be employed, except in all the lower drudgery and fatigue of war. They will in consequence sink in their reputation, and will become in time little better than a kind of country militia. The regiments will become somewhat like what the sepoys of the French Government formerly were, who, being separated from the European branch of the service, were commanded by officers of an inferior description. The officers, by being excluded from all great opportunities of signalizing themselves, would sink in character, and would be held in no estimation by the officers of the European part of the establishment. The sepoys whom they commanded, would likewise lose their respectability, and the whole native branch of the establishment would then become no better than a native army is, when commanded by Europeans, under a native prince. The European officers of the sepoy establishment, excluded from all distinction in India and in their own country, would become discontented, and they would most probably in time, sooner or later, by means of a civil war, effect the separation of India from this country.

The military character of the sepoy corps in the French service was very low, and they were by no means so efficient as the Company's sepoys. I should suppose that one regiment of the Company's sepoys would have dispersed three or four corps of French sepoys; and I am convinced that this superiority in the Company's sepoys has arisen entirely from their considering themselves as a part of a European army. The officers by whom they have been trained were bred in European regiments. After serving a certain time in European regiments, they were appointed to sepoy corps; and after remaining with sepoy corps some years, they were very often sent back again to command European regiments, or to serve in them; so that there was no distinction in the European officer, whether he was with a sepoy or a European corps. The Company's sepoy considers himself as forming an integral part of the British European army, and it is from that he derives his high character and confidence. By a separation of the European infantry, he would regard himself as no better than the common militia of the country. It would be impossible to maintain anything like equality in an army divided into two branches, in one branch of which the officers should be exclusively employed on all distinguished occasions, and the officers of the other branch excluded from having an opportunity of distinguishing themselves. Without equality, there can be no such emulation as there ought to be: among military men there must be something like equality to maintain it. In place of emulation, we should have jealousy. Our military establishments in India should be formed upon principles which, while they extinguish all jealousy, should kindle and keep alive emulation.

The efficiency of the Company's army, I conceive, would be very greatly improved by a considerable addition of European infantry and cavalry—by such an addition as would enable every officer, upon his first going out from Europe to India, to be employed one or two years with a European regiment, until he had learnt his duty. He ought not to be transferred to a sepoy corps until, by previously serving with a European one, he had made himself master of all his duties, and likewise, by being in some degree acquainted with the character of the natives, qualified to command and to act with sepoys.

Superiority of our sepoys over the French sepoys attributable to the European officers having been trained in European regiments.

Efficiency of the Company's army would be increased by a considerable addition to the European infantry and cavalry.

REGARDING THE BODY-GUARD OF THE GOVERNOR OF MADRAS.

10th October, 1830.

Order of Court of Directors that the duties performed by the Governor's Body-guard should be assigned to a detachment from the Madras cavalry regiments. Objections to this arrangement: alternative plan.

THE Honourable the Court of Directors having, in their military letter to Bengal of the 8th November, 1814, ordered that the Body-guard at Madras should be reduced, and that the duty should be performed by a detachment from the nearest cavalry regiment, and the Supreme Government having recently transmitted to this Presidency a copy of the Honourable Court's order in question, I am desirous that we should give it effect without delay. As I am, however, convinced that by relieving the guard from the nearest cavalry station no expense would ultimately be saved, that much inconvenience would be incurred by separating the men from their friends and families at Arcot when they come in succession to their homes at that place, and that the discipline of the corps, both of that part which remained with the head-quarters and of that which came to Madras, would be greatly injured, I would recommend that the recruiting of the cavalry be stopped until the men of the Body-guard can be borne upon the strength of regiments without being supernumerary; that the guard be composed of details from the different corps, with a commandant and adjutant as at present, and that His Excellency the Commander-in-chief be requested to issue the necessary orders. Experience has shown that this system is better adapted than any other to maintain the discipline of the Body-guard: it was under it that it was distinguished as the most efficient, perhaps, of all the cavalry corps in the field in Lord Cornwallis' campaigns, and that it behaved so gallantly against the southern poligars.

ON THE EXPEDIENCY OF SO ARRANGING THE RELIEFS OF NATIVE REGIMENTS THAT THEY SHOULD BE BROUGHT BACK PERIODICALLY TO THE DISTRICTS IN WHICH THEY WERE RAISED.

19th December, 1830.

I HAVE great pleasure in submitting to the Board the accompanying plan proposed by His Excellency the Commander-in-chief for the systematic relief at fixed periods of all the corps of the army, and I beg leave to recommend it for immediate adoption.

Plan of systematic relief of regiments proposed by the Commander-in-chief.

The reasons for this important measure are so fully and ably explained by His Excellency that I have nothing to add to them, further than to express my entire concurrence in the sentiment expressed by the Commander-in-chief.

The object is to bring back each corps to its own home, or place where it was chiefly raised, once in six years. I have long regarded this measure as one that was essentially necessary to secure the good order and fidelity of our native troops. These troops unite the character of a standing army with that of a militia. They owe this union to their attachment to their native villages, to the provision made for their families there, and to the custom of men of the same family, and often of a number of families related to each other, serving in the same corps. This character has been generally changing for the last ten or twelve years. The change has been owing to the long absence of a great part of the army from their homes at distant stations beyond the frontier, where they form new connections and forget their families. The consequences of this system have yet been but little seen; but there can be no doubt but that in time its effect would inevitably be to destroy the character of our native army, and to convert it into a body of mere mercenaries, finding houses and families wherever they went, ready to join in any disturbance, and dangerous to the State.

Expediency of bringing back each regiment to the place in which it was chiefly raised once in six years.

The plan of the Commander-in-chief, by being steadily pursued, will, I have no doubt, preserve the attachment and fidelity of our native army.

Plan calculated to preserve fidelity of native army.

ON CERTAIN PROPOSALS FOR AUGMENTING THE
NUMBER OF EUROPEAN OFFICERS ATTACHED
TO THE NATIVE ARTILLERY.

21st January, 1821.

Inexpedi-
ency of
assigning a
large num-
ber of Euro-
pean officers
to native
corps. One
European
officer to
each com-
pany quite
sufficient.

IN support of the expediency of the proposed augmentation of European officers with the golandaz* corps, it is observed 'that such a corps, being composed of natives, is as much, if not considerably more, dependent upon its European officers than any others.' This is a principle which has never yet been admitted with regard to our other native troops, and to the justness of which I cannot assent. I am so far from thinking that the efficiency of native troops is increased in proportion to the increased number of European officers, that I think that the number of officers may be too great, and that when this is the case, it injures the discipline of the corps and lessens the respect of the natives for their European officers. Native troops are quite orderly, and easily managed. The native officers are well acquainted with all their duties and expert in their execution. They conduct almost all the interior details, and leave but little for the European officer to do. They are, however, apt to grow indolent and careless when left to themselves, and European officers are therefore absolutely necessary to direct them; but not many. One to a company is quite enough for every useful purpose.

* Golandaz, native foot artillery.

THE GREAT UTILITY OF THE CORPS OF PIONEERS.

30th January, 1821.

THE report of the Quartermaster-general, dated 18th instant, exhibits in so clear and forcible a manner the useful services of the corps of pioneers, and the inconvenience that must result from any diminution of its strength, that I have no hesitation in recommending to the Board that the order for suspending the recruiting of that corps be withdrawn, and that it be kept complete.

It will be seen from the distributive statement transmitted by the Quartermaster-general that the greater part of the pioneers are employed, under the orders of the Supreme Government, with the different subsidiary forces in advance, and that within our own frontier we have only two companies, the whole of which, with the exception of a small party doing duty in the cantonment of Bangalore, are employed in opening the Periah ghât between Mysore and Malabar.

We have no inland navigation, and the only communications, therefore, between the coast and the interior, whether for military or commercial purposes, are the different passes, which are at all times difficult and often impassable from want of timely repair. Had we no use for pioneers with our armies, it would still be necessary to keep them up in order to repair these passes, as public work is essential to the trade of the country; for, if we did not, we should be obliged to have recourse to common labourers, who, from their want of skill, would be much more expensive. But the services of the pioneers are applicable, not only to the important works of opening and repairing passes, but to the construction of roads and temporary buildings at all our military stations, which would otherwise be executed at a greater expense by the engineers' department. The pioneers are at all times productive labourers: they are never idle, and as the works in which they are usually engaged could not be executed so cheaply by any other class of labourers, there would be no economy in reducing their number. The communications must be left open between

Utility of
the corps of
pioneers.

How em-
ployed.

May be
made avail-
able for
keeping the
passes be-
tween the
coast and
the interior
in repair,
and for the
construction
of roads
and build-
ings at
military
stations.

the countries on the east and west coasts and those above the Ghâts; and if we have not pioneers, it must be done by common labourers and the lower class of cultivators, drawn together from a distance, and most frequently by compulsion, to work among unhealthy jungles, where many of them lose their lives, and where their labour, after all, is much more expensive, from the want of the necessary skill, than that of pioneers. Considerations, therefore, of humanity, as well as of economy, urge the propriety of maintaining the pioneers' corps at their full establishment.

ON THE IMPORTANCE OF EFFICIENT BAZARS TO INDIAN ARMIES.

23rd February, 1831.

THE Commissary-general has, in his report of the 24th January, so fully explained the inconveniences which are likely to result from the abolition of the exemption from transit duties on all supplies passing through the territories of Nizam and the Rájá of Nagpur for the use of the subsidiary forces, that I am induced to recommend that it be submitted for consideration to the Most Noble the Governor-General in Council.

Expediency of exempting military supplies from transit duties.

There is, perhaps, no one thing which so much facilitates military operations, and which contributes so much to their economy, and often to their success, as an efficient bazar. Our campaigns have been short and decisive, merely in proportion as our supplies have been more or less abundant. In the campaigns of Sir Eyre Coote in the Carnatic, from 1780 to 1783, our bazars carried nothing but salt, tobacco, and some other trifling articles. All grain for the army was carried either by the public, or by the troops and followers; and as nothing could be got from the bazar, this stock was soon exhausted, and the army was compelled to fall back on its magazines for a fresh supply. It could pursue no success nor attempt any distant operation, and the campaigns were in consequence long and the expense overwhelming.

An efficient bazar essential to the success of military operations in India.

In the Mysore war, under the Marquis Cornwallis, our bazars were little better than before. The native troops and followers were still obliged to carry five days' rice when they marched, and as no dependence could be placed upon the bazars, the public was obliged to maintain a most expensive establishment of cattle for the carriage of grain. The army was obliged to make several retrograde movements to cover the advance of its supplies from the Carnatic. But towards the end of that war, our bazars were so much improved by exemption from transit duties, by high prices, and by occasional bounties when the prices were not favourable, that they afforded material aid to the public departments in supply-

Want of such bazars at the commencement of the Mysore war under Lord Cornwallis.

Improvement resulting from their establishment.

ing the troops and followers, and enabled the army to prosecute all its objects without any impediment on account of provisions. The experience acquired at this period, and in the campaign of 1799 in Mysore, led to the encouragement of military bazars, and to their consequent improvement at the principal military stations in advance; and hence it has happened that our native troops have not for many years been under the necessity of carrying five days' rice in their knapsacks, as formerly, and that our operations have not been impeded by the want of provisions. It is true that the facility of obtaining supplies in the present, compared with former times, arises from the extension of our territory and power, as well as from bazars, but in a much smaller degree.

As intimated by the operations in the Deccan from 1814 to 1819.

Every person who has seen an Indian campaign, knows how essential a good bazar is to the efficiency of the army, and without it how helpless it is. The facts stated by the Commissary-general show the vast advantages which have been derived of late years from the bazar of the Hyderabad subsidiary force in the operations in the Deccan. During the whole period that force was in the field, from 1814 till its return to Jaulnah, after the capture of Asseerghur in 1819, it was never necessary to issue grain from the public store to the troops and followers, and the occasional aid given to the bazar from the public department amounted only to about sixteen garce of rice. Had the bazar not supplied all the wants of the troops, it must have been done by Government, at an enormous additional expense, by doubling or tripling the cattle of the Grain Department, and with the disadvantage of retarding every operation by frequent halts in order to collect supplies to replace the deficiency in the public store, and of doubling the field charges of the army by the loss of time.

Reply to arguments against the exemption of military supplies from transit duties.

There are no disadvantages that can possibly ensue from the exemption of duties, that can be put in competition with the important benefits to be drawn from a military bazar. The whole of the evil of exemption is merely the loss of the duties on the articles sold in the camps of the subsidiary forces of Hyderabad and Nagpoor, with some small addition for articles which, under passports for these camps, may have evaded the duties, and have been sold in other places. His Highness the Nizam can have no reasonable cause of complaint against the exemption, since it is stipulated for by an article of the treaty. Neither can his farmers of the customs suffer by it, as they take it into their calculation in making their proposals for them. These men, however, sometimes make use of the exemption as a pretence for endeavouring to obtain a remission

IMPORTANCE OF EFFICIENT MILITARY BAZARS.

In their kists, when there is not the smallest ground for their application. I have myself had occasion to see many instances of such applications by renters of the customs in the Company's territory, which, when investigated, were always found to be either wholly without foundation, or insignificant in their amount. Indeed, the custom farmers are usually too vigilant to let anything of this kind escape them, and the dealers are deterred from fraud by the dread of fine and confiscation to which they are liable. If anything farther be deemed necessary to prevent the fraudulent evasion of the duties, it might be done by directing the commissariat to furnish the Nizam's officers with a register of all passes granted for supplies, at the moment when they are issued.

The remission of the duties is but a very small sacrifice, which the Nizam makes for the advantage which he derives from our military bazars by their demand for the produce of the country for a much larger body of troops than we are by treaty bound to furnish, and by the necessary increase of cultivation and revenue from this demand.

Advantage derived by the Nizam from our military bazars.

Without the continuance of the exemption from duties, there can be no efficient military bazar. The dealers belonging to them would be on the same footing as those of the towns, and would be undersold by them; and as they would no longer have any motive to submit to the restraint of martial law, and the hardships of a camp, they would soon disappear. The bazars, while stationary, might continue to be well supplied; but whenever the troops marched, most of the bazar men would remain behind, and Government would be forced to supply the want by an expensive establishment of cattle for the carriage of grain. We see examples of this every day on a small scale. When a corps comes down to the Carnatic from Hyderabad, it moves without difficulty, because it is attended by a part of the military bazar; but when a corps leaves the Carnatic for Hyderabad, it has no bazar, and the country is put in requisition everywhere to supply its wants. Such a bazar as can supply the wants of an army and facilitate its movements during war, cannot be formed at once, or got whenever it is wanted. It must be composed of men possessing some property, and accustomed to a camp life; but they must have some inducement in peace to secure their services in war, and no other will be found so cheap and effectual as the usual exemption from duties.

Exemption from transit duties essential to the maintenance of an efficient military bazar.

REDUCTIONS IN THE MADRAS ARMY.

14th April, 1831.

Causes which had delayed reductions of military charges.

Reductions of military expenditure now feasible.

Extent to which the reduction may be carried sufficient.

Increased demand of late years upon the Madras Presidency for troops.

OUR military charges are so heavy, that it was my wish to have proposed at an earlier period some measure for effecting a considerable reduction of them, but several causes concurred to make me delay it. The great and sudden loss of men to which every corps that marched was exposed from the cholera, the unexpected requisition upon us for troops to supply the place of the Bombay corps sent to oppose the threatened invasion from Sind, and the uncertainty whether the expedition against the Arabs might not occasion some fresh demand upon us, rendered it unadvisable to think of making any reductions in our force until a season of greater tranquillity. That season appears to me to be now arrived. The Bombay Government have brought their military expeditions to a successful termination, and are not likely to require our aid: the Deccan is quiet, and the ravages of the cholera have so much diminished as no longer to affect seriously the strength of our corps. We may therefore, I think, safely venture to bring back our military expenditure to what it was in 1813-14, after making due allowance for the unavoidable augmentation of our army in order to occupy the countries conquered during the late war.

The reports of the Deputy Accountant-general and of the Accountant-general have pointed out the causes of the great increase of military charges since 1813-14; and though it may be of less importance to understand how they have arisen, than how they are to be reduced, yet still a knowledge of both is necessary, because without it we cannot so easily perceive the causes by which we are prevented from bringing them back to their former level. The chief, and indeed the only impediment, in our way is the demand for additional troops to occupy the countries conquered in the late Mahratta war. During the last twenty years, the demand upon us for troops has been gradually increasing, while our territory and resources have remained stationary. In 1800, the only troops we had beyond the frontier, were a body of about seven thousand men,

REDUCTIONS IN THE MADRAS ARMY.

composing the Hyderabad subsidiary force; and in order to defray the expense of this body the provinces of Ballári and Cuddapah, yielding a net revenue of about fifty lakhs of rupees, were ceded to us. We have been extensively engaged in every war in the Deccan since that period, but without any accession whatever to our territory. Our own resources, however, when we had only the Hyderabad subsidiary force beyond our frontier, and even when we had occasional detachments at Poona and in the Southern Mahratta country, were more than sufficient to cover every charge; but when we became engaged in the Pindári warfare, and afterwards in the general war with the Mahratta states, and when our quota of troops beyond the frontier was increased from 7000 to 26,000, as it stood last year, they were utterly unequal to meet so heavy an augmentation of expense. This expense, though incurred by Madras, does not belong more peculiarly to it than to any of the other Presidencies, because it was incurred on account of the general interests of our Indian empire. That empire, however, having been greatly extended, requires additional troops to protect it, which, if not furnished by Madras, must be furnished by Bengal or Bombay, and it is of less moment by whom this is done, than that it should be done in the manner most advantageous to the public. Madras, from its local situation, from its long established possessions in the peninsula, and from its native armies being composed of inhabitants of the Deccan or men of the same language and habits, is better calculated than any of the other Presidencies to supply the extra force now employed in that province, and whatever more may be at any time required, with expedition and economy. Assuming, therefore, that this extra force must be maintained by us, and that consequently we cannot revert to the same military establishment we had before the late war, we have only to consider what reduction can with propriety be made in our existing establishment. Down to the year 1813-14, our then military force upon the peace establishment, with the exception of the corps at Hyderabad, which were upon the war establishment, was found adequate to every ordinary purpose. We have now, in addition to the countries which we then protected, to cover the Nagpur territory and the southern Mahratta states; but the late augmentation of our army, even upon the peace establishment, will be fully equal to this object. In 1813-14, several powerful Native States existed in the Deccan, whose hostility was always to be dreaded; but now these States have either disappeared or fallen so much as to be no longer formidable, and the frontiers of the different Presidencies have

Resources of the Presidency unequal to the increased expense.

The expense, however, is really an Imperial charge.

Madras better able than any other Presidency to supply the extra force in the Deccan.

Armies may now be placed upon the peace establishment.

been so much extended as to bring their several armies into communication with each other in the centre of the peninsula; so that, though the territories to be protected by Madras have been greatly increased, there can be no doubt that the military force has been augmented in a still greater proportion, and that it is now more equal than it was then to the effectual protection of all the provinces which it occupies. I have therefore no hesitation in recommending its reduction to the peace establishment. The same amount of reduction may be made by reducing either the number or the strength of corps. I prefer the reduction of the strength of corps, because it is more easy, more gradual, less likely to produce distress or to disturb the peace of the country, already too full of the disbanded troops of the native powers, and because it leaves the army more efficient, more capable of being speedily augmented upon any emergency, and better adapted to the proposed system of general periodical relief. It is evident that if the corps beyond the frontier were upon the war, and those within it upon the peace, establishment, frequent reliefs could not be made without much inconvenience and confusion; that we should in many cases have either too many or too few men for the object in view, and that in order to equalize these inequalities, we should be obliged to divide many of the corps and injure their discipline. These inconveniences will be obviated by having all the corps of each branch of the native army of the same strength.

Reduction of the strength of corps preferable to reduction of the number of corps.

Reduction of dooly corps inexpedient.

Also of the pioneers.

In reducing we must be careful in distinguishing between what can and what cannot injure the efficiency of our army, and what can and what cannot be easily replaced. On this principle it is not proposed to make any reduction of the dooly corps, as its strength is so inadequate to its duties that a considerable number of extra bearers is required to be constantly employed; but its present constitution may, I think, be revised, so as to prevent the growth of the pension charge, which, unless some alteration be made, will in a few years be very heavy. On the same ground, it is not intended to make any reduction of the corps of pioneers, because their labour is so generally applicable to every public work, civil and military, that it will more than repay their expense. They are employed, not only in every useful work about camps and cantonments, but in opening passes among the hills, to facilitate the commercial intercourse between the countries above and below the Ghâts. Many more of these roads are wanted for the convenience of trade, which is much impeded by the circuitous

and difficult routes by which it is obliged to proceed. Common labourers are not always to be found where such works are to be executed; and even where they are, they work so slowly and unskilfully, that their labour becomes much more expensive than that of pioneers, and I am therefore satisfied that public economy would be better consulted by the augmentation than by the reduction of that corps.

No reduction is proposed to be made in the breeding establishment and public cattle department, not only because of their great importance to our artillery in the field, and of there being no other breed of cattle equally good to replace them, but also because they are of general advantage to the country by having contributed greatly to the introduction of an improved breed of cattle among the inhabitants, both for draught and carriage. The bullocks received from the breeding establishment are, perhaps, the best calculated for the use of an army, of any in India. The breeding establishment must be maintained on such a scale as to supply the number required; and as it is still unequal to this, no part of it can be reduced. The public cattle are not, in time of peace, an idle expense; for such part of them as are not immediately attached to the artillery of the different divisions of the army, are employed in transporting stores to different military stations, for which service, were they not available, it would be necessary to hire cattle at a heavy expense.

No reduction to be made in the breeding establishment or public cattle department.

I have already said that the several corps of the native army may safely be reduced to the peace establishment. This should be done immediately by an order to stop recruiting, and by letting every man be discharged who wished it. There are in almost every corps several men who want their discharge, though they have not served their time, and are not entitled to be invalided or pensioned. Their discharge should be granted whenever it can be done without reducing the strength of the corps below the fixed establishment. If this measure be adopted, each regiment of native cavalry will be reduced to 360 troopers, and each battalion of native infantry to 800 rank and file, including the six extra battalions. In reducing the golandâz battalion, we have no former standard to revert to; but, as it is a new corps, and one which we do not know to be so essential a part of our military establishment as the other branches of it, I would recommend that it be reduced as follows:—The golandâz battalion to 760 rank and file; the gun lascars to 450—and that its establishment be conformable to the

Reduction to be effected by stopping of recruiting and by enabling men to take their discharge.

MINUTES OF SIR THOMAS MUNRO.

accompanying list.* These reductions, when carried completely into effect, will produce an annual saving of about Rs. 1,268,894. If the Board agree to them, the statement required by the Bengal Government may be immediately prepared, showing the whole of our military expenditure divided into permanent and temporary, the reduced establishment forming the permanent and excess the temporary charge.

* It has not been thought necessary to print the tabular list here referred to; the golandaz artillery having been

abolished after the mutiny of 1857, as well as the native horse artillery.

(387)

ON THE INEXPEDIENCY OF CERTAIN PROPOSED CHANGES IN THE MANAGEMENT OF THE COMMISSARIAT DEPARTMENT.

17th August, 1831.

THE Honourable the Court of Directors, in their correspondence respecting the commissariat, have directed 'that an annual report be made by the Military Board upon the commissariat to Government;' that the commissariat at all the Presidencies 'be kept on a similar and uniform footing;' and that 'the commissariat be made immediately dependent upon the Military Board, through whom the Government will receive all applications from the Commissary-general for allowances of money and other purposes, and by whom the commissariat accounts will be submitted, as is the custom in the department of supply.'

Orders of the Court of Directors regarding the commissariat.

These orders involve a very material change in the conduct of the commissariat department, and a conformity to the Bengal form of accounts. The commissariat had so completely answered the end of its institution that I was extremely unwilling to venture upon any alteration, until we should have seen what course the Supreme Government would adopt. We have received their plan, and also one founded upon it by the Military Auditor-general; and from the examination of both, I am only the more confirmed in my opinion of the inexpediency of the proposed changes, because they could produce no good, but would create much confusion and expense.

Inexpediency of the proposed changes.

In every great department, when any important change in its system of management is contemplated, the cause of such change should be either some evil actually experienced or the prospect of some considerable advantage; but in the present instance I see neither of these motives. When the Honourable Court issued their orders on this subject, their information regarding the commissariat was very limited, in comparison with that which we now possess. It reached only to four or five years of peace after its formation. It had not been exposed to the test of war, and it

Efficiency of the commissariat has been proved by experience.

was therefore very natural that they should doubt its effect and be desirous of devising means of improving and guarding from abuse. But whatever doubts might have been at an earlier period entertained of the efficiency of the commissariat, there can be none now on this point with any person who has considered its operations during the late campaigns. We do not now speak of it on conjecture, but from a trial of eleven years of peace and war, in which it has amply realized the most sanguine expectations that could have been formed of it. What is it that we want? Why should we change what has been practically found so good for uncertain schemes of improvement? Allow the new plans the most perfect success, they cannot make us better than we are.

The disbursements of the commissariat from

its formation till October amounted to ...	Ra. 50,659,080
The amount retrenched originally was ...	215,175
The amount admitted on re-audit was ...	214,724
The amount finally retrenched was ...	450

or something less than one rupee in the hundred thousand. It may be contended that this satisfactory result has arisen from the difficulty of retrenching in accounts which, in their nature, are chiefly contingent. This is true in part; but the main causes of it are the correctness of the accounts and of the principles on which the department has been constituted. If any mode can be contrived by which these contingent accounts can be secured from fraud or error, it will be an improvement worthy of adoption.

They ought to be subject to the strictest scrutiny by the Military Board, or the Military Auditor-general, or by both; but the first audit of them should be made by the Commissary-general himself, as no other person can possibly be so well qualified to execute this task. The more we remove the commissariat from the control of Government, in order to place it under that of the Military Board, the more we shall injure the public service. The greatest advantages derived from the existing system have arisen from the substitution of the management of the Commissary-general for that of the Military Board. Every branch has improved under the commissariat, and in none has the improvement been greater than in those which formerly were most immediately under the Military Board. If we desire to know the probable effect of the Military Board having a more direct authority than at present over the commissariat, we may form some estimate of it by comparing the results of their and his management on those parts which they formerly directed.

Commissariat accounts cannot be effectively audited, unless the first audit is made by the Commissary-general.

The Military Board, so far from being able to undertake new duties, have already more than they can properly attend to. The Military Auditor-general seems to think that, as they direct the ordnance, they may also direct the commissariat; but I see no ground for thinking that the ordnance is so conducted as to make it desirable to throw any more business upon the Military Board. I believe that they superintend the ordnance as well as it is practicable, consistent with the necessary attention to their other duties; but I am satisfied that the business of the ordnance would be much better conducted by a single officer as Commissary-general of ordnance, than it ever can be by any Board whatever, and that the adoption of such a plan would produce a very considerable saving to the public.

The Military Board have already more business than they can properly attend to.

There is no Board under the Government so ill qualified from its very constitution for the management of public business, but more especially of details, as the Military Board. The Board of Trade and the Board of Revenue have only one object to attend to, and the whole time of their members is devoted to it. But the members of the Military Board have severally their own particular departments, whose duties are sufficient to occupy them fully. They meet but once a week: they have done nothing to save expense in the commissariat. All suggestions on this head have, believe, come from the Commissary-general himself, and generally in opposition to their opinion. They have no regular head; or the Commander-in-chief has not sat among them for the last ten years; but if it were otherwise, and if they could meet every day, it could not further the business of the commissariat, of which none of them can have any competent knowledge, and with the direction of which they could not interfere without detriment to the service.

Unsuitability of Military Board for the management of business involving detail.

But though the Military Board must always be unqualified either to superintend the commissariat or to direct its details, there are matters in which the aid of their opinion may be highly useful to Government. On all military works, on all general arrangements, on all questions of importance, and on all matters relative to the defence of the country or preparations for war, they are peculiarly fitted, by their long experience, and by their extensive and intimate knowledge of the service and of the country, to assist Government with the most judicious opinions. But it is only on such general matters that their aid can be useful, and we ought therefore to call upon them to state by what means, without relieving the Commissary-general from any part of his present responsibility, the check and audit of his accounts might be rendered most complete.

Matters on which the advice of the Military Board is useful.

The commissariat cannot be efficiently conducted unless its head has charge of the accounts.

It is essential to the success of the department that the Commissary-general should retain all his present powers and all his responsibility; for, whatever plans may be suggested, I am persuaded that his responsibility will always be found to be the best security of government, and that without it we can have none. He must keep the accounts, for they furnish the best means he can have of controlling his department. Such a department cannot be efficiently directed, unless the head of it has the charge of the accounts. The advantages of this are, that it keeps him at all times completely informed of the actual state of every part of his charge; it gives him a greater interest in it; it makes him feel his responsibility more; it saves expense; it saves the time of other public departments; it enables him to be clear and correct in all his statements, and to be expeditious in detecting errors and abuses. The exemption from the management of the accounts would be a great relief to him, but it would be highly injurious to the public interests. The plan proposed by the Military Auditor-general for the commissariat accounts, would destroy the department, and is too extravagant for adoption; but some of the reasons which he brings forward as objections to the present system of those accounts, deserve to be noticed, as showing that he has been able to find no real defect in them. He finds fault with the Commissary-general's correcting and auditing the accounts of his subordinate officers, previous to their being transmitted to the Auditor-general; but this practice appears to me to be one of the most useful parts of the system. It is no more than what every man at the head of every great department does or ought to do. A Collector examines the accounts of his subordinates and assistants and tahsildars, and sends them back for correction, when necessary, before he forwards them to the Presidency. This saves the labour of re-audits and useless correspondence. It would be a vast advantage if the pay and other departments could all, like the commissariat, be so managed, and that no retrenchments could be made by audit; and that the correctness of their accounts could always be such as to force the auditor to pass them at once without retrenchment. What the Military Auditor-general regards as a defect, is in fact the very perfection of the commissariat, and that at which every department ought to aim. Their accounts would then be correct when first sent up to him, and after subjecting them to the strictest examination, he would have to pass them without remark. The public business would then go on as it ought to do. That would then be done in the first instance which is now done after much vexatious

THE CONTROL OF THE COMMISSARIAT ACCOUNTS.

labour and delay, and so much of the time of Government would not be idly consumed in the discussion of petty audits. But the Military Auditor-general is so far from being aware of the inconvenience occasioned by Government being occupied in such details, that he proposes an arrangement which would involve them in a great deal more. His plan of keeping a separate account with every subordinate commissariat officer, and of their corresponding with the Military Board and the Auditor-general direct, would be to establish twenty commissariats in place of one, each of which would cost more trouble to manage than the whole does now. It would be a source of weakness throughout the department, of inextricable confusion, of delays, of references without end, and of calls upon Government to adjust disputes.

The Military Auditor-general says that he has been but a nominal auditor of the commissariat accounts. But why so? He has had the same means as the Commissary-general: he got the same vouchers; and if he has passed any account not authenticated by proper vouchers, he has not done what was expected of him. But this is not the case. His real objection is one that cannot be removed in any possible way. He states that the commissariat accounts are contingent, that no fixed rates apply, and that whatever rates are charged, must, as matter of course, be admitted and passed. This is surely no reason for transferring the accounts to the Military Board, as the same thing must happen wherever the accounts are placed. The rates must always be contingent, as now; and the Military Board must take them from the accounts of the subordinate officers, and will not be so capable of checking them as the Commissary-general. It is true that an audit can have very little effect in ascertaining the rates or prices actually paid by the native agents of the commissariat; but it can ascertain those paid by the subordinate commissariat officers, according to their vouchers and affidavits. It can also perfectly ascertain all quantities delivered by the commissariat to other departments, and it can ascertain with precision that no hire has been charged beyond the regulated rate. It is hire which forms the chief expense of the commissariat, and as it can always be kept within the authorized limits by the Military Auditor-general, it can hardly be maintained that his audit is entirely nominal. It is as real as the nature of things admits of, and it could not be made more so by transferring the immediate control of the accounts of the subordinate commissariat officers to the Military Board. This would, in fact, be to revert in a great measure to the very system

Reply to objections raised against the present system.

ON ARMY REDUCTIONS.

14th September, 1821.

Proposed
reduction of
six extra
battalions.

It has long been my intention to propose to the Board the reduction of the six extra battalions; but various considerations have prevented me from bringing it to their notice until the present time. During the greater part of last year the chance of the Bombay Government being involved in a war with Sind precluded our making any reduction of our military force; and in the present year, though the alarm of war has passed away, there are still so many disbanded troops of the different native princes scattered over the country, that it might be imprudent to add to their number by disbanding any of our own battalions. The cessation of recruiting, which has already been ordered, will add considerably to the number of idle men who cannot find employment; and if we augment this body by any sudden reduction of our troops, if it did not affect the peace of the country, it would undoubtedly cause much distress and some discontent; and this feeling would extend in some degree to the whole of the native army, because the men of the corps to be disbanded are in general connected with those of the permanent establishment. I have therefore thought that it would be advisable to effect the proposed reduction, not by suddenly disbanding any of the extra battalions, but by incorporating them gradually with other corps. This might be done by permitting the men to volunteer into such corps as they might prefer, and discharging the few who might be unwilling to serve any longer. The extra battalions might in this manner be all reduced within twelve months from this date. Two battalions might be reduced at a time, at intervals of three or four months, as might be found convenient. These details will all be provided for by the Commander-in-chief, who ought to be requested to communicate his sentiments on the measure, and his plan for carrying it into effect, to the Board.

Our mili-
tary force
should be
sufficient
not only for

I have always thought that our military force should be such as to enable us, after providing for our internal security, to have an adequate force for offensive operations; and also that it should be

such as to enable us in time of peace to furnish regular periodical relief to every station, so as to bring back each corps, within a moderate limited period, to the place from which it first marched. A distribution of the army, having these objects, was prepared by order of the late Commander-in-chief, and from this scheme it appears that without including our extra battalions, the regular army can relieve all its stations, including Nagpur, and Khandesh, so as to bring back every corps to the point from which it originally moved, in six years.

Internal
security,
but for
offensive
operations.

The reduction of our extra battalions, therefore, has no connection whatever with the recall of our subsidiary force from Nagpur, which, we have lately been apprized by the Supreme Government, is to take place after the rains. Indeed, had there been no more important question than the convenience of this Presidency concerned in the charge, I should have wished that things should continue as they are, because we derive very important advantages from having a force stationed at Nagpur. It places us in the centre of India, in a plentiful country, with a force always ready to move, and which from this circumstance is an excellent military school. It enables us, in case of hostilities in any of the neighbouring countries, to act vigorously and speedily; whereas, if we send a force from within our frontier, it is harassed and exhausted, and all its equipments impaired, before it reaches the scene of action; and it has also a powerful influence in securing the tranquillity of our Northern Sirkars and facilitating the trade between the interior and the coast, because the frequent march of troops between the Sirkars and Nagpur by the northern and southern roads, which have lately been explored, tend to overawe the petty chiefs whose territories lie behind the Sirkars, and to deter them from permitting incursions into those provinces.

Advantage
of having a
Madrass
force at
Nagpur.

which had been abandoned, after full experience of its incompetency, when the commissariat was first established.

The present system should be strengthened, not altered.

I have dwelt the longer upon the regulation proposed by the Military Auditor-general, because when we find that an officer of such long experience and of such acknowledged zeal can produce nothing better, it appears to me that it ought to weigh with us as a very strong argument against changing any of the fundamental principles of the present commissariat system. We ought therefore, I think, not to alter, but to strengthen them by every means that can be devised. The two heads under which abuses can most easily be committed, or be carried to any considerable extent, without being liable to detection by the Military Auditor-general, are the prices of supplies and the hire of cattle and followers. A commissariat subordinate officer, or his native servant, may charge in the provinces ten or twenty per cent. above the actual price for rice or gram without its ever becoming known to the Military Board. The fraud could not be discovered by getting prices current from the Collector or other public officer, because the commissariat, by a sudden demand, can always affect the bazar prices, and it can often, even without meddling with the bazar, by dealing with the cultivators, furnish the article at a much lower rate than the price current would exhibit. In the hire of cattle and followers, abuses may be practised by charging the regulated rate, though they were obtained at a lower one. The regulated rates are those which from long experience have been found necessary. They are lower than in former times; but another important difference between those times and the present is, that the maximum was then always charged, whereas a much lower rate is now frequently charged. The fluctuation of the prices depends upon a variety of contingencies which cannot be foreseen, but which a zealous and intelligent commissariat officer will avail himself of for the benefit of the service. But if, in the case either of hire or of price, more be charged than was actually paid, Government can have no other check upon the evil than the vigilance of the Commissary-general and his officers; every other would, I am convinced, prove delusive. But for this purpose the Commissary-general must have the charge of the accounts. The most important part of the system is that the head of the department should have the accounts. Without them he would lose gradually his attention to the transactions of his subordinate officers. He would become a general superintendent without knowledge of the real state of the department. His subordinate officers would lose their fear of control and become

careless. The native servants would take advantage of it. Expenses would increase. Regularity might still appear everywhere, and all the customary checks and forms be preserved, but the spirit which rendered them efficient, the constant and active control of the head whose character and interest were at stake, would be gone.

As I am satisfied that the complete responsibility of the Commissary-general for every branch of his department is the only effectual security that Government can have for its being either ably or faithfully conducted, I think that he ought not to be relieved from any part of his present duties or responsibility; but as it is desirable that every means by which his accounts may be most strictly checked and audited should be adopted, and as the Honourable Court have directed that they be submitted to Government through the Military Board, I propose that the Commissary-general, after making up his accounts in duplicate and monthly as usual, shall send one copy with all the original vouchers and affidavits of the subordinate officers to the Accountant-general, and the other copy to the Military Board for their examination and report, and that, if it be deemed necessary, he shall also send with the vouchers the original accounts of the subordinate officers.

The Commissary-general should be relieved from no part of his present duties.

I likewise recommend that we call upon the Military Board and the Military Auditor-general to state whether, leaving the Commissary-general exactly as he now is, charged with all his present duties and responsibility, there are in their opinion any means by which his accounts may be more effectually scrutinized, or more rigidly and completely audited than they now are; and, if so, to point out in what way this may best be done.

Report called for as to the possibility of introducing a more rigid audit of the Commissary-general's accounts.

ARRANGEMENTS FOR PROVIDING AN EFFICIENT GARRISON FOR THE TOWN OF MADRAS.

22nd February, 1832.

Unmilitary disposition of the native regiments belonging to the garrison of Fort St. George. Sketch of the proposals made for remedying it.

THE unmilitary manner in which the native battalions composing the garrison of Fort St. George are cantoned, has long been a subject of much anxious concern to Government, and though it has undergone frequent discussion, nothing effectual has been done to remove the evil. Sir Samuel Achmuty proposed to remove the native troops from the Black Town Barracks to a great cantonment which he recommended to be formed near St. Thomas's Mount. Sir George Barlow objected to this measure. He did not apprehend any tumult at Madras; but he thought that a strong force on the spot was the best preventive, and that if it were weakened, as proposed by the Commander-in-chief, the most fatal and extensive mischief might be committed before any assistance could be drawn from a cantonment so distant. He recommended that if ground sufficient could be found, either in the Black Town or near it, for two battalions, barracks for the men and officers should be erected at the public expense; that the battalion of Chintádrapet should not be removed, but kept to overawe the numerous Mahomedan population of Triplicane; and that all the native corps should be relieved every one or two years, to prevent their forming improper connections with the inhabitants.

In pursuance of the plan of Sir George Barlow, the Military Board were directed to submit plans and estimates for cantoning the native corps at the Presidency. The situation selected for this purpose was on the intended esplanade, but it was relinquished on account of the estimated expense of purchasing and clearing the ground, amounting to pagodas 118,670.

The Board,* in their military letter to England of August, in the same year, state that the officers continue to be lodged and the sepoys to be hutted in the same dispersed, incommmodious,

* The word "Board" is used here and in other Minutes as designating

the Government, i.e. the Governor in Council.

unmilitary, and disreputable manner; that they still persevere in their attempts to remedy the evil, but that a satisfactory arrangement will be found impracticable without a considerable disbursement. In their letter of the 31st December following, they again refer to their proceedings on this subject.

Sir John Abercromby, in a Minute dated the 4th March, 1814, observed that the great population of Madras and its vicinity had not left ground unoccupied fit for the cantoning of four battalions; that the few places to be had, were ineligible, either from distance, from the nature of the soil, from being liable to inundation, or from the high price of the ground, and that it therefore became necessary to abandon the idea of a cantonment, and, in lieu of it, to concentrate each corps in its separate position as much as possible. He recommended that each corps should be hutted near its place of arms, and that the officers should be quartered as near them as possible.

Government, in forwarding this Minute to the Honourable Court of Directors, stated that measures were in progress for carrying the measures proposed into effect.

The Honourable Court, in their letter of the 3rd November, 1815, approved of the formation of a cantonment for the native troops composing the garrison, and the procuring of ground for the quarters of the European officers, but they disapproved of the officers' quarters being erected at the public expense. The Government, in answer, observed that the relinquishment of the intention to form a cantonment, and the arrangement adopted as a substitute for it, had been reported in their letter of the 10th March, 1815.

The Honourable Court expressed their regret that a piece of ground sufficient for a cantonment could not be found at a moderate price, and approved the plan of concentrating the officers and men of each corps in the lines of their respective battalions.

This plan, however, imperfect and unmilitary as it is, has not been effected, and I believe that the Board are satisfied that it cannot be effected except at an extravagant price.

There is only one battalion, that near the naval hospital, which has convenient hutting ground near its place of arms. The huts of the corps at Parsawákam were carried away by the storm, and they are always liable to inundation in the rainy season. The corps at Chintádrapet has no regular hutting ground, and the native officers and many of the men are dispersed about in the houses of the inhabitants, for which they are obliged to pay a heavy rent; and no one corps has its European officers with it, as they are unavoidably scattered wherever they can find quarters.

Difficulty of cantoning four battalions in a single cantonment of Madras.

Inconvenience to native troops resulting from want of provisions, &c., at Madras.

Only remedy, the cantonment of the troops in a body at some distance from Madras.

Distance rather an advantage than an objection.

The native troops suffer great inconvenience from the dearth of all articles, from the want of room, and from the rent which many of them are under the necessity of paying. They are, though straitened for accommodation, regarded by the inhabitants in the vicinity of their respective barracks as intruders, and even as a nuisance. From all these circumstances bad feelings are produced, and a corps seldom leaves the Presidency without being reduced to poverty and impaired in its discipline. The only remedy for the evil is the cantoning of the troops in a body, and as this cannot be done in Madras or its vicinity, it must be done somewhere else. I have, in communication with His Excellency, fixed upon a spot for this purpose about three miles beyond the Mount, on the Chingleput road, between the Palaveram hills and the Marmalong river. The Collector has already, at my request, made arrangements with the inhabitants, but it still remains to render the transaction official by a communication to the Board of Revenue.

I do not regard the distance as an objection, but rather as an advantage. The regiment of Europeans, with the native troops on duty at the Presidency, and the Body-guard, are quite sufficient to repress any common disturbance. In the event of any extraordinary tumult or conspiracy, it is better that the troops should be without its range. As they are here situated, some of them might be seduced and join the insurgents, and each corps might be separately surprised and overpowered before it could be assembled and joined by its officers. But were they at such a time cantoned beyond the Mount, they would be unconnected with the insurgents, and they would march down in regular order with their officers, and would reach Madras in four or five hours, and would quell the disturbance much more easily than if they had been cantoned on the spot. I am therefore persuaded that a cantonment beyond the Mount is much better adapted than one at the Presidency to overawe the discontented part of the population, and to suppress any serious disturbance which may occur. The vicinity of the Mount, and the constant supply of water from a running stream, make the situation at Palaveram preferable to any other. In cases of emergency orders might be transmitted in the course of a few minutes from Madras to the Mount and the cantonment by means of signals, and the native troops might be joined on their march by any part of the artillery at the Mount which might be thought necessary.

The acting Chief Engineer should be directed to furnish plans and estimates for a cantonment for four battalions. In conformity to the orders of the Honourable Court of Directors, no expense will be incurred on account of quarters for the European officers, but ground will be allotted to each officer according to his rank.

THE COMMAND OF THE MADRAS GARRISON.

10th May, 1822.

As it has been already determined that a new cantonment shall be erected for the reception of the native troops composing the garrison of Fort St. George, and as this cantonment is beyond the line which has usually been regarded as the boundary of Madras, it becomes a question for the consideration of the Board whether or not the troops transferred to that cantonment should continue under the immediate authority of the Governor.

Were the case that of an ordinary garrison, there can be no doubt that it would be more consistent with military principles that troops so situated should not be under the command of the commandant of the garrison, but under that of the general officer in charge of the division in which the cantonment lay. This, I believe, is the arrangement established at Barrackpore, which furnishes the reliefs of native troops for the garrison of Fort William, and which has not been found productive of any inconvenience. It may also be urged in favour of this plan, that the discipline of the troops would be more efficiently superintended under the authority of the officer commanding the division, than under that of the Governor.

Notwithstanding these arguments, there are many on the other side in favour of the cantonment being placed under the immediate authority of the Governor. This measure involves much less change than the other. It is more conformable to ancient customs. It neither adds to nor takes away from the command of the Governor a single sepoy. It does not, as in the other case, transfer from his authority to that of the Commander-in-chief the greater part of the native troops of his garrison. It makes no change in the present system, except in continuing his command over the native troops of the garrison, when they are removed to quarters at a greater distance than those they now occupy. The present limits of Madras extend to the distance of about five miles from the fort, and had it been possible to have got within them a piece of clear ground calculated for a cantonment, the command of it would of course have been retained by the Governor. The want of good ground

Question whether the cantonment at Palaveram should be under the immediate authority of the Governor.

In the case of an ordinary garrison such an arrangement would be undecidable.

Arguments in favour of placing the cantonment under the immediate authority of the Governor.

MINUTES OF SIR THOMAS MUNRO.

has obliged us to fix the cantonment at the distance of ten instead of five miles from the fort. The mere circumstance, however, of this increase of distance does not appear to furnish any sufficient reason for the Governor's relinquishing the command of the troops. Neither do I think that the argument in favour of the Governor's giving up the command, founded on the improvement which the discipline of the troops would derive from the measure, has much weight. The difficulty of maintaining the discipline of the native troops of the garrison of Fort St. George is not a new thing: it has always existed, and has arisen from causes which must be prejudicial to discipline, under whatever authority the troops may be placed. It has arisen from the nature of their duties, from their being mixed with a great population, from the quarters of the men and officers being distant from each other, and from the want of ground for exercise. These evils will be remedied by bringing the men and officers together in the new cantonment. The troops will then be subject to the same discipline, and have the same chance of being kept in good order, as the rest of the army. They will be reviewed and inspected by the officer commanding the division whenever he may think it necessary. Their being ordered upon duty by an order from the Town Major, in place of the Adjutant-general, cannot materially affect their discipline. It may be said that this latter mode might answer here as well as at Fort William, but there are many things which may render what is suitable at the one place not so at the other. Troops are frequently wanted by the Nawáb for festivals and other occasions. They are sometimes required by the Superintendent of Police to prevent riots; and though they might no doubt be called down by an order from the Adjutant-general's office, it is more convenient that it should be done through the Town Major, under the authority of the Governor, without the necessity of reference to the Commander-in-chief.

Fort St. George is not, like Fort William, secured by its situation from any sudden attack by sea or land. It is in a province which has often been the theatre of war. It is on the sea coast, among the European settlements, and near Pondicherry, the ancient head of the French establishments in India; and these considerations may still render it advisable that the Governor should possess immediate control over all the troops belonging to the garrison, wherever their cantonments may be. This is conformable to the ancient usage of this Presidency, and we have no reason to suppose that the Honourable the Court of Directors would approve of any deviation from it. The Honourable Court have always shown them-

COMMAND OF THE MADRAS GARRISON.

selves desirous of maintaining the authority of the subordinate civil Governors. That of the Governor-General is so paramount to every other as to require no support; and the immediate command of the troops at Barrackpore is therefore of little importance to him. But with respect to the Governor of Fort St. George's commanding the new cantonments, the case may be very different. There can be no doubt, I imagine, that the authority of the Governor derives weight from his command of the troops belonging to the garrison, and that it must be in some degree lessened by any part of them being withdrawn from his immediate control.

The Honourable Court are themselves the best judges of their own intentions in giving military authority to the Governor of Madras, and of the limitations to which it should be subjected. I am therefore of opinion that the question should be referred for the decision of the Honourable Court; and that, until their answer be received, the troops at the new cantonment belonging to the garrison of Fort St. George be under the immediate authority of the Governor, in the same manner as when within the limits of Madras.

Position of subordinate civil Governors different from that of the Governor-General. Their authority should not be lessened.

Question should be referred to the Court of Directors.

Fort St. George open to sudden attack by sea. Immediate control by Governor of troops forming the garrison, in accordance with ancient usage.

ON THE SAME SUBJECT.

28th May, 1822.

Dissent of the Commander-in-chief from the opinion expressed in the preceding Minute.

THE opinions contained in my former Minute regarding the Governor's authority in the new cantonment have been so fully supported in the Minutes of the junior members of the Board, that, had not the Commander-in-chief entered his dissent, I should have thought it unnecessary to have said anything more upon the subject; but the respect due to such high authority requires that I should enter into some further explanations.

Misconstruction of the construction placed by the Commander-in-chief on the Governor's commission.

His Excellency states that he enters his 'solemn dissent to the proposed extension of the Governor's authority over troops stationed in a position beyond the defined limits prescribed to him by his commission.' It does not appear that any military limits were fixed for the Governor's command; they seem to have been left to the discretion of Government. No specification of them is to be found on record. The limits mentioned in my former Minute were fixed by Government for the jurisdiction of the Supreme Court, without any relation to military authority, and contain St. Thomé and many other villages, besides the town of Madras. The words in the Governor's commission are, 'Commander-in-chief of our fort and garrison of St. George, and town of Madraspatnam, and of all the forces which are now, or hereafter shall be, employed for the service of us, the said United Company, within the said fort, garrison, and town,' etc. If it be said that the meaning of these words is that the Governor shall command only 'within the said fort, garrison, and town,' this meaning has never yet been acted upon. The greater part of the troops composing the garrison is now, and has been for forty years, stationed at different places one or two miles distant from the fort and town, and ought now, according to this strict interpretation, to be as much beyond the immediate control of the Governor as at Palaveram. The meaning which has actually been given to the words in practice is, that the troops employed for the service of the Company in the fort and town, wherever their barracks may be, shall be under the command of the Governor. If we admit that this is the meaning which

COMMAND OF THE MADRAS GARRISON.

ought to be given to them, it will follow that all the troops destined exclusively for the service of the garrison of Fort St. George, whether stationed under the walls or at Palaveram, ought to be under the immediate authority of the Governor.

The question should not be considered as one of verbal distinctions, but as one involving the most important consequences. It should not be determined by any supposed analogy to anything in England, or even in Bengal; but should be determined solely with reference to the situation of the government and territories of Madras. It should be considered whether any advantage could possibly be derived from depriving the Governor of the command of the chief part of his garrison at the new cantonment; whether it would not too much weaken the authority which ought to belong to his station.

Considerations which should guide the decision of the question.

One of the objections stated by the Commander-in-chief to the measure of placing Palaveram under the Governor, is, that the road runs through the cantonment at St. Thomas's Mount. The direct road does not, in fact, pass through the Mount cantonment, but on one side of it, and, were it necessary, might easily be made to avoid it altogether. But these points regarding roads and distances are of little moment. The only one of any real importance is, whether the Governor ought or ought not to command the troops required for the garrison of Fort St. George, wherever they may be cantoned. I think that he ought; that his doing so is essential to the security and dignity of his government, and that no other limits should be assigned to his military command than such as may appear expedient to Government to be adopted with reference to the convenience of the troops belonging to the garrison of Fort St. George and the town of Madras.

The territories of the Madras Presidency extend in breadth across the peninsula, and in length from Cape Comorin to Ganjam, above a thousand miles. Throughout all these territories the Commander-in-chief exercises direct military authority. I really cannot discover any rational ground for confining the Governor's command to the villages around Madras, or why he should not, in the midst of such vast territories, have a space of ten or fifteen miles over which he may possess direct military control. I know of no inconvenience which could result from this measure which deserves a moment's consideration when compared with the advantages which would arise from it.*

No rational ground for confining the Governor's military command to the villages around Madras.

* The arrangement advocated in this and the preceding Minute, of retaining the troops employed to garrison Madras under the command of the Governor, was continued for many

years; but was eventually abandoned in 1859, on the recommendation of Sir Charles Trevelyan, when the whole of the garrison was placed under the Commander-in-chief.

REGARDING AN INSUBORDINATE LETTER AD-
DRESSED TO THE GOVERNMENT BY
THE MILITARY BOARD.

10th May, 1822.

Insubordi-
nate letter
addressed
by the Mil-
itary Board
to the Gov-
ernment.

THE letter of the Military Board, under date the 2nd of April, to Government is written in a style so improper and disrespectful, that it ought, I think, to be marked by the expression of the displeasure of Government, and to be brought to the particular notice of the Court of Directors.

Summary of
its contents.

It certainly was not to have been expected that a Board composed of individuals whose professional habits ought to have taught them what was due to superior authority, should have evinced a contempt of it, which, if permitted, would put an end to all subordination. They seem to consider themselves injured, because Government has thought fit to adopt the opinion of Major Moorhouse, the public agent for gun-carriages, that country linseed oil is better adapted than European for being employed in the painting of gun-carriages. They seem to call in question the propriety of the decision of Government, 'in preferring the opinion of 'an executive officer immediately under their orders' to that of their Board, 'deliberately formed and expressed'—as if Government were to exercise no discretion, but blindly to receive and sanction the opinion of its subordinate Boards. They doubt whether they ought not still to offer further remonstrance against the decision of Government, and they found this doubt upon the responsibility which they say the Honourable Court of Directors attaches to them, collectively as well as individually, for their proceedings. They seem not to know that whatever responsibility might have belonged to them, ceased whenever Government, after having their opinions, declined to sanction them. They persist, however, in virtually appealing from the decision of Government, by requiring the correspondence to be transmitted to the Honourable Court.

RESPONSIBILITIES OF SUBORDINATE BOARDS.

They know perfectly well that the papers would go home, and their only reason for requiring them to be sent, is evidently to protest against the decision of Government, upon the pretence of their responsibility. Nothing can be more subversive of every just principle of subordination, and of the respect due to Government, than the opinion that a subordinate Board has a responsibility which it does not owe to the local Government under which it serves, but to the Government at home.

It is the duty of Government to receive the opinions of its subordinate Boards, and to adopt them when they appear calculated to benefit the public service, but not otherwise; but it is as much its duty to reject what is likely to be hurtful, as to adopt what is likely to be useful.

The opinion that a subordinate Board has a responsibility which it does not owe to the local Government, but to the Government at home, is untenable.

The Government must exercise its discretion as to adopting or rejecting the advice of subordinate Boards.

ON THE OBSERVANCE OF THE PRESCRIBED CHANNELS IN CONDUCTING OFFICIAL CORRESPONDENCE.

28th June, 1822.

Irregularity
in conduct-
ing certain
correspond-
ence.

Nature of
the irregu-
larity.

THERE appears to have been some irregularity in the correspondence between the Deputy Adjutant-general of His Majesty's troops and the Military Board, as stated in His Excellency the Commander-in-chief's Minute upon that Board's letter of the 10th July, 1821.

An application having been made to Government for sticks and masks for the use of His Majesty's troops in the sword exercise, it was referred to the Military Board; and the Government, on receiving their report, directed them to cause the articles to be prepared. The correspondence hitherto was, very properly, between Government and the Military Board, because it related to the expenditure of stores; but the subsequent correspondence related merely to the time and manner of issuing what had already been ordered, and was commenced by the Board themselves, and this irregularity was followed by another in their passing the indent without the counter-signature of the Adjutant-general of the army. The letters of the King's Deputy Adjutant-general contained no order or requisition: had they done so, the Military Board could not have received them, because they can, as they observe, receive orders or requisitions only from Government, except in cases specifically prescribed by regulation. They might, however, without departing from the rules of the service, find means at all times to put His Excellency the Commander-in-chief in possession of any information he may require. The Board observe that, though 'communications' have been received by our Board from the officers of the staff of His Majesty's forces, yet the instances have been so few as not in 'our judgment to warrant the practice being construed into a rule.' Had the Deputy Adjutant-general begun such a practice, it would have been their duty to have objected to it, but having begun it themselves they appear to have, on the present occasion, no just ground of complaint.

REGULARITY OF PROCEDURE IN OFFICIAL CORRESPONDENCE.

407

I am not, however, sure that it would be advisable to concur entirely in the opinion of the Commander-in-chief, that he has 'a right to notify his wishes to the Military Board, or any other military body, through whatever legitimate channel he deems 'most expedient or tending best to promote the efficiency of the 'service.' There can be no doubt of His Excellency's right of conveying his wishes through the legitimate channel; but there may be doubt, as in the present instance, as to what is the legitimate channel; and this doubt ought to be removed by a resolution of Government. Time may frequently be saved, and business be expedited, by employing one staff officer in place of another; but as it would soon lead to confusion, we ought not, for the sake of a little temporary convenience, to relinquish the principle of making every branch of business come through its own proper officer.

It is for the Govern-
ment to
determine
what are the
legitimate
channels of
correspond-
ence.

It is of little importance to the present question how the Deputy Adjutant-general of His Majesty's forces is appointed. It is sufficient that he is a public officer, acknowledged by the Government. But as his duties are confined entirely to the internal discipline and regulation of His Majesty's forces, he cannot be legitimately employed in duties of a general nature, or correspond with the Military Board, or any Board under this Government, unless specially provided for by regulation or sanctioned by Government.

The Military Board are a deliberative body, and, from their constitution, can receive orders from Government only. Their proceedings are directed by the Commander-in-chief, when he presides at the Board, in the same manner as is observed at the Boards of Revenue and Trade, under their respective presidents. All questions are determined by the majority of voices. The president guides their deliberations, but his authority extends no further.

A SIMILAR QUESTION.

15th May, 1827.

Course to be taken with reference to a Minute recorded by the Commander-in-chief.

Irregular submission of certain extracts from reports by the Deputy Adjutant-general of His Majesty's troops.

When the Government has prescribed a channel of correspondence, no individual has a right to adopt another channel.

The Government has laid down regulations on this subject.

AFTER reading with attention His Excellency the Commander-in-chief's Minute of the 5th instant, I confess that I do not clearly understand what object is proposed to be attained by recording it. I shall endeavour to state in a few words the origin of the Minute, and the course which I think the Board ought to pursue regarding it.

Certain extracts regarding barracks, hospitals, &c., from the inspection reports of officers commanding divisions were forwarded to the Secretary to Government in a letter from the Deputy Adjutant-general of His Majesty's troops, dated 22nd March. When this letter came before Government, it was observed that it was not the proper channel of communication for the matters to which it had reference, and that they ought to come through that of the public department prescribed by the rules of the service. All that was then necessary to have been done was for the Commander-in-chief to have withdrawn the letter, and to have brought the different points on which orders were required, through the regulated channel, to the notice of the Board. But as this was not done, the right course and the deviation from it were pointed out in the Minutes of Council, and this proceeding has called forth the remarks contained in His Excellency's Minute.

Now, it is not necessary to inquire into the justice of these remarks. The real question before the Board is a very simple one. It is whether, when Government has prescribed the channel through which correspondence with it on public affairs is to be conducted, any individual has a right to adopt another because he thinks it better.

This Government has always exercised the right of prescribing the channel through which all correspondence between it and every public officer and department must pass, and it has passed regulations for this purpose. In them every case noticed in the Minute is amply provided for, and the particular course through which it should have come to Government is laid down. That course is in

REGULARITY OF PROCEDURE IN OFFICIAL CORRESPONDENCE.

Every case through some public officer or department of Government, and never through the Deputy Adjutant-general of His Majesty's forces, and as long as the present regulations remain in force, the Board cannot consistently with their duty suffer them to be infringed.

When the established regulations appear to be defective in any point, it is competent to any Member of the Board to notice the defect and to suggest the remedy; and had His Excellency the Commander-in-chief brought forward a Minute to show in what respect the regulations are not adapted to their end, and how they might be improved, the proposition would have been taken into consideration by the Board, and either adopted or not, as might have seemed most advisable. But even if this course had been followed, I do not think that I could have supported the measure, because long established rules of public correspondence ought not to be altered, unless for the sake of some important improvement, and because I am convinced that the intended alteration, as far as can be gathered from the Minute now before the Board, would have been no improvement, but the reverse.

It is well known that nothing more facilitates the regular dispatch of public business than the observance of established rules of correspondence, that partial deviations from them are always attended with inconvenience, and that to alter them lightly and frequently must lead to endless confusion.

The object of almost all rules of correspondence between Government and its officers is that its final orders on the subjects referred to it may be received with the least possible delay. If we compare the course which is to be pursued, according to existing regulations, for obtaining its orders on public buildings or any other matter, with that which is proposed by the Commander-in-chief, we shall find that nothing would result from the alteration but increased delay.

Throughout the present discussion the Government has been passive: the Commander-in-chief, a Member of the Board, brings before us certain reports through an irregular channel, and when the proper course is pointed out to him, in place of adopting it, he reviews and arraigns the conduct of Government in a case of irregular correspondence in 1821, and trusts that it will 'retread the steps it has taken in error.'

When the established regulations are considered defective, it is open to any Member of Council to suggest a remedy.

Established rules of correspondence should not be altered lightly or frequently.

Object of rules of correspondence.

Course taken by the Commander-in-chief.

ON THE QUESTION WHETHER IT IS NECESSARY TO HAVE A EUROPEAN CORPS WITH EVERY LARGE BODY OF NATIVE TROOPS.

18th February, 1823.

Objections taken by the Commander-in-chief to the substitution of a native for a European corps in Travancore.

His Excellency the Commander-in-chief has dissented from my proposal of relieving the European corps at Quilon by a battalion of sepoy, instead of His Majesty's 41st Regiment, now in Fort St. George, on the following grounds:—1st. The danger from the disturbed state and actual rebellion in which the country has been within these few years. 2nd. The treacherous character of the inhabitants rendering it unsafe to place any confidence in the present apparent tranquillity. 3rd. That it was in Travancore that the most recent attempt was made to alienate the minds of our native troops, and that, by withdrawing the Europeans, they would again be disposed to similar temptation. 4th. The expediency of having a European corps with all large bodies of native troops, not only in order to check incipient discontent, but, in a military point of view, to assimilate discipline and accustom them to place confidence in each other.

Present condition of Travancore.

These arguments are all entitled to the highest respect, and were I not satisfied that some of them have not now the same force which they would have had some years ago, I would not have recommended the present measure. There has been no rebellion, or rather insurrection, in Travancore for above twelve years, and it ought certainly to create no anxiety now. Such disturbances have occurred in many other districts, as well as in Travancore, without creating any apprehension now for their tranquillity. They are the consequences which in almost all countries usually follow for a time the establishment of a foreign dominion. Malabar was long agitated by rebellion, and is now perfectly quiet; and though one regiment of Europeans is stationed there, it is not entirely for the purpose of keeping the country in subjection, but also for that of more general service, as it can, in case of emer-

gency, be readily moved either to Mysore or by sea to Bombay; and Canara, which in the early part of our Government was disturbed by insurrections, and was occupied by a large European and native force, has long since been left to the care of a single battalion of sepoy.

With regard to the treacherous character of the natives of Travancore rendering it unsafe to trust them, I can see nothing in all the transactions of that country to justify the opinion that they are more treacherous than the inhabitants of Malabar and Canara, or that they differ materially from them in their general character.

Natives of Travancore not more treacherous than those of Malabar and Canara.

As to Travancore having been the place where the most recent attempt to alienate the minds of our native troops was made, that event took place in 1812, and ought to excite no apprehension of such attempts being repeated when the causes which produced them no longer exist. When we advert to these causes, we shall see nothing extraordinary in the attempts, and nothing which might not have happened in any other country as well as in Travancore. We had begun as allies by furnishing troops for the protection of that province, and we had finished in a very few years by reducing it to subjection. In such circumstances it was not at all extraordinary, but was perfectly natural, that the Diwán should wish to recover his rank and power, and the independence of his country, by the expulsion of the invaders, and that, in order to give him a better chance of success, he should endeavour to seduce our native troops. He prevailed on a few to join in his projects, and his gaining these few seems to have been occasioned by the guard from one of the battalions being left too long near him, without being relieved, which gave him opportunities of tampering with them. It is true that, under the influence of alarm and the credulity which usually attends it, the conspiracy was by many believed to have been extensive, and to have extended to all the corps in Travancore. But Sir Samuel Achmuty, the Commander-in-chief at the time, after a full and able investigation of the evidence, has recorded his opinion that the conspiracy was of the most contemptible kind, that three out of four corps had no share in it, and that in the fourth corps it was confined to one jemadar and a few non-commissioned officers and sepoy of bad character.

Nature of the attempt made in 1812 to seduce the native troops.

With respect to the expediency of keeping a European corps with all large bodies of native troops, in order to check incipient discontent, I have great doubt of the policy of the measure, because I think that it would show suspicion, without being efficacious in

Invariable location of European corps with all large bodies of native

troops, a measure of doubtful policy.

preventing the danger apprehended; for it is remarkable that in the only instance in which a conspiracy against the lives of the European officers was carried into execution, a European regiment was present, with only two battalions of sepoy; and yet that regiment was so far from being able to protect the European sepoy officers, that it lost a great part of its own officers and men, and was saved from destruction only by the timely arrival of troops from Arcot. I do not from this mean to infer that European troops may not be useful on such occasions, but that they do not furnish such security as can be entirely depended upon, or as ought to be purchased by any great sacrifice of convenience or economy. I think that the best way of ensuring the fidelity of our native troops is to show no distrust; but confidence at all times, to treat them well, to keep them occupied, to relieve the different stations regularly, to bring all the corps at certain fixed periods back to their respective native districts, and to take care that none of them be permitted to remain too long in any place where they are likely to be tampered with by any native chief.

Best means of ensuring the fidelity of native troops.

Insecure position of European corps in cantonments.

It appears to me that in all our cantonments our European corps are so situated as to be exposed to great danger, and to be incapable of acting efficiently in the event of any general conspiracy among the native troops. The European barracks are so near those of the sepoy as to be always liable to surprise. In order to be secure, they ought to be at some distance from them. This would enable the European corps to guard against surprise, and more effectually to overawe any combination of the native troops.

Continuance of a European corps in Travancore unnecessary and unadvisable.

It will be obvious from what has been said, that I do not consider it to be necessary that a European regiment should continue in Travancore. Were it necessary, I should not object to the expense which it would involve; but as it is not, I am unwilling that Government should incur a heavy expense for barracks, more especially when we have barracks for a complete regiment at Wallajahbad, Arni, and Vellore, without a single European soldier in either of them. There are also other reasons for withdrawing the European regiment from Travancore. In that remote situation it is not easily available for general service, not only on account of the distance, but of the violence of the monsoon rendering all access to Quilon by sea impracticable during several months in the year. It is likewise desirable, on account of the tranquil state of the country, and of the propriety of our gradually relinquishing all interference with its government, that we should by degrees reduce our force there, and begin by removing the European part.

REMOVAL OF BRITISH REGIMENT FROM TRAVANCORE.

The force to be permanently stationed at Quilon should not be more than the Diwán, or the Rájá when he comes of age, may deem sufficient to secure the stability of his power. I shall probably on some future occasion state my reasons for thinking that Travancore may with safety be left entirely to the management of its own rulers.

For the present, I would recommend that the European regiment be replaced by a sepoy corps, which, I have no doubt, we shall be able to withdraw next year without any inconvenience. As it is believed that the 69th Regiment will be ordered home in the course of this year, it ought to halt and remain either at Arni or Wallajahbad, until the time of its embarkation. We shall thus avoid the inconvenience and expense of marching it into Fort St. George, and then out again in order to be drafted, and much of the irregularity which always attends the drafting of Europeans so near to the Black Town and to the artillery cantonment at the Mount.

The European regiment at Quilon should be replaced by a native corps.

ON UNAUTHORIZED CHANGES IN THE DRESS OF THE NATIVE ARMY.

19th December, 1823.

Changes in dress of native army made without the sanction of the Government.

SOON after my last return to this country, I remarked that a considerable change had taken place in the form of the native infantry turban; but supposing that it had been duly authorized, I took no further notice of it at the time, and it was not until lately that I was induced by various circumstances to doubt that any such authority had been given, and that I found that no record existed of the change having been sanctioned by Government. The scales, similar to those of the European dragoons, now worn by the native cavalry on their turbans, is another innovation; and from the inquiries which I have been led to make by the observation of these changes, I am satisfied that several others have at different times been made in the different articles of dress worn by the native troops, without the knowledge of Government.

These changes are manifestly in direct opposition to the resolution of Government of —* 1806, that none should take place without its previous sanction—to the G. O. of the 24th September, 1806, which distinctly prescribes that the turbans of the pattern fixed in 1797 should continue in force—and to the orders of the Honourable Court of Directors under date the 29th of May, 1807, approving of that G. O., and under date the 5th of March, 1817, directing that 'no alteration be permitted to be made in the turban.'

It is the duty of Government at all times to see that its own orders and those of the Honourable Court are strictly attended to, but this duty is more especially imperious when the dress of the native army is concerned, innovations in which have formerly produced so much evil, and can never at any time be neglected with safety.

With the view therefore of enabling Government to see how far its orders regarding the dress of the native troops have been deviated from, and to judge what measures it may be expedient to

* The exact date is left blank in the original.

adopt for the prevention of such irregularity in future, I propose that His Excellency the Commander-in-chief be requested to lay before Government, with as little delay as possible, copies of all general orders in any way affecting any part of the dress or necessities of the native troops which may have been issued since the G. O. of the 24th September, 1806, to the present date, and also copies of all official letters on the same subject which may have been sent to officers commanding divisions, stations, or corps, during the same period.

Government bound to see that its orders about the dress of the native army are strictly observed.

Inquiries to be instituted on the subject.

ON THE SAME SUBJECT.

20th April, 1875.

Result of
the inquiries
suggested in
the preced-
ing Minute.

In a former Minute regarding the changes in the dress of the native troops which had taken place of late years, I recommended that copies of all orders by which these changes had been introduced, should be laid before the Board. The papers required were in consequence transmitted with the Adjutant-general's letter of the 18th March last.

From an examination of these documents I find that the changes in question have been made, neither by orders from Government, nor by general orders by the Commander-in-chief, but under the authority of circular letters from the office of the Adjutant-general.

The practice of issuing circular letters on points of discipline and various details connected with the good order of the army has always existed; but the practice of issuing such letters for the purpose of making changes which, not only Government, but the Honourable the Court of Directors, have ordered not to be made, seems to have been introduced about fifteen or sixteen years ago, and to have grown up gradually into a regular system.

Unauthor-
ized altera-
tion of
nearly every
article of
dress.

Under the authority of these letters, almost every article of the dress has been altered from the standard prescribed by the general order of Government of the 24th September, 1806. The form and ornaments of the turban have been entirely changed; the short drawers of the native infantry have been done away, and pantaloons substituted for them; the knapsack has been changed, and a haversack added to it; the articles of necessaries have been increased, and stocks have been revived, with the addition of neck-cloths.

Some of the
innovations
are improve-
ments;
others not.

Among these innovations some are improvements, others are certainly not. The present turban is undoubtedly better than the old one; but it has still the main defect of not sitting steadily on the head. The present loose pantaloons are in some respects better than the former close short drawers. The natives, when left to themselves, and when they can afford it, always give the preference to long loose pantaloons; but the short drawers have the advantage of being cheaper and more portable. The circular

UNAUTHORIZED CHANGES IN DRESS OF NATIVE ARMY.

letter of the 22nd January, by which the change was begun, assigns as the reasons for this 'that the short drawers are very inconvenient and not less expensive than the pantaloons.' These reasons cannot be seriously maintained. The short drawers had been in use for nearly half a century without their inconvenience having ever before been discovered. There can be no question that native troops march better in them than in pantaloons. Indeed, doubts seem to have arisen almost as soon as the circular letter was issued that the supposed advantages of the new dress were not such as would insure its adoption; for though, on the 22nd January, 1812, the change is made optional, and such corps are 'permitted' to substitute the pantaloons for the short drawers as 'may solicit the indulgence,' yet within a few days afterwards the option is done away by a circular letter of the 4th February, 1812, which desires the pantaloons to be adopted.

The stock made from the collar of the angrekah to button behind with three buttons, and the neck-cloth for the native cavalry, are articles of dress which have nothing to recommend them, and which are objectionable on every account. They are unknown as articles of native dress: they are inconvenient and even oppressive in hot weather to Europeans, and must be still more so to natives, and the use of them is in direct opposition to the general orders by Government of the 24th September, 1806, by which stocks of every description are prohibited. The stock and the neck-cloth are articles of foreign dress: they are exclusively European, and on that account, though now worn cheerfully, they are always liable and always ready in times of public disorder to be converted by designing men into instruments for exciting the prejudices of the native troops.

Objections
to some
of the
changes.

By a reference to the list of necessaries of the native troops it will be seen that they have increased both in size and in number since 1806, and that in the native cavalry the number of articles has been more than doubled. The native trooper has now six angrekahs instead of three, and other articles in proportion; but as he is allowed to carry only a certain portion of them in his baggage bag, the carriage of the remainder must in the field subject him to expense. It ought always to be an object to limit the necessaries of a soldier to the amount he can carry in his baggage bag, or knapsack, without injuring his own efficiency, if a foot soldier, or the efficiency of his horse, if mounted. The fewer articles a soldier has, consistently with the preservation of his health and efficiency, the better. No article of foreign dress ought ever

Necessaries
of a soldier
should be
limited as
much as
possible.

Introduc-
tion of

foreign articles of dress and increase to the number of country-made articles objectionable.

Commander-in-chief to be requested to prohibit the issue of circular letters affecting the dress of the native troops, without the previous sanction of Government.

to be admitted into the equipment of a native soldier. The circular letters have not been guided by these principles: they have introduced foreign articles of dress which are liable to disgust the native troops, and they have, by increasing the country articles of dress, subjected them to additional expense.

These alterations, however, though sufficiently objectionable, are not the main grounds on which I disapprove of the circular letters. The strong ground of objection against them lies in their operating in direct violation of the general order by Government of the 24th September, 1806, sanctioned by the Honourable the Court of Directors, and never yet repealed. I would therefore recommend that this order be brought to the notice of His Excellency the Commander-in-chief, and that he be requested to cause a stop to be put to the issue of circular letters, affecting in any way the dress of the native troops, without previous reference to Government.

THE IMPORTANCE OF GIVING A MILITARY CHARACTER TO THE COMMISSARIAT, WITH FURTHER REMARKS ON THE DUTY OF THE GOVERNMENT TO REGULATE THE DRESS OF THE TROOPS.

27th July, 1824.

THE commissariat in this country ought not to be regarded in the same light as in Europe, where it is so differently constituted. Here it is formed exclusively of military officers. This Government has never considered them as divested of their military character. The general orders by the Commander-in-chief of the 13th of March, 1811, that 'No officers attached to the Commissariat Department are to be employed on general duties, such as courts-martial or committees, except in cases of emergency,' and the explanatory orders by the Commander-in-chief of the 17th of December, 1811, which direct that 'these officers shall not be considered to be liable to be employed as personal staff or field aides, except when that measure may be absolutely necessary,' were issued in consequence of its having been usual in the Hyderabad subsidiary force to employ the commissariat officers on courts-martial and other duties, which being found to interfere with those more immediate, it was deemed advisable to prohibit except in cases of emergency.

The general order by Government of the 24th of August, 1813, which directs 'that the officers of the commissariat shall not be employed without the special sanction of the Government, on any service foreign to the duties of that department,' appears to have been issued for the same purpose—of checking the practice of calling upon the commissariat officers to perform military duties without necessity. But when such necessity does occur, or when the sanction of Government is obtained, they are still liable to be called upon. Their military character never ceases. They assume the command at any station where by chance they become the senior

The commissariat in India is formed exclusively of military officers, who have never been divested of their military character.

It is not expedient that the department should be deprived of its military character.

officers. Captain Cumming, of the commissariat, when the auxiliary force was withdrawn from Goa, assumed the charge of the troops as senior officer. Lieutenant-Colonel Mackintosh, of the commissariat, joined a detachment proceeding from Jálma to Hardah in 1817 under the charge of a major, and assumed the command. The commissariat officers in this country do not seem to me to form less a part of the military staff of an army, than the commissaries of ordnance. It is, in some departments, not easy to mark precisely the line between civil and military duties; nor do I think that it is advisable to make very nice distinctions. If they are to be made at all, they ought to be made rather to give a military character to a department than to take it away. But suppose that it could be established that the commissariat is not in this country a military department, and that its duties are purely civil, and its officers civil officers, what benefit should we have gained by this? We should, by depriving these officers of their military character, have lost one of the strongest securities for the faithful and honourable performance of their public duties.

Every military distinction, including dress, which the commissariat has hitherto enjoyed, should be continued to it.

I am therefore of opinion that every military distinction which the commissariat has hitherto enjoyed, should be continued to it. If His Majesty's military officers belonging to the commissariat in England wear the blue civil staff uniform, the commissariat here has suffered no real injury by the change of its dress; but if His Majesty's officers do not wear the blue civil dress, the commissariat of this Presidency ought to be relieved from wearing it as soon as possible.

It is in vain to argue that the colour of a dress is a thing of no consequence, when public opinion has attached importance to it. Government ought to attend to public opinion whenever it can be done without the sacrifice of material advantage, and I am sorry to say that that opinion is, I believe, in the present instance, against both the Commander-in-chief and the Government. As soon as I perceived this, I thought that we ought at once to remove the feeling by cancelling the order. Had the order been from Government, I should not have hesitated a moment; for Government often modifies or repeals its orders, and whenever, from mistake or other cause, it issues an order the tendency of which is evidently injurious, the wisest course is, I think, to revoke it at once. But it appeared to me, on a little consideration, that the Government could not, in the present case, follow this plan without producing the most serious evils, by lowering the authority of so high a public officer as the Commander-in-chief, and that it would therefore be most

Government ought not to disregard public opinion, and whenever it has issued a manifestly unwise order, should revoke it. Reason which prevented the Government from annulling the order issued by the Commander-in-chief.

advisable to refer the subject to the Honourable the Court of Directors for their decision.

Had my design not been anticipated by the G. O. of the 12th of February, 1823, it was my intention to have proposed to the Board that all orders regarding the dress of the departments acting under the immediate orders of Government, and to which the blue staff dress has been assigned, should issue from the Governor in Council, and to have requested the authority of the Court of Directors for causing the same course to be followed in every order regarding the clothing of the army in general. The department of the Military Auditor-general has never received its dress from His Excellency the Commander-in-chief, and there is no good reason why a different rule should have been observed regarding the dress of the Commissariat and Pay Departments.

Munro had intended to recommend that all orders regarding the dress of the army should be issued by Government.

In issuing the late orders regarding dress, the Commander-in-chief has assumed no new prerogative, but has merely followed the usage of the service. It does not appear that this important privilege was ever formally granted by Government or the Court of Directors to the Commander-in-chief; but, however it may at first have been obtained, it is highly inexpedient that it should remain where it is, or be placed in any hands but those of Government. I believe that in all countries, the dress, the arms, and the equipment of the army are ordered by the Government or its head, and that in none is this power entrusted to the Commander-in-chief, unless where he is also the sovereign. It belongs to the Government or its chief to order these matters, and to the Commander-in-chief to see that the orders, when issued, are strictly observed. Such powers cannot with propriety in any case be confided exclusively to the Commander-in-chief. The Honourable Court have already committed the regulation of the dress of the native troops to Government, and it is extremely desirable that they should do the same with respect to the European part of the army. Government and the Commander-in-chief would then, as in other countries, exercise the powers which properly belong to them respectively. Government would order all changes in dress, and the Commander-in-chief would take care that no deviation was allowed from them. He would lose no part of his legitimate influence, for the changes of dress would still be regulated chiefly by his suggestions; while Government, by their coming under its consideration, would possess the advantage of modifying or rejecting whatever might appear objectionable. Dress is not a thing the adoption of which ever can

This power should invariably be reserved to the Government.

require any urgent haste, and as its changes are invariably productive of expense, and of injury to prejudice or military feeling, it is better that it should be placed entirely under the direction of Government, which would then resume the exercise of its authority over an important branch of military administration which no well-regulated Government ought ever to relinquish.

ON THE CONSIDERATIONS WHICH SHOULD DETER-
MINE THE QUESTION OF PROCURING MILITA-
RY STORES FROM ENGLAND, OR MANU-
FACTURING THEM IN INDIA.

12th March, 1824.

My absence from the Presidency at the time when the Military Board sent up their annual indent on the Honourable Court of Directors, has prevented me from noticing it sooner. The indent was accompanied by a statement showing the comparative prices of articles of military stores, as procured in this country and sent from England. The Military Board remark that, with few exceptions, the prices are in favour of the English articles; that all the Indian articles are of a very inferior quality, but more particularly those of leather; and they therefore recommend that every article made of leather be sent from England, and they state that they have included in the indent a full set of accoutrements for the corps of light infantry, and suggest that they be prepared according to patterns forwarded.

Recommendation by Military Board that all leather accoutrements should be procured from England.

Government, on the 2nd September, 1823, resolved to forward the indent to the Court of Directors, and ordered a copy of the comparative statement of prices to be sent to the Deputy Commissary-general for any observations he might have to offer. That officer in reply stated that his department had, in different reports from 1811 to 1820, urged the propriety of getting most of the articles, including buff accoutrements, from England; that leather accoutrements of every description could, however, be furnished much cheaper by the commissariat; that the rates inserted in the comparative statement for light infantry accoutrements were those paid to the Madras tannery; and that such accoutrements could be supplied by the commissariat of a much superior quality, and at half the price.

Supported by the Deputy Commissary-general.

The Deputy Commissary-general has annexed to his report a statement of all the leather accoutrements made by the commissariat, and as there are none for light infantry among them, I

recommend that patterns be now called for from the commissariat at Seringapatam, in order that the Honourable Court, after seeing them, may judge how far it is necessary to send such articles from England.

Question of price important. Utility of supporting a manufacture which gives employment to many people in this country. Important also to have our resources in hand.

The Military Board, in their anxiety to procure good articles, seem to pay too little attention to the price of them. The best articles are no doubt often the cheapest, but this is true only to a certain extent, and beyond which, when our practice is carried, it becomes a useless waste of public money; and this appears to me to be the case in the present instance, for there is no such superiority in the quality of the Europe article as to compensate the great excess of price. It is only three years since the commissariat first began to tan leather, and the progress made in that short period has been so great as to hold out the strongest encouragement to perseverance in the present course. It has not yet been ascertained from experience how far the Seringapatam may be less durable than the English leather, but I imagine it will be found that the difference, if any, is very trifling. We ought, in considering the present question, not to forget how useful it is to the country to support a manufacture which employs so many hands, and how important it is to have our resources as much as possible within ourselves, instead of depending upon a distant country for them.

Question to be referred to the Court of Directors.

I am therefore of opinion that no leather accoutrements whatever should be sent from England, but that patterns should be sent home, in order that the Honourable Court may come to a final decision upon the question.

NEW ORGANIZATION OF THE CORPS OF ARTILLERY.

28th July, 1825.

THE new organization of the corps of artillery under this Presidency, authorized by the Court of Directors, and published in G. O. of the 18th May, 1824, adds to its strength two and a half troops of horse artillery, and takes away from it two companies of European foot artillery.* But on the whole it gives an increase of numerical strength, and also perhaps of efficiency.

New organization of the Madras Artillery.

The expense of the Horse Artillery here is considerably augmented by our having eight guns to a troop instead of six, as at the other Presidencies. There is a difference of opinion among artillery officers as to the proper number, and many consider six as the best number. Lord Hastings was likewise of this opinion, because he thought that it was as many as the officers could manage properly. Six is also the established number in the Royal Artillery, and is that which was adopted, I believe, not only in the British, but in the French armies during the late war in Europe. In favour of eight guns, the advocates of this number urge its greater power as a battery and its divisibility rendering it better fitted both for manœuvre and detachment. In favour of six it is said that this number is more manageable and more economical.

Question whether a troop of the horse artillery should have six or eight guns.

Though troops of eight guns are used only in the Madras army, it does not follow that they are not as well or better suited than those of six for the nature of the service on which they are most generally employed. Ever since 1810, the established number of guns to a troop of horse artillery has been eight; and as the Honourable Court, with the knowledge of this fact, have ordered an increase of two and a half troops, without any mention of the number of guns, it ought, I think, to be inferred that they meant troops of the existing strength. Whatever, therefore, may be our

Reasons for retaining eight guns for each troop.

	European horse.	Native horse.	European foot.
* Present establishment; Troops or companies	2½	3	14
New organization	4	4	12

opinion of this particular establishment, it cannot with propriety be altered without the previous sanction of the Honourable Court.

Relative proportion of the horse to the foot artillery.

Besides the question regarding the proper number of guns to a troop of horse artillery, there is another regarding the relative proportion of the horse to foot artillery, on which there is considerable difference of opinion. Under Madras, the proportion of horse to foot artillery is greater than under the other Presidencies, or than in Europe. But it is evident that no one proportion can be equally applicable to all countries; it must vary with circumstances, and in general the more open the country and the drier the climate, the more efficient will the service of horse artillery be found.

Respective merits of horse and foot artillery.

In favour of horse artillery, it is said that that artillery which is best equipped for movement is the fittest for all field duties; that for all other calls of the service, horse and foot artillery are the same; that, when dismounted, horse are as useful in a battery as foot artillery; and that the draught of horse artillery is the only means of keeping pace with the exertions the troops are frequently obliged to make in rapid marches to overtake a flying and predatory enemy. On the other hand it is maintained, that though horse artillery are best calculated for rapid field movements, that there are many situations in this country in which they are less movable than foot artillery—in hilly and woody districts; in a great part of the Malabar coast and of the Northern Circars; in all the open countries with deep cotton soil, during the rains, where bullocks from their perseverance drag through the guns of the foot artillery, where horses from their impatience disable themselves and leave their guns behind. Horse artillery are also less calculated for the duties of all our principal garrisons, and perhaps too for foreign service, both because the expense of transporting them is so heavy, and because the foreign countries to which they are most likely to be sent, are not in general well suited to their operations. As to the necessity of horse artillery in order to pursue a flying and predatory enemy, such an enemy seldom needs guns to disperse him, and will be best overtaken by cavalry alone. If horse artillery were to be employed at a distance from infantry with cavalry alone, their present number would hardly be sufficient; but this can rarely happen. It would be too dangerous, unless for short excursions, as they can be safe only when infantry is near.

Questionable whether European foot artillery has been kept up at a sufficient

The services of both branches of the artillery are equally important. The expense of all artillery is so great, that it is not economy, but a waste of money to withhold any expense that is required to render it completely efficient, because if we do so, all the expense

thrown away to no purpose. I am not, therefore, disposed to think that the horse, the most expensive branch of our artillery, has been too much augmented; but I think it would perhaps have been better to have reduced some part of the gollandáz, or even of the native horse artillery, than the two companies of European foot artillery. Our European foot artillery has in most of our wars been found to be on rather too low an establishment. In war a great proportion of it must always be drawn together from distant places, which causes much inconvenience and delay, and sufficient detachments must be left at Hyderabad and Nagpur for the security of these capitals. In the late war the foot artillery were too weak both at Nagpur and Mahidpur. Had there been a sufficient detachment at Nagpur, the severe and critical action at Sitabaldi would either never have happened, or the attack would have been easily repulsed. It is true that, in lieu of the two companies of European foot artillery reduced, one and a half troop of European and one troop of native horse artillery have been added to the establishment; but these barely replace the reduction of foot artillery—they do not make up for the deficiency formerly felt. The gollandáz certainly make up in some degree for the want of European foot artillery. Their chief use is their saving the Europeans from exposure to the climate, and from harassing and fatiguing duties. The Court of Directors have often, on grounds of policy, disapproved of the employment of gollandáz. I am not disposed to distrust them more than sepoys; but still, as their turning against us could do us more harm, and as we do not want them so much as sepoys, their use should be limited as much as possible.

client strength. Use of native horse and foot artillery should be limited as much as possible.

By the great addition made to the gollandáz in 1819, when the battalion was formed, the corps of artillery was made sufficiently strong as a whole, and it is this consideration which induces me, notwithstanding the war in which we are engaged, to recommend to the Board the carrying into effect the reduction of the foot artillery ordered by the Honourable Court. Although, however, the corps of artillery is now strong enough, I think that the foot artillery has been too much reduced in order to strengthen other branches of the corps, and that in any modification of the present arrangement which the Honourable Court may hereafter deem it expedient to make, it would be desirable that the two companies of foot artillery should be restored, and that the expense should be met by reducing two companies of gollandáz and two guns in each of the troops of native horse artillery. All reduction or augmentation of the artillery will most conveniently be made by troops or

Two companies of native foot artillery and two guns in each troop of native horse artillery should be eventually reduced.

companies, without reference to promotion, or any other consideration than the demands of the State; and if fourteen companies of foot artillery be the number requisite for the public demand, it ought to be taken in preference to any other number, though it does not give an even number of battalions, or of companies to every battalion.

The proposed distribution of the artillery, with the exception of the golandáz, is shown in the letter from the Adjutant-general of the 30th June. It gives no European foot artillery to Malabar, to the northern or southern division of the army, or to the Doab. These places may in part be supplied when the two companies of European foot artillery now on foreign service return. But two companies will still be wanted, and can only be supplied either by too much reducing the head-quarters at the Mount, the great school of artillery, or by restoring the two companies ordered to be reduced. The European foot artillery is at all times, but especially in times of difficulty, so essential a part of our military force, that no principal division or important fortress ought to be without a detachment of it; and in order to effect this, I am satisfied that the reduction which I have suggested, should be made in the native branches of the horse and foot artillery. The question as to the respective advantages of the six and eight gun troops has by no means been decided so clearly in favour of the eight-gun troop, as to render it expedient to uphold it by any great sacrifice, and certainly not by such a sacrifice as that of supplanting European by native artillery, and incurring at the same time a heavier expense. The Statements 1 to 4* exhibit the expense, according to the new establishment, of a brigade of European and of native horse artillery, and of a battalion of European and of golandáz, or native foot artillery, respectively, from which it appears that the annual expense is as follows:

	In Cantonment.	Additional in the field.
A brigade of European horse artillery	Rs. 593,857 5	173,316 8
A brigade of native horse artillery	521,169 4	130,208 1
A battalion of European foot artillery	250,723 15	79,634 6
A battalion of native foot artillery or golandáz	281,898 2	59,021 1

The strength of the European and native horse brigade is the same, and, though the expense of the native brigade is considerably less, the difference of expense is much less than that of efficiency. A brigade of native horse artillery, 528 strong, is about double the expense of a battalion of 360 European foot artillery.

* It has not been thought necessary to print these statements.

NEW ORGANIZATION OF THE CORPS OF ARTILLERY.

The number of companies of European foot artillery to be stationed at the Mount ought not to be less than four, not only because it is the head-quarters and the school of instruction of the corps, but because, if the number were smaller, it would hardly be possible to relieve the detached companies regularly. The periodical relief of all the detachments, so as to bring them back to the Mount within a fixed time, is essential to the discipline and efficiency of the Artillery.

The reasons assigned in the Adjutant-general's letter of the 30th June for fixing the head-quarters of several of the brigades and battalions of artillery beyond our frontier are satisfactory, and I recommend that under the modifications stated in that letter, the officer commanding the army in chief be authorized to carry into effect the arrangements purposed in the letter from the Adjutant-general of the 27th April, and that he be requested to submit a detailed statement of the additional horses required to complete the horse artillery.

No principal division or important fortress should be without a detachment of European foot artillery.

Force of European foot artillery to be maintained at St. Thomas's Mount.

MINUTES ON THE WAR IN BURMA.

[No. 1.]

18th June, 1824.

The capture of Rangoon ought not to interrupt our military preparations.

THE fall of Rangoon, of which we received official notification on the 13th instant, will, we have reason to believe from the tenor of a former despatch from Calcutta, be immediately followed by an offer of peace to the Burman Government. This circumstance, however, ought not for a moment to interrupt our preparations. The acceptance of peace by the enemy is uncertain, and we ought therefore to continue our measures for giving every possible aid to the war in which we are engaged. It is not enough that we have already detached more troops on foreign service than were ever sent from any Presidency in India—we must send all that we can with safety spare.

Preparations made by the Madras Government for the war.

The first intimation of there being even any likelihood of a rupture with the Burman State was received here on the 23rd of February, in a letter from the Supreme Government of the 10th of that month. In that letter, though all hope of accommodation was not entirely abandoned, we were directed to prepare for war; we were told that a force of not less than 4000 men would be required from us in April, and we were directed to state what number of troops we could have ready for foreign service in all March or early in April, and what additional force could be got ready in May. These questions were referred to His Excellency the Commander-in-chief for his opinion. The view taken of this important subject by His Excellency went far beyond the estimate of the Supreme Government, and in this view the Government entirely concurred. His Excellency stated that there would be ready for foreign service in all March a force of about fourteen hundred European infantry and five battalions of sepoy, with a full proportion of European and native artillery, and that a second force, similar in all respects, would be ready in May.

The first of these divisions, under the command of Colonel McBean, of His Majesty's 54th regiment, sailed on the 16th of

April for Port Cornwallis, the rendezvous fixed on by the Supreme Government for the junction of the Bengal and Madras troops. A part of the second division, consisting of His Majesty's 89th and two battalions of sepoy, with three companies of pioneers, under the command of Colonel Miles, sailed for Port Cornwallis on the 23rd of May; and another part of the second division, composed of two battalions of sepoy, with a detachment of artillery, under the command of Lieutenant-Colonel Fair, sailed on the 13th instant for Chittagong by order of the Supreme Government, in consequence of an irruption into that province by a body of Burman troops. The whole, therefore, of the troops of the two expeditions originally destined for foreign service, with the exception of one regiment of European and one of native infantry, have sailed. These two last corps were, by a letter from the Bengal Government under date the 24th of May, ordered to be sent as soon as possible to Calcutta. This destination was, however, soon after countermanded by a letter of the 2nd instant, which directs the regiments to be kept in readiness for foreign service.

In the letter of the Supreme Government ordering these two corps to Calcutta, we were directed to state whether, in addition to the force originally intended for the two expeditions, we could without inconvenience spare any more troops in the course of the next six months. His Excellency the Commander-in-chief was of opinion that two native battalions might be spared, but did not think that it would be advisable, without taking time for full consideration, to promise more. The Board adopted His Excellency's sentiments, and they were communicated to the Supreme Government in a letter dated the 8th instant.

Additional troops available.

It appears therefore that we have still ready for foreign service one regiment of European and one battalion of native infantry belonging to the second expedition, and two battalions of native infantry, exclusive of the troops of both divisions. We must be prepared to send them wherever their services may be deemed most necessary by the Supreme Government, and I trust that the state of affairs will admit of their being sent to Rangoon, as their junction with the troops there will make the force under Sir Archibald Campbell no greater than was originally proposed, and, I think, not greater than it ought to be. The operations of that officer, in order to be efficient, must be extensive, and a great number of men will be required to preserve his communications, which will probably be a much more difficult task than beating or driving the main body of the enemy before him.

Need of a large force to preserve the communications.

MINUTES OF SIR THOMAS MUNRO.

Great advantage of having a commanding force.

It is always dangerous, and often fatal to success, to have a force only barely sufficient to maintain themselves in a hostile country, and none to spare for detachments or distant offensive operations which it may occasionally be found advisable to undertake. It is a great advantage to begin a campaign with a commanding force, particularly in a country recently conquered. It discourages the enemy, and encourages the people of the country to join and aid us, in the hope of regaining their independence. The occupation of Rangoon ought not to make us relax in the smallest degree in our preparations, or to believe that it will bring us any nearer to a peace. Our safest and our speediest way of arriving at an honourable peace, is to consider this first success as only the beginning of a general war with the Burman empire, and to engage in it with our whole disposable force.

The Burmans a new enemy, of whose troops, country, and resources we know but little.

The Burmans are a new enemy: we know very little of them, of the number and quality of their troops, of the nature of their country, or of the extent of their resources. Our ignorance in all these respects must render it difficult to judge at once what plan of operations would be best; but, whatever plan may be adopted by the Supreme Government, it is our business to support it by the exertion of all the means in our power.

The Commander-in-chief to ascertain the utmost extent to which troops can be sent.

His Excellency the Commander-in-chief will, I have no doubt, with his usual active zeal, ascertain hereafter the utmost extent to which we can safely go in sending our troops on foreign service, or on any service for which they may be required by the Supreme Government.

Excellent behaviour of the native troops.

In the course of our late preparations no circumstance has, I believe, excited more general admiration than the behaviour of our native troops. Nine battalions of native infantry have already embarked; and most of them without a single man being absent. They have not only testified no reluctance, but have shown the greatest ardour to go on foreign service. Journeys of extraordinary length and rapidity have been made by some sepoys who were absent on leave, in order to join in time to accompany their corps; and two companies of pioneers marched in the hottest month of the year from the vicinity of Hyderabad, a distance of 365 miles, at the rate of 24 miles per day, during fifteen successive days. The devotion to the service evinced by the whole of the native troops in leaving their families and country is highly honourable to them and their officers, and cannot fail of being viewed with the greatest approbation by the Honourable the Court of Directors.

[No. 2.]

8rd August, 1824.

The Board are aware that I have always considered the force at Rangoon as insufficient for the demands of an extensive campaign. The arrival of Major Canning's report of the 19th June shows us that the want of troops had been much felt; that it had obliged Sir Archibald Campbell to confine himself within very narrow limits, and had prevented him from occupying at an early period the important position of Yangan Chamja, and that it was only in consequence of the arrival of the reinforcement under Colonel Miles that he thought himself strong enough to take possession of it. Major Canning also mentions that it was intended to carry the operations up the river far beyond this point. The occupation of different places from Rangoon upwards will soon find employment for all the addition made to the main force by Colonel Miles' detachment, and the operations will again be brought to a stand from the want of troops. This want will every day increase from sickness occasioned by the rains, and by fatigue from incessant labour, arising from the nature of the service, without the usual aid of draught or carriage cattle.

Force at Rangoon insufficient for an extensive campaign.

It is essential to success that the force, if not augmented, should at least not be diminished. I propose, therefore, that the only remaining native battalion of the second expedition should be immediately sent to Rangoon, as it will not do more than replace the casualties which must have occurred since the date of Major Canning's report.

Force, if not augmented, should at least not be reduced.

We have, it is true, made a reference to the Supreme Government respecting the disposal of all the corps ordered for foreign service; but, whatever may be their decision, it cannot alter the necessity that exists of keeping the Rangoon force efficient. I have no doubt that it will be in favour of sending all the disposable native battalions to Rangoon; should it be otherwise, we can easily give another battalion in the room of that now intended to be despatched.

The Supreme Government will doubtless approve of all the available native battalions being sent to Rangoon.

It is to be recollected that all our native corps on foreign service were, when they embarked, on the peace establishment, and must now be much below it. Although I am averse to every unnecessary increase of our military expenditure, yet I know that nothing is so

Nothing so expensive as war carried on with inadequate means.

All native corps employed or ordered on foreign service should be raised to the former strength.

expensive as war carried on with inadequate means. One campaign drags on after another, and we have then all the expenses without any of the advantages of war. With the view of preventing this it will be advisable to increase all native corps, either actually employed or ordered on foreign service, to the establishment at which they stood before the reduction in 1821. It will also be advisable to add five men to each company in all the remaining corps, in order to enable them to meet the extra duties they will have to perform during the absence of so large a portion of our force, and to furnish volunteers to the corps on foreign service. The corps on foreign service may be completed either by volunteers or recruits, or both; but volunteering, if successful, will be both more expeditious and more efficient.

The Commander-in-chief of the same opinion.

I know from communications with the Commander-in-chief, that His Excellency concurs in the necessity of augmenting our force; indeed, what I have stated is little more than the substance of his opinions. I recommend that the subject of the proposed augmentation be referred to His Excellency, and that he be requested to carry it into effect in the way he may think best.

Deficiency of salt and fresh provisions at Rangoon.

It appears from all our correspondence, that one of the most serious obstacles to the prosecution of military operations from Rangoon, is the want both of salt and fresh provisions for the Europeans. We are now sending from hence to Rangoon all the salt provisions in the public stores, and the Commissary-general has no expectation of being able to purchase any more from the European ships this season. The stock of salt provisions is also small at Calcutta, and no more can be prepared until the setting in of the cold weather: it therefore becomes necessary to find something to make up for the deficiency of salt provisions. I supposed that when once the army was fairly established at Rangoon, it would be able to obtain cattle from the country and from Acheen sufficient for all its wants. I still think that, whenever it is able to advance, it will find supplies of cattle in the country; but, lest there should be any failure in this respect, we ought to adopt every means in our power to furnish some substitute. This might probably be done by supplies of salt or pickled fish.

I recommend that the Commissary-general be directed to state what can be done in this respect by his department.

[No. 3.]

24th August, 1824.

It appears from the correspondence of the Supreme Government and Sir Archibald Campbell, lately transmitted to us from Calcutta, that an equipment of draught and carriage cattle is required in order to enable the force at Rangoon to advance by Pegu and Ava to Amarapura. It also appears that both with regard to the amount of equipment that would be necessary, as well as to the means of conveying it by sea, the supplying of it is deemed to be impracticable by the Supreme Government, and the plan itself, for which it is wanted, is considered unadvisable.

Equipment of draught and carriage cattle for the force at Rangoon.

The furnishing such an equipment as would enable the Rangoon force to march inland independent of water carriage, if not altogether impracticable, would require too much time and expense to justify the adoption of such a measure; but a small equipment, sufficient for the movement of a detachment, would be of the greatest advantage to the force. There is at present neither draught nor carriage cattle. Every article of supply that is landed, is to be carried to the store-house, and from one part of the cantonment to another, by the public followers; every gun that is moved out, is to be dragged through the mud by the troops. The labour is excessive, and sickness and inefficiency are the consequences. A few hundred bullocks would save the public followers from this harassing work, and leave them to be employed in their proper duties. From five hundred to one or two thousand bullocks would be sufficient to enable a detachment of two, three, or four thousand men, with six or eight light guns and ten days' provisions, to leave the river and march into the country wherever the roads were practicable. The power of moving such detachments would enable the force to collect supplies of every kind, either by capture or purchase, and would greatly facilitate its main operations. Without the power of moving such detachments, the operations of the Rangoon army must be confined to the river, and can never be efficient; and as it will not have the means of scouring the country, it will perhaps never be able to find fresh meat for its subsistence, and be stopped by the want of it. The expense of a small field equipment will be great, but it ought undoubtedly to be incurred, because without it the army cannot

A small field equipment would be of great use to the force.

move, and while it cannot, all the rest of the expense is thrown away to no purpose.

We can do little in furnishing even a small share of such an equipment without orders from Bengal, but we can at least send such a supply of bullocks as may render it unnecessary to employ our troops and followers in dragging the guns and carrying the stores and provisions. I would therefore recommend that we take up tonnage for about two hundred bullocks to be sent to Rangoon, and that we increase the number hereafter to five or six hundred, or even more if found practicable.

[No. 4.]

8th October, 1824.

Opinion of the Commander-in-chief as to the feasibility of sparing a regiment of native cavalry for Rangoon.

His Excellency the Commander-in-chief, in delivering his opinion upon the wish of the Supreme Government that a detachment of cavalry should be sent to Rangoon from this Presidency, 'if practicable and expedient,' has stated that such great changes have taken place since he proposed in April last the sending of a regiment of native cavalry on foreign service, that we could not now detach such a force without involving a risk not justified by prudential or political considerations.

Great augmentation of the Indian armies during the last twenty years. Change in the political situation.

The occupation of Nagpur and Sholapur, and the sending on foreign service one European and two native regiments, in addition to the force originally proposed, have undoubtedly caused a great change in our situation, and rendered it more difficult than before to spare any part of our cavalry for foreign service; and this difficulty is increased by the number of horses being so much below the establishment. When, however, I consider the great augmentation of the armies of the three Presidencies within the last twenty years; that at a time when these armies were able to maintain the British authority in every quarter of India, neither the Bengal nor Bombay establishment had any cavalry, and Madras not more than half of what it now has; that the Mysore power, the most formidable of our three rivals, is now a friendly dependent State; that what once formed the dominions of the principal Mahratta States, is now occupied by the Bengal and Bombay troops, and that now there is in reality no powerful native sovereign in India, I cannot think that by sending a few hundred native cavalry to Rangoon, we should expose our terri-

tories to any serious danger. The diminution of the number of our cavalry would no doubt be inconvenient, and, if an enemy appeared in the country, might perhaps somewhat protract our operations. But we ought not, from the mere chance of a contingent risk, to be deterred from sending a part of our cavalry to any quarter where their aid is urgently required. We should look to our army on foreign service engaged in war, and if the cavalry ordered from Calcutta to Rangoon be not sufficient, we ought to be prepared to send more. The Body-guard being on the spot, it was my intention to have sent such part of them as might be willing to embark; but the want of transports until within these few days, the near approach of the monsoon, the impossibility, owing to the drought, of providing forage in proper time, the risk of detaining the ships in the roads, and the length and danger of the voyage, have induced me to postpone my design until the end of the year. We shall by that time be able to learn whether the three hundred cavalry to be sent from Bengal is sufficient for the force under Sir A. Campbell. As the enemy opposed to him have few or no cavalry, I am disposed to think that it will be sufficient; but, should it be otherwise, we ought to be prepared to send more, to the amount probably of two or three squadrons, as soon as may be practicable after the close of the monsoon.

The Government should not be deterred by any contingent risk from sending cavalry to the seat of war, if required.

[No. 5.]

26th November, 1824.

The medical reports transmitted by the last despatch from Rangoon give a melancholy statement of mortality among the European part of the force, far beyond anything of the kind ever known in this country, or perhaps in any other. At the end of May the troops were so unusually healthy, that the whole sick list of the force amounted only to fifty-two, of which twenty were Europeans. But from the month of June the sick increased rapidly, and scurvy making its appearance, a great proportion of the patients died, so that by the middle of October about two-sevenths of the whole of the Europeans sent from Madras had been buried. The deaths were at that time about sixty weekly, or 240 per month, and it is stated that nothing could save the convalescents but sending them away from Rangoon to Penang or Madras.

Mortality among the European troops at Rangoon.

corps to the war establishment; but it is necessary that the increase should not only be made, but that it should be constantly kept as complete as possible during the continuance of the present war; and it is evident that this cannot be done, unless we have always a supply of men ready for embarkation, in order to replace the waste occasioned by the service.

Importance of making timely provision for this increase.

The heavy loss of the European part of the force at Rangoon from sickness, renders it the more indispensable to keep the native part efficient; and though it is highly satisfactory to learn from the medical reports that the native troops have not suffered materially, yet in a climate of which we know so little, we cannot depend upon their continuing healthy; and we ought, therefore, to be ready to fill up all casualties which may happen. If we waited until we heard of them, and then began to make our preparations, the new levies would reach their destination too late, and serious inconvenience might arise from the delay. The recent capture of Tavoy and Mergui, and the probable occupation of the whole coast south of Rangoon, must unavoidably require a considerable force of native troops for its protection, and diminish the main body with Sir A. Campbell; and we ought, therefore, to make up to him for the loss of this detachment by keeping the whole of his native corps complete.

Possibility of a further increase being required.

The country near Rangoon has probably been too long under the Burman dominion, and too well guarded, for the natives to venture to aid us in any way. But as Tavoy, a more recent conquest of the Burman empire, has thrown off the yoke, it is probable that with our help the insurrection will spread northward from the newer to the older conquest and will reach Rangoon. The possession of such an extensive tract of country in the rear of the army, capable of furnishing abundant supplies of grain and live stock, will be of such importance in facilitating its operations, that I can have no doubt that it will be found expedient to secure the acquisition of the coast south of Rangoon, even if it should require more troops than Sir A. Campbell can easily spare. Should this be the case, I shall not hesitate to recommend, whenever we receive notice that further assistance is wanted, that the strength of the corps on foreign service receive a second addition, or that, if possible, another native battalion be sent to Rangoon. As no further increase of the native troops serving within the Presidency seems to be necessary at present, the recruiting parties may be withdrawn.

[No. 7.]

27th December, 1824.

It has been already resolved by the Board to raise each of the regiments of native infantry on foreign service to one hundred men above the full establishment. Since then the increase of sick and the detaching of two regiments to Tavoy and Martaban have diminished the native force at Rangoon in a greater degree than the authorized augmentation will supply; and as the European force has also suffered from disease in an unprecedented manner, it becomes the more necessary to keep up the native force immediately under Sir Archibald Campbell at Rangoon to its full original strength, either by sending more men to corps or additional corps.

Further remarks on the same subject.

More men can be sent only by sending volunteers or recruits. Volunteers may be found in abundance to go with their own corps on foreign service. But we cannot expect many more to leave their own corps for that purpose; and we should be cautious in calling for them where there is any chance of failure. Recruits require time to be raised, and after they are got, four months at least are necessary to prepare them for joining. The most expeditious mode of sending any further reinforcement would be by sending a regiment at once. We cannot easily spare one; but, should any emergency require it, we ought to be prepared to send one, or even two regiments of sepoys.

Question whether volunteers or recruits, or an additional regiment, should be sent.

In order to enable us to meet such a demand in the least expensive and most useful way, it would be advisable to raise a local corps to occupy Seringapatam. By this measure a regular battalion would be set free, which, from the unhealthiness of the place, is always inefficient while there, and usually for a year at least after being relieved. The local corps might be about the strength of the regular battalion, and might have a European commandant and adjutant.

Proposal to raise a local corps to occupy Seringapatam.

We cannot send reinforcements to Rangoon, and at the same time keep all our field forces in India complete. It is not necessary that all, or perhaps any of them, should always be so: part, or even the whole of one, may be occasionally withdrawn for a time, when temporary service requires its aid in another quarter.

Field forces in India may be temporarily reduced.

neglect of
the medical
and military
authorities
to give
timely
notice of the
need of
fresh meat.

It appears from Dr. Howard, the Superintending Surgeon's report of the 29th September, that the disastrous consequences of the continuance of salt provisions had been long foreseen, and that in a letter to Brigadier-General McBean of the 21st July, he pointed out the evil of salt meat, and the benefit that would result from even a small portion of fresh meat for soups in the hospitals. Had this letter been forwarded at the time, which it ought to have been, it would have enabled us to have despatched some relief in September, which might have reached Rangoon in October. But the 21st of July was too late a period for beginning to notice the distress; because, from the time that must necessarily have elapsed in the passage, no relief sent from Madras, in consequence of such an application, could have reached Rangoon in less than ten weeks from its date. It was known by the end of May that the force was likely to remain at Rangoon during the monsoon. Had the Medical Department then foreseen the probable consequences of feeding the troops on salt provisions, and reported their opinion without delay, we should have been able, notwithstanding the drought and famine, to have sent to Rangoon a monthly supply of sheep and slaughter cattle sufficient to have furnished fresh meat for the hospitals daily. If the evil was foreseen at an early period, it was certainly not brought to notice until it was too late.

Omission to
procure sup-
plies of
fresh fish,

It does not appear that, though surrounded by creeks and rivers full of fish, it was ever proposed that means should be taken for obtaining a supply of them. It is stated in the last report, that they are found to be better for the sick than any kind of fresh meat whatever; yet the nets with which they were taken, were sent from hence, not upon any requisition from Rangoon, but upon the suggestion of the Commander-in-chief, whose active mind is always alive to everything by which the comfort of the troops or the success of the service can be promoted.

or vege-
tables.

No attempt seems to have been made to raise vegetables for the use of the troops or the sick. There may have been obstacles to prevent it with which we are not acquainted, but no explanation is given.

Recommen-
dations on
the subject.

We know from late advices from Rangoon, that supplies of fresh provisions are now likely to be obtained by vessels which have been despatched to Cheduba and other places for live stock, and by means of the buffalo-hunting parties; but we ought not, on account of this favourable change, to relax our exertions here in contributing as far as may be practicable to the relief of the troops. I therefore recommend that the Medical Board be directed to submit

a list, specifying the names and quantities of all such articles as would be useful either in preserving or restoring the health of the troops at Rangoon; that they be directed to prepare and keep in readiness for embarkation whatever their own stores can furnish; and that the Commissary-general be ordered to provide the rest.

As the medical committee have declared 'that if the constant and exclusive use of salt provisions be persevered in, the whole of the Europeans will fall victims to the prevailing diseases, or be so far disabled by them as to be rendered useless for every military purpose,' and as it is possible that the troops may again be thrown into a similar situation, it is desirable that we should receive the opinion of the Medical Board on the subject. I would therefore recommend that they be desired to state their sentiments on the following points:

When salt provisions only are procurable, whether it would be advisable to confine their issue to certain days in the week, or to stop it entirely?

If confined to certain days, what would be the best substitutes for them, during the other days of the week?

If the issue of salt provisions be stopped entirely, whether there be any substitutes, and what, by which the health of the European troops might be preserved?

We know that in some countries of Europe many of the peasantry seldom taste animal food. I can hardly believe that animal food is absolutely necessary to preserve the health and strength of our Europeans; or that it may not be done by what we have always had, and always can furnish, an abundant supply of rice, wheat, and every kind of grain, of ghee and sugar, of tea and coffee, and of limes and tamarinds and other acid fruits. If all these, without animal food, are insufficient to preserve the health of Europeans, the loss at Rangoon was in some measure unavoidable; but if they are sufficient without it, much of the loss might have been prevented.

Question
whether
animal food
is absolute-
ly necessary
to preserve
the health
and
strength of
Europeans.

[No. 6.]

29th November, 1824.

The measure now proposed by His Excellency the Commander-in-chief of raising one hundred supernumerary men for each of the native corps on foreign service, has my entire concurrence. The Board has already authorized the increase of the strength of these

Proposed in-
crease to the
native regi-
ments on
foreign ser-
vice.

Increase to the force in Burma need cause no anxiety regarding our Indian possessions.

The great force required for the Burman war ought to cause no apprehension for the safety of India; for if we reckon the increase made to the native armies of the three Presidencies since the conclusion of the late Mahratta war, we shall find that it exceeds the whole force now in Ava, or destined to act against that country. There can, therefore, be no difficulty in preserving our possessions with a force that was found adequate both to their defence and the overthrow of the Mahratta power. Tranquillity may be occasionally interrupted by turbulent zemindárs and other chiefs; but these are contingencies from which India never has been entirely free, and which the ordinary field forces are amply sufficient to meet.

Impossible to judge how long the war may last. Preparation should be made for a long struggle, and upon such a scale as to ensure success.

We ought not to regard this war as a mere expedition which is to terminate in one season, but as an arduous service which may last for several campaigns, and we should therefore be prepared to support the Supreme Government systematically during a protracted contest with all our means. It is impossible to judge when such a war may end. It may continue for years, or it may terminate suddenly, by some revolution or alarm disposing the Government of Ava to accede to our terms. We should not, however, trust to such chances, but calculate all our preparations for a long struggle, and upon such a scale as to ensure success. In order to facilitate the accomplishment of this object, it is of the utmost importance that every European corps in India be constantly kept up to its full establishment, and that a considerable addition be made to His Majesty's naval force in this country; for in the operations against Ava seamen are still more useful than soldiers. These valuable resources of seamen and soldiers are not within our reach, but there can be no doubt that the Supreme Government will apply for them to the authorities at home.

Difficulties of the present war, novel in their character. Their nature.

In the present war there are difficulties of a nature which we have never experienced before; not from the military skill of the natives, for that is far below what we have met with in India, but from our ignorance of the country and the people, the obstacles opposed to an invasion by land, by mountains, rivers, and unhealthy jungles, and the hindrance caused to operations of every kind by the long continuance of the rainy season. In all our Indian wars we had the advantage of a long previous establishment in the country, and of a perfect knowledge of the people. We had a station that was our own from whence to extend ourselves, and we acted in alliance with some native chief, and by supporting his title and authority we secured the submission of the people and obtained aid, as we advanced, from the resources of the country. The people were not

hostile to us, but as willing to be the subjects of our Government, or of our ally, as of their former prince. In Ava we have none of these advantages. We land at once, as an enemy, in a country to which we are strangers, where we have no ally, and where the whole nation is hostile to us, and where, having no fort, arsenal, or granary, we are dependent for everything on our shipping. In India, and still more in Europe, the occupation of a principal town or fortress secures the submission of the adjacent country. But in Ava this will not be the case. The people will abandon the towns as our army approaches, because they know that we do not mean to fix ourselves permanently in the country, and because they know that if they were to remain, they would be punished by their own Government. In most countries the defeat of the enemy's armies in the field and the capture of his principal places, and above all of the capital, usually compel him to make peace; but even if we were to reduce Amarapura, it does not follow that the Burmans would submit to our terms. They might abandon their capital, avoid our main army, and carry on a harassing war against our supplies. The great extent of the country would, of itself, be a powerful ally in promoting the success of such a plan; and though our army might march through the country, it could not subdue it while the people were hostile, and had no expectation of a change of Government; for its strength, unless greatly augmented, would be insufficient to retain in obedience so extensive a territory.

There are, no doubt, however, many considerations by which such an enemy may be induced to submit to our terms. Among these are the danger of the revolt of Aracan and the districts on the north-east frontier of Bengal, and of the provinces south of Rangoon; the temporary loss of the resources of the most fertile part of the empire, the delta between Prome and the sea, on the advance of our army from Rangoon, and, more than everything else, the apprehension that we may, if the war be long protracted, change our plan of a temporary occupation of that rich province, into one of permanent conquest and establishment. These inducements to peace would be greatly increased by the advance of a force from Bengal into Ava by land; for the districts through which it marched, would withhold their tribute under various pretences; its presence would throw the country into confusion, and its operations would distract and alarm the Burman Government and render it difficult for it to bring a large force upon any one point, or to keep it together when assembled. For from all that we have yet heard of the Burman forces on former occasions, and more

Considerations which may lead the enemy to submit.

particularly from their conduct in their attacks on Sir A. Campbell between the first and the tenth of this month, it is evident that they are a disorderly multitude and not half armed; and I think that it may be inferred, from the Bandoola and his corps having been brought all the way from Ramoo, from their bringing with them the muskets and guns taken there, and from the long period which elapsed between the landing of our force at Rangoon and the arrival of the Burman army under the Bandoola, and from other circumstances, that the Burman Government have no standing army of any consequence; that in order to form an army they are obliged to draw together men from the most distant parts of the empire; and that such an army cannot be kept together for any long period. And there can be no doubt that by our having two or three forces in Ava instead of one, the difficulties of the Burman State, both in assembling and keeping together their army, would be greatly augmented.

Great want
of draught
and carriage
bullocks.

As long, however, as our army remains at Rangoon, the Burmans will easily be able to keep together a force to harass it. They will have no cause for apprehension until it begins to advance. But in order to advance with effect into the country, it must have the means of moving both by land and water; it must have boats and shipping, draught and carriage, cattle and troops. As far as I can judge from all the information before us, it appears to me that it can advance only by the river, with its stores and heavy articles in boats, and the troops, lightly equipped, accompanying the boats by land. We are not required to furnish boats, because it can be better done by the Supreme Government, but we can give material aid in cattle, if tonnage can be found. From two to three thousand draught and carriage bullocks would greatly facilitate the operations of the army, by enabling it to carry by land a light field train, tents for the Europeans, and many of the articles most essential to the comfort of the troops. I would, therefore, recommend that, after providing for the embarkation of the troops and stores now under orders for Rangoon, all the remaining tonnage may be employed in conveying draught and carriage bullocks. We shall perhaps be able to despatch seven or eight hundred, which, together with those sent from Bengal, and those already with the force, may probably answer the immediate object of moving up the river to where it divides into the branches which form the delta. But in order to act with effect, the force must not only be able to carry on operations near the river, but also in the country at a distance from it, and it could hardly do this with a

smaller establishment of bullocks than 12,000 or 15,000. It may be hoped that when the army advances, means will be found to purchase buffaloes, horses, and bullocks in the country, so as nearly to supply its wants, or that, if a communication can be opened with the force destined for Aracan, it might by that route receive supplies of bullocks and elephants from Bengal; but if the demand cannot be supplied in either of these ways, we must continue, notwithstanding the heavy expense, to send bullocks from this Presidency.

With regard to troops, we can easily supply them, so as to keep up the native part of the expedition to its original strength, and even considerably beyond it. No corps has been found more useful than the pioneers, and I propose that twenty men be added to the establishment of each company on foreign service. Notwithstanding the privations suffered by the troops at Rangoon, there is no reluctance among those here to follow them. But we ought, by sending every supply in our power to Rangoon, to endeavour to prevent the recurrence of scarcity, and to preserve the good-will and confidence of the troops. If the service there should, by any want of attention to their comfort, become unpopular, the native troops, not only those employed on it will lose their zeal, but those here will decline going and make it impracticable to keep the foreign division complete. Nothing, I believe, would be more satisfactory both to the native and European troops than that all who are disabled by wounds or sick, and not likely to recover soon, should be sent back to India by the earliest opportunity, and we ought to submit to the Supreme Government the expediency of sending instructions on this head to Sir Archibald Campbell.

Special usefulness of the pioneer regiments. Care should be taken to prevent the service becoming unpopular with the native troops.

The wounded and sick, both European and native, should be sent back to India by the first opportunity.

[No. 8.]

14th January, 1825.

In a former Minute I stated to the Board that we ought to be prepared to send one or even two additional regiments of native infantry to Rangoon, and that for this purpose it would be necessary to raise a local corps for Seringapatam in order to set free the regular corps employed as the garrison of that place. But as this measure would give us no equivalent for the second corps proposed to be held available for embarkation, and as, from the number of corps already on foreign service, considerable difficulty has been found in carrying on the ordinary duties on the country with those left behind, I propose that another addition of five men to each

Further addition to the regiments of native infantry.

company be allowed to every regiment of native infantry not on foreign service.

Severity of the duties to which the troops now in India are exposed.

I have received many complaints of the severity of the duty to which the troops are now unavoidably subjected from the difficulty of finding men for the various services for which guards, escorts, and detachments, are constantly required; and unless the proposed increase is made, it will be impracticable either to lessen the pressure of duty on the troops at home, or to send any more corps on foreign service. This increase will, besides adding to our strength at home, afford some aid in volunteers for foreign service, because the corps stationed beyond our frontier have not hitherto been allowed to give volunteers for Ava, but may now be allowed to give them.

Heavy losses from sickness in Burma.

Every aid from volunteering ought to be resorted to in order to keep the force in Ava complete, lest recruiting should prove inadequate for that purpose; and when we consider the rapid waste of men in Ava, there is too much reason to apprehend that this may be the case. By the latest returns it appears that the actual casualties in twelve native corps on foreign service, including the two regiments at Chittagong, in seven months, from May to November, inclusive, amount to about four hundred invalids in the last stage of debility who have already sailed from Rangoon for this place. It is understood that there are about eight hundred more nearly in the same state; and if to these we add the ordinary sick, it will appear that, in the space of seven months, the loss of men to the service in Ava between death and sickness has amounted to nearly two thousand.

As there can be no doubt that the Supreme Government will direct us to send to Rangoon whatever native troops can with safety be spared, I recommend that Lieutenant-General Bowser be requested to prepare a regiment of native infantry for embarkation as soon as possible.

[No. 9.]

8th April, 1825.

Further supply of dooly bearers to be sent from Madras to Rangoon.

The whole of the five hundred dooly* bearers, which were recommended by a dispatch from the Supreme Government of the 28th of January last, to be sent to Rangoon, have already been embarked; but from the information which has reached us, I think that a

* Dooly, properly *dūli*, a litter carried by men. In Indian wars doolies are used for the conveyance of the sick and wounded.

further supply of the same amount will certainly be required. The last despatches from Colonel McGrath and Brigadier-General Cotton state the scarcity of them, and the great use they are of to the force; and as it appears that the Commissary-general at Calcutta, even by the offer of double pay, could not procure more than one hundred to go to Rangoon, we ought not, I think, to lose time in waiting for a requisition from Bengal, but to order the Commissary-general at once to procure five hundred dooly bearers for general service at once. There is no danger that the whole will not be wanted. If the number were twice as great, there would be employment for them all; for on such service as the present, no class of public servants can be turned to greater advantage than dooly bearers.

[No. 10.]

28th June, 1826.

The reports of peace, which have been so prevalent since the arrival of the last accounts from Rangoon, should not induce the Board to relax, in any degree, in its military preparations. Whether negotiations may have been entered into or not, and whether, after having been begun, they may be broken off or brought to a successful conclusion, it is our business to go on as if the war were to continue. There is no time when it is more essentially requisite that an army should be strong than at the very moment when its commander is treating for peace. It will, therefore, in conducting the negotiations, be of the utmost advantage to Sir Archibald Campbell to have his force kept efficient; and if they break off, it is obvious that it will be no less necessary that he should be strong.

Reports of peace should not induce any relaxation of military preparations.

We do not know what are the conditions of peace which the events of the war may enable the Supreme Government to exact, or which they may deem it advisable to require: they may be such as to send home in a few months the greater part of our force, or to retain it a considerable time in Ava. One of the main objects of the war is undoubtedly to prevent future aggression. This may be accomplished in various ways: by retaining the conquests of Assam, Cachar, and Aracan, and stationing a respectable force in that frontier; by breaking the power of Ava so completely as to disable it from ever again invading Bengal; by aiding the Pegu nation in again establishing their independence, if they themselves

Object of the war. Means by which this object may be attained.

are desirous at the change and bear the chief part in effecting it, but without committing ourselves to support them beyond a certain period. No measure of mere defence would so effectually guard the eastern frontier of Bengal as the restoration of the Pegu State. As long as Rangoon was in the hands of that people, the Burmans would never venture to disturb Bengal. It must be acknowledged, however, that unless the people of Pegu set up a chief of their own, and support him with all their force in throwing off the yoke, nothing can be done for them.

Preparations should be kept several months in advance of actual requirements.

As, therefore, the continuance of our troops in Ava for a shorter or longer period must depend on the events of the war, and the terms of peace which the Supreme Government may deem it expedient to prescribe, we ought to be prepared for every event, by keeping our force in Ava complete as long as it may be wanted there. But this cannot be done unless we always look forward six or eight months at least; for that time is required in order to collect cattle and drivers, and to raise, discipline, and embark troops for foreign service. It is for this reason that I have already recommended that a hundred supernumerary men be raised for every corps in Ava, to keep them always complete, and that I now recommend that the Commissary-general be directed to provide, in addition to the number already ordered, three thousand bullocks with drivers for embarkation.

No ground for apprehension regarding the tranquillity of India.

The prolongation of the absence of so great a portion of our army in Ava must, it may be thought, by weakening us so much at home, endanger the tranquillity of the country, unless some new corps be raised to supply the deficiency. But I see no ground for any serious apprehension on this head. The troops which still remain, are sufficient to maintain order. Those who have gone on foreign service, by having been raised in every part of the country, leave relations everywhere interested in the preservation of its peace. The ease with which recruits are found in every district, and the cheerfulness with which they embark, are indications that the people are in general well affected. The very confidence which Government itself shows in the continuance of tranquillity, by the readiness with which it sends fresh troops to Ava, by its raising no new corps in their room, by its adopting no new measures of precaution, must tend to discourage the disaffected, wherever they may be, by impressing them with the belief that Government must be conscious of the sufficiency of its own resources to repress every attempt to excite disturbance or insurrection.

[No. 11.]

23rd June, 1825.

It is very satisfactory to observe from the letters lately transmitted to us by the Supreme Government, from Sir A. Campbell, that the country about Prome will furnish abundant supplies of draught bullocks, and that he will require no more troops. This information was not intended to make us suspend our preparations for sending troops and cattle to Ava, or the Bengal Government would have given us instructions to that effect. I am therefore of opinion that we ought to proceed in the same manner as if no such information had been received. The cattle we are sending are almost entirely for carriage, and they will still be very useful with the army for many purposes for which draught cattle, even if found in as great plenty as expected, cannot be employed. The troops we are now sending, are not additional corps, but men wanted to complete the corps actually on foreign service and to keep them efficient. It is very possible that Sir A. Campbell may be able to draw from the conquered provinces a supply of draught bullocks so ample as to render all aid in this point from India unnecessary. But as, even in India, where bullocks abound, we are frequently disappointed in our calculations regarding them, both as to their number and the time of their being ready, it is not unlikely that similar disappointments may occur in Ava; and it would not, therefore, be safe to discontinue sending cattle from India until we learn that Sir A. Campbell has actually got the number he requires, and that he will be able to keep it complete.

Preparations for sending troops and cattle to Burma should not be suspended.

We have not yet had sufficient experience in Ava to form any correct estimate of the probable number of casualties among the troops and cattle during the next six or twelve months. If the war be continued for another campaign, the waste of cattle, if we may judge from what takes place in this country, must, even under the most favourable circumstances, be very considerable, and probably such as will demand the utmost exertion both in Ava and India to repair. The extended line of operations which must necessarily be occasioned by advancing towards the capital must also call for many detachments of troops to serve as escorts, or as garrisons for the various posts which must be occupied in order to cover our lengthened communications. But these detachments

Continuance of the war for another campaign will demand great exertion.

cannot be spared without too much weakening the ~~main body~~ of the army, unless it be kept complete by continual reinforcements from this country.

Efficiency of the army essential to secure satisfactory terms of peace.

The prospect of peace, or even its actual conclusion, ought to make no change whatever in our exertions to keep the ~~force~~ in Ava complete. Its efficiency is the only thing that ~~can~~ have much weight in making the Burman Government submit to the terms of peace which may be imposed, and carry them into effect without evasion or unnecessary delay. With such an enemy nothing ought to be left to chance. Sir A. Campbell, even after peace has been made, ought at all times to be prepared to renew the contest if necessary; and until the very last day that his force may remain in Ava, it should be kept as complete in men and in every kind of equipment as if the war were only about to begin; and I think that we ought to keep this principle in view in all our measures for sending supplies to Ava.

[No. 12.]

8th August, 1825.

The war may possibly be protracted after the fall of the capital by the flight of the King, and may necessitate further additions to the army.

In the letter of Sir Archibald Campbell, dated the 27th May last, transmitted to us by the Supreme Government, it is supposed to be a possible case that the war in Ava may be protracted even after the fall of the capital, by the flight of the King to a distant part of his dominions. Such an event would have the effect, not only of continuing the present expenditure by detaining our troops in Ava, but of increasing it, by compelling us to raise additional men for all the corps of native infantry employed in India, in order to relieve them from the severe duty to which they are now necessarily subjected by the absence of so considerable a part of our force on foreign service. The additional duty which is thrown upon the troops at home by foreign expeditions, is always cheerfully borne, because it is expected that it will be of short duration; but when this extra duty comes to be extended to a second, and even to a third year, the case is altered: the men become exhausted and dispirited, and discipline cannot be strictly maintained. Representations have already been made to me of the severity of the duty at several stations, and of the general deficiency of native infantry; but as I know that the troops themselves always make ample allowance for hardships which may be imposed upon them

by the exigency of the public service, and as I think it better that they should suffer some hardship for a time than that we should augment our army whenever a part of it is sent on a temporary foreign expedition, I am unwilling to propose any augmentation as long as there is any hope of peace being made, and of some of our corps returning in the course of the present year. Should peace not be made within this period, it will then become my duty to recommend an addition of a certain number of men to each company in every corps of native infantry. All our corps of native infantry, not on foreign service, are still five men a company below the lowest war establishment; and from the late success of our recruiting service there can be no doubt that whatever number of men may be wanted, will be easily got. There are many circumstances, however, which induce me to hope that the war may be finished in the ensuing campaign, and so render the expense of increasing our military establishment unnecessary.

Our chief object in the present war is undoubtedly security from future aggression: our next objects are, peace and the return of our army. There are two ways of preventing future aggression: one is by so completely breaking the power and spirit of the enemy as to deter him from ever renewing hostilities: another is by dismembering or revolutionizing the kingdom of Ava. The means of effecting these objects are in our hands. The power of the enemy may be broken by advancing to the capital, and by showing, not only to the Burmans, but to all the tributary nations, the weakness of the military force of Ava. The kingdom may be partially dismembered by making Assam, Cachar, and all the petty States on the north-east frontier of Bengal, independent of Ava, and by retaining Aracan; and more completely by raising up, if possible, the ancient kingdom of Pegu. Could any enterprising chief of that nation be found to assume the government, he would probably, even without any other aid than some arms, be able to maintain himself against Ava, now broken in force and fallen in character.

Means of preventing future aggressions by the Burmese.

If the King of Ava does not seek peace before the loss of his capital, it is not likely that he would hold out long after that event. He would be deserted by his army, if we may judge from all that we have yet seen of its behaviour: he would become dispirited, and would rather offer terms than live as a vagabond. It may be said that he might fly to a distant province, and carry on a long defensive war. But Ava does not seem to be calculated, either from the nature of the country or the character of the people, for this sort of contest. An extensive country and a scanty population are usually great obstacles

Burma is a country which may be easily subjugated.

to invasion, and still more so to conquest; because in such countries there are seldom any places, the occupation of which can insure the command of the country. To subdue the country, troops must be spread over every part of it; and where the people are hostile, this cannot with safety be done. But Ava, though of very great extent, and very thinly inhabited in proportion to that extent, is from various causes more easily subjugated than such countries usually are. The population, as far as we have yet seen, are neither war-like nor hostile to us. They appear to have no particular attachment to their rulers, and to be as willing to live under our protection as theirs. The population, though thin, appear to be chiefly concentrated on the banks of the Irrawaddi, where most of their principal towns are. This river, therefore, by running like a high road through the fertile and populous part of the kingdom, renders it perfectly vulnerable, and enables a superior army to subdue it, because the invader, by having the command of the river, has in fact the command of the country.

Our conduct should indicate an intention to retain our conquests.

I do not therefore see much reason to apprehend that the King would attempt to protract the war long after the fall of the capital. I know of only one thing likely to induce him to hold out—the idea that we would not keep the country, but would get tired of the war, and withdraw our forces. Whatever may be intended in this respect, it will be advisable to indicate by our whole conduct a fixed design of keeping our conquests. Nothing would so soon bring the King to terms as the belief that we had such an intention, or so much encourage his holding out as a contrary opinion. The most likely means of impressing this belief would be to appoint a European officer to the charge of the civil government in all the conquered territory, leaving the details in the hands of the natives under his general control; and to collect a revenue according to usage, but much lighter, in order to make it popular. This plan was adopted by Lord Cornwallis in Mysore, and was very useful in procuring supplies of grain and cattle for the army. Such an enemy as we are now engaged with, should always be made to fear the worst. If he thinks that war may terminate in the loss of his crown or of a considerable part of his dominions, he will shun it carefully. But if he thinks that there is a chance of gaining an accession of territory from success, and that there is no danger of losing any permanently from defeat, he has no sufficient motive to deter him from aggression.

If, contrary to expectation, the King should, on the advance of Sir A. Campbell, fly from his capital and refuse to treat, we cannot keep our army in Ava for ever, and must for our own safety endeavour to establish a government that will treat, and enable us to withdraw, and put an end to a war so destructive to our resources. We know from the past history of Ava that revolutions have not been unfrequent there, and that members of the royal family have often attempted to supplant the sovereign. There is every reason to believe that this disposition is not in any degree diminished, and that the prince of Tarawaddi or some other member of the royal family might with our assistance be encouraged to seize the Government. The desertion of the capital, the disgrace attending it, the unpopularity of the King, would all favour the measure. The prince supported by us would be readily acknowledged. He would not have to conquer the country; he would receive possession of it from us, and he would therefore have the strongest motive for seeking the continuance of our friendship.

If the King flies from his capital and refuses to treat, some member of his family should be encouraged to assume the government.

As I have endeavoured to show in the above observations that there are grounds for hoping that peace may be obtained in the course of the present year, I wish to defer taking any steps for the increase of the strength of our native infantry regiments, until we can see with more certainty whether this hope is likely to be realized or not.

[No. 13.]

22nd August, 1825.

In the communication from the Supreme Government, respecting the sending of another European regiment to Rangoon, we are authorized to exercise our discretion in sending it or not. The measure will be attended with considerable inconvenience, but it is no doubt practicable; and as I think that no inconvenience, or anything short of the most evident danger to our affairs in India, ought to make us withhold from the war in Ava any aid we can possibly spare, and as the movement of a brigade by Pegu and Tonghoo on Ava, an operation to which Sir Archibald Campbell attaches the greatest importance, depends on his receiving another European regiment, I recommend that His Majesty's 45th Regiment, now in Fort St. George, be sent to Rangoon without delay.

Reasons for sending an additional European regiment to Rangoon.

Sir Archibald Campbell thinks it not unlikely that, during his advance towards the capital, the enemy might send a force by Tonghoo into the lower provinces in his rear. The mischief that would result from such a movement is so far beyond any inconvenience that could arise here from the absence of the regiment, that I am of opinion that we ought not, by any hesitation on our part, to put the great object of the campaign to the hazard of failure, by not affording to Sir Archibald Campbell the means of securing his right flank from being turned by the enemy.

I recommend that a wing of His Majesty's 48th Regiment be, without delay, ordered from Trichinopoly to garrison Fort St. George; and that, on the embarkation of the 45th for Rangoon, the garrison of Fort St. George may be reinforced by the foot artillery from the Mount.

I recommend that orders be issued for recruiting five men a company for all the corps not on foreign service. This will make each company ninety men, which was the establishment previous to the reduction in 1820. Provision has already been made for completing the corps on foreign service.

[No. 14.]

29th December, 1825.

Brigadier-General Cotton has informed us that, besides the new levies which have been sent to Ava, it will be necessary to relieve at least four of the native regiments there, which have suffered most, by complete regiments from hence. I am of opinion that we ought at once to comply with his request, in order to avoid the danger of embarrassing the operations in Ava by any unnecessary delay. The officer commanding the army in chief has stated that in order to enable us to meet Brigadier-General Cotton's demand, and to provide for the pressing want of troops occasioned by the absence of so great a part of our army on foreign service, it will be necessary to raise immediately seven extra regiments of native infantry; and to make an addition of eighty troopers and horses to each regiment of native cavalry, besides a further addition of one hundred troopers and horses to the first regiment, to replace the casualties which must arise during its service in Ava. I am aware of the difficulty which is felt from the want of troops; but it is a difficulty which must always be borne to a certain extent when we

Further proposals for increasing the army.

are engaged in foreign war, and I therefore think that somewhat less than the proposed addition will for the present be sufficient.

By the measure of relieving four regiments in Ava, we shall lose the services of four regiments in India; because two regiments must land at Rangoon before one can embark on its return from thence, and two regiments must either be at Madras, waiting to embark, or on their march from the interior to the coast for embarkation. The arrival of the return corps will make no difference, because, as such relief must probably continue while the war lasts, whenever one corps returns, another must be put in march for the coast.

We have now in Ava, fourteen native regiments; in Aracan two, and the proposed reliefs require four; so that we shall have in all twenty withdrawn from our home force. Colonel Fair's brigade may be soon expected from Aracan; but it will be long inefficient, and even when restored, we shall still have eighteen native regiments appropriated to the service in Ava; and we shall have only thirty-two to cover the territories to which in ordinary times fifty regiments, our whole establishment of native infantry, is allotted. So great a demand upon our regular force can only be replaced by raising extra battalions. Had only twelve or fourteen native regiments been required for Ava, we might still have gone on a little longer without increasing our forces; but with eighteen native regiments and the greater part of our European troops either actually absent on foreign service or destined for it, to delay any longer the raising of extra battalions would be pushing too far the harassing duties of our sepoys, and risking too much by leaving the country too bare of military force. Even now we are reduced to the lowest point we can be with safety in this respect; but if we allot four more corps for relief in Ava, we shall not have the means of effecting the ordinary relief of corps at home, we shall be quite unable to assemble in case of emergency the smallest disposable force, and we shall exhaust the patience of the native troops and destroy their health and discipline by incessant exertion and want of regular relief or repose.

Four is the smallest number of extra battalions that will be required. This number cannot for a considerable time make up for the loss of the four relieving regiments, and even when completed, will very inadequately supply their place. Two of the relieving battalions must reach Rangoon before Sir A. Campbell can send one in return, because while one of them relieves a corps at Rangoon, the other must proceed up the country, in order to relieve

Number of Madras regiments now in Burma.

Four extra regiments should be raised.

the corps which is first intended to come down to Rangoon on its way to Madras. It is not improbable that the state of affairs may induce Sir A. Campbell to retain both the relieving corps without sending back one, and in that case it will be necessary to raise six instead of four extra corps. The demand for troops has grown with the progress of the war. More have always been wanted than was at first thought would be necessary. It is only a few months since Sir A. Campbell said that he wanted no more, but we have since sent him His Majesty's 45th Regiment, and Colonel Stuart's brigade of native infantry; and if the war continue, there is every reason to believe that he will still want more. Should the enemy, after being driven from their present positions, make no further resistance, he will not stand in need of reinforcements; but we ought not to calculate upon such an event, but rather upon a continuance of resistance; and in that case, however successful he may be, he will require more troops to cover his lengthened communications as he advances. He looked at one time for co-operation from Aracan; but the abandonment of offensive operations from that quarter, which has been found necessary, will relieve the enemy from all apprehension on that side, and enable them to bring their whole force against him, and will compel him to look for additional aid from hence. We ought therefore to lose no time in taking measures to afford it to the utmost possible extent. It is always safer in war to anticipate wants than to wait for them. If we delay our preparations until another requisition is made upon us, they may be too late; for it is evident that we shall not be able to spare any more of our native battalions for foreign service, without raising corps to supply their place. If we raise extra corps, we shall be able, not only to relieve all the weak corps in Ava, and thus to render the army there more efficient, but to give Sir A. Campbell, in case of any emergency, two or even three corps, in addition to his present force. If we raise no extra corps, we shall not be able to comply with the demand for reinforcements by Sir A. Campbell, should circumstances compel him to call for them. Such a state of things might be attended with the worst consequences, and every precaution ought to be taken to prevent its occurrence.

increase to
our regi-
ment of
cavalry.

As only two squadrons of native cavalry have been ordered on foreign service, I do not think it necessary that any addition should be made, except to the first regiment, to which the increase of ten troopers and horses a troop, besides the further addition of one hundred troopers and horses, as proposed by Lieut.-General

Bowser, should be authorized. Should more cavalry be required in Ava, we shall receive information on the subject in time to enable us to include the additional number of horses in the annual requisition upon the Commissary-general in March.

I recommend that the establishment of the native regiments of infantry on the home service be increased to 950 rank and file. This measure, though not so convenient as a greater increase of the number of regiments, will lighten considerably the severe duties of the troops, and will enable us at some stations, where a weak corps is employed, to relieve it by substituting five or six companies of a strong one.

Increase of
infantry
regiments
in India, in
order to
lighten the
garrison
duties.

As our army is, in my opinion, adequate to the supply of all our subsidiary forces, and to the defence of all our territories in India, the extra corps may be reduced on the conclusion of the war in proportion as the regular corps return from Ava; and in the mean time, as one, and possibly two, strong relieving regiments may be embarked before an answer to any reference to the Supreme Government could be received on the subject, I think that, anticipating their approbation of the immediate levy of four extra corps, and of the eventual levy of two more, we ought without delay to authorize the officer commanding the army in chief to carry the proposed augmentations into effect. I recommend, therefore, that four regiments of native infantry be brought to the Presidency in the course of the ensuing three months for embarkation for Rangoon; that four extra battalions of native infantry be raised, and the usual proportion of European officers be allotted to them; that the establishments of all the regiments of native infantry employed on the home service be augmented to 950 rank and file each, and that ten troopers and horses each troop be added to the first regiment of native cavalry, besides a further addition of one hundred troopers and horses to replace casualties in Ava.

The extra
regiments
may be re-
duced after
the conclu-
sion of the
war.

[No. 15.]

9th August, 1826.

In answer to the letter from the Supreme Government, dated the 30th June, requiring the sentiments of this Government as to the practicability and expediency of furnishing from this Presidency the troops which may be allotted for Tenasserim, I am of opinion that such force, assuming the minimum estimate of His Excellency

Madras
troops can
be provided
for Ten-
asserim.

the Commander-in-chief as its amount, could be spared by this Presidency, without any augmentation of its present military establishment, pending a reference to the authorities in England.

Provided that at least three of the extra native infantry regiments are retained.

Although we have been able during the war to send a large portion of our military force to Ava, yet by doing so we imposed very severe duty upon that which remained at home; and by leaving it so weak we ran considerable danger, in the event of any commotion in our own territory. In times of public emergency, the troops bear with cheerfulness the most harassing duties; but though they will submit to them for one, two, or three years during war, we cannot expect from them, nor would it be prudent to impose upon them, such extra duties permanently in time of profound peace, when the necessity for them no longer exists. I think, therefore, that in the event of the authorities in England determining that the troops for Tenasserim shall be furnished from Madras, it will be necessary to continue three, if not the whole four extra native battalions. I think that one regiment of European infantry may be easily spared, which is all that is likely to be permanently required, and that another may be spared for a time; but I concur in the opinion of the Commander-in-chief, that in order to save time and expense, it would be better to transfer to this Presidency the 87th Regiment, now in Ava, than to send another regiment from hence.

Madras troops more suitable for the service than Bengal troops.

The native troops for Tenasserim should undoubtedly be furnished by Madras. They are all accustomed to be stationed on the sea coast, or near it, and even to embark occasionally in making the ordinary relief: they are, therefore, always more willing to go on foreign service than we can expect the Bengal troops to be. They are in general, too, of inferior caste, and have therefore less prejudice against the people of foreign countries, and are more likely to assimilate and live on good terms with them. In the event of any disturbance in Tenasserim, and a sudden call for reinforcements, this Presidency has a great advantage in sending them speedily, from its having so many military stations on the sea coast or near it. Even Bangalore, the principal cantonment, can send troops to the coast in three weeks.

Tenasserim should be finally annexed to the Penang Government.

I think that there can be no question of the justness of the reasons for which the Supreme Government deem it expedient that Tenasserim should finally be annexed to the Penang Government. That Government, from its situation and its possession of Malacca, is more intimately connected with the different states on the Malay peninsula, will take a deeper interest in the affairs of Tenasserim, has more leisure to direct its attention to them, and will administer them much more efficiently than either Bengal or Madras.

[No. 16.]

28th February, 1826.

The officer commanding the army in chief has strongly recommended to the favourable consideration of Government the services of two subahdar-majors, one subahdar, and one first dresser, belonging to the 5th Brigade, under Lieutenant-Colonel Fair, lately returned from Aracan. This brigade embarked in 1824, and landed at Chittagong in the midst of the south-west monsoon, and remained hutted there during the rainy season. In the beginning of the following year it accompanied the army under General Morison, which invaded Aracan; and after the reduction of the capital, it proceeded by sea, under Brigadier-General McBean, to Ramree and the southern parts of the province, from whence it did not get back to Aracan till May, when the rains had already set in, to which it was exposed with very little cover until the men could but themselves.

Rewards proposed for certain native officers for their services in Aracan.

In the course of the operations against Aracan, the movements of the brigade, in consequence of the want of carriage, were necessarily made in almost every instance by water, in boats and small craft. Several of these were lost, with the baggage of the men and officers; and the troops suffered greatly, not only from the loss of their equipments, but from the constant exposure to the weather on an element to which they were unaccustomed. The native troops of this Presidency have often readily embarked for foreign service, but never on any former occasion has their patience been tried by so many embarkations as in Aracan. The native officers, by whose example they were encouraged to submit with cheerfulness to a service so harassing, well deserve to be distinguished by some mark of public approbation. It is good policy to cherish such a spirit among the native officers; for while it is exhibited by them, it will never be found wanting among the men, and it is evident that the success of every foreign expedition must mainly depend on the zeal and alacrity with which they embark.

Hardships to which the troops were exposed on this service.

Policy of encouraging a good spirit in the native officers.

I therefore recommend that the old subahdar-major Sheik Ibram, of the 16th Regiment, who refused to be invalided, or to remain behind his regiment when ordered to Aracan, be presented on the part of Government with a sword and palaukeen with the usual

Specific recommendations.

allowance; that he be pensioned on the full pay of his rank, and the staff allowance of subahdar-major; and that after his decease a pension of half the pay of a subahdar of infantry be granted to his family; that subahdar-major Sheik Guru, of the 10th Regiment, be presented with a palankeen with the usual allowance, and his family be pensioned on the half pay of a subahdar of infantry after his decease; and that Sheik Tippu, senior subahdar of the 10th Regiment, be promoted, as supernumerary, to the rank and pay of subahdar major. I also recommend that first dresser White, of the 10th Regiment, be promoted to the rank of sub-assistant surgeon as a supernumerary, until brought on in rotation to the effective establishment.

SECTION V.

—◆—
MISCELLANEOUS.

ON COMPULSORY REQUISITIONS FOR SUPPLIES.

18th May, 1862.*

As it is a common practice, not only among camp-followers, but also with all bullock-men from the Carnatic bringing stores on account of the Company, to take straw forcibly from the inhabitants, either for nothing or at a rate much below its value, it becomes our duty to lose no time in putting a stop to this abuse. I must therefore request that you will publish to the inhabitants of your respective districts, that they are at liberty either to sell their straw or not as they please, and that when they sell it, they are not obliged to part with it to the cavalry and camp-followers below the bazar price.

Inhabitants of Ceded Districts to be informed that they are not obliged to sell straw to the cavalry or to camp-followers below the market price.

It will frequently be necessary, when detachments of cavalry are passing through the country, that the amildárs should furnish them with straw; but on all such occasions it should be given at the market price, by which I mean that price at which it has been during the preceding week sold to banjáris and merchants.

It will no doubt be objected that, unless some degree of compulsion is used, the ryots will not part with their straw, and that the cavalry horses will suffer greatly from the want of it. I see no good reason, however, to apprehend that this will happen. The consumption of straw by banjáris† and merchants is greater than by the cavalry, and yet banjáris and merchants never experience any difficulty in procuring a supply. The cavalry will always be able to obtain it by the same means—by paying the fair price. The ryots, after reserving an adequate supply of forage for their own cattle, must of course be desirous of selling the remainder; but then they will sell it rather to individuals who agree to take it at their price, than to public servants who dictate their own. If the cavalry would pay for their straw as freely as private dealers,

There will rarely be any difficulty in obtaining straw for the cavalry at the market price.

* A letter addressed to Munro's Assistants in the Ceded Districts.

† Banjári, literally a trader. The term is most commonly applied to the

grain and cattle dealers who move about in large bodies to the different markets.

they would get it with the same facility, and were they to make a trifling addition to the price, the ryots themselves would bring it in for sale to their lines.

Impolitic and oppressive to compel ryots to sell the produce of their land.

It may possibly occur, though it is not a likely case, that all the spare straw in the country to a considerable distance round a cavalry cantonment being consumed, no more can be obtained except at a very exorbitant price; but, even allowing that such a contingency should arrive, it can never be a plea for compelling the ryots of the nearest villages to sell to the cavalry the stock which they had reserved for the use of their own cattle. The ryot has nothing to do with the argument of the public service. He grows his straw for his own bullocks, not for the Company's horses. When he has paid his rent, he has discharged every just claim that Government has upon him; and to prevent him from making the most of the produce of his land, from which he draws the means of paying that rent, would be both impolitic and oppressive.

ON THE SAME SUBJECT.

30th April, 1821.

ANOTHER great benefit which the Regulation in question is calculated to produce, is the securing of the persons and property of the inhabitants from forcible seizure, for the convenience of travellers and of troops when marching. This evil has been long complained of, and has gone on increasing with our power. It was described by Mr. Hodgson in his Minute; but his statement, strong as it is, falls much short of the reality. Regulation III. of 1810, which was meant to alleviate, has greatly augmented it; because, by making it the duty of the Magistrate to furnish troops on the march with provisions and conveyance, it has led officers to neglect the precautions which were formerly in use for supplying themselves before the march commenced, and to trust almost entirely to the villages on their route for everything. All the evils which the country suffers occasionally from bad seasons and other natural causes, are light in comparison with this, which is sanctioned by law. It is so extensive, that we do not hear of one-fiftieth part of the oppression which springs from it. No body of troops, no detachment or guard, ever stirs without some compulsory requisitions of provisions, or coolies, or cattle, which is too frequently attended with some outrage upon the persons of the village people. A great road, which is in most countries an advantage to the villages near which it passes, is in this country the reverse. Such villages generally lose some of their inhabitants, who remove from the dread of being pressed themselves, or having their labourers pressed as coolies; and instances sometimes occur in which the whole ryots of the village quit it from this cause, and choose a new site for their habitations, at a greater distance from the road. When the Magistrate is called on to collect supplies at the different places where troops encamp on their march, he is obliged to order the tahsildars to send grain and other articles from the villages within ten or twelve miles of the camp. As the owners are unwilling to quit their homes, the sending them is always a

Evils of compulsory requisitions for coolies, provisions, or cattle.

matter of compulsion; they are placed under a guard like criminals, to prevent their escape. If the troops do not arrive at the time expected, they are kept under restraint till their arrival. The full price is seldom paid; no compensation is made for their detention or the distance from their homes; and of the price that is paid, a considerable part usually remains in the hands of the curnums and other revenue servants, or of the private servants who have received the money from their masters in order to adjust the account. If the conveyance of the detachment is deficient, coolies are pressed, or the bullocks of the villagers who brought grain to camp, are seized, and sent on with the troops, and frequently never returned. Travellers are, in proportion to their numbers, more oppressive than bodies of troops. The evil never can be remedied, as long as Government authorizes its officers to undertake the supply of all the wants of troops and travellers at every stage of their progress through the country; but it may be easily remedied by a prohibition against affording any such aid, excepting at principal towns, where coolies and bullocks are voluntarily hired. It may be thought that the enforcement of this rule will frequently occasion considerable inconvenience both to troops and travellers. The regimental bazars recently established will secure the troops from want. It will be the duty of commanding officers, before they begin their march, to see that the bazar has a sufficient stock, and that it is kept up by occasional purchases on the road. The experiment is not a new one. Many corps have had such bazars, and have passed through the country without requiring any assistance from the local authorities. It may be asked, how are officers to carry on their baggage if any of their coolies or cattle are lost on the march? It may be answered, that officers will travel lighter when they know that they are to expect no help from the public, and that bullocks are everywhere to be purchased, if a fair price be given. It is this price which constitutes the only real difficulty. A villager has seldom more bullocks than are necessary for his own use. He will therefore not sell one at the market price, because he must purchase another, and may, in the mean time, suffer some loss and inconvenience from the want of it. But if such an addition be made to the price as may in his opinion counterbalance this loss, he will sell it. The real value of the bullock may be twenty rupees, but in order to part with it he must probably have twenty-five or thirty, and the officer, by paying this, will save his baggage. The case is the same with regard to travellers; they may get whatever the village affords, by paying what the owner thinks a

Public officers should not undertake to supply troops or travellers.

For troops the regimental bazar ought to be sufficient.

full compensation for the article. A traveller often requires articles which nobody in the village keeps for sale, and for which he must therefore pay more than what he may deem to be the just price. The idle complaint that the inhabitants will not sell provisions or forage without an order, deserves no attention. How do the native traders who pass through the country with thousands of fine bullocks, laden with cotton and betel-nut, find no difficulty in procuring supplies for themselves and cattle? Half the inhabitants of a village are frequently seen going out to their tents carrying bundles of straw, while a traveller* at the same village can hardly procure a single bundle for his horse. The difference arises entirely from the mode of fixing the price, from its being done in one case by the seller and in the other by the buyer. The numerous body of bullock-men employed by shopkeepers in transporting supplies from Madras to the distant stations, get whatever they want at the villages, and find no difficulty in replacing such of their bullocks as die on the road. It is only Europeans and their servants who meet with difficulties, and it is only when the servant travels with the master that he meets with them, and the cause is evident enough. He endeavours, under the authority of his master's name, either to evade payment altogether, or to pay as little as possible for what he gets in the village, and the village people are naturally enough averse to any dealings on such terms. It is to no purpose that some travellers are punctual and see everything paid for liberally. One or two travellers of an opposite character alarm the inhabitants and make them avoid Europeans. Let an end be put to all forcible requisitions; let all officers, European and native, understand that they are to have no aid from any public authority in passing through the country, and we shall soon see that when the inhabitants perceive that nothing can be taken from them by compulsion, they will be more ready in bringing forward what they have for sale, and travellers will be more readily supplied with what the village affords, than now.

The price of supplies should be left to be fixed by the seller, not by the buyer.

The system of requisition, as far as regards the pressing of coolies, is perhaps more extensive under our own than the native governments, and it is so discreditable to our administration and so oppressive to the people, that no obstacle ought to prevent us from putting an end to it. No measure, short of a total prohibition by law, can have this effect, and I therefore approve entirely of this part of the proposed Regulation.

The system of requisitions should be entirely abolished.

* Reference is evidently made to European travellers.

ON DISARMING THE PEOPLE.*

24th May, 1804.

Policy of
disarming
the people
doubtful.

I HAD the honour some time ago of receiving your letter of the 14th March relative to the use and manufacture of arms. I have never purchased any arms from the inhabitants of the Ceded Districts, because the policy of disarming them was doubtful, and at any rate it was evident that the measure never could be so fully accomplished as to answer the end proposed. A heavy expense would have been incurred in attempting to carry it into effect. The quiet and industrious classes of the inhabitants would in general have surrendered their arms, and those alone would have retained them from whom danger was to be apprehended.

The inhabit-
ants of the
Ceded Dis-
tricts are
compelled
by the state
of the coun-
try, as a
rule, to
carry arms.

There are very few of the inhabitants of the Ceded Districts without a sword. Most of them have, in addition, either a pike or a matchlock, and many have both. This universal use of arms may be attributed to their being exposed in an open country to the incursions of horse, against whom they have no protection but the defence of their villages, and to the inability of former governments to repress the disorders of their feudatories and of banditti, rendering it necessary for the inhabitants of every village to be provided with arms for their own safety. If they were completely disarmed, a body of horse entering the country would meet with no resistance: many of the inhabitants might escape to the hills or to places which were garrisoned, but the greater part would fall into their hands; their habitations would be burned, they would be tortured to discover their property, and they would save so little of it that it would be many years before they could again carry on cultivation to its former extent. But while they are armed as at present, the incursion of an enemy's horse could do no lasting injury to the country. It would not even materially affect the current year's revenue, unless it happened at the sowing or

* This paper and the three papers which follow, are letters addressed by Munro, while Principal Collector of

the Ceded Districts, to the Board of Revenue at Madras.

ON DISARMING THE PEOPLE.

reaping season. At any other period the horse could do no other mischief than to drive off some cattle, or burn some straw or scattered houses; but the villages being all fortified, they could not take them, for the firearms of the inhabitants would keep them at a distance.

The Ceded Districts are surrounded by the Arcot pollams, Mysore, and the territories of the Peshwah and the Nizam. All these countries are armed and are full of banditti, who would make continued incursions for plunder into the Ceded Districts, if they saw the inhabitants deprived of the means of defence. They are checked at present by the knowledge that they would everywhere meet with resistance from the villagers, rather than by any apprehension of the revenue or police peons. It would therefore answer no good purpose, in the present state of the neighbouring countries, to disarm the Ceded Districts. I can see no way in which such a measure would be attended with advantage. In endeavouring to carry it into effect, all the well-disposed part of the people would be disarmed, while the disaffected would keep their arms; for they could easily conceal them so as to avoid discovery. But as those who would support, are much more numerous than those who would, in any change of circumstances, oppose the Government, the great body of the inhabitants being armed is a better security against internal disturbances than could be derived from any partial disarming. The purchase of arms, as observed by the Board, can have no other effect than to encourage their manufacture and importation. A country can never be disarmed by such a mode, for only such men will sell as do not mean to use their arms. Great numbers of arms may, no doubt, be collected in this manner, but still nothing is done, while those retain them who are ready to join in any combination for exciting disturbances. The districts of zemindárs and poligárs, who have the management of their own revenue, cannot possibly be disarmed. In order to disarm the district of a zemindár, it would be absolutely necessary that his authority should be previously done away, that a strong military force should be stationed in his country, that it should be put under martial law, that punishment should be inflicted for the concealment, as well as rewards given for the delivery and discovery of arms, that the owner of the arms should always appear personally, that the head men of the village should certify their being his property, and that a guard with a revenue servant should be placed in every village for the purpose of facilitating the receipt of the arms seized or surrendered. By any mode

Probable
effect of dis-
arming the
people.

Impolicy of
purchasing
arms with a
view to a
general dis-
armament.

of proceeding less rigorous, a great quantity of arms might be collected, but they would not be got from the men in whose hands they were likely to prove dangerous.

The manufacture of arms cannot be prevented in the zemindáries.

The fabrication of arms may be prevented in the sirkár districts, but not in those which are held by zemindárs; but it makes very little difference whether or not they are made in the country; for while a prize sufficient to balance the risk of smuggling is offered for them, they will always be important. They can be purchased at all times in the territories of the Nizam and the Mahrattas, at a rate greatly below their value; for the numerous peons of all descriptions who are continually discharged upon every change of amildárs and other officers, are ready to sell their arms at a trifling price. When they are again enlisted, they hire or borrow arms, and after getting one or two months' pay they can afford to purchase. Many bullock loads of arms were seized last year going to the Carnatic, not only from the northern parts of the Ceded Districts, but from the Doáb, and there is no doubt that had the same terms been held out as before, they would have been brought from a much greater distance.

Steps taken to restrain the use of arms.

Although, for the reasons already mentioned, I have not bought any arms, I have endeavoured to restrain their use, as recommended by the Board; but as this can only be done by giving a trifling reward for their seizure, I have directed all persons passing through the country with arms, except sirkár servants, banjáris, and bullock-men, to be disarmed, and one cantarái fanam* to be paid for every firelock or matchlock, and half a cantarái fanam for one of every other kind of weapon. This reward will be sufficient to answer the end for which it is given, without encouraging the manufacture of arms, and as it will probably not exceed a few hundred pagodas in the course of the year, I trust that it will be authorized.

* *Cantarái fanam*, a gold coin equal in Madras silver currency to a little less than three rupees.

THE COURSE TO BE TAKEN BY GOVERNMENT IN DEALING WITH A SCARCITY OF GRAIN.

7th August, 1804.

THE scarcity of grain which has prevailed during the last two years throughout the Ceded Districts has now risen to such a height as to threaten a famine. The increase of price within these ten days has been very rapid, owing to the prohibition of exportation from Mysore, but more particularly to the failure of the rains for the early crop of the present year. Rice, which formerly sold here from twenty-five to thirty seers the rupee, is now selling at eight and nine seers. Gram, which in ordinary years sells at from fifty to sixty seers the rupee, is now selling at fourteen seers the rupee, and all other grain is dear in proportion. Under these circumstances any further exportation of grain to the territories of the Nizam or the Mahrattas may be attended with the worst consequences, and I must therefore submit to the Board the expediency, or rather necessity, of prohibiting it, unless when grain is required for the subsistence of the troops serving beyond the Krishna.

Recommendation that with reference to the existing scarcity, the exportation of grain should be stopped.

THE SAME SUBJECT.

11th January, 1806.

Favourable state of the season. In an ordinary year produce equal to fifteen months' consumption.

THE season this year has been favourable throughout the greatest part of the Ceded Districts, and the produce will be considerably more than the consumption of the inhabitants. In an ordinary year the produce is reckoned to be equal to at least fifteen months' consumption. The crops of the present season are more abundant than those of an ordinary year, and even after deducting about one-twelfth part of the whole, destroyed by the inundation on the 13th and 14th of October last, the remainder will probably be sufficient for the consumption of sixteen months.

Surplus produce will be exported to the Carnatic.

The whole of this surplus produce cannot be exported, because the last two years of scarcity have completely exhausted all the grain laid up in Fasli 1211, when it was cheap, in order to sell when it should become dear. The substantial farmers and merchants who speculate in grain, will buy up a part of the surplus, and the rest will be exported to the countries beyond the Tongabadra and to the Carnatic. The high price of grain in the countries beyond the Tongabadra might be expected to draw it chiefly to that quarter; but as the southern and eastern districts are those which yield the greatest quantity of grain, and as they are at so great a distance from the Tongabadra that the difference of price would not compensate for the heavy expense of so long a carriage, their extra produce will, no doubt, go principally to the Carnatic.

Interference of Government in connection with exportation of grain inexpedient.

It does not seem necessary that Government should take any steps to promote the exportation of grain from this country to the Carnatic. If the scarcity there is great, the high price and the exemption from duty will of themselves occasion the exportation of all that can be spared. The interference of Government would be more likely to hinder than to forward it. Whether they make advances to dealers or attempt to accomplish their object by other means, their being concerned in the business could not be concealed; and this circumstance alone would, in a variety of ways, tend to discourage the exportation of the extra produce of this country to the Carnatic. It would deter many of the persons who

usually carry on this trade from prosecuting it; because, as they could not foresee to what extent the agents of Government would purchase, they could not so well calculate upon the probable state of the market as when the trade was left to itself, and they would not therefore enter into it with the same confidence. It would excite a suspicion that a maximum might be fixed, as is frequently done in the territories of the native princes in time of scarcity. And it would have the immediate effect of raising the price; because, whenever it was known that Government were purchasers, the quantity required would be greatly exaggerated: it would be supposed that it was intended to form depôts, and those persons who had grain, would keep it up in the hope of obtaining a greater profit. All my own purchases for the supply of the armies have always raised the price much higher than it would have risen had those purchases been made by private merchants, because the owners of grain can form some estimate of the probable amount of private dealings, but they see no limit to those of the agents of Government.

Extensive character of the trade in grain.

The constant trade in grain between the country and the towns, between adjoining districts, and even between the territories of different powers, in consequence of the temporary and local scarcities so frequent in India, employs perhaps a greater number of men and bullocks than all other branches of trade taken together. No danger need, therefore, be apprehended that the Carnatic will not receive the surplus produce of the western provinces, whenever the scarcity is so great as to yield a profit to the merchant after defraying the expense of carriage. Besides the numerous class of petty merchants who are always engaged in this trade, many of the common ryots enter into it when they see any prospect of advantage; and during the dry season of the year, when they are not employed in cultivation, they load their grain upon their own bullocks, and carry it for sale to the countries below the Ghâts. There are also between twenty and thirty thousand banjâris in the Ceded Districts, who carry grain to sell wherever it is dear. When all these circumstances are considered, there can be no doubt that the safest and best plan would be to leave the grain trade between the Carnatic and the western provinces to itself, and to limit the exertions of Government to importation by sea for the relief of the towns upon the coast.

Even if it were possible to send all the surplus grain of the Ceded Districts to the Carnatic, it would not be advisable to adopt any measure which might have this effect; because, if the Ceded Dis-

The quantity of grain which it is safe to export will be

regulated
by the
owners
themselves.

districts reserved only a sufficiency of grain for their own consumption until the end of the year, and if the next season proved unfavourable, it would be difficult, if not impossible, to supply the deficiency: they could not, like the Carnatic, receive assistance by sea; and what would only have been a common scarcity, had they kept a part of the former year's grain, might, from the want of it, rise to a famine. Grain is now daily exported from this country to the Carnatic, but a great part of the surplus will be kept up till June, when the seed time begins. If the season is then favourable, and if the scarcity continues in the Carnatic, nearly the whole of it will be exported to that province; but if the seed time is unfavourable, the grain on hand will not be exported, but will be reserved by the owners for the supply of this country, because they will make a greater profit here than they could effect in the Carnatic. The price of grain even now, though the season is a good one, is very high. Rice in the northern districts is from eight to ten seers the rupee: in the southern districts it is from twelve to fifteen seers. It is upon an average more than double the usual price. In Gurramkonda, which is the most plentiful district, and the nearest to the Carnatic, the price is fifteen seers the rupee: that of ordinary years is forty-five. This high price arises from the two preceding years of drought having reduced all the countries of the Deccan to a state of famine, and entirely consumed in the Ceded Districts and Mysore all grain that had been laid up in former years of plenty. The price of rice at Arcot was lately, I believe, ten seers the rupee; but it is evident that unless this price rises, there can be but very little profit on exportation from this country. If it does not rise, it may then be concluded that the Carnatic is as well supplied as the Ceded Districts, and that it requires no assistance from them.

Few districts in India, in an ordinary year, fail to yield more grain than is required for their consumption.

However unfavourable the season may have been in the Carnatic, the produce will probably be found to be very nearly equal to its consumption. There are few districts in India which do not, in an ordinary year, yield more grain than is required for their consumption; a total failure of the crops is unknown, except in single villages or very small districts. In the very worst years, when the crops are everywhere poor, and in particular villages totally destroyed, the produce is always equal to eight or nine months' consumption, and the deficiency is made up by the grain of former years remaining on hand, and by importation from the neighbouring provinces where the season may have been more favourable. The seed time in India continues so long—it is so easy when one kind of grain fails, to plough up the land and substitute a second;

the produce is in general so abundant, and there is usually so much grain laid up in plentiful years by the farmers and merchants, that it may be safely asserted that no famine is ever produced in this country by the operation of the seasons alone.* The scarcity which arises from the seasons is converted into famine in the territories of the native powers by war, by the rapacity of Government in anticipating the revenue, by absurd, though well-meant, regulations for keeping down the price and supplying the great towns, and above all, by the endless exactions and robberies of petty zemindárs. If the early crop—which is sown in June and July—fails, the native governments, instead of throwing upon the second crop a part of the kist of thirty per cent., which is usually paid in September and October, collect, not only the whole, but ten or twenty per cent. more, because they are apprehensive that the second crop may also fail, and that they will then be unable to realize the balances. Many of the ryots whose crops have failed, and who are unable to pay their first kist, abscond in October, and the cultivation of the second crop is by this means diminished below what it would otherwise have been. When the scarcity increases, a price is often fixed in the capital and great towns, and the merchants are compelled to sell at that rate. Even though this price should afford a considerable profit, yet as the dealers in the country cannot depend upon its continuance, they either conceal their grain or endeavour to dispose of it somewhere else. But next to a state of war, the exactions of zemindárs tend, more than any other cause, to increase a natural scarcity. As the price of grain rises, they augment their duties, and if any objection is made to the payment, they frequently plunder the carriers. When the scarcity becomes extreme, and when they know that the neighbouring provinces can only be supplied by grain brought through their districts, they increase their demands, and, besides exorbitant duties, exact presents from the merchants to protect them from thieves employed by themselves. If the State to which they are tributary, is at war, they take advantage of its weakness and plunder the sirkár districts, and thus lessen still more the scanty cultivation of an unfavourable season.

No famine is ever produced in India by the operation of the seasons alone.

These, rather than the want of rain, are the causes which have produced the famine by which the Deccan has lately suffered so much. The drought was, I believe, during the last two years, as severe in Mysore and the Ceded Districts as in the Deccan; and I

In native States the rapacity of the Government and exactions of the zemindárs.

* The correctness of this assertion has been sadly disproved by subsequent famines.

dists, combined with bad seasons, produce famine.

am convinced that, had that country been under the Company's Government, there would have been no famine in it. In June last, when rice was selling at eight seers the rupee in the northern part of the Ceded Districts, it was at five seers at the distance of twenty or thirty miles in the Doáb. Had the communication not been interrupted by the exactions of zemindárs, the difference of price would not have been more than one seer. The soil and produce of the Adoni and Raichur provinces are perfectly similar. They are only separated by the Tongabadra; yet in the one there was merely a scarcity, while in the other there was a famine. But had Raichur been left to itself, the famine would have been as severely felt there as in the countries north of the Krishna. It was mitigated by supplies from Mysore and the Ceded Districts, and still more by the presence of an army of observation repressing the predatory warfare of the Nizam's tributaries, and enabling the ryots to cultivate their lands in peace. The season of 1212* in the Ceded Districts was very unfavourable; and that of 1213 is said by the inhabitants to have been the worst ever known. It appears, not only from their report, but from the stronger evidence of revenue accounts, that the drought was greater, and the cultivation less, last year than in 1792-3, when rice sold at two seers the rupee. The famine of that year was chiefly occasioned by the turbulent state in which the country remained for some time after the retreat of the confederate armies, and by Government taking the whole of their revenue in hand in those districts where the crops were good, and selling the produce to the inhabitants of those districts where the crops had failed.

* The Fasli year is here referred to.

THE SAME SUBJECT.

9th February, 1807.

THE distress attending an unfavourable season may be mitigated by encouraging importation, prohibiting exportation, reducing the rents of the lower classes of ryots, and by giving employment to the poor on public works. Besides these, there is perhaps no other way in which Government can interfere with any advantage; but of all these means importation is by far the most effectual for promoting the attainment of the objects in view; for if the stock of grain in the country is supposed to be inadequate to the maintenance of the inhabitants until the next harvest, it is only by importation that it can be augmented and made to last till that period; or if the stock of grain, though equal to the subsistence of the inhabitants, be so dear as to place it beyond the reach of the lower orders, it is still only by importation that the price can be so far reduced as to enable them to purchase food. If importation could be carried to such an extent as to keep the price at a moderate rate, it would be unnecessary to take any steps for the assistance of the poor, because they would easily find employment among the other classes of the inhabitants. The importation by sea to Madras has already had the effect of stopping the exportation from the Ceded Districts to the Carnatic, and of keeping grain in the Ceded Districts cheaper than it otherwise would have been; for the price has been nearly stationary during the last two months. This is partly owing to the intervention of the harvest season, but much more to the importation by sea, because rice imported in that way may be sold as cheap, or perhaps cheaper, than it can be furnished from this country. While the importation by sea, therefore, contributes to the relief of the Carnatic, by pouring into it supplies of grain, it produces the same effect in the provinces above the Ghâts by diminishing exportation to the coast.

The stock of grain in the Ceded Districts may be made to last somewhat longer by prohibiting the exportation to the territories of the Nizam and the Mahrattas. Though this exportation is con-

Means of mitigating a scarcity of grain. Importation by far the most effectual.

Exportation of grain should not be prohibited except on grounds of

the strongest necessity.

siderable, it is much less than in former years, because the drought of the present season has been so extensive that grain is everywhere dear, and there is nowhere such a difference of price as to encourage an unlimited exportation from one province to another. The price is not yet so high as to make it necessary to stop the importation to the Deccan, and it will most likely continue nearly at its present level until May or June. If the rains at that period are abundant, it will probably rather fall than rise; but if they fail, it will increase rapidly and oblige me to submit to the Board the propriety of forbidding exportation to foreign States. Such a measure, however, ought not to be adopted without the strongest necessity, because it hinders the farmers from making up for the loss of almost the whole of their crop by the high price of the remainder.

Remission of assessment in the case of the poorer ryots, of whom, however, many will be reduced to the rank of labourers.

As there is no mode in which the distress of the lower classes of ryots can be alleviated so readily and generally as by an abatement of rent, I shall be careful, in forming the settlements, to make such a reduction for that purpose as circumstances may require; but the failure of the crops is in most places so complete that great numbers of ryots, though the whole of their rent be remitted, will be obliged to sell their cattle for subsistence, and will be reduced to the rank of labourers. This change, though hard upon them as individuals, will not affect the interests of the community; for the principal farmers will find it difficult to get agricultural servants and will gladly hire them, and the cultivation of the country will suffer little or no decrease.

Proper mode of employing the poor in time of scarcity. They should be employed near their own villages.

The poor, both for their own benefit and that of the public, ought to be employed in repairs of tanks, nullahs, wells, and in general all such works as tend to increase the produce of the country. It would in all cases be desirable to employ them as near as possible to their own villages, both in order to save them from the expense of a distant journey and from the danger of perishing by pestilential disorders, which usually prevail wherever a crowd of poor and ill-fed people is drawn together from different quarters.

Increase of the water supply a most necessary and useful work.

In many provinces, as well as in the Ceded Districts, the springs in wells are probably nearly dry, and the water in the beds of rivers and nullahs sunk much below its usual level; and unless the supply of water is increased by digging, the rice fields in such situations will yield little or nothing. It would, therefore, be advisable to grant Collectors a general authority to make such disbursements as may be necessary for the security of the standing crops. It would be impossible to make an estimate of the sum

which will be required for this purpose; and even if it could be done, it would be too late, as the grain would have been withered before authority could be received for executing the works necessary for its safety. These works are very generally carried on by the cultivators themselves; but from the excessive drought they have become, in many places, too expensive for them to accomplish. Such works are at the present moment the most important of all others, for they not only give employment to the poor, but by preserving the crops they lessen the scarcity and keep down the price in a more beneficial way than can be done by importation.

Ill effects of Government relief.

The employment which the poor find among the more substantial inhabitants, is much greater than what can be given to them by Government. They are employed in their several villages as extra servants by the merchants and ryots, and many procure a maintenance by bringing in grass, firewood, bamboos, and other articles for sale. In 1213, when grain was dearer than it is now, many thousands of half-starved people from the Deccan found employment in the Ceded Districts, chiefly among the ryots. The hire was a very small portion of grain, but it kept them alive and enabled them to return to their own country. Were Government to offer to the poor any other relief than the wages of labour, were it to issue grain to them gratis or at a reduced price, it would only have the effect of increasing their number, of drawing them together from all quarters, and of encouraging them to abandon themselves to the protection of the public, and to neglect the salutary means of preserving themselves by their own exertions. In India, as well as in all other countries, the distribution of charity will always be found to increase the number of the poor, which will always at least keep pace with the fund destined for their relief, whatever its amount may be. Were grain, in this country, to be issued to the poor at any particular station, the report would soon reach the remotest corners: the relief to be afforded would be greatly exaggerated: the poor who now procure a livelihood by their labour, would crowd in from all sides in the hopes of procuring it upon easier terms. It would soon become impossible to maintain such a multitude, and famine would appear among them. But this is not the only evil which would attend their being drawn away from their own villages; for the loss of their labour would be felt, and the crops now on the ground, as well as the cultivation of the ensuing season, would suffer from the want of hands.

Charitable
qualities of
the natives
of India.

Adverse
seasons can
never occa-
sion a
famine in a
single year.
Prospects of
the season.

The natives of India are probably as charitable as those of any other country, and the poor may be left to their care with more safety than to that of any public institution. As long as there is not an absolute famine, the poor are in little danger; for they will derive a subsistence either from private charity, or from their own labour. Notwithstanding that the present season is beyond all comparison worse than any that has ever been known, I see no reason to apprehend a famine in the Ceded Districts. I cannot discover that such an event has ever happened in any former period, unless when war was added to an unfavourable season; and from what I now see, I am convinced that the seasons alone, however adverse, can never in one year occasion a famine, and that there is no risk of the occurrence of two such bad years in succession as to produce this calamity; for this would be supposing that to be probable which has never yet happened. 1212 and 1213 were the two worst successive years ever remembered, but they occasioned no famine. The produce of the country supported not only its own population, but many thousands of emigrants from beyond the Tongabadra, besides a great exportation to the Deccan, continually urged on by the famine in that quarter. At the close of the year 1213 rice was at eight seers the rupee, or about one-third dearer than it is now; but as even that high price, though it distressed the poorer sort of inhabitants, produced no famine, it may be confidently assumed that such a misfortune cannot take place until the price rises above what it was at that time. But it is likely that the price will continue nearly stationary until May or June. Should there be no rain in those months, it will rise, but not to such a degree as to induce a famine. I found this opinion both on my own observation and the judgment of the best-informed natives, who assert that the grain in hand, together with the crops on the ground, is sufficient for the internal consumption until October or November, when the harvest of 1217 begins. I am myself persuaded that it is sufficient for a still longer term. I am led to think so from the abundance of the two preceding years, from the general practice among the ryots and merchants of storing grain in pits, from the present state of the markets, and from having had an opportunity of discovering that the quantity of old grain in several villages is very considerable. In one village it appears that the quantity of jawári* belonging to merchants amounted to 420 garce. I learned this, not from any particular inquiry, but from an application made to me by the mer-

* *Jawári*, a species of millet, more commonly called *cholam* in the Madras Presidency.

SCARCITY OF GRAIN.

chants for leave to sell it, in consequence of the ryots who had sold it to them last year, but not delivered it over, having refused to let it be removed from the pits. In this village there is no crop in the present year, and the ryots therefore wished to keep the grain which they had sold last year but not delivered, and to replace it with interest next year. I do not mean to infer from this instance that there are such stores of grain in every village, but I believe there are several villages in every district in which there is nearly an equal quantity. It is unnecessary, and it would be imprudent, to enter into any minute investigation for the purpose of ascertaining the stock of grain in the country, for it would excite suspicion that Government intended to lay some restriction upon its sale, and induce the owners to export or conceal it. The bazar price furnishes a better estimate of the resources of the country than can be obtained from any inquiry whatever.

Were I to look to the crops of the present year for the support of the inhabitants, I would have no doubt that a famine was rapidly approaching; but having witnessed the unfavourable seasons of 1212 and 1213 pass away without occasioning any serious distress, and knowing that the subsistence of the people does not depend entirely upon the produce of one or even two years, I contemplate the present scarcity with little alarm, so far as it regards the preservation of their lives. The Ceded Districts, from their remoteness from both monsoons, are more exposed to drought than the Carnatic, and the inhabitants are here perhaps more accustomed to guard against the effects of dearth by laying up a supply of grain in plentiful years. Jawári, their principal food, may be kept good in pits from ten to twenty years. Large quantities of it are laid up, not only by merchants, but by all the more substantial ryots, and are not brought out for sale except in those years when prices are high. The dearth in those districts and the famine in the Deccan in 1213 exhausted nearly all the stock of former years; but a great deal of that of 1214 and 1215 still remains on hand, and a considerable portion of it will be reserved till June, in the hope of obtaining a greater price, should the rains in that month fail. Almost all the lower class of ryots, too, though they cannot afford to keep grain for a distant speculation, usually reserve enough to maintain themselves throughout the year. Such of this class as have had no crop this year, will support themselves until next harvest by working as labourers. Those who have had some, will provide for their own subsistence before they sell any to discharge their rent. The present season is worse than that of 1213 for the poor among the ryots, but

not for the poor of other classes; because the poor of other classes are only affected by the price of grain, which is not yet as high as in 1213; while the poor of the ryots are affected chiefly by the failure of their crops, whatever the price may be. The high price of 1213 was occasioned as much by exportation as by deficiency of produce: that of the present year arises solely from the dearth. The poorer ryots in 1213 obtained a quarter or a half of an ordinary crop, and did not suffer from the high price, but rather gained by it, but in the present year many of them have no crop at all; and though they will find means to maintain themselves, that object would be facilitated by giving them employment on tanks and other public works.

Price of grain the surest test of the probability of a famine.

I am confident that the Ceded Districts will support their own population during the present season. They can be distressed only by exportation. That to foreign territories may be stopped whenever it is deemed expedient; but that to the Carnatic must depend upon the circumstances of that province. It has ceased during the last two months in consequence of the importation by sea, which, if it continue to produce the same effect, will be the most effectual mode of assisting these districts, as they can derive no assistance from other quarters. The price of grain, which is in all countries the best ground on which a judgment may be formed of the probability of a dearth or famine, must be peculiarly so in them; for it is more easy for the grain dealers to calculate the stock in a country which can draw no supply from any other, and to regulate their prices accordingly, than to estimate the quantity of grain in a country which can import that article by sea. If the price, therefore, is adopted as the measure of the stock of grain in the Ceded Districts, there can be no cause for alarm. The vast number of petty grain dealers in Indian countries not only keeps the price as low as it ought to be, by rendering combinations for raising it impracticable, but makes that price a surer test of the quantity on hand, and exported from the crop, than it would be if the trade were limited to fewer persons; for though a few great speculators might be wrong in their calculations, it cannot be supposed that several thousand petty dealers, who do not upon an average supply above twenty families, should be so ignorant of the trade which they have followed all their lives, as not to be able to calculate whether or not they could serve their customers until the harvest in October. If they were not satisfied that they could do so, or, what is the same thing, if a famine was to be

SCARCITY OF GRAIN.

expected before that period, rice would not now be sold at twelve seers the rupee.

It is not easy to form any correct information respecting the state of the cattle, because a great proportion of them has, on account of the scarcity of forage, been driven to the hills and jungles, where they are under the charge of herdsmen and not of their owners. I do not, however, hear that any distemper has broken out among them. If they escape that calamity, they will hold out until May, when a supply of green forage may be looked for.

PROPOSED BOUNTY ON IMPORTS OF RICE IN A TIME OF SCARCITY.

23rd January, 1824.

Proposal to give a bounty of thirty rupees a garce for the importation of rice to Madras from Bengal and the Malabar coast. Bounty preferable to a guaranteed price.

THE season is now so far advanced, that every chance of such a fall of rain as could materially improve the state of the crops, is now at an end. The periodical rains have almost entirely failed in all the countries south of Ongole and below the Ghâts, and also, though not to so great a degree, in those above the Ghâts. We have no means of ascertaining in what proportion the usual produce of the country may have been diminished from this cause. Nor do I think that we can expect to gain any very accurate information upon the subject. On occasions like the present, all that can be done is to form some probable estimate of the extent of the deficiency. By considering the present market prices, the reports of the Collectors, and other circumstances, I am induced to think that the failure on the whole is not so great as it was in 1807: but that it is not so much less as to justify our neglecting any precaution which may tend to insure the importation of abundant supplies of grain from the Bengal and Malabar coast. The annual consumption of rice in Madras and its neighbourhood is from ten to twelve thousand garce. The greater part of this quantity formerly came from Bengal; but for the last four years the average importation by sea has only been about seven thousand garce annually chiefly from Tanjore and the Northern Sirkârs, and a small portion only from Bengal. The importation by land has made up the deficiency in the supply by sea. The whole of the requisite supply has for many years come regularly without any direct encouragement on the part of Government; and I am convinced that the same thing would happen in the present year, and that the market might with perfect safety be left to itself, without any other guarantee for its ample supply than would be afforded by the scarcity price. Were the question one of mere profit, I should think our not interfering in any way the best course. But when the lives of a great population are at stake, we ought to adopt every measure

BOUNTY ON IMPORTS OF RICE.

which may be most likely to avert the approach of famine. Importation may be encouraged, either by a high guarantee price, or, by a bounty. In 1807, the members of Government were equally divided on the preference to be given to these two modes, but decided finally in favour of the guarantee price. We have had the advantage of seeing the bad effects which attended the guarantee price; and as a bounty will, I am satisfied, cause a sufficient importation, without involving us in the difficulties of the management and custody of extensive stores of grain, without the means of securing them from fraud and depredation, and without bringing us into the market as grain dealers, I can have no hesitation in giving it the preference to the guarantee price.

The rate of bounty which I would propose, is thirty rupees per garce on all rice of the description of good cargo rice, which may be imported at Fort St. George from the territories subject to Bengal, or from Malabar and Canara, from the 10th of February to the 1st of June. The whole importation to that period will probably be from ten to fifteen thousand garce, and the expense to Government from three to four and a half lakhs of rupees. If the quantity should not exceed ten thousand garce, it will be unnecessary to continue the bounty after the 1st of June, as the ordinary monthly supplies which may be expected till October, will answer all the wants of the market.

Probable expense of the bounty to the Government.

While we endeavour to procure an adequate supply for the present season, we must be careful that we do not, by holding out too much encouragement, overstock the market, as in 1807, so as materially to interfere with the sale of the produce of our own territories in the ensuing year, and thus to distress the ryots as much in the second year by the want of demand for their produce, as in the first by its failure.

Government must be careful not to overstock the market.

REMOVAL OF IMPORT DUTIES ON GRAIN.

12th December, 1823.

Proposal to
suspend all
duties on
transit of
grain on
account of
scarcity.

THE failure of the periodical rains in most of the provinces under this Government, and more particularly in the Carnatic and the western districts, having already raised the price of grain in many places to double its usual rate, and there being reason to suppose that if the present month should pass without rain, it will still rise much higher, it appears advisable that Government should adopt such measures without delay as may be calculated to alleviate the evils of the scarcity which has already begun to be felt.

The interference of Government on such occasions as the present is often very prejudicial, and I know of no way in which it can be safe or useful unless in suspending all duties on grain, giving perfect freedom to its transit by sea and land, and securing the grain dealers from the violence of the people.

I therefore recommend that all duties be taken off for one year from this date on all grain imported from Bengal to any place under this Presidency, on all grain imported or exported from port to port, and on all grain imported by land to any place under this Government. The adoption of this measure will be attended with some loss of revenue, but it ought not to be put in competition with the great object of relieving the people, as far as may be practicable, from the distress inseparable from a scarcity of food.

SUPPLY OF SALT AT REDUCED RATES TO VESSELS IMPORTING GRAIN.

23rd December, 1823.

ALTHOUGH it cannot yet be ascertained to what degree the scarcity may reach in consequence of the failure of the periodical rains in the present season, and although from the favourable harvest of the last year there is reason to believe that there is grain in the Carnatic sufficient for the consumption of several months, yet it is advisable that measures should be taken for increasing the supply from other countries by every practicable means. The duties have already been taken off for this purpose, and as a further encouragement I would recommend that from this date until the 31st of December, 1824, all vessels which may import the principal part of their cargo in rice or other grain to Madras, or any place on the coast, and which may wish to carry salt to Bengal, should receive it at Rs. 18 per garce.

Supply of
salt at re-
duced rates
to vessels
importing
grain.

THE COMMERCIAL HABITS OF THE HINDUS.

(Evidence before Select Committee of the House of Commons, 13th April, 1812.)

The commercial habits of the Hindus. Their probable effect upon the success of European traders in the interior of the country.

THE people of India are as much a nation of shopkeepers as we are ourselves. They never lose sight of the shop: they carry it into all their concerns, religious and civil. All their holy places and resorts for pilgrims are so many fairs for the sale of goods of all kinds. Religion and trade are in India sister arts: the one is seldom found in any large assembly without the society of the other. It is this trading disposition of the natives which induces me to think it impossible that any European traders can long remain in the interior of India, and that they must all sooner or later be driven to the coast. What the European trader eats and drinks in one month, would make a very decent mercantile profit for the Hindu for twelve. They do not, therefore, meet upon equal terms: it is like two persons purchasing in the same market, the one paying a high duty, the other none. The extra duty paid by the European is all the difference between his own mode of living and that of the Hindu. It is impossible, therefore, that he can long carry on the competition upon such an unequal footing. He may for a time, with a large capital, carry on some new manufacture, or improve some old one, such as indigo or sugar. The Hindu will wait till he sees the success which follows the undertaking: if it is likely to be successful and to be permanent, he will engage in it, and the European must quit the field. There can be no doubt, I think, that this cause will in time operate so as to force all Europeans to the sea coast; and I can have little doubt but that hereafter, when the Hindus come to correspond directly with the merchants in England, many of the agents now settled upon the coast will from the same cause, the superior economy and diligence of the Hindu, be obliged to leave India. I do not, however, think that because those merchants cannot maintain their ground in the interior, it is not necessary still to protect the natives from Europeans, by Government granting licenses; for this country is still populous enough, and full enough of adventurers, to furnish a few hundreds to go out every year to try their fortune in India.

THE SMALL INFLUENCE WHICH CONTACT WITH EUROPEAN CUSTOMS PRODUCES UPON THE HINDUS.

(Evidence before Select Committee of House of Commons, 15th April, 1812.)

BOMBAY can hardly be called a Hindu community: it is a kind of modern Babel, inhabited by foreigners from all parts of the globe—Arabs, Greeks, Armenians, Parsees, and almost everything but Hindus. If among all the vessels belonging to the port of London, from two hundred tons and upwards, we should not find among all the owners the name of one Englishman, we should doubt whether London were an English city. Among the owners of the vessels belonging to the port of Bombay there is not the name of a single Hindu. We have Manaji, and Surabji, Artaxerxes, and Bruce, and Fawcett,—certainly not Hindu names. It is said that the Hindu there likewise conforms to the European modes of life, followed by Parsees and Europeans. It is possible that he may in some instances do so to accommodate his European visitors; but I can have no doubt that, after the ceremony of the visit is over, he retires from his lustre-hung hall to his Hindu family, in their own Hindu house, sprinkled with cow-dung and water. The influence of the society of Bombay upon the continent of India can have no more effect than that of the Island of Heligoland. Let any man take a boat at Bombay, and land upon the nearest point upon the coast—the Mahratta village of Panwell; he will find everything unchanged, everything Hindu. I am likewise convinced that the Hindu of Bombay, notwithstanding the fascination of the example of Artaxerxes, and Bruce, and Fawcett, is still a hardened Hindu. If he comes pure from the fire of such a trial, with what hope can we expect to corrupt the great mass of the population of the continent of India? If any person leaving Madras goes to the nearest Hindu village, not a mile into the country, he is as much removed from European manners and customs as if he were in the centre of Hindustan, and as if no European foot had ever touched the shores

Prevalence of the foreign element in the population of Bombay. Its small influence upon the habits and life of the Hindus.

Proximity of European manners and customs has but little effect upon the

man of the
people in
other parts
of India.
Modesty
and correct
conduct of
Hindu
women of
the higher
classes.

of India. In a former part of my evidence, in speaking of the Hindu women, I mentioned the custom of their bathing in public at European stations: this statement may perhaps leave an unfavourable impression of their demeanour, but there is no man who has been in India but must maintain that nothing can be more modest than their behaviour, and that they confide in it on all occasions for their protection from insult, and are seldom deceived. It would be no slight praise to the women of any nation, not even to the ladies of England, to have it said that the correctness of their conduct was not inferior to that of the Brahman women and the Hindu women of the higher classes.

ON OPENING THE TRADE WITH INDIA TO THE OUTPORTS OF GREAT BRITAIN.

1st February, 1813.*

As to the exports,† it is not likely that they will ever, unless very slowly, be much extended; opposed by moral and physical obstacles, by religion, by civil institutions, by climate, and by the skill and ingenuity of the people of India. Some increase there will undoubtedly be, but such as will arise principally from the increase of European establishments, and of the mixed race which springs up in their chief settlements.

The exports from England to India not likely to be much extended.

No nation will take from another what it can furnish cheaper and better itself. In India, almost every article which the inhabitants require, is made cheaper and better than in Europe. Among these are all cotton and silk manufactures, leather, paper, domestic utensils of brass and iron, and implements of agriculture. Their coarse woollens, though bad, will always keep their ground, from their superior cheapness: their finer camblets are warmer and more lasting than ours.

The native manufactures of India are cheaper and better suited to the inhabitants than those of Europe.

Glass-ware is in little request, except with a very few principal natives, and, among them, is confined to mirrors and lamps; and it is only such natives as are much connected with Europeans who purchase these articles. They keep them, not to gratify their own taste, but to display to their European friends, when they receive their occasional visits: at all other times they are put out of the way as useless incumbrances. Their simple mode of living, dictated both by caste and climate, renders all our furniture and ornaments for the decoration of the house and the table utterly unserviceable to the Hindus: living in low mud houses, eating on the bare earth, they cannot require the various articles used among

The ordinary mode of life of the Hindus extremely simple.

* It has not been thought necessary to print the earlier paragraphs of this paper, which refer to the mode in which the question to which it relates, had been discussed between the

Government and the Court of Directors.

† Exports from England to India are here referred to.

us. They have no tables; their houses are not furnished, except those of the rich, which have a small carpet, or a few mats and pillows. The Hindus eat alone, many from caste in the open air, others under sheds, and out of leaves of trees in preference to plates. But this is the picture, perhaps, of the unfortunate native reduced to poverty by European oppression under the Company's monopoly? No, it is equally that of the highest and richest Hindu in every part of India. It is that of the Minister of State. His dwelling is little better than a shed: the walls are naked, and the mud floor, for the sake of coolness, is every morning sprinkled with a mixture of water and cow-dung. He has no furniture in it. He distributes food to whoever wants it, but he gives no grand dinners to his friends. He throws aside his upper garment, and, with nothing but a cloth round his loins, he sits down half-naked, and eats his meal alone, upon the bare earth, and under the open sky.

Also of the
Mahomed-
ans.

These simple habits are not peculiar to the Hindus. The Mahomedan also, with few exceptions among the higher classes, conforms to them.

The experi-
ence of the
past holds
out no pros-
pect of great
increase of
exports.

If we reason from the past to the future, we can have no well-founded expectation of any considerable extension of our exports. If it were as easy as some suppose, to introduce the use of foreign articles, it would have been done long ago.

No amount
of inter-
course with
other
nations has
hitherto in-
creased the
demands of
the Hindus
for foreign
manufac-
tures.

From the most distant ages of antiquity, there was a constant intercourse between India and the countries on the Persian Gulf and the Red Sea, without the introduction of foreign manufactures among the Hindus; and since the discovery of the Cape of Good Hope, there has been an extensive trade with the western nations of Europe, without any one of them being more successful than the ancients in prevailing upon the Hindus to change their customs, so far as to use their commodities in preference to their own. Neither the Portuguese, the Dutch, the French, nor the English, have in this respect effected any considerable change; but this will be imputed to the restraints imposed by the monopolies of trading companies. Let us impute to this cause all that we can: still we should expect that some progress would have been made in three centuries; that if all the natives could not purchase foreign articles, the rich would, and that the demand would be greatest at the chief seats of European trade, and lessen gradually towards the interior. But the inhabitants on the coast are as little changed as in the interior. The very domestics of Europeans adopt none of their customs, and use none of their commodities.

The monopoly price, it will be said, has prevented their sale among the natives; but it is well known that European articles are often sold at prime cost. The monopoly might impede, but it would not completely hinder the sale. It ought to operate in India as in Europe. It does not prevent us in Europe from purchasing: it merely compels us to take fewer of the articles we want.

This is not
due to the
monopoly
price.

The monopoly of spices by the Dutch, and of piece goods by the English, has not prevented their sale in Europe. It has made them dearer, and made the consumers take less. Why should a monopoly of exports to India not follow the same course? Why should not the principal native merchants purchase of the Company, and retail to the country dealers? We must, therefore, look to some other cause than monopoly for the little progress that the demand for European commodities has made among the Hindus. Besides the peculiar customs and institutions and climate of India, we must look to the superior skill of the Indian workmen. We cannot profitably export to them, until our own fabrics excel theirs. When this is accomplished, no extraordinary skill will be required to extend the sale. The Indians will purchase, even though we should endeavour to prevent them, just as we in this country purchase the contraband things of India.

It is partly
due to the
superior
skill of the
Indian
workmen,
as well as to
the customs
and institu-
tions and
climate of
India.

But though there are unquestionably many obstacles to any considerable increase of our exports to India, the prejudices of the natives have not so much share in them as is usually supposed. Their prejudices extend only to intoxicating liquors and certain prohibited kinds of food: they do not reach to other things. Every article, as it comes from the hands of the workman, is pure. There is no prejudice against the cloth, though there may be some against the particular form of the garment. The grand obstacles to our exports are the inability of the Indians to purchase our commodities, and the cheapness and excellence of their own. It is obvious, therefore, that their demand for ours can only be enlarged, either by a general improvement in the condition of the natives of India, or by a reduction in the price of European articles. Coarse woollens are undoubtedly the article which would find the greatest sale, if they could be furnished at a moderate rate. Almost every native of India has a broad piece of coarse woollen, which he uses as a Highlander does his plaid. He sits on it, sleeps on it, and wraps it round him when he walks abroad in cold or rainy weather. Its texture—something like that of the camblet of our boat-cloaks—and its hairy surface, which throws off the rain, is better adapted

The pre-
judices of
the natives
do not
constitute
the chief
obstacle.

for the purpose for which he wants it, than the European manufacture; and he would consequently, even if the prices of both were equal, still give it the preference. In seeking therefore to extend our exports, cheapness is not the only requisite: the tastes of the natives must also be studied. Some articles which we like plain, they like with the most gaudy colours, and *vice versa*. Though simple in their diet and habitations, they are as fond as any people in the world of expense in their dress, their servants, and whatever they consider as show or luxury; and as far as their means go, they will purchase, for these objects, from foreign countries whatever their own will not produce. It is singular, however, that after our long intercourse with India, no new article of export has been discovered, nor the quantity of any old one materially augmented; but with regard to the imports the case is different. A new article, raw silk, has been introduced by the Company into Bengal, and imported largely into the country; and cotton and indigo, the old products of India, have only of late been brought in any great quantity to this country.

The exports will eventually increase, but it will be owing to the exertions of private traders rather than of the Company's servants.

Though the trade between Britain and India is not at all proportionate to the population and resources of the two countries, yet, when we consider the skill and industry of their respective inhabitants, the nature of man constantly searching for new enjoyments, and the invariable effect of commerce in exciting and supplying new wants, we cannot refuse to admit that a change must at last be effected, however slow and imperceptible in its progress, when the mutual demands of the two countries for the products of each other will far exceed its present amount. Whether an increased export of European commodities is to arise from furnishing them cheaper, or of a fashion more suited to the Indian market, in either case the event is to be looked for rather from the exertions of private traders than of the Company's servants. Not that the Company's servants are deficient in knowledge or industry, but that they are not stimulated by the same deep interest; that they are few in number; and that it is contrary to every rational principle of calculation to suppose that, in so small a body, the same amount of talent shall be found as among the immense multitude of men trained in commercial habits, from which the merchants of Britain may select their Indian agents.

The danger of colonization from the resort of European adventurers to India, is an objection entitled to very little weight. They could not by law become proprietors of land: they could not

No serious danger of a large influx of Europeans into India.

some manufacturers, as the superior skill and frugality of the natives would render all competition with them unavailing. They would find no profitable occupation, but as mechanics for making tools for the use of European residents, or as traders or agents; the number employed in these ways would necessarily be limited by the extent of the trade, without a corresponding increase which it could not be materially augmented. The Europeans who might go out to India in consequence of the opening of the trade, would be chiefly the agents of commercial and manufacturing uses in this country. But it is manifest that only so many as could be advantageously employed, would be kept in India. If it appeared on trial that more had been sent out, the excess would be recalled. If adventurers went to India to trade on their own account, their number also would necessarily be regulated by the extent of this trade, and those whom it could not employ, would be obliged to return. Few Europeans would go to India only with the view of returning ultimately to their own country. Those who remain would not colonize. Confined to trade, excluded by law from the possession of land, and unable to find employment as manufacturers, they could never rise into a flourishing colony. They would be kept down by the great industrious Indian population, and they would probably dwindle into a race little better than the mixed caste descended from the Portuguese. But supposing even an extreme case, that all the Europeans who could find employment in trade in India should settle there, and abandon for ever their native country, and that their number should in time amount to fifty thousand; yet even this number, unlikely as it is ever to be seen, would, if left to itself, be lost amongst a native population of forty millions. Its own preservation would depend on the stability of the British Government; and even if it were disposed to act in opposition to its own interest, it would be unable to disturb the authority of Government for a moment. The only way in which European colonists could be productive of mischief to India, would be from the increased number of adventurers, who, in spite of every precaution, would escape to the interior, to seek service among the native princes, and might, when they were fortunate enough to meet with an able one of warlike character, instigate him to invade the territory of his neighbours. But we are now subject to the same inconvenience by the desertion of European soldiers and settlers. It would unquestionably be augmented, but not to any alarming degree, by colonization.

The Americans have been free to trade with India, but have not done so.

The Americans were not checked in their enterprises by an exclusive Company. They had a free trade to India, and ought, according to the advocates of that system, to have undersold the Company, and filled all India with European goods. But the Americans have not done this, say the outports, only because they are not a manufacturing people, and because, as they carry on a profitable trade with Spanish America for bullion, they find it more convenient to export that article to India, in order to provide their cargoes there. But what is to hinder them, when they come to this country with the produce of their own, from sailing to India with a cargo of English manufactures? Nothing but the conviction that they could not be sold. Were it otherwise, no American, any more than a British merchant, would carry bullion where there was a market for goods, and content himself with a profit on one cargo, when he might have it on two. The Americans are a sober, industrious, persevering race, with all the skill and enterprise of our outport merchants, and all the attention to their interest of trade which forms so strong a contrast between the private trader and the agent of a joint-stock company; and with all these useful qualifications, every man who is not blinded by prejudices in favour of old establishments, will readily believe that the Americans, had they not unhappily quarrelled with this country, would in time have circulated our manufactures to every corner of India. On viewing, however, the process by which they were to arrive at this end, we perceive with surprise that, almost from the beginning, they have been going rather backward than forward. In the six years from 1802-3 to 1807-8, the proportion of goods to bullion in their exports was only about fifteen per cent.; in the three years from 1808-9 to 1810-11 it was not more than eight per cent.; and these goods were almost exclusively for the use of Europeans. The active American trader, therefore, has not been more successful than the agent of the Company in imparting to the natives a proper taste for British manufactures; and, indeed, there is but too much reason to fear that all the enterprise of the outport merchant will be equally fruitless, and that the natives will, in spite of reason and free trade, still persist in preferring their own fine stuffs to the dowlas of England.

Persia, Arabia, and the countries east of India do not want English commodities.

Persia and Arabia on the west, and the countries on the east of India, either have what they want within themselves, or they receive it cheaper from India than they can be supplied from Europe.

OPENING THE INDIAN TRADE TO THE BETTER OUTPORTS.

On the whole, there is no ground to look for any considerable increase in the demand for our manufactures by the natives of India, unless by very slow steps and at a very distant period; and it may be questioned whether the private traders would export so much as the Company are now bound to do.

With respect to the imports from India, the quantity is expected to be increased, and the price diminished, by shorter voyages and other causes. Most of the articles now imported India is capable of supplying to any extent; and every measure by which the demand can be enlarged and the supply facilitated, of those commodities which do not interfere with our own manufacture, promotes the national prosperity.

The imports from India may be increased by shorter voyages and other means.

Piece goods, the great Indian staple, have fallen in demand, in consequence of the improvement of the cotton fabrics of this country, and are likely to fall still lower. As they cannot rise without interfering with our own manufactures, all that is necessary is to supply ourselves the demand which still remains, without the aid of foreigners. Cotton is grown in abundance in most parts of India; but while it sells at only half the price of that from America, it can be brought with advantage to England only when the trade with America is interrupted.

Indian piece goods have fallen in demand in India.

The importation, however, might, it is supposed, be greatly increased by more attention to clearing the cotton in India, where labour is so cheap; by cultivating, from among the various kinds which are indigenous to the soil, that which is best adapted to our manufactures; or by introducing the culture of foreign cotton, such as that of America or Bourbon. In the north of India the fields of cotton are artificially watered; in the south they are left to the rain and dews of heaven. In the north, therefore, the Bourbon and American cotton, both of which require much moisture, would be most likely to succeed.

The importation of cotton from India might be increased by improvements in the culture and mode of clearing.

For encouraging the culture of the best kind of Indian cotton, and clearing and preparing it for the home market, and for promoting the growth of foreign cotton in India, no person is so well qualified as the manufacturer of this country; for he who has such a large capital in expensive buildings and machinery, has a much deeper interest in securing a durable supply of good cotton than the merchant, who can with much less inconvenience divert his capital from one object to another.

Such improvements should be encouraged by the English manufacturer.

Bengal raw silk has been for some years imported to the amount of about £600,000 per annum, and may be increased to any extent, if protected by duties against the French and Italian.

Importation of Bengal raw silk may be greatly increased.

Importation
of indigo.
Of sugar.

Indigo is now imported, equal at least to the demand of all Europe.

Sugar, by a reduction of the existing duties, might be brought home to any extent; but would prove highly detrimental to the West India planters.

Importation
of pepper
and drugs
already
equal to the
demand.

Pepper and drugs have long been supplied equal to the demand, which cannot admit of any considerable increase, as the consumption of these articles must, from their very nature, be at all times extremely limited.

These are the chief articles of Indian produce which find a sale in the European market. Of some the consumption can never be much increased, and of others it cannot be augmented without injury to our home manufactures and West India colonies. All of them, with the exception of sugar and cottons, require very little tonnage; and the expected increase of shipping must consequently prove delusive, until we can either undersell the American cotton, or consent to bring the Indian into competition with the West India sugar.

Benefits
which have
resulted
from the
Company's
monopoly.

The same outcry is still kept up against the Company's monopoly, as if it still existed in all its former strictness, and were not, in fact, nearly done away. That monopoly, however, even in its most rigid state, has been the source of many great national advantages. It enabled the Company to expend annually £64,000 in the purchase of Cornwall tin, which they exported without any profit, and often with a loss; it enabled them to expend £80,000 for the encouragement of the indigo manufacture, and to support the traders in that article during their difficulties, by an advance of nearly a million sterling; it enabled them to persevere in the preparation of raw silk, though they lost on their sale of that article from 1776 to 1785 to the amount of £884,000; and it enabled them to acquire the extensive dominions now under the British Government in India. These territories never could have been acquired, had there not existed a Company possessing the exclusive trade, directing their undivided attention constantly to India, and employing their funds in extending their dominions. The whole of the merchants of Britain, trading separately, could neither have undertaken nor accomplished so magnificent an enterprise.

Objections
to throwing
open the
trade to the
outports.

The Company are willing that the trade should be thrown open to the port of London; but this, it is asserted, will not afford a wide enough range for the skill and enterprise of British merchants. But are these qualities monopolized by the outports? Have not the London merchants their full share, and have they not capital sufficient to carry on all the Indian trade which the most visionary

theorist can look for? If freedom of trade is claimed on the ground of right, and not of expediency, every port in the kingdom ought to enjoy it; for they have all the same right abstractively. But unfortunately it is necessary to withhold the benefit from them, because the warehouse system and custom houses are not yet sufficiently spread along our coasts; or, in other words, because a great increase of smuggling would undoubtedly ensue. The East India Company are attacked from all quarters, as if they, alone in this kingdom, possessed exclusive privileges. But monopoly pervades all our institutions. All corporations are inimical to the natural rights of British subjects. The corn laws favour the landed interest at the expense of the public. The laws against the export of wool, and many others, are of the same nature; and likewise those by which West India commodities are protected, and enhanced in price. It would be better for the community that the West India planter should be permitted to export his produce direct to all countries, and that the duties on East India sugar, etc., should be lowered. When the petitioners against the Company complain that half the globe is shut against their skill and enterprise, and that they are debarred from passing the Cape of Good Hope and Cape Horn, and rushing into the seas beyond them, with their vessels deeply laden with British merchandise, they seem not to know that they may do so now; that all private traders may sail to the western coast of America, to the eastern coast of Africa, and to the Red Sea; and that India, China, and the intervening tract only are shut. Some advantage would undoubtedly accrue to the outports by the opening of the trade. But the question is, would this advantage compensate to the nation for the injury which the numerous establishments in the metropolis connected with India would sustain, and the risk of loss on the Company's sales, and of their trade by smuggling?

The loss of the China trade would subvert the system by which India is governed: another equally good might possibly be found; but no wise statesman would overthrow that which experience has shown to be well adapted to its object, in the vain hope of instantly discovering another.

It yet remains doubtful whether or not the trade can be greatly increased; and as it will not be denied that London has both capital and mercantile knowledge in abundance to make the trial on the greatest scale, the danger to be apprehended from all sudden innovations ought to induce us to proceed with caution, and rest satisfied for the present with opening the trade to the port of

Loss of the
China trade
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vert the
system by
which India
is governed.

Experiment
of opening
the trade to
the port of
London
should be
tried before
the privilege
is extended
to other
places.

London. Let the experiment be made; and if it should hereafter appear that London is unable to embrace the increasing trade, the privilege may then, on better grounds, and with less danger, be extended to other places. If Government cannot clearly establish that no material increase of smuggling, and no loss on the Company's sales, and consequent derangement of their affairs, would ensue from allowing the outports to import direct from India, they should consider that they are risking great certain benefits for a small contingent advantage.

IMPORTANCE OF A REVENUE EXPERIENCE TO ALL CIVIL SERVANTS.

29th July, 1820.

THE Court of Directors has, in its letter of the 1st March, 1820, proposed certain rules for our guidance in the selection of persons to fill the offices of Provincial and Zillah Judges, and of Secretaries to Government and the Board of Revenue, and of Members of that Board, and of Registrar and Members of the Sadr Adálat. The Court has desired us to take this subject into our particular consideration, and to furnish it with our sentiments thereupon.

Letter from Court of Directors regarding certain appointments.

The reasons which render it desirable that the offices in question should, as far as may be practicable, be filled with men possessing a considerable share of revenue experience, acquired in the provinces, are so fully explained in the Honourable Court's letter to Bengal of the 19th April, 1819, that it is not easy to add anything to them; and it therefore appears to me that all that remains for us to do, is to endeavour, without delay, to carry into effect the intentions of the Honourable Court, to as great an extent as may be found possible in the present state of the service. It is obvious, however, from the great want of regularly trained revenue servants, that we must proceed gradually, and that many years must elapse before full operation can be given to the plan. Until within the last twenty or thirty years, we had little territory in our own hands, and consequently hardly any means of forming revenue servants. We have been more fortunate than could have been expected under such disadvantages; for most of the principal offices at the Presidency have generally been filled by a succession of able servants, and some of the most distinguished of them have been men who never were employed, or only for a very short time, anywhere else but at the seat of Government. Such men, however, would undoubtedly have been much fitter for their stations if they had served some years in the revenue line in the provinces.

Expediency of appointing to the offices in question men possessing revenue experience.

This rule can only be introduced gradually.

The revenue line presents greater facilities than any other for free intercourse with the natives.

We have now in our widely extended territory an ample field for the training of the junior servants in revenue affairs, and we ought to avail ourselves of it for that purpose. A knowledge of revenue will be useful in whatever department they may be afterwards employed; but a knowledge of the natives is still more essential, and this knowledge is only to be acquired by an early and free intercourse with them, for which the revenue presents infinitely more facilities than any other line.

Superiority in this respect of the revenue line over the judicial line.

It ought to be our aim to give to the younger servants the best opinion of the natives, in order that they may be the better qualified to govern them hereafter. We can never be qualified to govern men against whom we are prejudiced. If we entertain a prejudice at all, it ought rather to be in their favour than against them. We ought to know their character, but especially the favourable side of it; for if we know only the unfavourable, it will beget contempt and harshness on the one part and discontent on the other. The custom of appointing young men, as soon as they leave college, to be Registrars to Zillah Courts is calculated rather to produce than to obviate this evil. The most likely way of preventing it, and of fulfilling the desire of the Court of Directors to improve the efficiency of the civil service, would be to make every civil servant begin his career in the revenue line. The slightest reflection may satisfy us that it is much more probable that he will become a useful public servant by beginning in the revenue than in the judicial department.

Disadvantages of beginning in the judicial line.

There are some men who overcome all difficulties, and become valuable public officers, in whatever line they are placed, and whatever may have been that in which they were first employed; but in making rules we must look to men such as they generally are. When a young man is transferred from college to the office of Zillah Registrar, he finds himself all at once invested with judicial functions. He learns forms before he learns things. He becomes full of the respect due to the Court, but knows nothing of the people. He is placed too high above them to have any general intercourse with them. He has little opportunity of seeing them except in Court. He sees only the worst part of them, and under the worst shapes. He sees them as plaintiff and defendant, exasperated against each other, or as criminals; and the unfavourable opinion with which he too often at first enters among them, in place of being removed by experience, is every day strengthened and increased. He acquires, it is true, habits of cautious examination, and of precision and regularity; but they are limited to a

IMPORTANCE OF REVENUE EXPERIENCE TO CIVIL SERVANTS.

particular object, and are frequently attended with dilatoriness, too little regard for the value of time, and an inaptitude for general affairs, which require a man to pass readily from one subject to other.

In the revenue line he has an almost boundless field, from whence he may draw at pleasure his knowledge of the people. As he has in his power at some time or other to show kindness to them all in settling their differences, in occasional indulgence in their rents, in facilitating the performance of their ceremonies, and many other ways; and as he sees them without official form or restraint, they come to him freely, not only on the public, but often on their private concerns. His communications with them are not limited to one object, but extend to everything connected with the welfare of the country. He sees them engaged in the pursuits of trade and agriculture, and promoting by their labours the increase of its resources,—the object to which his own are directed. He sees that among them there is, as in other nations, a mixture of good and bad; that, though many are selfish, many likewise, especially among the agricultural class, are liberal and friendly to their poorer neighbours; and he gradually learns to take an interest in their welfare, which adheres to him in every future situation.

Ample means of acquiring a knowledge of the people in the revenue line.

If a young man be sent at once from college to the revenue line, the usual effect will be to render him attached to the natives; if to the judicial, to increase the dislike towards them with which he too often sets out. The main object, therefore, in beginning with the revenue, is not to teach him to collect the kists, which is a very secondary consideration, but to afford him an opportunity of gaining a knowledge of the inhabitants and their usages, which is indispensable to the due discharge of his duty in the judicial, as well as in the revenue line. An acquaintance with the customs of the inhabitants, but particularly of the ryots, the various tenures under which they hold their lands, the agreements usual among them regarding cultivation, and between them and sonkars respecting loans or advances for their rents, and the different modes of assessment, is essential to a Judge; for questions concerning these points form the chief part of his business. A Judge who is ignorant of them, must often be at a loss on the most simple points; but as a knowledge of them can hardly be attained excepting in the revenue, it may be said that no man can be a good Judge who has not served in it. If this kind of knowledge be indispensable in a Zillah Judge, it is equally so in the Judges of the higher courts and the Secretaries to Government. It is on the right administration of

The sort of knowledge which is required in the revenue line, most useful to a Judge.

Prosperity of the country greatly dependent upon the revenue administration.

the revenue that the prosperity of the country chiefly depends. If it be too heavy, or very unequally distributed, the effects are felt in every department. Trade is depressed as well as agriculture. Numbers of the lower orders of the people are driven by necessity to seek a subsistence in theft and robbery. The better sort become dissatisfied, and give no help in checking the disorder. The roads become unsafe and the prisons crowded; and we impute to the depravity of the people the mischief which has probably been occasioned by injudicious taxation, or the hasty abolition or resumption of long established rights and privileges. It is of importance that the higher officers of Government should always be able to trace the good or bad state of the country to its true cause, and that, with this view, they should in the early part of their service be employed in the revenue line in the provinces, because it is only there that they can completely see and understand its internal structure and administration.

Not essential that a Collector should have previously served in the judicial line.

As the business of a Judge is much facilitated by his having previously served in the revenue line, so is that of a Collector by his having served in the judicial; but not in the same degree, because he may become tolerably well acquainted with judicial proceedings in the practice of his own duties, in the settlement of boundary and other disputes respecting the occupation of land. In framing, therefore, the few rules for giving effect to the instructions of the Court of Directors which I now submit to the Board, I have not thought it necessary to require that a Collector should previously have been employed in the judicial line. It might at first sight seem to be desirable that a Collector should before have served as a Registrar, and that the civil servants, in rising in the judicial and revenue lines indiscriminately, and in passing from one to the other, should proceed regularly through every gradation in each; but this would be extremely embarrassing and injurious to the service, and would, in fact, be discovered on trial to be nearly impracticable. The convenience of the service does not always enable us to make interchanges, when servants are ready to be transferred from one branch to the other; but we can always secure a few years of revenue instruction by sending all servants to that line at first. We have then the advantage of the early and first impression, and two years is of more value than, than double the number would be at any after period. After serving two years as an Assistant Collector, he may either be transferred to the judicial or any other line, or remain in the revenue, and the matter might be determined either by his own option or the exigency of the service. In rising after-

IMPORTANCE OF REVENUE EXPERIENCE TO CIVIL SERVANTS.

wards to the highest offices, it will not be necessary that he should pass regularly through every subordinate one, or that he should serve longer in any of them than such a time as may enable him, with tolerable application, to acquire a practical knowledge of its duties. It may be thought that two years is too short a time for any person to learn much of revenue, but as he may remain in that line as much longer as he pleases, though he cannot be less than two years, there can be little doubt but that a large portion of the junior servants will remain in it; that many of those who leave it on the expiration of the two years, will have imbibed a partiality for it, and seek to return to it; and that we shall thus always have a sufficient number of servants possessing such a knowledge of revenue as to qualify them to fulfil efficiently any office whatever.

The rule of sending all young men directly from the college to the provinces will in future prevent them from thinking of establishing themselves at the Presidency, and will prove beneficial both to them and the public; but as it might be attended with inconvenience to those who have been fixed here since 1816, were they to be removed, and more particularly as some of them owed their detention to their superior merits having fitted them to fill situations of greater emolument than they could have obtained in the provinces, I would recommend that, in order to prevent their suffering by the operation of a new arrangement, they should be permitted to have the option of remaining at the Presidency or going into the provinces.

Young civil servants should be sent directly from the college to the provinces.

Every civil servant, on his quitting college, shall be sent to the provinces, and employed for at least two years in the Revenue Department as an Assistant Collector.

Regulations proposed for carrying out the above objects.

Every civil servant, after serving two or more years as an Assistant Collector, shall either be continued in the revenue, or be transferred to any other department of the service.

No person shall be appointed Chief Secretary, or Secretary in the Revenue and Judicial Department to Government, or Secretary to the Board of Revenue, or Registrar to the Sadr Adalat, who shall not have served four years in the provinces.

No person shall be appointed a Collector of a province who shall not have served four years in the provinces.

No person shall be appointed a Zillah Judge who shall not have served four years in the Revenue and Judicial Departments.

No person shall be appointed a Provincial Judge who shall not have served one year as a Zillah Judge or a Collector of a province.

its usefulness in the Commercial Department.

In the Department of Accounts.

Officers liable to be transferred from one department to another.

No young civil servant should begin in the judicial line.

service in the revenue line will not be without advantage. If the young civil servant be destined for the Commercial Department, there are many things, a knowledge of which is necessary for the proper discharge of its duties, and which can more easily be obtained under a Collector than anywhere else—the prices and produce of the raw materials of the country, the number and condition of the weavers, the taxes to which they are subject, and the manner in which they are collected; for it is, in fact, by the same knowledge of details by which rent is realized, that cloth also must in general be recovered without loss from the weaver. If this young civil servant be destined for the Department of Accounts, it is still advisable that he should begin in the revenue line in the provinces, because he will there become accustomed to accounts, and have an opportunity of seeing them in every form, as well or perhaps better than he could have had at the Presidency; and he will, at the expiration of his two years, join the Department of Accounts with as much knowledge of accounts, and probably with greater habits of application, than if he had never gone up the country.

We must also take into consideration the different results which will almost in every case follow, when an officer, leaving the Department of Accounts for a revenue or judicial office in the provinces, has previously served in the provinces, or has never been there. We can never be sure that such a change will not happen from various causes. He may dislike the duties of the department; he may see little chance of promotion, or he may not be qualified for the head of it, and Government may in consequence wish to transfer him to another line. If he has passed the first years of his service in the revenue in the provinces, and is sent back to that line, he will return with pleasure to the provinces, and will resume with facility his duties in that branch of the service. If, instead of the revenue, he is transferred to the judicial branch, he will, from his early habits of life in the provinces and acquaintance with the people, acquire a taste for its duties.

For whatever branch of the service the young civil servant may be finally destined, his first beginning ought never to be in the judicial. It is worse calculated than any other to form him for general employment. It is too apt, by confining his duties to the litigious and criminal portion of the community, to give him an unfavourable impression of the whole body, of which he can seldom divest himself afterwards. It has a tendency, from the fixed and regular forms observed in its proceedings, and the implicit obedi-

ence yielded to its decrees, to make him unconciliatory, indiscreet, and arbitrary, when transferred to an office, in the conduct of which he is in a great measure freed from the restraint of these rules, and is to be guided chiefly by discretion.

Among the advantages of sending the young civil servant into the provinces as early as possible, are its often saving him from being involved in debt by the expensive habits of the Presidency, and its shortening the term of his continuance at college and expediting his entrance upon the public service, by his having more leisure and making more rapid progress in learning the native languages in the provinces than at Madras. These considerations, even were there no other, ought to induce us to persevere in sending every civil servant into the provinces for two years, unless in some case, which can rarely occur, where it may appear to be inexpedient.

The Honourable Court disapprove of the rules excluding 'from certain offices all persons who have not been employed a specified number of years in certain other offices,' and they observe that 'the constant demand for experienced officers will generally insure a supply commensurate with the wants of the service, and the selection of fit persons for filling up vacant places should be left to the discretionary responsibility of the Government.' If Government did always call for men properly qualified, the supply would no doubt keep pace with the demand: if it were too much restricted in its selection, it would be hurtful to the public service. But it should not, however, be altogether without rule. The adoption of some general rule is useful, not only in guiding its choice, but in stimulating the civil servants to acquire the requisite qualifications. When Government is guided merely by discretion, it is apt to relax and to be satisfied with a lower scale of qualification than ought to be required. It will perhaps be sufficient for every useful purpose to abolish the existing rules as too restrictive, and to adopt the more general instructions of the Honourable Court respecting the qualifications of certain offices as the standard by which Government will make the selection for vacancies. I therefore propose that in place of the existing rules the following be now substituted:

1st. Every civil servant, on his quitting college, shall be sent to the provinces and employed for at least two years in the Revenue Department as an Assistant Collector.

2nd. The time which a civil servant, while belonging to the

Early employment of civil servants in the provinces advantages to them in other respects.

Revised rules proposed with reference to the observations of the Court of Directors.

No person shall be appointed a Member of the Board of Revenue who shall not have served two years as the Collector of a province.

No person shall be appointed a Member of the Court of Sadr Adalat who shall not have served two years as a Zillah or Provincial Judge, or as a Collector of a province, such Collector having also served two years in the Judicial Department.

These rules are applicable, in all their extent, only to the junior part of the service, and to those persons who may hereafter enter it. They could not, without injury both to individuals and to the public, be strictly applied to those who have already made considerable progress in the service without passing through the requisite gradations. But though they cannot in such cases be rigidly adhered to, they will still, however, even in these cases, be carried into effect as far as circumstances may render it practicable.

ON THE SAME SUBJECT.

5th April, 1825.

THE Honourable Court of Directors having, in their letter of the 8th September, 1824, considered the rules adopted by the Board in 1820, for sending all students on leaving college into the provinces, and for making eligibility to certain offices depend on a certain term of previous service in other offices, as too restrictive and absolute, I am desirous that they should be modified in such a manner as may be satisfactory to the Honourable Court.

Regulations proposed in the preceding Minute deemed by the Court of Directors too restrictive.

In speaking of the first rule, which requires that every civil servant after leaving college shall be sent to the provinces, and be employed for at least two years in the Revenue Department, the Honourable Court doubt the propriety of making it so comprehensive, 'as there are many offices, and even whole departments of the service, wholly unconnected with the revenue line, and cases must frequently occur in which it would manifestly be useless to the public, and inconvenient to the individual, to send a writer into the provinces as a Collector's Assistant for two years;' as 'persons may occasionally be found eminently qualified for other offices, who in the revenue never render themselves useful;' and they therefore think that the Board 'should not have adopted this resolution as a law to be acted on peremptorily and universally, but rather as a general principle to be observed on ordinary occasions.' I know of no department in which the rule may not be useful. We have only three great departments spread over the country, namely, the Judicial, the Revenue, and the Commercial: and at the Presidency we have the Department of Accounts under the Accountant-general; but the Honourable Court have already in their letter of the 1st March, 1820, declared a practical knowledge of revenue to be an essential qualification for most of the higher offices at the Presidency, and for all the higher offices in the Judicial Department. The civil servants in the Commercial and Account Departments are so very few, as to make it of very little importance whether they are placed under any separate rule or not; but even to them a short

Observations of the Court.

No department in which the rule requiring previous service in the revenue line, will not be useful.

college, may have resided in the provinces for the prosecution of his studies, may, to the extent of one year, be reckoned as part of the prescribed two years.

3rd. In special cases, where the sending a civil servant, on his leaving college, into the provinces, to be employed in the revenue line, would manifestly be detrimental to the public service or to the individual, Government will exercise its discretion in disposing of him otherwise.

4th. As far as the state of the service will admit of it, Government will select such persons as shall have acquired a practical knowledge of revenue in the provinces, to officiate as Judges of the Sadr Adalat and of the Provincial and Zillah Courts, to fill the office of Chief Secretary and of Secretary to Government in the Judicial and Revenue Departments, of Registrar to the Sadr Adalat, and of Secretary to the Board of Revenue; and will select, to fill vacancies in the Board of Revenue, persons who have served as Collectors in the provinces.

EQUALIZATION OF THE EMOLUMENTS OF THE REVENUE AND JUDICIAL DEPARTMENTS.

22nd January, 1831.

THE Honourable the Court of Directors have expressed their wish that the higher offices at the presidency should in future be filled with men who have acquired a competent knowledge of revenue in the provinces. It is evident, however, that this important object can only be obtained by equalizing more nearly the advantages of the revenue and judicial lines, so as to make it desirable for those who have acquired experience in the revenue to continue in that line. Almost every hope of improvement in the Revenue Department was precluded by the arrangements made at the time of the permanent settlement, by which the Collectors were, with regard to rank and allowances, placed so far below the Judges. The effects of these arrangements, had they been completed, would have been to have placed the comparative advantages of the two lines in nearly the following proportions—

Necessity for equalizing as far as possible the emoluments in the revenue and judicial lines.

Effect of the arrangements made at the time of the permanent settlement.

	Pagodas.
In the provinces twenty Collectors, at 400 pagodas each per month, or with extra items about 5000 pagodas per annum.	100,000
Twenty Zillah Judges each " 800 " "	160,000
Twelve provincial Judges from 10,000 to 12,000 pagodas each, or average 11,000 pagodas per annum	132,000

It is obvious that where the disparity was so great, every person would leave the inferior line whenever he could. Fortunately for the Revenue Department, the permanent system was not carried through. A gradual change for the better has for some years been making in the condition of the revenue servants; but the difference between them and judicial servants is still too great, as may be seen from the following abstract:—

REVENUE:—Twenty Collectors who received in the year 1819-20 allowances varying from 20,009 rupees to 35,851 rupees	
Total rupees	578,690
JUDICIAL:—Twenty Zillah Judges at a fixed salary of 28,000 rupees each	
Twelve provincial Judges from 35,000 to 43,000 rupees each	560,000
Total judicial rupees	692,000

Present emoluments of the revenue and judicial services. Result on the revenue service.

While not only the number of appointments, but the rate of allowances attached to them, is so greatly in favour of the judicial branch of the service, every person who has any talent or interest, will seek to get into it. The Collector will be anxious to leave his own line. The revenue branch will be regarded, not as a permanent object, but as a passage to a better. It is proper that the respectability and independence of the judicial branch should be maintained, and that its salaries should be higher than those of the revenue, but not in too great a degree. When the difference of salary is moderate, both may be equally respectable; when it is great, the inferior loses not only in emolument, but, in the estimation of the natives, in character also. To give to the revenue line that weight which it ought to have in the eyes of the natives, and to make it worth the while of able and experienced men to remain in it, we must bring the two departments nearer to a level, not so much by reducing the judicial as by raising the revenue allowances, and appointing a certain number of Principal and Sub-Collectors. This might be done, without any additional expense, by abolishing, as they fell vacant, some of the Zillah Courts in which there was least business, and applying the saving resulting from this measure to the payment of the Principal and Sub-Collectors.

Remedy
required.

Modes in
which a
remedy
might be
applied.

There are two modes in which an arrangement of this kind might be carried into effect. The first is by reducing at once a certain number of Zillah Judges and Collectors, enlarging the zillahs, and placing in each one Zillah Judge and one Principal Collector, with one or more Sub-Collectors. The second is, by reducing the number of Zillah Courts as vacancies occur, leaving the number of Collectors as at present, but making by degrees the Collectors of the more important districts Principal Collectors with one Sub-Collector to each. Were it practicable, without injury to the public and to individuals, I would prefer the immediate reduction of a portion of the Zillah Courts, the enlargement of the zillahs, and the appointment of a certain number of Principal Collectors; but this would throw many civil servants out of employment, without producing any adequate advantage. By reducing the zillahs to one-half of their present number, and placing a Zillah Judge and Principal Collector in each, there would be an appearance of regularity and arrangement and of a comprehensive system; but there would be nothing real but confusion, because we have not yet a sufficient number of men capable of managing such extensive Collectorates as this plan would require.

The system which existed in some of the provinces under this Presidency before the introduction of the Zillah Courts, is, I think, the best calculated for their good management. Under this system the Principal Collector, with the aid of Sub-Collectors and of an assistant as Registrar, had charge of the jail and committed for trial by the Judge of Circuit. Were this system reverted to, the Zillah Judge would be confined to civil jurisdiction, and the Principal Collector would exercise the powers of criminal Judge. However desirable the adoption of such a system may be, we are not yet prepared for it. The village leases are drawing to a close: ryotwari settlements may be again resumed. Many of our Collectors never made a settlement, either village or ryotwari. They were appointed to office after the village leases of their districts were made, and have merely been employed in collecting the rents. Were we to make such men Principal Collectors in districts augmented greatly beyond their present size, with full magisterial powers and the charge of the jail, we should impose a duty upon them to which they are utterly unequal. We should, in appearance, introduce a system simple and uniform; but we should in reality throw most of our districts into inextricable disorder. Before such a system can be safely and generally adopted, we must have Collectors of more revenue experience, and we must greatly abridge and simplify the magisterial duties which would devolve upon the Principal Collector.

Reorgani-
zation of the
Office.
Necessary to
expedient.

The plan which I propose to adopt at present, is to abolish some of the Zillah Courts which have least business, whenever they fall vacant, and to appoint at the same time, and in the same gradual manner, a Principal and Sub-Collector to some of the largest and best-regulated Collectorates; to raise the salary of the Principal Collector, so as to place him nearly on an equality with the Third Provincial Judge in some Collectorates, and with the Second Provincial Judge in others. The advantages which may be expected to result from these measures, when connected with the resolution of the Board, by which all the junior servants must serve at least two years in the Revenue Department in the provinces, are that we shall have a regular gradation of provincial revenue servants, namely, Assistant Collector, Sub-Collector, and Collector or Principal Collector; that we shall not have to bring men from other departments, totally unacquainted with revenue, to act as Collectors; that we shall among the Sub-Collectors always find men prepared by practice to discharge creditably the duties of Collector or Principal Collector; and that as the Principal Collectors will have no

Gradual
reduction of
the number
of Zillah
Courts and
appoint-
ment of Sub-
Collectors
in some of
the larger
districts,
raising at
the same
time the
salaries of
the Prin-
cipal Collec-
tors in such
districts,
the most
advisable
arrange-
ment.

inducement, as now, to quit their own line for the judicial, we shall have the benefit of their services being continued where they are most useful to the public. It may be objected to the proposed measure, that the enlargement of the zillahs will throw too much business upon the Zillah Judge, and will cause considerable inconvenience to parties and witnesses by increasing the distance of the Court from their homes. But in answer to this it may be said, that the distance will not be more than it is at present in several of the more extensive zillahs; that the business will not be more than it now is in the more populous zillahs; that the civil business is every day diminishing, and will still be greatly diminished, by extending the jurisdiction of the district munsifs, by which more time will be left for attending to the despatch of criminal business, and that the proceedings of the Circuit Judges will be much facilitated by having fewer stations to visit.

The office of Zillah Judge of Vizagapatam is now vacant: the Court at that place may be abolished, and Vizagapatam and Ganjam formed into one zillah with its court at Chicacole, which is a central and convenient station. Tanjore and Coimbatore should be made principal Collectorates, with one Sub-Collector in each. I select these two districts, because Tanjore, from its wealth, population, and revenue, is one of our most important districts, and Coimbatore one of those in which the ryotwari system is best understood and conducted, and because both are districts in which we have every reason to believe that Sub-Collectors will be well trained.

I reckon that the saving arising from the abolition of the Zillah Court will nearly defray the expense to be incurred by the appointment of two Principal and two Sub-Collectors.

Though the saving in one department, and the expenditure in the other, have no necessary connection with each other, yet it is satisfactory to find that the additional charge can be met by a corresponding reduction; but, even if the case had been otherwise, I should have thought it advisable to carry both measures into effect. I should have regarded as an idle waste of public money the keeping up of a Court, when the reduction of its business enabled us to do away with it without the smallest inconvenience to the country, and I should have proposed the appointment of Principal Collectors as a measure indispensable to the future security of the revenue, even if there had been no saving in the Judicial Department to cover the charge. I regard the saving in the judicial branch as permanent, but the additional expense in the revenue as temporary only; for it will gradually be made up from

Definite proposals for commencing this arrangement.

Additional charge nearly met by reduction.

Financial result satisfactory; but had it been otherwise, the measure would have been expedient. Costliness to the State of inexperienced Collectors.

ENROLMENTS OF REVENUE AND JUDICIAL DEPARTMENTS.

improvements in the administration of that department, in consequence of its falling into more experienced hands. Nothing is so expensive as inexperienced Collectors. Much more than the amount of their allowances is lost every year in revenue from their mismanagement, and when the affairs of their districts have in consequence fallen into disorder, we are obliged to submit to the additional expense of a commission to inquire into the causes of it. We must, under every system, always expect to have some bad servants, but when the system itself is bad, we can expect to have but few that are good.

We should form a very erroneous judgment of the important influence of the office of Collector, if we suppose that it was limited merely to revenue matters, instead of extending to everything affecting the welfare of the people. In India, whoever regulates the assessment of the land-rent, holds in his hand the mainspring of the peace of the country. An equal and moderate assessment has more effect 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. When the people are contented, those incorrigible offenders who live as banditti and make robbery a trade, find no protection or encouragement, and are all gradually taken or expelled from the country.

If we employ inexperienced Collectors, if our assessment is not only unequal but in many places excessive, if we have no correct detailed accounts of the lands, litigation will increase every day, and all our Courts will be inadequate to the adjustment of them. Nothing can so effectually lighten and diminish the business of the Courts as a good settlement of the revenue.

I do not expect that the measure now proposed will occasion any rapid improvement in our revenue administration; but I am confident that it will ultimately produce all the advantage which we can reasonably expect. Some of our Collectors understand their business, but others know very little of it. When Assistants are placed under such men, they learn nothing: they follow the steps of their superiors, and it is only in the case of extraordinary talents that any improvement can be looked for under such disadvantages. In districts, therefore, where a bad system has long descended from

Influence of a Collector not confined to revenue matters.

Litigation diminished by equitable revenue settlements.

Measures to be taken for providing efficient Collectors.

one set of inefficient men to another, we must not hope to train up able Collectors. This can be done only in districts where a good system now exists. We ought, therefore, to send a large proportion of Assistants to such districts; but as it will be many years before any considerable number of these Assistants can become properly qualified to take charge of districts, it will be a long time before good Collectors can be found for all those districts in which they are now wanted. When this is done, but not before, the Collectorates may be enlarged, if it should be deemed expedient for the sake of economy. If we were to enlarge them before we had Collectors qualified to manage them, we should, instead of effecting a saving, incur additional expense, by the loss which would be occasioned by their incapacity. Though I am therefore averse to any enlargement of the Collectorates in general, I do not mean that we should carry this principle so far as to be precluded from incorporating one or two of the smaller Collectorates with the adjacent ones, when it may be found convenient.

Duties of the Sub-Collectors.

It is not necessary to lay down any specific rules for the office of Sub-Collector, as its duties are sufficiently known. The Sub-Collector performs in his own district all the duties of Collector, under the orders of the Principal Collector. The revenue of his district should be from four to eight lakhs of rupees according to the nature of the country, more where rich and populous, and less where poor and thinly inhabited. Five or six lakhs of rupees will in general be the best standard. It ought not to be too high, because by giving him too much employment he would not have leisure to learn sufficiently all the village details of revenue which are so essential. It is by placing him in a district of moderate extent, and relieving him from all correspondence, except with the Principal Collector, that he has ample time to make himself acquainted with the details of every branch of the revenue, to obtain a thorough knowledge of the village institutions, to inquire minutely into the state of the country, and to see the effect of the assessment upon the ryots. This useful knowledge he can acquire only in a small district, but when he has once acquired it, he will have no difficulty in applying it upon the most extensive scale to other districts, and in managing the revenue affairs of the largest.

Pressure of business to be relieved, not by the employment of a larger European agency, but by the

It is to the want of a sufficient degree of previous training, and to the consequent incompetency of many of our local officers, that we are chiefly to ascribe the complaints of the pressure of business which have been so frequent of late years. The complaint of pressure of business on Collectors is often either not founded, or

arises from want of system in conducting it, as is obvious from its being sometimes least heard in those ryotwár districts where the details are greatest. We must not always suppose that the difficulty of getting through business is a proof of there being too much; for we shall probably, on examination, find that it arises from something in the nature of our regulations which unnecessarily impedes its progress. We may easily, by injudicious rules, so embarrass business as to make that which ought to be done by one person too much for three. It is useful in public, as well as in private establishments, to abridge labour; and much may be done in this way by method. Before, therefore, we admit that more European servants are necessary in any quarter, we should ascertain whether the pressure is real or artificial; whether it originates in the nature of the business itself or in the restraints of injudicious rules. The employing of too many European agents serves only to produce indolent habits, which reach the native establishments, and render the whole department dilatory in all its operations. Whatever be the number of agents employed, the labour will be distributed to all, and each will think he has enough. The pressure of business, therefore, must be relieved, not by more European agency, but by revising our rules, and by adopting in other districts the system for the despatch of business, which is observed in the districts where it is best managed. If Government were always to furnish additional aid whenever it was called for, they would soon double their establishments.

adoption of a better system.

ILL-TREATMENT OF NATIVES BY MILITARY OFFICERS.

28th December, 1830.

Tyrannous
proceedings
of two mili-
tary officers
on a march.

I HAVE read with attention the answers which Captain — and Major — were required by the Commander-in-chief to make to the charges preferred against them by the Collector of Ballári, of ill-treating the inhabitants of his district; and I am sorry to say that, after making full allowance for the probable exaggerations of the sufferers, I can see but little in them to vindicate the conduct of these officers. It does not appear that the inhabitants suffered any personal injury from Captain —, but they suffered in their property by their cattle being taken from them and carried to Hyderabad. Captain —'s own statement, that the bullocks and buffaloes were brought on because the owners did not appear, is a plain enough indication of their having been taken by force. Buffaloes are certainly no part of the equipment of a corps, nor has Captain — explained how they came to be so in his. It was his duty to have a proper supply of carriage when he marched, and if it had been lessened by casualties, to have replaced the deficiency by voluntary purchase, and paying on the spot. The carrying away of cattle without payment, however it may be softened under the name of hire, can be regarded in no other light than that of marauding.

Forcible
seizure of
cattle in one
case.

Personal
ill-usage
resorted to
in the other
case.

The conduct of Major — is much more reprehensible than that of Captain —; for the outrages committed by him were upon the persons of the inhabitants, for not furnishing supplies which they had received no instructions to provide. He had received no communication from the Collector, and he had no cause to believe that supplies would have been ready for him at every stage on his route. It was his duty to have had one or two days' supply of grain with him in order to have guarded him against any accidental failure. He had been authorized by the Government order to establish a regimental bazar, and if he had not made such progress in it as to have been able to carry two days' subsistence, he ought

ILL-TREATMENT OF NATIVES BY MILITARY OFFICERS.

to have directed the sepoys to provide it themselves. He seems, after his thirty years' service, to have acquired no knowledge of the most common means of obviating the occurrence of distress, and to have thought that his own want of precaution might always be remedied by beating the inhabitants. He ought to have known that many small villages can furnish no supplies, and that when supplies are furnished by the Collector, they are generally drawn from several villages at some miles' distance. His beating the potail, and his ordering the zillahdár to be rattaned, to be marched as a prisoner for two days, and to be dismounted from the tattoo which had been lent to him, are such wanton acts of oppression as to call for the severest censure. Remarks.

'of a fortune which no length of service would have procured, more particularly so as the Board of Revenue had stopped his promotion?'

Unsatisfactory character of the Collector's explanation.

I am so far from thinking that the explanation given by Mr. O—— ought to induce Government 'to remove from their records their former opinion,' that I rather think it ought to make us regard it as too lenient. He not only acts wrongly, but he defends his conduct, and does it in such a manner as to show evidently that he is ignorant of the distinctions between right and wrong. He borrows money of a zemindár in defiance of his oath, and justifies it on the ground of an unexpected demand, and of his having paid interest; and he seems to think that there is no harm in such transactions when no profit attends them. Had he paid double interest, it would, in my mind, have made no difference in the nature of the case, for it is not changed by profit or loss: particular circumstances may aggravate the culpability of the transaction, but none can so mitigate it as not to render the officer engaged in it an improper person for any situation of high public trust. Whether a Collector borrows money on an emergency, as an accommodation, or from more interested motives, the effect is the same in lowering the character of our administration. The inhabitants can have no respect for a Collector whom they know descends from his high station to receive favours from a zemindár. They will make no nice distinctions about the rate of interest or the causes of the loan; but they will justly conclude that the same impartiality in matters concerning the zemindár is not now to be expected from him as before the loan.

A Collector should have no money dealings with any inhabitant of his district.

A Collector should have no money dealings of any kind with any zemindár or other inhabitant within his jurisdiction. He should stand aloof, and not only be free from all such concerns, but be above all suspicion. It is only by such conduct that he can maintain the dignity of his office, and preserve the respect and confidence of the people, and discharge properly his duty to the State.

Defence regarding the legacy untenable.

The answer of Mr. O—— respecting the legacy to his servant, is not less censurable than that regarding the loan to himself. The language is highly disrespectful to his immediate superiors, the Board of Revenue, and the sentiments which it conveys, evince the same insensibility to what constitutes right conduct or high principle. He asks, 'how was I to prevent it?' and 'would it have been justice to have deprived him of a fortune?' He could easily have prevented it; a single word from him would have been sufficient. He had only to tell the zemindár that he did not wish it, and

not a rupee would have been left to the servant. No one will believe that the zemindár could have had any other reason for leaving such a legacy to a person totally unconnected with him, than the wish of securing the influence which he supposed him to have over the Collector. Mr. O—— thinks that it would not have been just to have deprived his servant of his fortune. He would not only have been justified in doing so, but his looking on and permitting him to obtain a fortune from a dying zemindár was a gross abandonment of his public duty. He calls it a piece of 'singular good fortune.' Such good fortune has never been singular where there have been rich zemindárs and indulgent Collectors. He may imagine that it does not affect himself because he has received no share of the money, but the inhabitants will form their own judgment: they will not easily separate the Collector from his servant, and they must be very different from those of other districts if they can have any respect for the character, or any confidence in the impartiality of a Collector, who himself receives loans and permits his servants to receive legacies from zemindárs.

Proposed mode of dealing with the case.

So much time having elapsed since the most objectionable acts charged against Mr. O—— took place, and since the sense of Government was expressed upon them, I do not think that any proceedings ought now to be adopted against him, but that the whole case should be submitted to the Honourable the Court of Directors for their decision. I think, however, that Mr. O—— should be removed to some other district, whenever it can be conveniently done; for, after what has happened in Guntoor, no advantage can be expected from his continuance in that district. The opinion of Government on the explanations of his conduct regarding the loan and the legacy, and on his proceedings as Magistrate against the widow, should be communicated to him without delay. He should not be permitted to suppose that the silence of Government has resulted from any approval of his measures, or that these measures are not yet likely to draw upon him the displeasure of the Honourable Court of Directors. It would have been better if Government had not been prevented by the long intervals in the proceedings regarding Guntoor from doing at once themselves all that was necessary for vindicating the character of their administration; for it is of the utmost importance to maintain the public character of our servants, as without it all regulations must be in vain.

ON THE SERVICES OF MAJOR-GENERAL SIR JOHN MALCOLM.*

26th October, 1831.

Departure
of Sir John
Malcolm
from India.
His eminent
services.

I HAVE learned with deep concern that Major-General Sir John Malcolm is compelled to proceed to Europe for the benefit of his health. The many and important services of Sir John Malcolm in different situations have been so often brought to the notice of the Honourable the Court of Directors by the Supreme Government, that no praise of this Government can add to his high reputation. Although however it belongs to higher authority to appreciate the services of this distinguished officer in the late Mahratta war and the settlement of Central India, I cannot on this occasion deny myself the pleasure of expressing the high sense which I entertain of his talents, and of his unwearied and honourable exertion of them for the benefit of his country. Among the individuals who have at different times distinguished themselves in the employment of the Company, Sir John Malcolm will always hold a high rank. His career has been unexampled; for no other servant of the Company has ever, during so long a period, been so constantly employed in the conduct of such various and important military and political duties. His great talents were too well known to admit of their being left at the disposal of a subordinate Presidency. The exercise of them in different situations has connected him with every Presidency, and rendered him less the servant of any one of them, than of the Indian empire at large.

I propose that in granting Major-General Sir John Malcolm permission to return to Europe in compliance with his request, we take occasion to express in general orders our sense of his services in the terms suggested in this Minute.

* Sir John Malcolm was an officer of the Madras army, who had held high military and political appoint-

ments, and subsequently ended his official career as Governor of Bombay.

ON PECUNIARY TRANSACTIONS BETWEEN A EUROPEAN DISTRICT OFFICER AND A ZEMINDÁR.

28th August, 1831.

THE censure by Government of Mr. O——'s conduct, in having borrowed 14,000 rupees from the late zemindár, and permitted his cash-keeper to receive a legacy by the zemindár's will of 10,000 pagodas, has long since been pronounced; and the Board of Revenue, in transmitting it to him, were directed to ascertain whether the legacy had been paid. His answer was received in a letter from the Board of Revenue of the 27th March, 1830; but as no order was then passed upon it, the decision of the Board ought now to be given without further delay. In answer to the observation of Government 'that the money he borrowed did not bear interest, and, therefore, that Mr. O—— inadvertently, the Governor in Council is willing to believe, but in truth did, in breach of his revenue oath, accept a sum of money by way of gift from a zemindár paying rent to the Company,' he states that a very unexpected call on him induced him to take the money from the zemindár, only until he could make arrangements for drawing the amount from his agents; that the zemindár was not a single rupee in arrears to Government at the time; that he deposited Company's bonds as security for the debt with the zemindár; that he soon 'after discharged the amount with interest; and that he is convinced Government will do him the justice, on reflection, to remove from their records their former opinion, as it was given under an 'imperfect knowledge of these facts.' In answer to the remark on his attending while the late zemindár made his will, and allowing him to make a bequest of 10,000 pagodas to a favourite public servant of his own—that it was 'a transaction which the Governor in Council cannot doubt that Mr. O—— will view with unfeigned regret,'—he answers, 'How was I to prevent it, and would it have been justice to that servant, supposing him to be the favourite it is said he is of mine, to have deprived him

Case of a
Collector
borrowing
money, and
allowing his
cash-keeper
to receive a
legacy from
a zemindár.

ON THE SAME SUBJECT.

12th November, 1822.

Case referred to in the previous Minute.

THE 4th charge is—'That the late Collector and Magistrate did 'borrow money from the late Venkata Gonda Ráo, in violation of 'his public duty.'

Incorrectness of the view taken by the authorities who investigated it.

The Commissioners and the Sadr Adálat acquit Mr. O— upon this charge, of any violation of his public duty. The Commissioners observe 'that Section II., Regulation XIX., 1802,' prohibits only the lending 'of money to zemindárs.' The Sadr Adálat observe that there was no personal communication respecting the loan between Mr. O— and the zemindár, and 'that the loan cannot be 'said to have been contracted by the defendant, he not having 'known at the time who lent the money, and there being no entry 'in Gonda Ráo's accounts to the debit or credit of Mr. O—.'

Collector guilty of a breach of his revenue oath.

I cannot subscribe to this opinion. I must maintain that the loan was contracted by the defendant; for if the money had been got from a soncar, or merchant, it would still have been liable to the objection of being a loan from an inhabitant paying revenue to Government. But I may go further, and maintain that the defendant did actually contract the loan with the zemindár; for he must have known that there was no other person at Guntoor who could or would lend the sum required. Janikarámana, Mr. O—'s servant, to whom the Company's bonds with Mr. O—'s blank endorsements were given to sell, says, that 'there was no one then 'to be found at Guntoor to buy those bonds, and that as there had 'been friendship for a long time between Rájá Málráz Venkata, 'Gonda Ráo and witness, he took the bonds to him.' Gonda Ráo declined buying them, but received them in pledge and lent the money. Although Mr. O— deposited bonds to the amount of the money received, and paid the full interest, I cannot but consider the transaction as a breach of his revenue oath. The words of the oath are—'Will not demand, take, or accept, &c., 'from any person paying or liable to pay any tribute, rent, or tax 'to, or for the use of the said united Company, any sum of money 'or other valuable thing by way of gift, present, or otherwise.'

IMPROPER CONDUCT OF A DISTRICT OFFICER.

though he did not actually receive any gift or present, he received accommodation, and accommodation is a valuable thing. It is always worth as much as would be given in order to obtain, and the sum of money here received does certainly come within the meaning of the word *otherwise*. The fact of there being no entry in Mr. O—'s name in Gonda Ráo's accounts proves only that the loan was not considered as an ordinary one. Gonda Ráo refused at first to receive any interest, and I have no doubt that he would have advanced the money without any deposit whatever, and never have called for either principal or interest, and thought himself fortunate in having laid the Collector under an obligation. I believe that Mr. O—'s own account of the matter is perfectly correct, 'that a very unexpected call on me induced my taking the money only until I could make arrangements for drawing the amount from my agents.' I believe that there was no corrupt motive; but we are not to consider the motive only, but also, whether the act itself was not contrary to public duty and injurious to the character of the revenue administration of the country; and this is the more necessary, as higher authorities than Mr. O— seem to think that acts which, if permitted, must produce these bad consequences, may be justified by the absence of a corrupt motive. I acquit Mr. O— fully in every part of the charges against him of any corrupt motive whatever; but still I think that his conduct has been so improper as to disqualify him from ever being employed as Collector of Guntoor. I see in him no want of principle, but a great want of perception as to what constitutes propriety and impropriety in the conduct of a public officer. I am not surprised, therefore, that labouring under this defect, he should consider himself as perfectly blameless; but I have been both surprised and concerned to find that both the Commissioners and the Sadr Adálat concur in this sentiment, and seem, if possible, to have a better opinion of Mr. O—'s conduct than himself.

The Commissioners, in speaking of the bequest of 10,000 pagodas to Krishna Ráo, observe that 'he or any other gentleman possessing ordinary feelings of generosity would have spurned the idea of seeking security from undeserved imputation at the expense of depriving an inferior fellow-servant of a handsome provision for life.' This is language more suitable to inferior servants defending their malpractices, than to men in the high office of Commissioners. The Sadr Adálat, in speaking of the same transaction, say, 'That the permitting of the bequest to be made is certainly proved, but we do not see how the defendant was bound or could

Remarks on the legacy.

himself, and in permitting his servant to receive a legacy from a zemindár, was authorized by Government.

The character of the Government is involved in such transactions.

Government must judge whether a public servant is fit for a particular office or not.

Mr. O—— states in his defence that his character can only be cleared by his restoration; but Government must look to its own character as well as his, and take care not to lower it in the eyes of the people by appearing to sanction, in the remotest degree, in its public officers, acts so contrary to the right administration of the country. Government always can and ought to judge for itself, whether a public servant is fit for a particular office or not. It does not require for this purpose the decision of any Court. Mr. O—— receives a loan from a zemindár, and he is present and permits one public servant to write a will bequeathing a legacy to another by the same zemindár. His judges regard these acts as no violation of public duty or even of propriety. Could I concur in this opinion, I would propose his restoration, but as I do not, I must withhold my assent to such a measure.

Mr. O—— has been most fully acquitted of the conspiracy and corruption charged against him, and he may, therefore, be employed in any other district than Guntoor, when an opportunity offers; but until he abandons his present opinions respecting the privileges of revenue servants in receiving legacies, I should be unwilling to recommend his being employed as a Collector.

(529)

OFFICE OF REVENUE AND JUDICIAL SECRETARY.

23rd January, 1824.

UNDER all Governments it is advantageous to the community that public offices be paid in some degree in proportion to their rank and utility. It was upon this ground that I formerly proposed an amelioration of the allowances of Collectors, and it is upon this ground that I now think it advisable that we should recommend to the Honourable the Court of Directors an addition to the salary of one of the Secretaries to Government.

Importance of remunerating public offices in proportion to their usefulness.

There is hardly an officer under the Government whose salary, with regard to the importance of his duties, is so inadequate as that of the Secretary to Government in the Judicial and Revenue Departments. The salary of the Chief Secretary is about what it ought to be in comparison with that of the heads of the principal departments. The salary of the Military Secretary is on a moderate scale, but it is sufficient, as it would be regarded as an ample remuneration by any military officer who might hereafter be appointed to the office. That of the Secretary in the Public Department requires no increase. Of all these offices, that of the Judicial and Revenue Secretary alone appears to me not to have been placed on the level to which it is entitled from its great utility and its extensive and complicated duties. This inattention to its importance seems to have arisen from various causes: to its having in 1800, as well as the offices of the other Secretaries to Government, been entrusted to young men of only six years' standing, who could not by law draw a high salary; to the field of our practical revenue knowledge having been very limited until after 1799; to our judicial establishments having been only begun in 1802 and not been finished until 1806; and to the subordinate Secretaries having during that period, and for some years afterwards, been considered as mere deputies of the Chief Secretary, by whom all the important business of each of their offices was performed. This practice, however, as far at least as regards the Judicial and Revenue Secretary, has unavoidably ceased for many

Inadequacy of the salary received by the Secretary to Government in the Judicial and Revenue Departments. Causes of this.

'be induced to prevent it, and that they cannot do otherwise than come to a decided conclusion that the money was bequeathed from a feeling of friendship and esteem.'

Mistaken view taken of the loan by the Commissioners and by the Sadr Adalat.

The Commissioners, in speaking of the 14,000 rupees borrowed by Mr. O——, say that 'if the borrowing of money from a zemindár under any circumstance be held to be a violation of public duty,' Section II., Regulation XIX., 1802, ought to be amended, as it 'prohibits only the lending of money to zemindárs, and hence well-meaning and unsuspecting persons may (the senior Commissioner apprehends) be led to infer that there can be no harm in borrowing.' The Sadr Adalat, in speaking of this transaction, declare that it does not appear to them 'to have been any violation of his public duty or of propriety.' The Judges, in delivering these opinions, seem to have been misled by their want of experience in revenue affairs preventing them from perceiving the mischievous effects which would result from permitting Collectors to borrow, and their servants to receive legacies from zemindárs; otherwise it is impossible that they could have pronounced such acts to be no violation of public duty or of propriety.

Necessity of maintaining a high moral tone on the part of the European officers of districts.

I think, notwithstanding what has been said by the Commissioners, that we have many Collectors who would not have spurned the idea of preventing a principal native revenue servant from receiving from a zemindár of his Collectorate a handsome provision for life, and that we have many who would neither borrow nor receive themselves, nor permit their servants to do so. It is degrading the Collector to call him the fellow-servant of the native revenue officers whom he appoints and dismisses, and to speak of him as if he ought to have a fellow-feeling with them, and ought not to stand in the way of their good fortune. He is not their fellow-servant, but their master; and it is his duty to stand in the way of their good fortune whenever it comes in such a shape as to be likely to affect his own character or that of the Government. We cannot safely permit in revenue administration what we cannot publicly avow. What would be the effect of a public declaration that Collectors might borrow and their native servants receive legacies and donations from zemindárs and others, provided the motive were private friendship and not corruption? It would in a very short time produce universal corruption and embezzlement, and lower both the revenue and the character of Government and all its officers. A public officer is not to be held blameless, merely because he does not come within the breach of the law: one holding the high office

Judge or Collector ought to be guided rather by a high sense of character and propriety than by the fear of the law. He ought to feel that the Regulation which prohibits lending, virtually prohibits borrowing; because the object was to prevent extortion and corruption, though lending only was prohibited, as usurious loans were in former times the great sources of the evil to be remedied. He ought to have no money dealings whatever with any native under his authority, and he ought by every means in his power to prevent his native servants from having any such dealings, or from receiving any legacies or donations from any zemindár or inhabitant residing within his jurisdiction.

Objections to permitting the officer concerned to resume his appointment.

In a former Minute, dated 28th August, 1821, I stated that I was induced by the long time which had elapsed since the sense of Government had been expressed upon Mr. O——'s conduct, not to proceed further against him; but I recommended that he should as soon as convenient be removed from Guntoor to another district, and that the whole case should be submitted to the Honourable the Court of Directors for their decision. Had I taken up the matter on my first arrival in this country, in June, 1820, I would have proposed, not his trial, but his immediate removal from office; but having overlooked it in the hurry of other affairs, and being also unwilling to revise or deviate from the course followed by our predecessors at this Board, who appeared to have been satisfied with passing censure, I thought it best to refer the subject to the Honourable Court of Directors. As, however, orders were in the mean time received from the Honourable Court for instituting proceedings into Mr. O——'s conduct, I regarded them as sufficient authority for us to act, without the necessity of strictly adhering to the intentions of the former Board. I therefore began by doing what I thought should have been done at an earlier period, namely, recommending the removal of Mr. O—— from the office of Collector. His removal was preferred to his suspension, because it would leave no ground for alleging, as had been done on a former occasion, that the acting Collector had an interest in establishing the misconduct of the suspended one, and because I thought that, whatever might be the result of the trial, he ought not to be restored. He has now been acquitted by his judges, and had they also found that the legacy and the loan were disproved, he would have been entitled to restoration. But as both these facts remain uncontradicted, and have been made known to every person in Guntoor by the long public trial which has taken place, to restore him would be to proclaim to the inhabitants of that district that his conduct in borrowing money

years past. The business of his department has since then greatly increased, and is growing every day, and is now too extensive and difficult to be taken up casually by the Chief Secretary, or by any person but himself, and he alone must discharge the whole of its arduous duties. When there was less business to be done, and when the office was of less consequence, it was regarded merely as a step to something higher, and the salary was therefore no serious objection. It was usually held by young men, who soon left it for something better. This practice might not then have been attended with much inconvenience; but from the change of circumstances it could not now be admitted without great detriment to public service. It is absolutely necessary to the efficient discharge of the business of the department that the Judicial and Revenue Secretary should not be liable to frequent change, but should remain long in office; but this cannot be expected while his own interest is perpetually urging him to quit it, when his own salary is below that of almost every Collector of a permanently settled district, below that of every Collector of an unsettled district, and of every Zillah Judge. The situation ought always to be filled by one of the most experienced and able men in the service; for if its duties are properly discharged, it is inferior in usefulness to none under the Government. It requires knowledge of the most minute details and of the most important affairs of the State; of the customs and local institutions of the country; of the condition of the people; of the defects and advantages of the different modes in which taxes are distributed and levied; of our judicial regulations, and of their operation in protecting the persons and property of the inhabitants. All these matters, it is true, are under the more immediate management of the Sadr Adálat and the Board of Revenue. But all their statements and reports come under the review of the Secretary, and he should be able to ascertain from them how far the general system of internal administration is well or ill conducted; in what particulars the proceedings of the local officers have been praiseworthy or blamable; and in what our rules and regulations appear to be well or ill adapted to their ends; and, by bringing this information before Government, enable it the more easily to discover and correct whatever is defective. These are the duties of the Judicial and Revenue Secretary. They can be performed only by a man who combines talents with knowledge and great application to business; but the services of such a man cannot be secured in the Secretary's office unless their remuneration be made equal to what they would receive in any other, and

Nature of
the duties.

upon this principle I think that the salary ought not to be less than that of the Second Member of the Board of Revenue.

I have not looked to what the salary was, or to what it now is, because the great importance of the office was not sufficiently known when it was fixed, and it is only by the standard of its importance that it ought to be regulated. There can be no doubt that men will always be found ready to accept the office upon its present salary. But such men, though they may be able to execute with diligence and regularity all its ordinary and inferior duties, will be incapable of discharging properly its higher and more difficult duties. It is impossible that the business of the State can be efficiently carried on, unless the office of the Judicial and Revenue Secretary be held by a competent man; and I therefore earnestly recommend that, in order to make it a desirable object for such a man, its salary be rendered adequate to the rank which it holds among the most important offices under the Government.

Mr. Hill, the present Secretary, was appointed in 1812, and though but young in the service, he was, I believe, better qualified for the office than any civil servant of any longer experience, who was not already better provided for. His talents, which ought to have promoted him, have rather stood in the way of his advancement, by rendering him too useful at the Presidency to be sent away from it. I would gladly have promoted him to a more lucrative office in the provinces, but I felt that it was too late for him to enter upon a new line of service, and that I could not easily supply his place. I would therefore venture respectfully to express my hope that the Honourable Court will, in the event of its sanctioning the proposed increase of salary, authorize it to take place from this date.

Services of
Mr. Hill.

ABSENCE OF THE GOVERNOR FROM THE PRESIDENCY.

8th May, 1821.

Reasons
for the
Governor's
absence.

I beg to inform the Board that it is my intention to proceed to Bangalore and to be absent from the Presidency for three or four weeks. Domestic considerations form the immediate inducement for my going, but it will afford me the opportunity of inquiring into the state of the districts through which I pass, and of ascertaining what parts of the present system of administration may be attended with inconvenience or admit of improvement.

Advantage
of Governor
visiting the
interior of
their respec-
tive Presi-
dencies.

The Honourable the Court of Directors have observed as follows in their letter of the 10th of February, 1807: 'We consider it highly proper that our respective Governors should occasionally visit the out-stations and districts under their respective authorities, in order to obtain, by personal communication with the public officers on the spot, all the circumstances peculiar to each district.' The personal inspection recommended by the Honourable Court is advantageous at all times, but more particularly at present, when the decennial leases are expiring, and when several modifications of the revenue and judicial system have been adopted by the Board.

My absence will be short, and I shall be within such easy reach all the time, that I do not apprehend that any inconvenience is likely to arise from it in the despatch of public business at the Presidency.

Arrange-
ments for
the conduct
of business
during the
Governor's
absence.

It is provided by the Act of the 39 and 40 George III., chap. 79, that when the Governor shall be absent from council 'the senior Member for the time being, who shall be present at the council so assembled, shall preside at such council.' I therefore propose that on my departure from the Presidency a notification be published that the office of Vice-President in Council has devolved upon His Excellency the Commander-in-chief, and that the affairs

ABSENCE OF THE GOVERNOR FROM THE PRESIDENCY.

of the Government will continue to be conducted in the name of the Governor, who is everywhere to be obeyed as such.*

* The arrangement proposed in the foregoing Minute, that the Commander-in-chief should hold the office of Vice-President in Council during the absence of the Governor from the Presidency, would seem to have been opposed, at all events, to the spirit of 38 George III., cap. 52, section 30, whereby the Commander-in-chief was excluded from succeeding to a vacancy in the office of Governor, 'when no provisional or other successor

'was on the spot to supply such vacancy;' but, whatever may have been the law at the time when Munro wrote, it has been made clear by the Indian Councils Act of 1861, section 34, that in the particular case referred to, viz. the temporary absence of a Governor from the meetings of Council, 'the senior civil ordinary Member of Council present is to preside.'

THE PRINCIPLES WHICH SHOULD REGULATE THE GRANT OF SPECIAL REWARDS TO PUBLIC SERVANTS.

30th March, 1831.

Grants of villages should only be given for eminent services.

GRANTS of villages are, by the custom of the country, the proper reward of the higher class of native officers for eminent services in the political, military, or civil departments. They are conferred on this class either for some particular distinguished service, or for long and able services as the principal officer in some important department. They are also conferred on individuals even of the humblest rank, who may have performed some extraordinary exploit, or rendered some essential benefit to the State. But to none of these classes does the petitioner belong. His rank is obscure, and in an office so very subordinate as that of vakil of the Body-guard, he could have done nothing of any consequence for the public. It does not appear that he has ever distinguished himself by any extraordinary service, or that he has any other titles to favour than those of zeal, integrity, and ability in the discharge of the duties of an humble office.

Such rewards should not be made too common.

I shall always be ready to support the claims of distinguished exploits, and of important services, to public honours and rewards, because by doing so we keep alive the zeal and emulation of our native servants and strengthen their attachment to our government. But our rewards will certainly not produce these desirable effects if we bestow them for services so common as only to be described by the general term of good character. I am persuaded that we shall always have among our native servants a sufficient number entitled by meritorious actions and important services to receive all the provision that can be conveniently spared for this purpose, and the more liberal we are therefore in rewarding services of little importance, the less able we shall be to distinguish in a suitable manner those of a higher order.

PRINCIPLES TO REGULATE GRANT OF REWARDS TO PUBLIC SERVANTS.

In fixing the reward to be allowed to any individual for his services, it has been usual to measure the amount by his official pay and to keep it in general within that standard. The rule is a good one, and is the safest guide for our conduct; for the pay of our native officers in the different departments of the service shows at least the relative importance attached to their several employments. This rule is, however, departed from in extraordinary instances where persons of the lowest rank, for the discovery of a conspiracy or some other signal service, have obtained pensions exceeding those of the highest rank. In all other cases some regard should be had to the pay of the individual, whether it be five rupees or five hundred.

As a general rule the amount of the reward for public services should be measured by the amount of the official salary drawn by the recipient.

INEXPEDIENCY OF SUBDIVIDING PENSIONS GRANTED BY GOVERNMENT.

29th September, 1831.

Pensions
granted by
Govern-
ment should
not be sub-
divided
among
several
members of
a family.

I CONSIDER the whole of the pensions to be still held, as they were at first granted, liable to resumption whenever Government please. As long as they are continued, no further subdivision should be made; but the whole of each pension should go to the nearest heir alone, and he should be left perfectly free to make such provision as he may think proper for the rest of the family. No sooner was Hussain Ali Khán dead, than the Chief and Council of Masulipatam, in 1771, in their anxiety to protect all the members of his family, made a minute partition of the pension, allotting the share each individual was to receive, and that which was to be set apart for marriages, repairs of houses, and other purposes. Had the whole pension, or whatever part of it Government thought proper to continue, been granted in the name of the eldest son, Rustamjah, and his brothers and relations been left to depend on his bounty, he would have provided for them in the best way he could. They would have respected him as the head of the family, and the time of Government would not have been occupied in hearing complaints and settling allowances which ought to be matters of domestic arrangement. In all grants by Government, whether of land or money, there should be no division. The thing granted should go entire to one heir. By this means we shall maintain many respectable families in the country, who will be regarded as monuments of the Company's bounty, and will encourage others to endeavour by equally meritorious services to obtain similar rewards. If, instead of this, we permit a division of the grant, there will, after one generation, be no respectable heads of families scattered over the country as memorials of the Company's bounty, but a crowd of needy litigious claimants, contending for their several shares of a dismembered property. Whenever Government makes a division of a pension among the members of a family, they attempt to do that for which they are not at all qualified. I do not believe that they

Evils of
sub-
division.

INEXPEDIENCY OF SUBDIVIDING PENSIONS GRANTED BY GOVERNMENT.

ever yet made a division which was satisfactory to all the claimants concerned, and if they could even make such a division, it would be productive of the worst effects. It would greatly extend the evil, which already exists, of the members of large families living in idleness and in great misery on portions of pensions much smaller than the wages of a common labourer, in place of going in quest of employment, which they would do if the pension went only to the head of the family. It would keep alive petty intrigues between the different claimants and our native servants, whenever a division was to be made, and it would increase the numbers of these petitions which have of late years occupied so much of the time of Government, which ought to have been devoted to more important matters.

DANGER OF A FREE PRESS IN INDIA.

12th April, 1833.

Importance
of the
question.

A GREAT deal has of late been said, both in this country and in England, regarding the liberty of the Indian press; and although nothing has occurred to bring the question regularly before the Board, yet as I think it one on which, according to the decision which may be given, the preservation of our dominion in India may depend, and as it appears to me desirable that the Honourable Court of Directors should be in possession of the sentiments of this Government at as early a period as possible, I deem it my duty to call the attention of the Board to the subject.

British
power in
India is not
based upon
the liberties
of the
people.

I cannot view the question of a free press in this country without feeling that the tenure with which we hold our power, never has been and never can be the liberties of the people. I therefore consider it as essential to the tranquillity of the country and the maintenance of our Government, that all the present restrictions should be continued. Were the people all our own countrymen, I would prefer the utmost freedom of the press, but as they are, nothing could be more dangerous than such freedom. In place of spreading useful knowledge among the people, and tending to their better Government, it would generate insubordination, insurrection, and anarchy.

A free press
incompatible
with the
dominion of
strangers.

Those who speak of the press being free in this country, have looked at only one part of the subject. They have looked no farther than to Englishmen, and to the press as a monopoly in their hands for the amusement or benefit of their countrymen. They have not looked to its freedom among the natives, to be by them employed for whatever they also may consider to be for their own benefit and that of their countrymen. A free press and the dominion of strangers are things which are quite incompatible, and which cannot long exist together. For what is the first duty of a free press? It is to deliver the country from a foreign yoke, and to sacrifice to this one great object every meaner consideration; and if we make the press really free to the natives as well as to Europeans, it must in-

DANGER OF A FREE PRESS IN INDIA.

evitably lead to this result. We might wish that the press should be used to convey moral and religious instruction to the natives, and that its efforts should go no farther. They might be satisfied with this for a time, but would soon learn to apply it to political purposes, to compare their own situation and ours, and to overthrow our power.

The advocates of a free press seek, they say, the improvement of our system of Indian government, and of the minds and the condition of the natives; but these desirable ends are, I am convinced, quite unattainable by the means they propose. There are two important points which should always be kept in view in our administration of affairs here. The first is, that our sovereignty should be prolonged to the remotest possible period; the second is, that whenever we are obliged to resign it, we should leave the natives so far improved from their connection with us as to be capable of maintaining a free, or at least a regular government, among themselves. If these objects can ever be accomplished, it can only be under a restricted press. A free one, so far from facilitating, would render their attainment utterly impracticable; for by attempting to precipitate improvement it would frustrate all the benefits which might have been derived from a more cautious and temperate proceeding.

A free press
can only
frustrate
improvement.

In the present state of India, the good to be expected from a free press is trifling and uncertain, but the mischief is incalculable, and as to the proprietor of newspapers the latter is the more profitable of the two, it will generally have the preference. There is no public in India to be guided or instructed by a free press. The whole of the European society is composed of civil and military officers belonging to the King's and the Honourable Company's service, with a small proportion of merchants and shopkeepers. There are but few among them who have not access to the newspapers and periodical publications of Europe, or who require the aid of political information from an Indian newspaper.

No public
in India.

The restraint on the press is very limited. It extends only to attacks on the character of Government and its officers, and on the religion of the natives. On all other points it is free. The removal of these restrictions could be of advantage to none but the proprietors of newspapers. It is their business to sell their papers, and they must fill them with such articles as are most likely to answer this purpose. Nothing in a newspaper excites so much interest as strictures on the conduct of Government or its officers; but this is more peculiarly the case in India, where, from the small-

Restrictions
on the press
very few.

ness of the European society, almost all the individuals composing it are known to each other, and almost every European may be said to be a public officer. The newspaper which censures most freely public men and measures, and which is most personal in its attacks, will have the greatest sale.

Law of libel
ineffective
in India.

The law, it may be supposed, would be able to correct any violent abuse of the liberty of the press; but this would not be the case. The petty jury are shopkeepers and mechanics, a class not holding in this country the same station as in England—a class by themselves, not mixing with the merchants or the civil and military servants, insignificant in number, and having no weight in the community. They will never, however differently the judge may think, find a libel in a newspaper against a public officer. Even if the jury could act without bias, the agitation arising from such trials in a small society would far outweigh any advantage they could produce. The editors of newspapers, therefore, if only restrained by the law of libel, might fearlessly calumniate the character of public officers, and misrepresent and stigmatize the conduct of Government; they would be urged by the powerful incentive of self-interest to follow this course, and they would be the only part of the European population which could derive any advantage from a free press.

Freedom of
the press, if
granted,
cannot be
confined to
Europeans.

Every military officer who was dissatisfied with his immediate superior, with the Commander-in-chief, or with the decision of a court-martial, would traduce them in the newspaper. Every civil servant who thought his services were neglected or not sufficiently acknowledged by the head of the department in which he was employed, or by Government, would libel them. Every attempt to restrain them by recourse to a jury would end in defeat, ridicule, and disgrace, and all proper respect for the authority of Government would be gradually destroyed. The evil of the decline of authority would be sufficiently great, even if it went no further than the European community; but it will not stop there. It will extend to the natives; and whenever this happens, the question will not be, whether or not a few proprietors of newspapers are to be enriched and the European community to be amused by the liberty of the press, but whether our dominion in India is to stand or fall. We cannot have a monopoly of the freedom of the press. We cannot confine it to Europeans only. There is no device or continuance by which this can be done, and if it be made really free, it must in time produce nearly the same consequences here which it does everywhere else. It must spread among the people

DANGER OF A FREE PRESS IN INDIA.

the principles of liberty, and stimulate them to expel the strangers who rule over them and to establish a national government.

Were we sure that the press would act only through the masses of the people after the great body of them should have imbibed the spirit of freedom, the danger would be seen at a distance, and there would be ample time to guard against it; but from our peculiar situation in this country this is not what would take place, for the danger would come upon us from our native army, not from the people. In countries not under a foreign government, the spirit of freedom usually grows up with the gradual progress of early education and knowledge among the body of the people: this is its natural origin, and were it to arise in this way in this country while under our rule, its course would be quiet and uniform, unattended by any sudden commotion; and the change in the character and opinions of the people might be met by suitable changes in the form of our government. But we cannot with any reason expect this silent and tranquil revolution; for, owing to the unnatural state in which India will be placed under a foreign government with a free press and a native army, the spirit of independence will spring up in this army long before it is ever thought of among the people. The army will not wait for the slow operation of the instruction of the people and the growth of liberty among them, but will hasten to execute their own measures for the overthrow of the Government and the recovery of their national independence, which they will soon learn from the press it is their duty to accomplish.

It is bad
effect upon
the native
army.

The high opinion entertained of us by the natives, and the deference and respect for authority which have hitherto prevailed among ourselves, have been the main cause of our success in this country; but when these principles shall be shaken or swept away by a free press, encouraged by our juries to become a licentious one, the change will soon reach and pervade the whole native army. The native troops are the only body of natives who are always mixed with the Europeans, and they will therefore be the first to learn the doctrines circulated among them by the newspapers; for as these doctrines will become the frequent subject of discussion among the European officers, it will not be long before they are known to the native officers and troops. These men will probably not trouble themselves much about distinctions regarding the rights of the people and forms of government, but they will learn from what they hear, to consider what immediately concerns themselves, and for which they require but little prompting. They will learn to compare their own low allowances and humble rank with

Prohibition of a
military
revolt.

those of their European officers, to examine the ground on which the wide difference rests, to estimate their own strength and resources, and to believe that it is their duty to shake off a foreign yoke, and to secure for themselves the honours and emoluments which their country yields. If the press be free, they must immediately learn all this and much more. Their assemblage in garrisons and cantonments will render it easy for them to consult together regarding their plans. They will have no great difficulty in finding leaders qualified to direct them. Their patience, their habits of discipline, and their experience in war will hold out the fairest prospect of success. They will be stimulated by the love of power and independence, and by ambition and avarice to carry their designs to execution. The attempt would no doubt be dangerous, but where the contest was for so rich a stake, they would not be deterred by the danger. They might fail in their first attempt, but even then failure would not, as under a national government, confirm our power, but shake it to its foundation. The military insubordination, which is occasioned by some partial or temporary cause, may be removed; but that which arises from a change in the character of the troops, urging them to systematic opposition, cannot be subdued. We should never again recover our present ascendancy. All confidence in them would be destroyed, but they would persevere in their designs until they were finally successful, and after a sanguinary civil war, or rather, after passing through a series of insurrections and massacres, we should be compelled to abandon the country.

We might endeavour to secure ourselves by augmenting our European establishment. This might, at great additional expense, avert the evil for a time; but no increase of Europeans could long protract the existence of our dominion. In such a contest we are not to expect any aid from the people. The native army would be joined by all that numerous and active class of men formerly belonging to the revenue and police departments who are now unemployed, and by many now in office who look for higher situations, and by means of these men they would easily render themselves masters of the open country and of its revenue. The great mass of the people would remain quiet. The merchants and shopkeepers, from having found facilities given to the trade which they never before experienced, might wish us success; but they would do no more. The heads of villages, who have at their disposal the most warlike part of their inhabitants, would be more likely to join their countrymen than to support our cause. They have, it is

Such a revolt would be joined in by the great body of the people.

free, when under their native rulers, often shown a strong desire to be transferred to our dominion; but this feeling arose from temporary causes, the immediate pressure of a weak and rapacious government, and the hope of bettering themselves by a change. But they have now tried our government, and found that, though they are protected in their persons and property, they have lost many of the emoluments which they derived from a lax revenue system under their native chiefs, and have also lost much of their former authority and consideration among the inhabitants by the establishment of our judicial courts and European Magistrates and Collectors. The hope of recovering their former rank and influence would therefore render a great part of them well disposed to favour any plan for our overthrow. We delude ourselves if we believe that gratitude for the protection they have received, or attachment to our government, would induce any considerable body of the people to side with us in a struggle with the native army.

I do not apprehend any immediate danger from the press. It would require many years before it could produce much effect on our native army. But though the danger be distant, it is not the less certain, and will inevitably overtake us if the press become free. The liberty of the press and a foreign yoke are already stated to be quite incompatible: we cannot leave it free with any regard to our own safety. We cannot restrain it by trial by a jury, because, from the nature of juries in this country, public officers can never be tried by their peers. No jury will ever give a verdict against the publisher of any libel upon them, however gross it may be. The press must be restrained either by a censor, or by the power of sending home at once the publisher of any libellous or inflammatory paper at the responsibility of Government, without the Supreme Court having authority, on any plea whatever, to detain him for a single day.

Such restrictions as those proposed will not hinder the progress of knowledge among the natives, but rather insure it, by leaving it to follow its natural course, and protecting it against military violence and anarchy. Its natural course is not the circulation of newspapers and pamphlets among the natives immediately connected with Europeans, but education gradually spreading among the body of the people, and diffusing moral and religious instruction through every class of the community. The desire of independence and of governing themselves, which in every country follows the progress of knowledge, ought to spring up and become

The danger, however distant, is inevitable if the press become free.

Progress of knowledge among the natives will not be really hindered by the necessary restrictions upon the freedom of the press.

general among the people before it reaches the army; and there can be no doubt that it will become general in India, if we do not prevent it by ill-judged precipitation in seeking to effect in a few years changes which must be the work of generations. By mild and equitable government, by promoting the dissemination of useful books among the natives without attacking their religions, by protecting their own numerous schools, by encouraging by honorary or pecuniary marks of distinction those where the best system of education prevails, by occasional allowances from the public revenue to such as stand in need of this aid; and, above all, by making it worth the while of the natives to cultivate their minds, by giving them a greater share in the civil administration of the country, and holding out the prospect of filling places of rank and emolument as inducements to the attainment of knowledge, we shall by degrees banish superstition, and introduce among the natives of India all the enlightened opinions and doctrines which prevail in our own country.

Probable results of the adoption of a different course.

If we take a contrary course—if we, for the sole benefit of a few European editors of newspapers, permit a licentious press to undermine among the natives all respect for the European character and authority, we shall scatter the seeds of discontent among our native troops, and never be secure from insurrection. It is not necessary for this purpose that they should be more intelligent than they are at present, or should have acquired any knowledge of the rights of men or nations. All that is necessary is that they should have lost their present high respect for their officers and the European character; and, whenever this happens, they will rise against us, not for the sake of obtaining the liberty of their country, but of obtaining power and plunder. We are trying an experiment never yet tried in the world,—maintaining a foreign dominion by means of a native army, and teaching that army, through a free press, that they ought to expel us and deliver their country. As far as Europeans only, whether in or out of the service, are concerned, the freedom or restriction of the press could do little good or harm, and would hardly deserve any serious attention. It is only as regards the natives that the press can be viewed with apprehension, and it is only when it comes to agitate our native army that its terrible effects will be felt. Many people, both in this country and in England, will probably go on admiring the efforts of the Indian press, and fondly anticipating the rapid extension of knowledge among the natives, while a tremendous revolution, originating in this very press, is preparing, which will, by the

premature and violent overthrow of our power, disappoint all these hopes, and throw India back into a state more hopeless of improvement than when we first found her.

His Excellency the Commander-in-chief has brought to the notice of the Board an anonymous letter in the Hindustani language, thrown into the lines of the cantonment at Arcot on the night of the 12th of March, urging the troops to murder their European officers, and promising them double pay. This letter was brought in the morning by the subahdar-major of the 6th regiment of native cavalry to Lieutenant-Colonel Foulis, the senior officer present in the cantonment. I received a Hindustani letter by the post some weeks ago, addressed to myself, complaining of the condition of the native army, their depressed situation and low allowances, and exhorting me to do something for their relief. Such letters have been occasionally circulated since our first conquests from Mysore in 1792. I do not notice them now from any belief that they are likely at present to shake the fidelity of our sepoys, but in order to show the motives by which they will probably be instigated to sedition whenever their character shall be changed. But though I consider the danger as still very distant, I think that we cannot be too early in taking measures to avert it. And I trust that the Honourable the Court of Directors will view the question of the press in India as one of the most important that ever came before them, and the establishment of such an engine, unless under the most absolute control of their governments, as dangerous in the highest degree to the existence of the British power in this country.

The following is a translation of the second of the Hindustani letters referred to in the foregoing Minute :—

Governor Sahib Bahadur, judge of merit, nourisher of the sepoys, high in station, health!

After very many respects and salaams the case is this. From your coming with the appointment of Governor to Madras, all we sepoys and others and poor people were much rejoiced, as we supposed you to be one who understands worth, and who is a nourisher of the sepoys and of the poor. But now, from the counsels of some worthless and bad sirdars,* and from some of your own acts, it appears that perhaps in a short time all the sepoys of the whole army will suffer much distress from you, and become sad and displeased. You know well the nature of the labour and distress of the sepoys. There is no such labour in any other profession. You well know how the sepoys, leaving their fathers and mothers, their wives and children and friends, have accompanied the white sirdars from country to country. If there were not

* Sirdar—properly sardar—a chief, a head man. Here the word is applied to European officials.

sepoys, there would be no rest for any one on the earth. But none of the white sirdárs think of the worth of the sepoya. Has the whole country been gained to the Company by the aid of the sepoya, or by the means of a few civil sirdárs? Look, and weigh this well in your mind. If very great distinction is conferred by the white sirdárs on black people, bravery is rewarded by a jemadár or subahdárship, or at the utmost by a palankeen; and now Rs. 25 have been granted to the subahdár-majors; and all the rest of the Company's wealth, and the large monthly allowances amounting to thousands of pagodas, and all the offices great and small, are the share of the white sirdárs; and to black people there is nothing but labour, and in all the army of your sepoya there is not two or three persons who have two hundred pagodas a month. If all the labour that we have undergone for a year, had been performed in the service of a Moghul Government, we should certainly have been rewarded with honour, respect, better pay, and all other things; and in your darbar we have not the smallest dignity or honour. If we subahdárs and jemadárs make a salaam to a white sirdár, it is difficult for him to make a return; and the civil sirdárs are such whoresons, what do they care about us, or what salaam do they make! If we sepoya gain a country with the sword, then these whoreson cowardly civil sirdárs come to that country; rule over it, and in a short time fill their coffers with money and go to Europe; and if a sepoy labour all his life, he is not five cowries the better for it. When it was heard that you were coming out as Governor, all the sepoya subahdárs, and jemadárs were very glad, and still are very glad. Supposing you to be a sirdár who understood worth, we had great hopes that you would certainly have rewarded us, and give us honour. That is all gone. Old people, invalid sepoya, jemadárs, and subahdárs have been forcibly pensioned, and a few sepoya have been forcibly discharged. This is excellent justice, and owing to the invalid pension the sepoya serve all over the country, and the Company's Government is strengthened; and if ever the invalid pension shall cease, it will be very hard to maintain order in the Company's Government. If it be in your mind to do something for the benefit or advantage of the Company, it is better to do it in that which shall cause no loss or distress to sepoya and poor people; and to distress poor people in order to benefit the Company, what name is there in this! To vex and distress the sepoya and the poor men was in the mind of former sirdárs. If it had not been, much good might have been done for the Company. The pay of the civil sirdárs is very heavy and their service very small, and these sirdárs sleep much, and enjoy much ease. To reduce their pay would be nothing wonderful. What is the use of so many Collectors and so many Zillah Courts? For the whole country three or four Collectors and three or four Zillah Courts are enough. If in this way reduction be made, it will certainly be great for the Company's advantage, and also for your name; and from harassing poor people what name will you get? In the time of the Nawáb Wallajah, tahsildárs collected all the revenue of the country, and justice was administered by black people. Then good order and justice prevailed in the country. At present, by means of these Collectors and Zillah Courts, what additional revenue is there collected, and what better justice is there in the country? None. And now from these Collectors and these Zillah Courts the whole country has become ruined. There is no order in the country, and lying and theft and bribery have become great.

Cultivation is not properly made in the country. The ryots are become very proud. The ryots are not treated right in the country; and when also the Collectors and sirdárs of the Zillah Courts, and the dabash people and

these writers, are happy and strong in the enjoyment of their bribes, and from these people great loss is suffered by the Company, what loss is there to the Company from the sepoya? A single Collector's peon has an authority and greatness in the country which cannot be expressed. That peon does not fight like a sepoy. If after serving a short time he dies, his family gets pay. If a sepoy carrying a load like an ass serves with sirdárs twenty years, and should he ever die from fatigue, his family does not get a single cowrie of pay. If at any time you mention the purport of this paper to civil or military sirdárs, they will, according to their respective capacities, explain it in opposition to the paper, so as to secure their own allowances and please you. You are a wise man, and must hear all and act according to your own judgment. We thought that you and General Malcolm were men knowing the worth of sepoya. You should therefore make some exertion in favour of the sepoya, subahdárs, jemadárs, etc. It will be for your name. If not, your pleasure is ours also.

here is a God.

This petition is from the principal sepoya and others of your army. If any man translate this paper, let him not add or take away, but translate it properly and give it to the Governor. If he translate it wrong, the wrath of God and of the people be upon him, and his head to the gallows; and the arás of the college and of Collectors have two hundred pagodas monthly pay, and some writers sixty or seventy pagodas, and these people have inám villages. What sword have they drawn, and why is such great pay given to those people, and the sepoya not rewarded? What subahdárs and jemadárs have two hundred pagodas a month? In your darbar there is labour and grief, and little ease. Governor Sahib! make some little arrangement in favour of the sepoya, in order that your name may remain bright on the earth, and your fortune and honour be prolonged and happy; since after you die nothing can be done.

INTERFERENCE OF EUROPEAN OFFICIALS IN THE CONVERSION OF NATIVES.

15th November, 1822.

Distribu-
tion of
religious
books by a
Sub-Collector.

HAD I been at the Presidency when the correspondence between the Collector and Sub-Collector of Ballári regarding the conversion of natives was received, I should have lost no time in recording my sentiments upon it. I perused the papers when on my late circuit; and having again carefully examined them since my return, I am sorry to say that I think it will be advisable to employ Mr. — in some other way than his present situation. Mr. — transmitted a report, dated the 15th June, upon the settlement of his district to Mr. Campbell, the Collector. Everything in this report is highly commendable, excepting those passages in which he speaks of the character of the natives, and of his having distributed books among them. He evinces strong prejudices against them, and deplors the ignorance of the ryots, and their uncouth speech, which he observes must for ever prevent much direct communication between them and the European authorities. He speaks as if these defects were peculiar to India, and as if all the farmers and labourers of England were well educated and spoke a pure dialect. He says that the natives received readily the books which he had brought for distribution, from which he infers that they are not insensible to the advantages of knowledge. He observes that a public schoolmaster is nowhere a corporate village officer, and that this must have arisen from priestcraft being jealous of the propagation of knowledge among the people. I see no reason to impute the schoolmaster not being a corporate officer to priestcraft. There is no restriction upon schools. They are left to the fancy of the people; and every village may have as many as it pleases. Mr. Campbell was directed to acquaint Mr. — that he was not to interfere with native schools, and to call upon him to state what were the books which he had distributed. Mr. Campbell, in forwarding Mr. —'s reply to this communication, observes, that he has not confined himself to the information required, but has 'indulged himself in

OFFICIALS INTERFERING IN THE CONVERSION OF NATIVES.

'a formal and most unprovoked attack upon the religion of the people; and has placed upon record, within the reach of many of them, sentiments highly offensive to their tenderest prejudices.'

Mr. — says that the books distributed were Canarese versions of parts of the New Testament, and of tracts in the same language on moral and religious subjects. They were distributed to the reddies (potails), curnumas, merchants, and ryots, with whom he had intercourse. A few were also distributed among the servants of his own and the district cutcherries. Sometimes, he observes, they were sought with a degree of eagerness. They were never pressed on those who received them; his own cutcherry certainly promoted rather than discouraged the distribution of them. He then proceeds to state with seriousness his former doubts on certain points of faith, his subsequent conversion, and his exposition of various texts. He ought to know that these are matters which do not belong to a cutcherry, and that they concern only himself, and ought not to enter into the official correspondence of revenue officers. He says it did not appear to him that the circulation of books in the mode which he adopted, militated in the smallest degree either against the letter or the spirit of the orders of the Government; that he employed no official influence, no coercion, no compulsory measures; that he usually explained in a few words the general nature of the contents of the books; that he left the acceptance of them to the people themselves, and that they were sometimes sought with eagerness. He requests to know how far Government wish that public servants 'should contribute their endeavours to the diffusion of general, moral, and religious instruction among the natives.' He says that 'in anything affecting his situation,' he would not deliberately do what the Collector disapproved; that he thought himself at liberty to use his discretion in distributing books, and that 'he has not yet seen anything to lead him to suppose that so long as obnoxious interference with the religious opinions and practices of the natives is carefully avoided, the Government would wish to restrict him in its exercise,' and he concludes by earnestly desiring that his observations, together with the appendix containing the passages in scripture to which they refer, may be recorded.

It is sufficiently manifest from Mr. —'s own plain and candid statement, that his zeal disqualifies him from judging calmly, either of the nature of his own interference or of its probable consequences. I agree entirely with the Collector that 'he cannot, while he holds his appointment, divest himself of strong official

The Sub-Collector's description of his proceedings.

Inexpediency of official authority being exerted in such matters.

'influence,' and that to obtrude his opinion on his 'public servants, 'or on the reddies, curnums, merchants, and ryots assembled 'around him on official business,' was manifestly converting his official character into that of a missionary. Mr. — in fact did all that a missionary could have done. He employed his own and the district catcheries in the work, and he himself both distributed and explained. If he had been a missionary, what more could he have done? He could not have done so much. He could not have assembled the inhabitants, or employed the catcheries in distributing moral and religious tracts. No person could have done this but a civil servant, and in Harpanhalli and Ballári none could have done it but him, yet he cannot in this discover official interference. He did not, it is true, use any direct compulsion. That would most probably have caused an explosion, which would instantly have roused him from his delusion. But he did and will continue to use, unknown to himself, something very like compulsion, open interference, official agency, the hope of favour, the fear of displeasure. The people, he says, 'could have no difficulty in 'distinguishing between a matter of authority and of option.' There can be no real freedom of choice, where official authority is interested deeply and exerted openly. A very few of the people might possibly have distinguished between authority and option, but the great body of them would have been more likely to believe that he acted by authority, and that what he was then doing, was only preparatory to some general measure of conversion.

Mr. — promises to be guided by the orders of Government in his conduct to the natives, but I fear that he is too much under the dominion of his own fancies to be controlled by any legitimate authority. He has already shown by his declining compliance with the directions of his immediate superior, Mr. Campbell, how little he regards subordination when opposed to what he believes to be his higher duties. He appeals to Government, and while he professes his readiness to conform to their decision, he desires that his opinions regarding the natives may stand or fall 'according as they are supported or contradicted by the word of God,' as contained in certain passages of scripture forming the appendix to his letter. This is an extraordinary kind of appeal. He employs his official authority for missionary purposes, and when he is told by his superior that he is wrong, he justifies his acts by quotation from scripture, and by election, a doctrine which has occasioned so much controversy, and he leaves it to be inferred that Government must either adopt his views, or

Ignorance of the Sub-Collector of the true principles of subordination.

act contrary to divine authority. A person who can, as a Sub-Collector and Magistrate, bring forward such matters for discussion, and seriously desire that they may be placed on record and examined by Government, is not in a frame of mind to be restrained within the proper limits of his duty by any official rules. It never was intended to employ Collectors and Magistrates as teachers of morality and religion, and of course no rules have been framed for their guidance in such pursuits. Every man who has common sense, knows that they are contrary to his duty, and that no safe rule can be laid down but absolute prohibition. We cannot allow Mr. — or any other public officer to act as a missionary, merely because he supposes that he abstains from 'obnoxious interference.' Every man has a different opinion regarding the obnoxious limits, and each would fix them differently according to the standard of his own zeal.

It is the declared intention, both of the legislature and of the Honourable the Court of Directors, that the people of India should be permitted to enjoy their ancient laws and institutions, and should be protected against all interference of public officers with their religion. This system is the wisest that could be adopted, whether with regard to the tranquillity of the country, the security of the revenue, or the improvement or conversion of the natives. Mr. —'s is the worst. It is dangerous to the peace of the country and the prosperity of the revenue, and is even, as a measure of conversion, calculated to defeat his own designs. If I were asked if there would be any danger from leaving him at Ballári, I could not possibly affirm that there would: there might or might not; but if any mischief arose, it would be no excuse for us to say that it was so unlikely that it could not have been expected, for we had had ample warning, and ought to have provided against it.

In every country, but especially in this, where the rulers are so few and of a different race from the people, it is the most dangerous of all things to tamper with religious feelings. They may lie apparently dormant, and when we are in unsuspecting security, they may burst forth in the most tremendous manner, as at Vellore. They may be set in motion by the slightest casual incident, and do more mischief in one year than all the labours of missionary Collectors would repair in a hundred. Should they produce any partial disturbance which is quickly put down, even in this case the evil would be lasting. Distrust would be raised between the people and the Government, which would never entirely subside, and the district in which it happened, would never be so safe as

Non-interference with the religion of the natives, the declared policy of the British Government.

Danger of tampering with the religious feelings of the natives.

before. The agency of Collectors and Magistrates as religious instructors can effect no possible good. It may for a moment raise the hopes of a few sanguine men, but it will end in disturbance and failure; and instead of forwarding, will greatly retard every chance of ultimate success. But besides these evils, it would also produce an injurious effect on the administration of the revenue. Designing men of bad characters would soon surround the Collector, and would, by encouraging his hopes, and appearing to enter warmly into his views, soon supplant the more able and less pliant servants of his entcherry. They would gradually contrive to fill up every subordinate office with their adherents, whom they reported to be favourable to the cause of conversion; and the revenue, between the incapacity and dishonesty of such men, would be diminished both by mismanagement and embezzlement. The employment by the Collector of men as his confidential servants, merely on account of their supporting his plans of conversion, would create suspicion and discontent among the inhabitants; and this spirit might easily be excited to acts of outrage, either by men who were alarmed for their religion, or by men who had no fears for it, but were actuated solely by the hope of forcing the revenue servants out of office and succeeding them. It is evident from Mr. —'s own statement of the eagerness with which the books were sought by the ryots and other inhabitants, how ready he is to believe what he wishes, and how well prepared to be deceived by designing natives. He considers the acceptance of the books by the natives, who probably took them merely to flatter him, or to avoid giving him offence, as signs of an impression made on their minds. He never seems to have asked himself why he should have been so much more successful than the regular missionaries. Had he been a private individual, his eyes would have been opened.

If we authorize one Sub-Collector to act as a missionary, or in aid of conversion, we must authorize all. If we find it difficult to keep them within the line of their civil duties, how could we possibly in those of a religious nature restrain them by any rule? How could we control them in distant provinces? The remoteness of their situation, and their solitude among the natives, would naturally tend to increase their enthusiasm, and every one would have a different opinion and act differently from another, according as his imagination was more or less heated. The best way for a Collector to instruct the natives, is to set them an example in his own conduct, to try to settle their disputes with each other and to prevent their going to law, to hear patiently all their complaints against

Duties of Collectors and Sub-Collectors in such matters defined.

INTERFERENCE IN THE CONVERSION OF NATIVES.

and his servants, and in bad seasons to afford them all the relief in his power, and, if he can do nothing more, to give them at least good words. Whatever change it may be desirable to produce upon the character of the natives, may be effected by much safer and surer means than official interference with their religion. Regular missionaries are sent out* by the Honourable the Court of Directors and by different European Governments. These men visit every part of the country, and pursue their labours without the smallest hindrance; and as they have no power, they are well received everywhere. In order to dispose the natives to receive our instruction and adopt our opinions, we must first gain their attachment and confidence, and this can only be accomplished by a pure administration of justice, by moderate assessment, respect for their customs, and general good government.

I have said more upon this subject than it may at first sight appear to require, but though it has been brought forward by the conduct of a single individual, it is a question of the most important concern to the welfare of the people and the security of the State, and deserves the most serious consideration. I am fully convinced that official interference with the religion of the natives will deteriorate the revenue and excite discontent and disturbance; and that it will effectually defeat the attainment of the very object for which it is exercised. And as I am also satisfied that to permit the continuance of such interference, would be to hazard the safety of our dominion for the sake of supporting the experiments of a few visionary men, I recommend that it be prohibited. I regret extremely that it should be necessary to pass any censure upon Mr. —. I selected him for his present situation from having had an opportunity of seeing, when he was employed here, that his assiduity and knowledge of the native languages rendered him well qualified for the office of Sub-Collector. I trust that he may still be usefully employed in the public service in other quarters; but he has put it out of the power of Government to let him remain at Ballári. He was not satisfied with confining his attack upon the religion of the natives to a private communication to the Collector, but he has, by placing it upon record, made it public. To continue him now, would be to sanction his conduct and to proclaim the design of Government to support it. No declaration, nothing but his removal, can effectually do away with this impression among the people.

Free with of regular missionaries.

Reasons of the Court of Directors.

* By "sent out," Munro meant "licensed." As the law then stood, no European could reside in British

India without a license from the Court of Directors.

TERMS ON WHICH GRANTS OF LAND REVENUE SHOULD BE GIVEN.

16th December, 1823.

Usage of the
country
opposed to
grants of
land in
perpetuity.

THE Court of Directors are averse to grants of land in perpetuity, and I entirely agree with them, because such grants are contrary to the usage of the country, and are in many respects objectionable. In this country, under the native governments, all grants whatever are resumable at pleasure. Official grants are permanent while the office continues, but not always in the same family. Grants for religious and charitable purposes to individuals or bodies of men, though often granted for ever, or while the sun and moon endure, were frequently resumed at short intervals. Grants of *jagirs* or *inam* lands from favour or affection, or as reward for services, were scarcely ever perpetual. It was rare that any term was specified, and never one or more lives; but it made usually little difference whether the grant was for no particular period or perpetual. The *Altamgha* perpetual grant was as liable to resumption as any common grant containing no specification of time. It was resumed because it was too large, or because the reigning sovereign disliked the adherents of his predecessor and wished to reward his own at their expense, and for various other causes. There was no rule for the continuance of grants, but his pleasure. They might be resumed in two or three years, or they might be continued during two, three, or more lives, but where they escaped so long, it was never without a revision and renewal. I believe that the term of three lives is a longer period than grants for services were generally permitted by the native princes to run, and it is only on that account that I agree to a specification of time unknown in native grants. As we must keep our cowlies or engagements, we must take care not to make them too long.

Objections
to grants of
perpetual
pensions on
the land
revenue.

I do not object to the perpetual enjoyment of the fruit of his own labour by the grantee or *jagirdar*: on the contrary, I think that he and every man ought to have it; not, however, under a particular cowlie, but under the general regulations of Government,

GRANTS OF LAND REVENUE.

by a fixed and moderate land-rent. But what has been proposed by the Board of Revenue to be given to the *jagirdar*, is not so much a grant for the fruit of his own industry, as for that of the industry of others, and for giving for ever what is called a pension on the land revenue. If, for instance, we give him, at a nominal quit-rent, a village which now pays a revenue of Rs. 2000, and has besides cultivated land rated at Rs. 3000 annual revenue; if at the end three lives the occupant or proprietary ryots should have cultivated Rs. 1000, in addition to their former Rs. 2000, of land, and the *jagirdar* Rs. 1000, making a total of Rs. 4000 in cultivation—we then, as proposed by the Board of Revenue, continue to give in the village at the original revenue of Rs. 2000, we give him Rs. 1000 arising from the additional land cultivated by the ryots, as a perpetual pension, and the Rs. 1000 cultivated by himself, as a landed estate without purchase, and entirely exempted from public rent.

This is not, as supposed, similar to the case of a man who improves his estate being allowed to enjoy the profit without any additional assessment, because the whole of the revenue is paid by the occupant ryots; the *jagirdar* pays none, nor ever paid any.

In this country all land is separately assessed or liable to assessment. But it is only that portion which is cultivated, which pays revenue to Government. In the above village, rated at Rs. 5000, the revenue was only Rs. 2000, because land rated at Rs. 3000 was uncultivated. Had the whole been cultivated, the village would have paid Rs. 5000. It is worth this without any improvement. It merely requires to be cultivated in the ordinary way. There can, therefore, be no claim for improvement, when none has been made. But were the *jagirdar* to improve and make the portion of land cultivated by himself, and originally assessed at Rs. 1000, worth Rs. 2000 or 3000, he would be entitled to all the surplus beyond the original Rs. 1000 as the reward of his improvement.

A village having no waste land ought never to be given in *jagir*; because as the *jagirdar* would have no land of his own, he would endeavour to get possession of some of that which belonged to the ryots, and there can be no doubt that the influence derived from his situation would often enable him to accomplish his purpose by improper means. The *jagir* ought to be given in villages having waste land. The *jagirdar* will in this case, by the help of the exemption from the payment of revenue during two or three lives, and by the exertion of a moderate share of industry, be able in that time to bring into cultivation and to improve a considerable

A village
with no
waste land
should
never be
given in
jagir.

quantity of waste land. On the expiration of the third life, when the exemption from the payment of revenue ceases, he will continue to hold this land at the original assessment imposed upon it in its former state, and he will enjoy all increase above this standard which it may yield in consequence of his improvements, and he will be answerable only for the assessment on his own land: that of the other lands of the village will be collected from the ryots in the same way as before the grant of the jágir.

By this plan every jágirdár will, at the end of the third life, be in possession of a landed property more or less valuable, according to the skill and industry which may have been employed in its improvement, and this is, I think, giving them every advantage which they can reasonably expect.

The limitation of jágirs to three lives on the whole expedient.

The natives do not like the limitation to three lives in the grant, because their own grants specify no limitation. I would be glad to omit it, if it could be done without affecting the conditions of the grant. It could only be done by making a regulation that all such grants should terminate in three lives, and specifying no term in the grant itself. But until we shall have ascertained from experience that this or some other mode is less objectionable than that now in force, it will be advisable to adhere to it and enter the limitation in the grant.

Jágirs should only be given for very meritorious services.

Jágirs should be granted only for very meritorious services; for services less eminent money pensions are the proper reward. All jágirs ought to be for the same period of three lives: should instances occur in which this may be thought too long, it would be better rather to lessen the amount than to shorten the duration. If the jágirs be brought every year to view as a charge against the department, there can be no danger of their being allowed to increase to an unreasonable magnitude. Even if they went on at the rate of 12,500 pagodas in twelve years, as noticed by the Honourable Court, they could never exceed sixty or at most seventy thousand pagodas, which does not appear to me to be too much to be given in jágir for distinguished services throughout the whole of the extensive provinces under this Presidency. The jágir would seldom last above sixty years, because the original grantees would be advanced in life before he could entitle himself to the grant, and sixty years is hence a long term to allow for his life and that of his two successors, and sixty or seventy thousand pagodas may therefore be considered as a high estimate of the maximum charge.

I shall now state the points which ought to form the outline of the terms of the grant.

- 1st. The grant should be for three lives.
- 2nd. It should give the sirkár rights only, and be exclusive of all private rights.
- 3rd. After the termination of the third life all exemptions of rent in favour of the jágirdár should cease.
- 4th. The heir of the jágirdár should then no longer collect or be responsible for the revenue of the village; that duty should revert to the potail or head of the village.
- 5th. The heir of the jágirdár should, however, be entitled to retain all private landed property in the village which he may have lawfully acquired, and also all sirkár land which he may have brought into cultivation or improved, at the same rate of assessment as the land may have borne previous to improvement, or, where no previous assessment may have been made, at the rate which may be usual for such unimproved land in the neighbourhood.

ON THE EURASIAN POPULATION.

24th November, 1834.

Reasons for not granting an allowance to Eurasian wives of European soldiers.

THE proposed allowance to half-caste wives and children of European soldiers is in my opinion highly objectionable. The expense will be great beyond what we can foresee, and we shall be embarrassed by the accelerated increase of a race for whom we cannot provide, and whom we shall have taught by indulgence not to provide for themselves. We have now for above forty years had in this country a large body of European soldiers, and seen its effect on the half-caste population. It has augmented it, but not very materially, nor so rapidly as to hinder its finding the means of subsistence with the partial aid of charitable institutions. This is its condition under our present system. But if we change this system for one of giving a permission not only upon marriage, but upon the number of children, we shall encourage the production of a great and helpless population, and increase a hundredfold by our ill-judged humanity the distress it was meant to diminish. If we suppose that a half or a third of the European soldiers marry half-caste women, there will be in India ten to fifteen thousand wives with their children to maintain at the public charge. But this is not all—there will in twenty years be several successions, because the number of men will be renewed two or three times over in twenty years. The whole body of men, by means of recruits from Europe, will always be in the full vigour of life, adding fresh families to the general mass long before the first set are half grown up; so that in twenty years, in place of the wives and families of ten or twelve thousand, we shall have those of twenty or thirty thousand men. If the evil stopped here, we should see its extent; but this will not be the case, for we shall still have upon our hands, after the fourteen years, a great proportion of the children who have attained that age. It is in vain to say that they must then cease to be a charge; for after having taught them to depend upon us for fourteen years, it will not be so easy to shake them off. Our indulgence will make their parents neglect the means which

ON THE EURASIAN POPULATION.

Should otherwise have been taken, of obliging them to seek a livelihood at an early age for themselves. Though many of the children will, no doubt, be taught to do so, a still greater number will remain dependent upon us; and in order to furnish some partial relief, we shall be compelled to extend the practice, which has already been too far pursued, of forcing them into the public offices and various employments connected with the army, to the exclusion of better men and the injury of the service.

It may be said, is nothing then to be done for this class of people? I answer, nothing more than is done by the aid of charitable institutions. It is the best course, not only on the score of economy, but also on that of humanity. It is easy to appeal to its call, and never was more so than on the present occasion. If we leave the half-caste people to themselves, they will go on as they have done for the last forty years, increasing slowly, according to their means of subsistence. They will seek employment as servants, mechanics, shopkeepers, and merchants in the towns and villages on the sea-coast. When there is no longer room for them there, succeeding generations will be forced to look for a subsistence as bullock-men, peons, labourers, and ryots. This is what has happened to the descendants of the Portuguese on the west coast, and there is no reason why the same thing should not happen to the descendants of English soldiers, if it be not prevented by imprudent interference.

I have already stated my sentiments on the allowance to half-caste women and children. The measure would in time lead to so much distress, and is altogether so extravagant and impolitic, that I should consider myself as wanting in my duty if I did not earnestly recommend to the Honourable Court not to sanction it in any shape or in any degree, but to reject it entirely. In speaking of the half-caste population, I have chiefly spoken of them as depending on us, not as what they would be if left to themselves, but as what they are made by our injudicious interference. If we limit our care of them to the support of schools, and leave them in everything else to their own exertions, they will become a numerous, industrious, and useful race of men; but they must expect, like any other great population, to have among them every gradation of condition, from independence and affluence to poverty and hard labour. They are at present, as far as regards the means of living, in better circumstances than the

Question of what can be done for Eurasians.

Future prospects of the Eurasian community.

MINUTES OF SIR THOMAS MUNRO.

people of England. Comparing them with an equal number of the people of England, there are among them a smaller proportion subjected to extreme poverty, and a greater who live comfortably. This may last while their number is small and employment easily found, but it must gradually cease as they become numerous, and they must then, like every other great community, have their full proportion of poor. There is no cause why they should not by their own exertions become a thriving people. They are not at present so well qualified as the Hindus for hard labour, but they will gradually acquire the habit of labour from necessity; and they have the advantage of having fewer prejudices and a better education, and this advantage of education will always continue. The influence of the superior schools at the Presidency will extend to those at a distance, and the acquisition of knowledge will no doubt be encouraged both by the aid and example of the most respectable part of their own community.

ON THE ESTABLISHMENT OF IRON WORKS.

20th December, 1834.

I HAVE delayed giving my opinion on the request submitted by Mr. Heath in his letter of the 27th October last, until I should have ascertained from a personal communication with that gentleman the precise nature of the exclusive privileges he required. Having now satisfied myself that there is nothing in them which may not with propriety be granted, I have no hesitation in recommending Mr. Heath's plan of establishing iron works in the Company's territories in India. Mr. Heath states that the iron ore is of the best quality and in great abundance in this country, and that there is great facility in raising it; that the samples sent to England by him have been declared to be equal to the best foreign iron for making steel; that in England they have never yet been able to manufacture iron fit for making steel, but are entirely dependent for that article on foreign iron; that 12,000 tons, the quantity of iron imported into England last year, could easily be supplied from this country and at a cheaper rate; that iron works in this country would not interfere with the produce of England, because English bar iron, which is used here for all purposes except steel making, can be sold at from £12 to £14 per ton, and that it would therefore be more profitable to send Indian iron home to contend with Swedish and other foreign iron; that it is a national object to supply Britain from her own territory with an article which cannot be produced at home; and that steel made from Indian iron being better than that made from Swedish or Russian iron, it would be highly beneficial to both countries, more especially when Madras has so few returns to make for articles from Europe, that England should be supplied with iron for steel making from India.

The privileges which Mr. Heath solicits in order to enable him to accomplish this object are as follows:—

1st. An exclusive grant of the right of establishing iron works in the Company's territories in India during the remaining term of the charter. This grant to extend to the three Presidencies, and

Mr. Heath's proposal of exporting Indian iron to Europe for making steel.

Privileges solicited in the establishment of iron works.

MINUTES OF SIR THOMAS MUNRO.

to prevent the establishment of iron works similar to those in Europe by any person, native or European, except himself.

2nd. A lease for the remaining term of the Company's charter of the right of cutting fuel on sirkar waste land, and raising ore at such mines as he should erect works at.

It is not intended that this lease should interfere with any rights now possessed by the natives of cutting wood or raising ore; but that he should have in common with them the right of supplying himself with the raw materials rent free, but paying the usual duty upon the manufactured produce.

3rd. Authority to rent land which produces the materials necessary for his manufacture, such as jungle and iron ore, from zemindars, poligars, and other landholders; but without prejudice to any right of common which might belong to the inhabitants of the neighbourhood in the ore or jungle.

This privilege of renting from landholders, though not mentioned by Mr. Heath to Government, has been stated to me by him as an omission which he wished to be provided for. It is a privilege which has occasionally been granted to Europeans, and to which in the present instance I see no objection.

Mr. Heath has already gone to a considerable expense in this project, and to prosecute it successfully he must embark a large capital and relinquish his hopes in the civil service. These considerations, however, ought to have no weight, if the scheme cannot be supported on public grounds. But as it may in my opinion be regarded, not only as a public but as a national object, it appears deserving of every encouragement. I should be adverse to the exclusive privilege now solicited, were it to interfere with any established rights on the profits of any trade in iron likely to be undertaken. But there is no chance of its causing any such interference. The richness of the ores of Salem and of other districts has been known above thirty years, without anything having been done to extend their produce; and unless some advantage be held out to the person who attempts to render them useful, they will probably at the end of thirty years more be as much neglected as now. It is therefore better that there should be a monopoly for a time, in order to establish the manufacture successfully on a large scale, than that we should refuse this encouragement and look idly on for an indefinite period in the vain hope that some adventurer will establish the manufacture without requiring any exclusive privilege.

Reasons for granting the exclusive privileges until 1830.

ON THE ESTABLISHMENT OF IRON WORKS.

I therefore propose that the request of Mr. Heath be transmitted to the Honourable Court of Directors, with the earnest recommendation of the Board that they will take such measures as may be deemed proper for obtaining for Mr. Heath the exclusive privilege which he solicits.*

* The privileges recommended in the foregoing Minute were granted to Mr. Heath, who formed a company and opened iron works in the districts of South Arcot, Salem, and Malabar. The works were in operation for thirty

years, but eventually had to be closed, owing principally to the difficulty of obtaining adequate supplies of fuel, and certain and continuous supplies of cheap native labour.

APPOINTMENT OF A NATIVE JUDGE AT SERINGAPATAM.

6th April, 1837.

Diminished
importance
of Seringa-
patam.

THE appointment of Mr. Casamajor to the office of Resident at Mysore seems to present a fit occasion for revising the local administration of Seringapatam, which the great changes which the place has undergone, have for some time past rendered every day more necessary. The great importance of Seringapatam, when it fell into our hands, required that its civil administration should be vested in a European officer. But since that time, from the fall of the Poona State and other causes, it has lost almost all its political and military importance. It is no longer a principal military station: its garrison consists only of a part of a local corps. Its numerous population, originally drawn together by its having been the seat of Government, has been for many years dispersing itself over the country, and the part which is left, is still diminishing every day from the want of employment and the insalubrity of the climate.

Proposal to
annex Seringa-
patam to the Col-
lectorate of
Coimbatore,
the judicial
work being
entrusted
to a native
judicial
officer.

Under these circumstances, I am of opinion that the employment of a civil servant exclusively for the management of the civil duties of Seringapatam is unnecessary. I think that the island of Seringapatam should be annexed to the Collectorate of Coimbatore; that all judicial authority in the island should be entrusted to an intelligent native; that his jurisdiction should extend over the districts of Kollegal and Sattimangalam; that he should exercise all the powers, civil and criminal, of an Assistant Judge, and that his court should remain at Seringapatam until it can be conveniently removed to Kollegal.

Reasons for
appointing
a native
judge.

Seringapatam itself is extremely unhealthy, and we are not sure that Kollegal is favourable to the European constitution. It is therefore desirable for this cause alone, even if there were no other, that natives, who are less liable to suffer from the climate, should be employed instead of Europeans. Should the experiment in the present instance prove successful, as I am confident it will, the

APPOINTMENT OF A NATIVE JUDGE

employment of native Judges may then, by degrees, be extended to some other remote and unhealthy districts, such as Sunda, and in time to every place where their services may be useful.

At present the highest native officers in the Judicial Department act immediately under the eye of the European Judge. The highest native judicial officer, who is entrusted to act for himself at a distance from the Judge, is the district munsif. But his situation is a very subordinate one. In criminal matters he has no jurisdiction, and in civil it is limited to suits of five hundred rupees. The district munsifs, by their general good conduct, have become a very important part of our judicial system. They have fully realized all the expectations which were formed of their utility, and the public benefit which has resulted from their employment, ought of itself to be a sufficient motive for our availing ourselves of the services of natives in a higher judicial station than that of district munsif. That office, though no doubt respectable, is still very subordinate, and ought to be rather the beginning than the limit of native promotion. We ought to look forward to a time when natives may be employed in almost every office, however high, and we ought to prepare them gradually for such a change, by entrusting them with higher duties from time to time, in proportion as experience may prove their being qualified to discharge them.

Expediency
of entrust-
ing natives
with higher
duties.

The employment of natives in high offices will be as much for our own advantage as for theirs. It will tend both to the economy and efficiency of the administration of public affairs. Every time that a native is raised to a higher office than had before been filled by any of his countrymen, a new impulse will be given to the whole establishment: the hope of attaining the higher office will excite emulation among those who hold the inferior ones, and improve the whole. But this improvement will take place in a much greater degree when the new office is one of a high and independent nature, like that of a judge: the person who is appointed to it will be conscious that he enjoys some share in the administration of the affairs of his country—he will feel that his own rank and character have been elevated by his having been selected for the high office which he holds, and his feeling will pervade every class of the department to which he belongs. I do not mean to say that we are not to expect misconduct in a native judge. We shall certainly meet with it in him, as in all classes of public servants, and when we do, it must be punished by dismissal; but this ought not to discourage us from continuing the office, for I am convinced that the instances of misconduct will not be numerous, that they will become rarer every

Advantages
of the mea-
sure.

day, and that they will weigh nothing in comparison with the advantages to be derived from the employment of native judges.

Native judge should have the powers of an Assistant Judge.

I think that the native judge ought to have all the powers of an Assistant Judge, because to give him less would not answer the purpose, either of enabling us to withdraw the European Judge from Seringapatam, or to make the experiment of improving the native branch of the Judicial Department by the employment of a native judge; and because it would lead to unnecessary embarrassment and confusion, by involving the necessity of creating a new office with judicial authority different from that of any other existing judicial officer; whereas by giving him the same power as an Assistant Judge, his office will differ from that of the Assistant Judge merely in having jurisdiction over a smaller territory.

Salary proposed.

As the native judge will receive no fees, his pay, in order to be suitable to his station and to render his office an object of ambition to all native judicial servants, ought not to be less than five hundred rupees per month.

Mode of appointment.

The selection for the office of native judge should be made by the Provincial Court, or by the Sadr Adalat, from among the district munsifs or the officers of the courts, according as the person best qualified may be found among the one or the other.

It would perhaps be advisable that all prisoners committed for trial by the native judge should be sent to the jail of Coimbatore or Salem, because it would greatly extend the distance of the circuit and prolong its duration were the Court of Circuit to visit Kollegál or Seringapatam. It is, in fact, only the prisoners belonging to Seringapatam who have ever been tried anywhere else than at Salem or Coimbatore, and the Seringapatam prisoners would be less liable to sickness in the jail of either of these places than in their own.

ON THE EMPLOYMENT OF NATIVES IN THE PUBLIC SERVICE.

31st December, 1824.

It is strange to observe how many men of very respectable talents have seriously recommended the abolition of native, and the substitution of European agency to the greatest possible extent. I am persuaded that every advance made in such a plan would not only render the character of the people worse and worse, but our Government more and more inefficient. The preservation of our dominion in this country requires that all the higher offices, civil and military, should be filled with Europeans; but all offices that can be held by natives without danger to our power, might with advantage be left to them. We are arrogant enough to suppose that we can, with our limited numbers, do the work of a nation. Had we ten times more, we should only do it so much worse. We already occupy every office of importance. Were we to descend to those that are more humble, and now filled by natives, we should lower our character and not perform the duties so well. The natives possess, in as high a degree at least as Europeans, all those qualifications which are requisite for the discharge of the inferior duties in which they are employed. They are in general better accountants, more patient and laborious, more intimately acquainted with the state of the country and the manners and customs of the inhabitants, and are altogether more efficient men of business.

Unless we suppose that they are inferior to us in natural talent, which there is no reason to believe, it is much more likely that they will be duly qualified for their employments than Europeans for theirs, because the field of selection is so much greater in the one than in the other. We have a whole nation from which to make our choice of natives; but in order to make choice of Europeans, we have only the small body of the Company's covenanted servants.

If it be admitted that the natives often act wrongly, it is no reason for not employing them: we shall be oftener wrong ourselves. What we do wrong is not noticed, or but seldom and slightly: what

Comments upon proposals for substituting European for native agency in the public service.

Field of selection much greater among the native than among the European community in India.

Alleged dishonesty of native officials, not incapable

of being
checked.
Proposed
remedy of
employing
larger num-
bers of
Europeans
in subordi-
nate offices
not likely to
be effec-
tious.

they do wrong meets with no indulgence. We can dismiss them and take better men in their place: we must keep the European because we have no other, or perhaps none better, and because he must be kept at an expense to the public, and be employed some way or other, whatever his capacity may be, unless he has been guilty of some gross offence. But it is said that all these advantages in favour of the employment of the natives are counter-balanced by their corruption, and that the only remedy is more Europeans with European integrity. The remedy would certainly be a very expensive one, and would as certainly fail of success, were we weak enough to try it. We have had instances of corruption among Europeans, notwithstanding their liberal allowances; but were the numbers of Europeans to be considerably augmented, and their allowances, as a necessary consequence, somewhat reduced, it would be contrary to all experience to believe that this corruption would not greatly increase, more particularly as Government could not possibly exercise any efficient control over the misconduct of so many European functionaries in different provinces, where there is no public to restrain it. If we are to have corruption, it is better that it should be among the natives than among ourselves, because the natives will throw the blame of the evil upon their countrymen: they will still retain their high opinion of our superior integrity, and our character, which is one of the strongest supports of our power, will be maintained. No nation ever existed in which corruption was not practised to a certain extent by the subordinate officers of Government: we cannot expect that India is in this point to form an exception. But though we cannot eradicate corruption, we may so far restrain it as to prevent it from causing any serious injury to the public interest. We must for this purpose adopt the same means as are usually found most efficacious in other countries: we must treat the natives with courtesy, we must place confidence in them, we must render their official situations respectable, and raise them in some degree beyond temptation, by making their official allowances adequate to the support of their station in society.

With what grace can we talk of our paternal government, if we exclude the natives from every important office, and say, as we did till very lately, that in a country containing fifteen millions of inhabitants, no man but a European shall be entrusted with so much authority as to order the punishment of a single stroke of a rattan. Such an interference is to pass a sentence of degradation on a whole people, for which no benefit can ever compensate.

Exclusion of
natives from
all but the
lowest
offices,
degrading
to the native
character.

EMPLOYMENT OF NATIVES IN THE PUBLIC SERVICE.

There is no instance in the world of so humiliating a sentence having ever been passed upon any nation. The weak and mistaken humanity which is the motive of it, can never be viewed by the natives as any just excuse for the disgrace inflicted on them by being pronounced to be unworthy of trust in deciding on the petty offences of their countrymen. We profess to seek their improvement, but propose means the most adverse to success. The advocates of improvement do not seem to have perceived the great springs on which it depends: they propose to place no confidence in the natives, to give them no authority, and to exclude them from office as much as possible; but they are ardent in their zeal for enlightening them by the general diffusion of knowledge.

No conceit more wild and absurd than this was ever engendered in the darkest ages; for what is, in every age and every country, the great stimulus to the pursuit of knowledge, but the prospect of fame, or wealth, or power? or what is even the use of great attainments, if they are not to be devoted to their noblest purpose, the service of the community, by employing those who possess them, according to their respective qualifications, in the various duties of the public administration of the country? How can we expect that the Hindus will be eager in the pursuit of science, unless they have the same inducement as in other countries? If superior acquirements do not open the road to distinction, it is idle to suppose that the Hindu would lose his time in seeking them; and even if he did so, his proficiency, under the doctrine of exclusion from office, would serve no other purpose than to show him more clearly the fallen state of himself and his countrymen. He would not study what he knew would be of no ultimate benefit to himself: he would learn only those things which were in demand, and which were likely to be useful to him, namely, writing and accounts. There might be some exceptions, but they would be few. Some few natives living at the principal settlements and passing much of their time among Europeans, might, either from a real love of literature, from vanity, or some other cause, study their books; and if they made some progress, it would be greatly exaggerated, and would be hailed as the dawn of the great day of light and science about to be spread all over India. But there always has been, and always will be, a few such men among the natives, without making any change in the body of the people. Our books alone will do little or nothing: dry simple literature will never improve the character of a nation. To produce this effect, it must open the road to wealth, and honour, and public employment. Without the

Improvement of the
natives of
India hope-
less, if they
are excluded
from all
share in the
government
of their
country.

prospect of such reward, no attainments in science will ever raise the character of the people.

This is true of every nation, as well as of India. It is true of our own. Let Britain be subjugated by a foreign power to-morrow; let the people be excluded from all share in the Government, from public honours, from every office of high trust and emolument, and let them in every situation be considered as unworthy of trust, and all their knowledge and all their literature, sacred and profane, would not save them from becoming, in another generation or two, a low-minded, deceitful, and dishonest race.

Even if we could suppose that it were practicable, without the aid of a single native, to conduct the whole affairs of the country, both in the higher and in all the subordinate offices, by means of Europeans, it ought not to be done, because it would be both politically and morally wrong. The great number of public offices in which the natives are employed, is one of the strongest causes of their attachment to our government. In proportion as we exclude them from these, we lose our hold upon them, and were the exclusion entire, we should have their hatred in place of their attachment: this feeling would be communicated to the whole population and to the native troops, and would excite a spirit of discontent too powerful for us to subdue or resist. But were it possible that they could submit silently and without opposition, the case would be worse; they would sink in character, they would lose, with the hope of public office and distinction, all laudable ambition, and would degenerate into an indolent and abject race, incapable of any higher pursuit than the mere gratification of their appetites. It would certainly be more desirable that we should be expelled from the country altogether, than that the result of our system of government should be such a debasement of a whole people. This is, to be sure, supposing an extreme case, because nobody has ever proposed to exclude the natives from the numerous petty offices, but only from the more important offices now filled by them. But the principle is the same, the difference is only in degree; for in proportion as we exclude them from the higher offices and a share in the management of public affairs, we lessen their interest in the concerns of the community and degrade their character.

If we make a summary comparison of the advantages and disadvantages which have occurred to the natives from our government, the result, I fear, will hardly be so much in its favour as it

ought to have been. They are more secure from the calamities both of foreign war and internal commotions; their persons and property are more secure from violence; they cannot be wantonly punished, or their property seized, by persons in power, and their taxation is on the whole lighter. But, on the other hand, they have no share in making laws for themselves, little in administering them, except in very subordinate offices; they can rise to no high station, civil or military; they are everywhere regarded as an inferior race, and often rather as vassals or servants than as the ancient owners and masters of the country.

It is not enough that we confer on the natives the benefits of just laws and of moderate taxation, unless we endeavour to raise their character; but under a foreign government there are so many causes which tend to depress it, that it is not easy to prevent it from sinking. It is an old observation, that he who loses his liberty, loses half his virtue. This is true of nations as well as of individuals. To have no property, scarcely degrades more in one case, than in the other to have property at the disposal of a foreign government in which we have no share. The enslaved nation loses the privileges of a nation, as the slave does those of a free man: it loses the privilege of taxing itself, of making its own laws, of having any share in their administration or in the general government of the country. British India has none of these privileges: it has not even that of being ruled by a despot of its own; for to a nation which has lost its liberty, it is still a privilege to have its countryman and not a foreigner as its ruler. Nations always take a part with their government, whether free or despotic, against foreigners. Against an invasion of foreigners the national character is always engaged, and in such a cause the people often contend as strenuously in the defence of a despotic, as of a free government. It is not the arbitrary power of a national sovereign, but subjugation to a foreign one, that destroys national character and extinguishes national spirit. When a people cease to have a national character to maintain, they lose the mainspring of what ever is laudable both in public and in private life, and the private sinks with the public character.

Though under such obstacles the improvement of character must necessarily be slow and difficult, and can never be carried to that height which might be possible among an independent people, yet we ought not to be discouraged by any difficulty from endeavouring, by every means in our power, to raise it as far as may be

India not unaccompanied by disadvantages.

Foreign government must depress the national character.

Notwithstanding, we should endeavour to raise it.

The result would be the same as regards the English in similar circumstances.

The attempt to carry on the administration by means of European agency alone, both politically and morally wrong.

The advantages of our government to the natives of

MINUTES OF SIR THOMAS MUNRO.

practicable in the existing relative situation of this country to Britain.

Advantages which the natives of India enjoyed under native governments.

One of the greatest disadvantages of our government in India is its tendency to lower or destroy the higher ranks of society, to bring them all too much to one level, and, by depriving them of their former weight and influence, to render them less useful instruments in the internal administration of the country. The native government had a class of richer gentry, composed of jágirdárs and inámdárs, and all the higher civil and military officers. These, with the principal merchants and ryots, formed a large body, wealthy, or at least easy in their circumstances. The jágirs and ináms of one prince were often resumed by another, and the civil and military officers were liable to frequent removal; but as they were replaced by others, and as new jágirs and ináms were granted to new claimants, these changes had the effect of continually throwing into the country a supply of men whose wealth enabled them to encourage its cultivation and manufactures. These advantages have almost entirely ceased under our government. All the civil and military offices of any importance are held by Europeans, whose savings go to their own country; and the jágirs and ináms which are resumed, or which lapse to Government, are replaced only in a very small degree. We cannot raise the native civil and military officers to their former standard and also maintain our European establishment, but we can grant jágirs to meritorious native servants more frequently than has been our custom; and we can do what is much more important to the country, we can place the whole body of the ryots on a better footing with regard to assessment than they ever have been before, and we can do this without any permanent sacrifice of revenue, because their labour is productive, and will in time repay the remission of rent by increased cultivation. The custom of all the sons inheriting equal shares of the father's property was, among all Hindus, a great obstacle to the accumulation of wealth; and among the ryots the high rate of assessment was an additional obstacle. Few ryots could ever, even in the course of a long life, acquire much property from the produce of their lands; but many of their leading men or heads of villages had, under the native governments, other ways of acquiring it. They leagued with the revenue servants in underrating the produce and the collections, and as they were necessary to them in this work, they received a share of the embezzlement.

EMPLOYMENT OF NATIVES IN THE PUBLIC SERVICE.

Whenever the government dues were paid in kind, the facilities for fraud were greatest, and the principal ryots have therefore, on this account, usually opposed every attempt to convert a rent in kind into a money assessment.

This source of wealth still, no doubt, remains, but in a very small degree in comparison with what it was under the native governments. We are more exact and rigid in enforcing our demands, and it is therefore the more incumbent on us to see that our assessment is so moderate as to be easily collected, and to enable the people to thrive under it. We have of late years done something to raise the condition of the natives by the appointment of the higher judicial and revenue officers, and of the munsifs or district judges, who have an original jurisdiction to the amount of five hundred rupees. We may do much to raise it still more by gradually admitting the natives into more important offices, both in the Revenue and Judicial Departments, and excluding them from none in which they can be employed consistently with the due preservation of European control.

Natives should be excluded from offices in which they can be employed consistently with the preservation of European control.

There is one great question to which we should look in all our arrangements: What is to be their final result on the character of the people? Is it to be raised, or is it to be lowered? Are we to be satisfied with merely securing our power and protecting the inhabitants, leaving them to sink gradually in character lower than at present; or are we to endeavour to raise their character, and to render them worthy of filling higher situations in the management of their country, and of devising plans for its improvement? It ought undoubtedly to be our aim to raise the minds of the natives, and to take care that whenever our connection with India might cease, it did not appear that the only fruit of our dominion there, had been to leave the people more abject and less able to govern themselves than when we found them. Many different plans may be suggested for the improvement of their character, but none of them can be successful, unless it be first laid down as a main principle of our policy, that the improvement must be made. This principle once established, we must trust to time and perseverance for realizing the object of it. We have had too little experience, and are too little acquainted with the natives, to be able to determine without trial what means would be most likely to facilitate their improvement. Various measures might be suggested, which might all probably be more or less useful; but no one appears to me so well calculated to insure success as that of endeavouring to give them a higher opinion of themselves, by placing more con-

We should carefully consider the probable result of our measures upon the character of the people.

fidence in them, by employing them in important situations, and perhaps by rendering them eligible to almost every office under Government. It is not necessary at present to define the exact limit to which their eligibility should be carried, but there seems to be no reason why they should be excluded from any office for which they were qualified, without danger to the preservation of our own ascendancy.

We should not be discouraged by difficulties or by the slow progress of our reforms.

Liberal treatment has always been found the most effectual way of elevating the character of many people, and we may be sure that it will produce a similar effect on that of the people of India. The change will no doubt be slow; but that is the very reason why no time should be lost in commencing the work. We should not be discouraged by difficulties; nor, because little progress may be made in our own time, abandon the enterprise as hopeless, and charge upon the obstinacy and bigotry of the natives the failure which has been occasioned solely by our own fickleness, in not pursuing steadily the only line of conduct on which any hope of success could be reasonably founded. We should make the same allowances for the Hindus as for other nations, and consider how slow the progress of improvement has been among the nations of Europe, and through what a long course of barbarous ages they had to pass before they attained their present state. When we compare other countries with England, we usually speak of England as she is now—we scarcely ever think of going back beyond the Reformation; and we are apt to regard every foreign country as ignorant and uncivilized, whose state of government does not in some degree approximate to our own, even though it should be higher than our own was at no very distant period.

We should not regard India as a temporary possession.

We should look upon India, not as a temporary possession, but as one which is to be maintained permanently, until the natives shall in some future age have abandoned most of their superstitions and prejudices, and become sufficiently enlightened to frame a regular government for themselves, and to conduct and preserve it. Whenever such a time shall arrive, it will probably be best for both countries that the British control over India should be gradually withdrawn. That the desirable change here contemplated may in some after age be effected in India, there is no cause to despair. Such a change was at one time in Britain itself at least as hopeless as it is here. When we reflect how much the character of nations has always been influenced by that of governments, and that some, once the most cultivated, have sunk into barbarism, while others, formerly the rudest, have attained the highest point

EMPLOYMENT OF NATIVES IN THE PUBLIC SERVICE.

of civilisation, we shall see no reason to doubt that if we pursue steadily the proper measures, we shall in time so far improve the character of our Indian subjects as to enable them to govern and protect themselves.

Those who speak of the natives as men utterly unworthy of trust, who are not influenced by ambition or by the hope of honourable distinction, and who have no other passion than that of gain, describe a race of men that nowhere exists, and which, if it did exist, would scarcely deserve to be protected. But if we are sincere in our wishes to protect and render them justice, we ought to believe that they deserve it. We cannot easily bring ourselves to take much interest in what we despise and regard as unworthy. The higher the opinion we have of the natives, the more likely we shall be to govern them well, because we shall then think them worthy of our attention. I therefore consider it as a point of the utmost importance to our national character and the future good government of the country, that all our young servants who are destined to have a share in it, should be early impressed with favourable sentiments of the natives.

We should not regard the natives of India as men utterly unworthy of trust and destitute of ambition.

THE EDUCATION OF THE NATIVES OF INDIA.

2nd July, 1822.

Expediency of obtaining information regarding the state of education in the country.

MUCH has been written, both in England and in this country, about the ignorance of the people of India and the means of disseminating knowledge among them. But the opinions upon this subject are the mere conjectures of individuals, unsupported by any authentic documents, and differing so widely from each other as to be entitled to very little attention. Our power in this country, and the nature of its own municipal institutions, have certainly rendered it practicable to collect materials from which a judgment might be formed of the state of the mental cultivation of the people. We have made geographical and agricultural surveys of our provinces. We have investigated their resources and endeavoured to ascertain their population; but little or nothing has been done to learn the state of education. We have no record to show the actual state of education throughout the country. Partial inquiries have been made by individuals, but those have taken place at distant periods and on a small scale, and no inference can be drawn from them with regard to the country in general. Some districts will not, but others probably will, furnish such a record; and if we get it only from two or three, it will answer in some degree for all the rest. It cannot be expected to be very accurate, but it will at least enable us to form an estimate of the state of instruction among the people. The only record which can furnish the information required, is a list of schools in which reading and writing are taught in each district, showing the number of scholars in each and the caste to which they belong. The Collectors should be directed to prepare this document according to the form which accompanies this paper. They should be desired to state the names of the books generally read at the schools, the time which scholars usually continue at such schools, the monthly or yearly charge to the scholars, and whether any of the schools are endowed by the public, and if so, the nature and amount of the fund. When there are colleges or other institutions for teaching theology, law, astronomy, etc., an

Nature of the information to be called for.

THE EDUCATION OF THE NATIVES OF INDIA.

account should be given of them. These sciences are usually taught privately, without fee or reward, by individuals to a few scholars or disciples, but there are also some instances in which the native governments have granted allowances in money and land for the maintenance of the teachers.

In some districts reading and writing are confined almost entirely to Brahmans and the mercantile class. In some they extend to other classes, and are pretty general among the potails of villages and principal ryots. To the women of Brahmans and Hindus in general they are unknown, because the knowledge of them is prohibited, and regarded as unbecoming of the modesty of the sex and fit only for public dancers. But among the women of the Rajbahad and some other tribes of Hindus, who seem to have no prejudice of this kind, they are generally taught.

The prohibition against women learning to read, is probably, from various causes, much less attended to in some districts than in others; and as it is possible that in every district a few females may be found in the reading schools, a column has been entered for them in the form proposed to be sent to the Collector. The mixed and impure castes seldom learn to read, but as a few of them do, columns are left for them in the form.

It is not my intention to recommend any interference whatever in the native schools. Everything of this kind ought to be carefully avoided, and the people should be left to manage their schools in their own way. All that we ought to do, is to facilitate the operations of these schools by restoring any funds that may have been diverted from them, and perhaps granting additional ones where it may appear advisable. But on this point we shall be better able to judge when we receive the information now proposed to be called for.

State of education varies in different districts.

Especially the state of female education.

We should confine ourselves to aiding the schools by grants of money.

Statement of the Number of Native Schools and Colleges in each Collectorate, and of the Number of Scholars.

NAME OF COLLECTORATE.	SCHOOLS AND COLLEGES.	BRAHMAN SCHOLARS.		VAIYA SCHOLARS.		SUDRA SCHOLARS.		ALL OTHER CASTES.		GRAND TOTAL, NOS. 4 TO 15 INCLUSIVE.		MUSULMAN SCHOLARS.		TOTAL HINDUS AND MUSULMAN.		TOTAL POPULATION.										
		Number	Male	Female	Total	Male	Female	Total	Male	Female	Total	Male	Female	Total	Male	Female	Total									
1	N. Arcot { Schools 100 Colleges None.	3	4	5	6	7	8	9	10	11	12	13	14	15	16	17	18	19	20	21	22	23	24	25	26	27
	S. Arcot { Schools Colleges																									
	Enter the other Collectorates as above.)																									

[Where no previous census has been made, the estimated population to be inserted.]

THOMAS MUNRO.

error in this number; and though the number privately taught in the provinces does certainly not approach this rate, it is no doubt considerable, because the practice of boys being taught at home by their relations or private teachers is not unfrequent in any part of this country. The proportion educated is very different in different classes. In some it is nearly the whole; in others it is hardly one-tenth.

State of education, though low, higher than it was in most parts of Europe at no distant period. Main causes of the low state of education.

The state of education here exhibited, low as it is compared with that of our own country, is higher than it was in most European countries at no very distant period. It has, no doubt, been better in earlier times; but for the last century it does not appear to have undergone any other change than what arose from the number of schools diminishing in one place and increasing in another, in consequence of the shifting of the population from war and other causes. The great number of schools has been supposed to contribute to the keeping education in the low state, because it does not give a sufficient number of scholars to secure the services of able teachers. The monthly rate paid by each scholar is from four to six or eight annas. Teachers in general do not earn more than six or seven rupees monthly, which is not an allowance sufficient to induce men properly qualified to follow the profession. It may also be said that the general ignorance of the teachers themselves is one cause why none of them draw together a large body of scholars. But the main causes of the low state of education are the little encouragement which it receives from there being but little demand for it and the poverty of the people.

Need of a body of well-instructed teachers.

These difficulties may be gradually surmounted. The hindrance which is given to education by the poverty of the people may in a great degree be removed by the endowment of schools throughout the country by Government, and the want of encouragement will be remedied by good education being rendered more easy and general, and by the preference which will naturally be given to well-educated men in all public offices. No progress, however, can be made without a body of better instructed teachers than we have at present. But such a body cannot be had without an income sufficient to afford a comfortable livelihood to each individual belonging to it. A moderate allowance should therefore be secured to them by Government, sufficient to place them above want: the rest should be derived from their own industry. If they are superior both in knowledge and diligence to the common village schoolmasters, scholars will flock to them and augment their income.

THE EDUCATION OF THE NATIVES OF INDIA.

What is first wanted, therefore, is a school for educating teachers, as proposed by the committee of the Madras School Book Society in the letter of the 25th October, 1834, which accompanied their second report. I think that they should be authorized to draw Rs. 700 monthly from the treasury for the purposes which they have stated, viz. for the payment or interest of money employed in building and the salaries of teachers 500, and for the expenses of the press 200.

Proposed school for training teachers at Madras.

I would next propose that Government should establish in each Collectorate two principal schools, one for Hindus and the other for Mahomedans, and that hereafter, as teachers can be found, the Hindu schools might be augmented so as to give one to each tahsil-dári, or about fifteen to each Collectorate. We ought to extend to our Mahomedan the same advantages of education as to our Hindu subjects, and perhaps even in a greater degree, because a greater proportion of them belonged to the middle and higher classes. But as their number is not more than one-twentieth of that of the Hindus, it will not be necessary to give more than one Mahomedan school to each Collectorate, except in Arcot and a few other Collectorates, where the Mahomedan population is considerably above the usual standard.

Estimated cost of the measure.

We have twenty Collectorates. The number of tahsildáris is liable to change, but it will be sufficient for the present purpose to estimate them at fifteen on an average to each Collectorate, or three hundred in all. This would, according to the plan proposed, give about forty Collectorate and three hundred tahsildári schools. The monthly salaries of the teachers of the Collectorate schools might on an average be fifteen rupees to each, and those of the tahsildári nine rupees to each. These allowances may appear small; but the tahsildári schoolmaster, who receives nine rupees monthly from Government, will get at least as much more from his scholars, and, considering all circumstances, his situation will probably be better than that of a parish schoolmaster in Scotland.

The total expense of the schools will be as follows:—

Madras School Book Society per month	...	Rs. 700
Collectorate schools, Mahomedan	... 20 at 15 "	300
Ditto Hindu	... 20 at 15 "	300
Tahsildári schools	... 300 at 9 "	2,700
	Per month	4,000
	Per annum	48,000

The expense will be gradual and inconsiderable, and will be amply repaid by the improvement in the condition of the people.

This expense will be incurred only by degrees, because it will be long before a sufficient number of qualified teachers can be obtained. The charges for the Madras School Book Society, and the Collector-ate schools, are all that will probably be wanted before the sanction of the Honourable Court can be received. The sum for which we ought to request their sanction, ought not to be less than half a lakh of rupees. None of the endowments in the Collectors' reports are applicable to the present object. They do not exceed Rs. 20,000 in all, and only a small portion of them are public grants, and this small portion belongs chiefly to teachers of theology, law, and astronomy. Whatever expense Government may incur in the education of the people, will be amply repaid by the improvement of the country; for the general diffusion of knowledge is inseparably followed by more orderly habits, by increasing industry, by a taste for the comforts of life, by exertion to acquire them, and by the growing prosperity of the people.

A committee of public instruction should be appointed.

It will be advisable to appoint a committee of public instruction in order to superintend the establishing of the public schools, to fix on the places most proper for them, and the books to be used in them; to ascertain in what manner the instruction of the natives may be best promoted, and to report to Government the result of their inquiries on this important subject.

Rapid results not to be expected.

We must not be too sanguine in expecting any sudden benefit from the labours of the School Book Society. Their disposition to promote the instruction of the people by educating teachers, will not extend it to more individuals than now attend the schools. It can be extended only by means of an increased demand for it, and this must arise chiefly from its being found to facilitate the acquisition of wealth or rank, and from the improvement in the condition of the people rendering a larger portion of them more able to pay for it. But though they cannot educate those who do not seek or cannot pay for education, they can, by an improved system, give a better education to those who do receive it, and by creating and encouraging a taste for knowledge, they will indirectly contribute to extend it. If we resolve to educate the people, if we persevere in our design, and if we do not limit the schools to tahsildaris, but increase their number so as to allow them for smaller districts, I am confident that success will ultimately attend our endeavours. But at the same time I entirely concur in the opinion expressed in the Fifth Report of the Calcutta School Book Society, when speaking of the progress of the system, that 'its operations must, therefore, of necessity be slow; years must elapse before the rising generation will exhibit any visible improvement.'

PROPER MODE OF DEALING WITH CHARGES AGAINST NATIVE OFFICIALS.

30th May, 1836.

THE Board of Revenue, in their proceedings regarding the suspension of the head serishtadár, Jivan Ráo, by the Collector of Tinnevely, have entered so fully into every part of the subject, as well with respect to the conduct of the Collector as to the nature of the evidence and the extent to which the charges had been proved, as to render it scarcely necessary for the Board to do more than to approve and confirm these proceedings.

The case of a native official suspended by a Collector for misconduct.

One of the most remarkable circumstances attending the charges against the serishtadár, is the readiness with which the Collector seems to believe them, and the eagerness with which he seeks evidence to establish them through the means of a person not belonging to the province, and whose dealings in it ought to have rendered his information liable to the strongest suspicion, if not to total disbelief. The Board of Revenue, in speaking of this person, very justly observe that, 'if the Collector communicates freely and directly, as he ought to do, with all his servants and the people generally, no extensive frauds can long escape his detection, and the gratuitous interference of such persons as Vengu Mudali will therefore be as useless as it is dangerous.' The Collector, in replying to the Board of Revenue, justifies his availing himself of the services of Vengu Mudali by what had formerly occurred in Coimbatore, when abuses reached to the greatest height before they were brought to light by the servants of the office. The Collector is mistaken in supposing that his argument is supported by the case of Coimbatore. In that district the abuses were known to everybody but the Collector, and were not known to him, only because he did not communicate freely and directly with servants and the people generally.

Impropriety of the mode in which the Collector dealt with his charges.

The whole of the charges, four in number, are brought forward by persons under the influence of Vengu Mudali, or more properly by Vengu Mudali himself. The Collector states that he received

Unsatisfactory character of the sources from which the

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anted.

his first information of the abuses from this man. He describes him as a respectable merchant, and considers himself fortunate in meeting with a man who had the courage to expose corruption. No respectable merchant would have interfered in such matters. It is contrary to all experience to find such a man doing so, but it is quite consistent with the character of an adventurer and of an intriguing revenue contractor, to find him turning informer and instigating accusation.

General
remarks for
submitting
the truth
of the
charges.

Besides the suspicious nature of the evidence, there are general grounds for doubting the truth of the charges. No sufficient motive is shown for the parties giving, or the serishtadár's receiving the bribes. The two tahsildárs gain nothing by paying the serishtadár; their situation becomes worse and worse, and at last they are dismissed without his ever taking a single step to save them, which it might have been expected he would have done where his own safety was so much connected with theirs. Had he been corrupt, he would not have ventured to have taken from such people. Had he taken money from others, there would have been numerous charges against him from all quarters after his confinement and suspension. No such charges having been made is a circumstance strongly in favour of his general integrity.

The Collec-
tor should
have
scrutinised
the charges
carefully
before insti-
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public pro-
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upon them.

The Collector appears to have taken a wrong view of the question from the beginning, and to have considered it as one between the serishtadár and the tahsildárs by whom he was accused, instead of one, as it really was, between himself and the serishtadár. As far as it merely regarded the giver and taker of bribes, it was but of trivial importance; but as it regarded the principal European and Native revenue officers in the district, it was of the utmost consequence. The Collector was himself, in fact, both the accuser and the judge, and the person most interested in the issue of the inquiry, because on it was to depend whether or not he was to lose the benefit of the assistance of so experienced a servant as the serishtadár. He ought, therefore, to have been very cautious in believing the charges, and to have satisfied himself by the most minute scrutiny that they were well founded, before he instituted any public proceeding upon them. Nothing of this kind, as far as can be gathered from the reports before us, appears to have been done; but, on the contrary, the inquiry seems to have been hurried on, as if it had been desirable that the serishtadár should be found unworthy of his station. The charges are supported by depositions, some of which are little more than answers to leading ques-

CHARGES AGAINST NATIVE OFFICIALS.

There is no cross-questioning. There is even, in some cases, where several persons were employed between the parties, no examination of them as witnesses. In these cases the Collector might easily, by carefully examining and questioning the witnesses separately, have ascertained whether the charge was true or false, and he ought to have done this privately before he took any open step against the serishtadár; because, after exposing him to a public trial, even if the charges were proved to be totally groundless, he could never repair the injury, which, not only the character of the serishtadár, but of his own administration, would have suffered. The Collector says that the serishtadár was at liberty to have cross-questioned the witnesses, but that he never sought to do so. This, however, was not sufficient. The Collector was not trying, as a judge, a case between plaintiff and defendant, but was examining whether his principal native servant was a proper person to continue to hold that office, and he ought therefore to have taken the most likely means of establishing this point by cross-questioning himself the witnesses against the serishtadár, as well as those in his favour.

The removal of the serishtadár from his house, and the separating him from his family, were acts of great harshness and altogether unnecessary. He might with perfect safety have been allowed to remain undisturbed: greater extremities could hardly have been requisite had he been engaged in a conspiracy against the peace of the country. The imposition of such an enormous fine as 4000 rupees would have been an oppressive measure, even if the charges had been proved in the clearest manner; but it becomes infinitely more so when we see on how little foundation they rest. The Regulation no doubt authorizes the levying double the amount of the money corruptly received from the public servant who receives it, but a Regulation cannot in every case be carried to its extreme length without the greatest injustice. In the present instance, had we been perfectly satisfied of the serishtadár's guilt, I should have thought dismissal from office, either without a fine, or with a very trifling one, a sufficient punishment. But as I see no proof of any one of the charges, I concur in the opinion of the Board of Revenue that the amount levied from Jivan Rao should be repaid to him with interest. It were to be wished that he could at the same time be restored to his office, but after what has passed there is too much reason to apprehend that the Collector and he would never act cordially together, and that the public interests

March 1
next of
account
official.

would in consequence suffer materially. The Board of Revenue might, however, be requested to give this subject their consideration.

Nothing is more extraordinary in the Collector's proceedings than his never appearing to doubt any of the charges, and he gives up the third, only because an *alibi* is proved. He seems to have considered himself as surrounded by a combination formed by the influence of the *serishtadár* to prevent his receiving true information regarding the affairs in his district. Vigilance is an excellent quality in a Collector, but none is worse than habitual suspicion, because it destroys all confidence between him and those who act under him, and obliges him to trust to designing strangers. The influence of Vengu Mudali is strongly shown by the Collector's own letter, where he states that Vengu Mudali requested him to continue the *tabildár*, Rámaya, in office, and that he employed Vengu Mudali's peons to watch the *serishtadár*, because he could not trust his own.

APPENDIX A.

DECLARATION IN THE NAME OF THE AGRICULTURISTS, MERCHANTS, AND OTHER INHABITANTS OF THE DISTRICT OF TRIPATUR.*

10th December, 1798.

RULE 1.—Objects of the survey.

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

RULE 2.—General divisions of lands.

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

RULE 3.—Of lands permanently rated.

The '*pathra-nellam*' being measured and valued, the assessment of every individual field in it, when at the full rate, is fixed for ever; that is to say, the Government is never to require more, or receive less, nor you to pay less or more, than the present rate, unless when these fields actually 'dry' shall hereafter be converted into 'wet' by the constructing of tanks, cutting of canals, or other means that may hereafter be undertaken at your desire or with your consent, but at the expense of the Government, when the rates will be proportionably raised, according to the consequent increase of the produce, and in like manner fixed for ever. But if you carry on such works at your own expense; plant tops of palm-trees, *coconut*, *betel*, *sugar-cane*, or any lime, or plantain trees; gardens of *betel*, *coconut*, *betel*, *sugar-cane*, or any other such productions, on which a high rent has been formerly exacted, you may depend on receiving the advantages accruing from them, and from every other improvement of your lands, while you continue to pay the established rates; those constituting, except in the case above mentioned, the annual demand upon them, on the part of the *Sirkár*, for ever. Upon these points, you may rent out lands, which you may raise in value by tillage and manure, at rates greatly exceeding the *Sirkár* rates, if there be a demand for them, while you will continue to pay the fixed rates to the *Sirkár* for ever.

RULE 4.—Of lands changeably rated.

The '*nagadi-nellam*' being measured by meadows or tracts, divided at certain

* These are the Regulations referred to in the second note on page 8.

places only into fields, and no rent put on it, because cultivation alone gives it value, it will be divided off into fields as demanded, when the rates of it will be determined according to its actual state and the corresponding proportions of the average rates of the village to which it may belong. The assessment of the nagadi of villages in which there is little or no cultivation will be regulated by the average rates of the three nearest villages. The nagadi-nellam is generally divided on account of the variable properties acquired by cultivation, exclusive of its inherent qualities, into fallow and waste; and the former into seven descriptions, corresponding with the number of years it may have been unoccupied at the time of valuation.

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

RULE 5.—Of taxes included in the land revenue.

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

RULE 6.—Rates to be exacted of the cultivating classes.

The above rates of assessment being generally equal to one-third of the 'punji' or dry, and two-fifths of the 'nanji' or wet crops, in money, and these being the portions of the produce which the ryots who divided the crops have always paid to the Government or Sirkar, their immediate lessors, they are on that account to be required of all ryots who are inhabitants of the Company's districts. As many ryots may desire to cultivate unoccupied lands after the season for sowing the principal crops usually grown in every description of the soil, from which it derives the greatest share of its value, is past, and when there is only time left to sow the inferior kinds of grain in each, only

APPENDIX A:

twelve-sixteenths of the ordinary assessment of the dry, and eleven-sixteenths of the wet land, will be required for fields that may be rented after the 10th October to the end of the year.

RULE 7.—Rates to be exacted where the land is held by castes that do not cultivate themselves.

As there are castes who farm, and, being under the necessity of employing the ryots whose occupation is agriculture, to cultivate their lands, cannot afford the ordinary rates, four-fifths only of the ground-rent shall be required of them. This indulgence will be exclusively extended to all Brahmans, whose caste does not admit of their holding the plough, and to all persons who can prove their having served the Company as sepoy twenty years; because they are unaccustomed to labour. It will likewise be granted to such other persons as the Collector may think entitled to it from their condition, and may have stock to employ in farming. But lands so disposed of, are only to continue on such favourable terms while the original grantees may occupy them, and to be resumed by the Government whenever they part with them, that they may be included again with other lands that pay the full assessment. As these individuals thus favourably treated may be bribed to defraud the Sirkar by procuring lands in their name for others, whoever shall be convicted of doing so, they and their accomplices, shall be fined a year's rent of the lands so obtained, and banished the district.

RULE 8.—Rates to be exacted of refugees.

As encouragement for refugees from the Carnatic or Balaghat to settle in the Company's territory, only half the ordinary assessment will be required of them for three years, or such other period for which lands may be granted them. The increase of population inducing this measure, ten acres of the 'dry,' and two and a half of the 'wet' land, will be given for every two ploughs or ryots; that is, half of each description for every one ryot; and in the same proportions for any number. The condition of granting lands on these terms being the grantees' residing in the Company's district, they will not be continued to any other who may purchase the lease, unless the grantees and all the ryots who immigrated with him, or an equal number, and proved to be his followers, remain in the ceded district. As a further inducement for aliens to come and live under the Company's government, the principal of every party that comes shall have the headmanship of any village he may prefer, provided the number of ploughs he may bring with him be equal to a quarter of the ploughs actually belonging to it; that there be unoccupied lands sufficient in it for the additional number of hands; and that he be qualified for that situation. If incompetent, or he should not desire it, any other person of the number, for whom the party may declare a preference, shall be appointed. As strangers from other districts belonging to the Company may pretend to have immigrated from the Carnatic or Balaghat, in order to procure lands so much underrated, whoever shall be found guilty of such fraud, or connive at it, shall be fined a year's rent of the lands so obtained, and punished besides with the utmost severity.

RULE 9.—Rates to be exacted of mulberry, etc., planters.

The Company being desirous to introduce the manufacture of silk and other valuable productions, only one-sixteenth of the ordinary rates of assessment will be required for lands growing the mulberry, the Mauritius cotton, the opuntia, black pepper, coffee, cinnamon, cardamum, sandal, or other exotic plants, for the first seven years; and after that, only half of those rates.

RULE 20.—The performance of future engagements indispensable.

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

RULE 21.—Ryots to be individually answerable for the rents of their own holdings.

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

RULE 22.—Ryots to be jointly answerable for the amount of the total assessment on the village.**RULE 23.—Mode by which ryots must indemnify themselves for advances thus made on account of defaulters.****RULE 24.—All the ryots' contracts to be committed to writing.****RULE 25.—Between ryots in partnership.****RULE 26.—Between ryots and their under-tenants.****RULE 27.—Between masters and their servants.****RULE 28.—Such written engagements the only legal claim upon the persons or property of the cultivators.****RULE 29.—Of contracts for tank repairs.**

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

LETTER FROM COLONEL READ TO THE ASSISTANT COLLECTORS, BARAMAHAL AND SALEM.

Gentlemen,

I have been delayed in writing you concerning the Board's letter of the 30th ultimo by the same cause that prevented my doing it at the time copies were sent you.

It is between two or three years since I began to perceive, by the constant fluctuation in agriculture and annual demand for remissions, the effects of

the survey and our settlements in lease, and, as appears by my correspondence with you on matters intimately connected with them, they have uniformly been the subjects of my attention and inquiry.

Having stated, now a twelvemonth ago, the necessity of our declaring, upon our finishing the survey, by what means the objects of our appointment, a permanent revenue to Government and the fruits of industry to the ryots, might be secured under a settlement in lease, and recommended those matters to your serious consideration, I have no doubt of your being able, by this time, to comply with the request I then made, which was to be soon favoured with your sentiments upon them.

My communications on the present settlements and mode of management have heretofore been confined to the business of realizing them with the least inconvenience to the ryots, or, more emphatically and truly, without severity and (in some cases) without injustice. They have been confined, in short, and to the functions of a mutasiddi, or mere Collector. But now that we are called upon for our sentiments on the effects and permanency of our present assessments, I feel desirous of extending your views beyond the narrow limits of Indian policy which too evidently pervades our system, to one more liberal and conducive to the general prosperity. I therefore request that you take this opportunity of bringing forward any measure or plan of reform you may have in meditation, as we may suppose the affairs of these districts will shortly be taken into consideration and a final arrangement for them determined on.

In this, I only request you to follow the example I have so often set you, and hoped ere this to have repeated, by circulating a form in which I intended to state every question that has occurred to me respecting the land rent, with proposed annotations for subjects of general discussion, in order to procure your sentiments on each, a free communication of knowledge and experience being the most approved method of ascertaining facts and devising the best rules of policy. Anxious to finish investigations I have still on hand, in time for adopting certain measures in our settlements the current year, and not expecting to be pressed for our reports upon the lease, I have been induced to defer the drawing up the propositions I have mentioned, and my state of health does not enable me to go sufficiently into a subject that requires so much consideration.

Under these circumstances I only request now, in the words of the Board, that, so far as relates to the obtaining system, 'you afford any explanations that may occur to you as necessary, relative to the state of your respective charge, and the effects that have been therein produced by the present assessment, together with your sentiments on the ultimate and more important objects in view, the permanent settlement of the district,' with a reference to—

1. The poverty of the inhabitants in general.
2. Frequency of their removals.
3. Fluctuation of stock.
4. Precariousness of the crops.
5. Fluctuation in the price of grain.
6. Present high rental, which generally affords no other reward to the cultivator than the wages of labour.
7. Consequent cheapness of the land.
8. Smallness of farms in general.
9. Constancy of change in the number and extent of farms from the necessity

of augmenting and reducing them every year, in proportion to the number of hands, the stock, the health and strength of the cultivators, and from the frequency of their throwing up the farms.

10. Constraining all the ryots, without exception, to rent their farms a number of years, whether agreeable or not to their inclinations or interest, which is indispensable to settle a whole district in lease.

11. Constraining them after that, however reduced in their circumstances, to perform such forced engagements to make the settlement permanent.

12. Necessity of remissions, even under annual settlements, when their farms are proportioned to their circumstances at the beginning of the year, and which must be greater under lease settlements, because the same rent being demanded after any reduction of their stock, their inability must accumulate with the term of the lease.

13. Want of landed security, because, the land not yielding in general any profits of stock under the present assessment, it is worth nothing, unless to the cultivator, who can only earn his bread by his labour.

14. The consequent necessity of making securities pay up the rents of defuncts and absentees, which is hard, or of obliging the ryots of villages to pay them, which is unjust.

15. Removal of head farmers and increase of small ones, consequences of reducing the profits of farming by the increase of the rental, or exacting the whole of the ground rent, which is properly the farmer's, in place of a portion of it, for Government.

16. The necessity that involves of Government (that is, its officers) conducting the affairs of husbandry by prescribed and fixed rules, which, not applying to all times and circumstances, are detrimental to agriculture.

17. The loss which will be felt by the petty farmers or labouring poor, in times of scarcity, from the want of the head farmers, who used to supply them with grain, and doubtless preserved many of them, when, if without such aid, they would have perished, the not having which now at hand must be detrimental to population.

18. Increase of the public revenue, which is a lakh more than Tippee's village rental in 1788-89, when it was higher than it had ever been before, and probably is double what was ever brought into the public treasury—an increase which must be a proportional deduction of private income, and not only a consequent reduction of the capital formerly employed in agriculture, but equally a loss to trade and manufactures.

19. Consequent extension of Government's interest in agriculture, which gives it a greater property in the produce than any other government has been known to have, which involves its concerns with those of every individual, because there is not, generally speaking, any intermediate class of the inhabitants between it and the cultivators, which creates the difficulty of recovering lawful debts, and the settling other disputes, without interference with it, and annoyance to the Collector, so that such an immersion of the public into private affairs is detrimental to the administration of justice.

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

21. Inefficacy of delegated authority, from the want of moderation, seal, or ability, and oftener from the abuse of it, which indicates that the conduct of agriculture should be left to the husbandmen, who can yield to all times and circumstances; the administration of justice to persons who are not concerned

in their awards; and that the functions of revenue officers should be limited to their own province, the only means of which appears to be the reduction of the present rental, as that alone can give value to land, and make way for that middle order of men which is found in all civilized societies.

These, or their opposites, are the points by which, it appears to me, the nature and effects of our present assessment, and of the settlements in lease, must be determined, on which account I wish reference to be made to them in your reports. I must specially observe that, in doing so, some of them must be considered as only applying to the state of the country in general, and that it is left for you to determine the application of them to particular districts. They appear to me so connected with, and important to, the objects in view on which your sentiments are desired, that I wish them to be severally made the subject of particular consideration, and in the succession they are placed, for the convenience of adding my remarks, which the Board will expect, and I shall have great pleasure in giving; for it is my anxious wish to satisfy all doubts relative to the survey,* to remove all objection to our assessment, and to have a mode of settlement established in these districts, by superior authority, before I resign my charge.

Though I have signified a desire that you adopt the above, as a form, for the explanations required, I do not propose that your discussions shall be confined to the matter it contains, but hope that you will furnish much additional information on the grand objects of inquiry, and throw new lights upon them, for none admit of a greater range, and perhaps they never have been treated by persons possessing your minute and local knowledge, experience, and ability. I wish, however, if you go far into the subject, that you begin as low as you can, and that you ascend in analytical progression, because revenue and all things on which it depends connect, making a whole, and positions are earliest admitted when their natural connection is observed and they are founded on facts previously established.

I request that statements of your settlements for the term of the lease may be transmitted with your reports, in the accompanying form; for though annual statements have been made of some districts since they were surveyed, and it be doubtful that the settlements of others in lease will be continued so for the term proposed, it is necessary to lay a general statement of them before the Board, as showing completely the progress of the survey, the rise of the settlements in every district to their height, and the intended periods of their lease.

You will, of course, attend to the request of the Board that it may have our reports soon, and I have only to add, as one from myself, that you send me in by that time, some of your village registers of the survey, which will supply me with what is required for the district registers, and general statements, all of which we may be assured will afford the Board peculiar satisfaction.^e

I am, etc.,

(Signed) ALEXANDER READ,
Superintendent Collector.

TRIPATUR, 25th July, 1797.

* Read's capacity as an administrator must not be judged of by his style of writing. The high estimate in which he was held, not only by Munro, but by Lord Cornwallis and Lord Wellesley, is sufficient evidence that he possessed an ability which it is per-

haps difficult to discern in the awkward and involved language of the foregoing letter. The letter is inserted here, because the questions which it contains, form the subject of Munro's letter of 24th September, 1797, printed on pp. 23-31.

APPENDIX B.*

ON THE MODE OF CONDUCTING A RYOTWÁR SETTLEMENT.

To the President and Members of the Board of Revenue.

GENTLEMEN,

Para. 1. I had, some time ago, the honour to receive your letter of the 9th September last, with a copy of an extract from the Honourable Court of Directors, dated the 6th November, 1805, and of the Minutes of Government thereon, dated the 1st August, 1806; and I shall now, agreeably to the orders of the Board, give as circumstantial an explanation of the manner in which the kúlwar, or individual settlement, is made, as the subject seems to require.

2. This kind of settlement, though it appears intricate and laborious, is so greatly facilitated by a variety of causes, as to render the execution of it easy, to any person of common attention. It is the ancient and universal practice under all the native governments; and hence the Collector has no trouble of introducing a system, but has only to follow that which he finds already established.

Districts are divided into villages under the management of potails, or head farmers, who are, from long habit, perfectly capable of making the settlement of their respective villages; and the ryots, from having been long accustomed to be guided by them, readily agree to what they fix or propose, as it is usually what they themselves know to be the proper rent.

In all villages, the ryots are in the habit of meeting and debating upon the subject of rent; but there are many villages in which they settle among themselves the exact proportion of the whole rent that each individual is to pay. These are called Visapadi, or sixteenth villages, from the land and rent being divided into sixteenth shares; and they compose a considerable part of the Cuddapah province, which is about one-third of the Ceded Districts, besides being scattered, though more thinly, over other parts of the country. When the season of cultivation draws near, all the ryots of the Visapadi village assemble to regulate their several rents for the year. The pagoda is the place usually chosen for this purpose, from the idea that its sanctity will render their engagements with each other the more binding. They ascertain the amount of the agricultural stock of each individual, and of the whole body, the quantity of land, to the culture of which it is adequate; and they divide it accordingly, giving to each man the portion which he has the means of cultivating, and fixing his share of the rest; and

* The letters included in this Appendix are inserted as illustrating and elucidating the opinions more briefly

expressed in the paper printed on pp. 107—109, regarding the ryotwár system of land revenue.

whether his share be one or two sixteenths, he pays this proportion, whether the whole rent of the village be higher or lower than last year.

Every village is, in fact, a small collectorate; and where the potail does his duty, the Collector has only to confirm what he has already done. From all these circumstances, together with the aid which is derived from the tahsildárs and their outcherries, the kúlwar settlement, which on the first view might appear to be an endless task, is so much simplified, that it may be accomplished by any person of ordinary talents and exertion.

3. The chief obstacles in the way of it, arise from false accounts, from doubts concerning the rate of assessment, and from the difficulty of ascertaining the condition of the poorer ryots. There is perhaps no carum who, in any one year, ever gives a perfectly true statement of the cultivation of his village; and it is only the fear of removal or suspension that can make him give such accounts as are tolerably accurate. The proper rate of assessment is found, either by reference to the accounts of former years, or by comparison with the rent of lands of the same quality which have long been nearly stationary; and the condition of the poorer ryots is learned from the concurring testimony of their neighbours, who at the same time will not exaggerate their poverty, lest the remissions which may in consequence be granted, should fall upon themselves. A short explanation of what takes place in the kúlwar settlement of a single district or tahsildári, will equally apply to the whole number of districts forming a collectorate. I shall here speak of a district in its ordinary state of prosperity, not of one that has been reduced below it, by war or any other calamity.

4. A district paying a revenue of fifty thousand pagodas usually contains about a hundred villages, differing greatly in extent and produce; some of them not paying more than a hundred pagodas, and others as much as five thousand annual rent. Every village has within itself a complete establishment of hereditary revenue servants: a potail to direct the cultivation, realise the rent, and manage its affairs in general; a carum to keep the accounts; and a certain number of peons to act under the potail, in collecting the kists from the ryots. When the ploughing season begins, the potail ascertains what land each ryot can cultivate; he permits those who may have met with losses to relinquish a part of their land, which he distributes to others, who may be willing to take it; and to such as require none, he continues their former lands. He does not fix their rents, because this is done by the Collector when the season is so far advanced that a judgment can be formed of the crop; but he assures them that their respective rents will continue the same as last year, only making allowance for such alterations as may become unavoidable, from the total revenue of the village being somewhat raised or lowered by the collector: they are satisfied with this promise, receive written from him as a confirmation of it, and yoke their ploughs. Specific written engagements cannot be made with them at this early period of the year, because, as in annual settlements, where the produce is uncommonly abundant, remissions must be allowed, so where the produce is somewhat partial, could not increase must be taken to balance such failures; because the potail having relations and friends in the village, to whom he would be partial, could not safely be entrusted with the power of fixing rents; and because the ryots themselves will not in this year agree to pay the same rent in the ensuing one, lest they should meet with losses, which would be aggravated by a rent which they might then be unable to bear. The tahsildár goes round his district in the early part of the season. His business is chiefly to regulate culti-

vation in these villages where it is mismanaged from the incapacity of the potail, or impeded by disputes among the principal ryots, and to make advances to the poorer sort for the purchase of seed, ploughs, or cattle. He also ascertains what land each ryot has already cultivated, or engaged to cultivate during the year, which he does by assembling the ryots in their respective villages, and examining them in the presence of the potails and curnums; and accounts of the land occupied and unoccupied are taken by his outcherry, which accompanies him. He goes round again when the crops are ripening, to see their condition, and to ascertain whether the quantity of land actually cultivated is more or less than that which the ryots had engaged to take.

5. The Collector sets out on his circuit in September or October, when the early crops begin to be reaped, and the late ones to be sown. On arriving in a district he assembles all the ryots of the four or five nearest villages. The first business is, to learn how far the cultivation of the present year is more or less than that of the last. This is soon done, by the help of the tahsildars' and curnums' accounts, compared with the reports of the potails and ryots. Where there is a decrease, it is commonly owing to deaths, emigrations, or loss of cattle; where there is an increase, it is usually derived from new settlers, or additional lands being occupied by the old ones. In the case of decrease, the rent of the lands thrown up is deducted from the settlement of last year; in that of increase the rent of the land newly occupied is added; and in both cases, the rent of the remaining lands remains the same as before. The rent of the land newly occupied is determined by the accounts of what it was in former times, or if such accounts cannot be procured, by the opinions of the most intelligent ryots; but the full rent of waste land is not exacted, until it has been in cultivation from two to seven years. The number of years, and the gradational rise in each year, depend upon the nature of the land and the custom of the village. They are known to all parties; and all doubts are removed by their being detailed in a proclamation or cowle namah, under the Collector's seal, circulated to every village.

If the cultivation is the same as last year's, and no failures occur among the ryots, the rents remain unaltered. If the crops are bad, and it appears that some of the poor ryots must have a remission, the loss, or a part of it, is assessed upon the lands of the rest, where it can be done without causing any material inconvenience. This assessment never exceeds ten or twelve per cent.; and is much oftener relinquished than carried into effect. In cases where it can be easily borne, it is frequently agreed to without difficulty; and if opposition is made, it is generally soon got over by the mediation of the ryots of the neighbouring villages present. These discuss the point in question with the ryots of the objecting village; tell them that it is the custom of the country; use such other arguments as may be applicable to the subject; and never fail in persuading them to accede to the demand, unless it is really too high, in which event it is lowered. Wherever individuals or villages object to their rent, it is always the most expeditious and satisfactory way of settling the dispute, to refer it to the ryots of other villages, who do more on such occasions in half an hour, than a Collector and his outcherry in a whole day.

6. The great number of ryots assembled, and the publicity of every operation, are of great use in expediting the settlement. If failures of crops are to be remitted to needy ryots, those who claim indulgence on insufficient grounds cannot succeed, because their neighbours, who are present, object to it; for they will not allow a remission to be given in which they do not themselves partake, unless it is absolutely necessary; and in the same manner, if

rent is anywhere raised too high, the portion on whom it falls, by appealing to the judgment of the ryots of other villages, get an abatement; so that as much aid is derived from the ryots themselves, as from accounts, in making the settlement.

7. When the land is cultivation and its rent have been ascertained, the Collector gives every ryot a pattah, with his signature, in which every field he holds, and its rent for the year, are inserted. In most villages, the greatest part of the ryots hold the same field several years, so that among fifty individuals there are not, perhaps, ten whose rights require alteration. When the Collector has finished the first four or five villages, and having settled a few miles, assembles the ryots of the adjacent villages, and having settled their rents, proceeds in the same manner, until he has finished the whole district, which usually requires a month or five weeks. The Sub-Collectors, who have only four or five districts each, make the whole kúlwar settlement personally. My own division is too extensive to be annually settled in detail by one person; and I therefore leave what I cannot accomplish myself, to the district servants. I make the village settlements of every district, and of the kúlwar settlement of one district, in some years, and of one village in each district in others, and direct the rest to be done by the tahsildars. The tahsildar having one village as a model, is easily enabled to settle the rest in the same way. The rent of each village having been settled by me, he can only add to it by including lands which may have been suppressed by the curnums, and he can only lower it where some of the ryots may have met with great losses. If he lowers it without cause, the ryots who do not share in the remission, object to it and complain; or if, without altering the rent of the village, he lowers that of one ryot and raises that of another unjustly, the ryot on whom the extra rent is thrown complains. Even where the ryots neglect to bring the grievance forward immediately, they hardly ever omit to state it, when assembled for the settlement of the ensuing year; and the tahsildar, knowing that the gross negligence or partiality will be attended with the loss of his place, seldom ventures to make an unfair settlement. There are, however, cases in which he does so, either from ignorance or corrupt motives; but where the Collector is vigilant, they are not frequent. There is, indeed, no possibility of preventing them altogether; for the Collector, when he makes the settlement in person, may be deceived occasionally by the servants of his own outcherry, who may be dishonest as well as the tahsildar. The business of a Collector is not properly so much to labour through all the details of the settlement, as to make those do it who can do it best. The potails and curnums of villages are the persons most capable of making the settlement correctly; but they cannot be trusted, because they are cultivators themselves, and have always friends and enemies among the ryots. It therefore becomes necessary to employ a tahsildar, because they a native of the district, is not so liable to be influenced by partialities. As his attention, too, is confined to a single district, he will consequently know the state of its cultivation better than the Collector or his outcherry, and will be better qualified than them to make the settlements properly; and hence I have found that the settlements of tahsildars have usually been better adapted than my own to the circumstances of the ryots.

8. I have described the kúlwar settlement, as it is made in a country in its ordinary state of cultivation; but in one which has suffered from invasion or internal disturbances, and in which a part of the land formerly cultivated

is waste, and the remainder held at a rent considerably below the ancient standard, the process is more tedious and difficult, because it is requisite not only to increase or diminish the rents of such individuals as occupy or throw up land, but to raise the rent of every ryot, by raising the rent of all lands gradually to its former level, following cautiously the improving condition of the ryots. This was done throughout the Ceded Districts for some years; but they have all now, with a very few exceptions, reached their standard assessment. The same mode is followed in raising the general rent of whole villages and districts, as the particular rent of a few individuals. It is effected by the means of accounts, of the opinions of intelligent revenue servants; and, more than all, by the assistance derived from the ryots of one village in assessing those of another.

9. When a district has been surveyed, and the rent of every field permanently fixed, the kúlwar settlement becomes extremely simple; for all that is required is to ascertain what fields are occupied by each ryot, and to enter them, with the fixed rents attached to them, in his pattah: their aggregate constitutes his rent for the year. He cannot be called upon for more, but he may obtain an abatement, in case of poverty or extraordinary losses. He has the advantage of knowing in the beginning of the season, when he ploughs his land, the exact amount of what he is to pay; he knows the fixed rents of the different fields which he cultivates, and that the demand upon him cannot exceed their total amount; he knows the utmost limit of his rent, not only for the present, but for every succeeding year; for it cannot be raised unless he takes additional land, and he is thereby the better enabled to provide for the regular discharge of his kists, and against the losses of bad, by the profits of good seasons.

10. The kúlwar settlement, though it may appear tedious, when compared to the village one, is however not only better calculated to realize the revenue, but is, on the whole, a saving of time, because when it is once made, there is no further trouble; but in the village settlement there is so much room for malversation, for many disputes between the potails and ryots, about extra collections on the one hand, and the withholding of rents on the other, that more time is consumed in inquiring into those matters than in the original settlement.

11. The Honourable Court of Directors seem to be apprehensive that too much must be left in the kúlwar settlement to the agency of native servants; but it does not appear to me that such agency can be dispensed with, or that, when properly controlled, any serious evil can result from its employment. Without it, the Company's servants could do little or nothing. The most experienced Collector could hardly make the settlement of ten villages in a whole year; and, after all, it would most likely be done very indifferently. The native servants are restrained, as far as men with inadequate allowances can be restrained, by the same considerations as the public servants in other countries: by the fear of detection, of losing their situations, and of punishment. In all provinces that have been permanently settled, their agency has been used, and it had then a much wider field for abuse than in the kúlwar settlements; because such provinces having been previously settled for some years, by villages, taluks, or other large tracts, without descending lower into detail, and being then disposed of for ever, all inquiry was at an end; so that if the revenue of villages or taluks could be undervalued and concealed for a short period, till the permanent settlement took place, all danger of discovery was over; whereas, under the ryotwar system, the minute process that is

APPENDIX B.

gone through every year, renders the most trifling abuse liable every moment to detection. When the rent of every field has been fixed by survey, there is little room for abuse: it cannot be against the ryot, but may be in his favour, because it can be effected only by reporting cultivated land as waste, or by obtaining remission on false pretences of poverty; but it has already been shown that, from the public manner in which the kúlwar settlement is conducted and the contending interests of the ryots, either of those modes of injuring the revenue can never reach to any extent, or be long concealed. There can be no doubt that the kúlwar settlement is better calculated than any other to bring to view the whole resources of the country; but whether it is equally well adapted to improve them, can perhaps never be certainly known, but by a long trial of its effects in an extensive district.

I have the honor to be, Gentlemen,

Your most obedient and humble servant,

(Signed) THOS. MUNRO,
Principal Collector.

KULCENTLA, 20th Nov. 1808.

ON THE CAUSES WHICH NECESSITATE REMISSIONS OF REVENUE.

To the Collectors of the Ceded Districts.

GENTLEMEN,

Para. 1. When remissions are required, it is generally owing to some one or more of the following causes:—1st. Peculation of the amildár and other district servants; 2nd. Peculation of the potails and caruams; 3rd. Improvidence of the ryots; 4th. Bad crops and other accidents; 5th. Over-assessment.

2. The amildár's peculations arise either from the public revenue, or from a private assessment. The amildár usually wishes that rents should be low, because the lower they are, the higher he can make his private assessment, and the less probability there is of its being soon discovered; because the potail and ryots, partaking in the benefit, are averse to informing against him. While he confines himself to his private assessment, he may carry on the public collections without leaving any balance outstanding; but, whenever he appropriates any part of them to his own use, he raises a proportionate balance against the district; and the cause of it will very soon be discovered, unless the division servants are concerned with him, and the Collector is himself very indolent. If he is pressed for payment, and attempts to raise the money by an extra assessment, the transaction will certainly be brought to light by some of the inhabitants, either by complaining, or by talking so much of it that it becomes known everywhere, and is carried to the Collector's cutcherry by some person who wishes to recommend himself for employment. The amildár, sensible of the danger of an extra assessment, seldom ventures upon it, but usually prefers the safer mode of fabricating stories of loss of crops and other accidents, and of the inability of the inhabitants to discharge the balances. When such excuses are received, it ought invariably to be concluded, unless the facts are very fully established, that there is something wrong in his conduct and his removal from office ought to follow without

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

RULE 10.—Of annual farmers and leaseholders.

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

RULE 11.—The conditions of tenure of annual tenants.

The improvement of land depending on the means employed for the purpose during a succession of years, every annual holder, who may cultivate certain fields any one year, shall be allowed the privilege of occupying them the year following, and so long as he shall continue to pay regularly the established rent of them; so that such obligations as he shall enter into with the Sirkár, relative to farms, shall be considered as no longer binding upon him, than from their dates to the end of the current year, but as binding upon the Government to the end of the present lease. He must not, however, quit his village till he answers all demands upon him for the terms of the year.

RULE 12.—The condition of tenure of leaseholders.

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

RULE 13.—Time prescribed for the settlement of annual tenants.

Since the obligations entered into between the Sirkár and the yearly tenants are binding upon them for the current year only, to the end that they may extend or reduce their farms according to their circumstances, by retaining or rejecting certain fields, as they may choose, from year to year, that makes it necessary for them always to declare, during the ploughing season, what they intend to cultivate, that mutual agreements be exchanged as hereafter directed, and the rents of every farm duly collected.

RULE 14.—Time prescribed for the settlement of lease tenure.

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

RULE 15.—Penalties for ploughing land without previously engaging to pay its rent.

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

RULE 16.—The whole rent of every field to be required of whoever may plough a part of them.

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

RULE 17.—Mode of application for lands.

All persons who desire lands to cultivate, must apply in the first instance to the heads of the village they prefer, in which they see land unoccupied, when, if permanently assessed land, they will be informed of its first rent; and if 'rateable,' of its assessment for the year, or portion of the average assessment of the village, according to the number of years it may have been uncultivated; or, if the village be deserted, according to the average rates of the three neighbouring villages. The next step, when they resolve to settle, is to require the heads of the village to draw out mutual agreements, specifying the said rates, field by field, for each description of land, and the condition of tenure. If of the cultivating classes, it only remains for them to sign the obligation-bonds, and give them to the munshif, who will deliver them the 'pattahs' or grants, on their receiving the Collector's signature; but if of the privileged classes, they must take the pattahs and bonds to the Collector, with such persons as may be necessary to satisfy him of the propriety of granting them the indulgent terms held out to them respectively; when, if he approve, he will sign and give them the pattahs, which will specify that a fifth of the amount will be required of those holding by virtue of their castes, half of 'emigrants,' and a sixteenth of 'totakars;' and they will then deliver the bonds or counterpart of their grants, binding them to the performance of their engagements.

RULE 18.—Mode of obtaining advances for cultivation, &c.

RULE 19.—Farmers who desire it, permitted to throw up their leases the current year.

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

delay. His successor will find no difficulty in ascertaining the real state of the balances; for, on passing the villages by which they are reported to be due, the inhabitants, if they have already paid them, will, in order to save themselves, inform against the late amildár.

3. The potails and curmaws, when they know that the amildár diverts a part of the public revenue to his own emolument, always follow his example, and thereby augment the outstanding balance. They frequently go further; and levy additional sums from the more substantial cultivators, because they are conscious that the amildár, being himself guilty of malversation, will not dare to bring them to punishment. These last impositions, though they do not affect the balance of the current year, will most likely increase that of the next, or, what is the same thing, diminish the settlement. The potails and curmaws can hardly ever make away with any of the public money without the knowledge of the amildár. If in any case they do, it is a proof that he is either very careless or very ignorant, and that he is unfit for his situation. Their influence, particularly when they have obtained by their exertions a favourable assessment for their village, is usually sufficient to make the cultivators conceal the demand for a small private assessment which is always, on such occasions, made upon them, provided that, together with the public one, it does not exceed what their rent ought to have been; but when they attempt to make an extra assessment, to supply any deficiency of the public revenue which they may have embezzled, the cultivators never pay it without opposition: and they will always complain of it to the amildár, unless they suppose that he is a party himself, and will not bear them.

4. The mismanagement of the cultivators is not so frequent a cause of failure as might at first sight be imagined. When they have money sufficient to pay their rents, but do not apply it to that purpose, it is usually expended upon a marriage or in discharging a debt; but as the ryots, when left to themselves, always pay their rent in preference to every other debt, it may generally be suspected, when they act otherwise, that the district or village servants are concerned in the transaction. Many potails and curmaws having, under the late Government, embezzled a part of the revenue of their villages, and been forced to make it good, by borrowing money from soukára, upon bonds running in the names of themselves and their villages, they frequently employed the money collected as revenue in paying these bonds, on pretence that all the ryots were answerable, as well as themselves, for the debt. They call upon them again for the rent, which they have already paid; but, as some of them are unable to comply, an outstanding balance appears against the village. Besides the general debts of the village, the ryots are often so much pressed for their own private debts as to be rendered incapable of discharging their rents. These debts are frequently nothing but the accumulation of exorbitant interest, which the ryots would never pay if they were not afraid of being compelled. When private creditors are permitted to seize the property of the ryots before their rents are paid, it is always to be inferred that they have bribed the amildár; and when the potails are allowed to assess them on account of general bonds, it may be concluded that the amildár has been guilty of peculation, and that he cannot support the cultivators, lest the potail should inform against him.

5. Bad crops are the chief cause of failures, and consequently of remissions; and they are also frequently brought forward as a plea for obtaining remissions, without any absolute necessity. All complaints regarding them should therefore be received with very great caution. Were an investigation

to be ordered whenever a cultivator thought proper to solicit an indulgence for his loss, claims would soon become so numerous that all the revenue officers in the country would not be able to examine one-half of them. The cultivators would likewise have no difficulty, even in a favourable year, showing a real loss of eight or ten per cent. of the whole revenue; because in every village, in every season, there are a few fields whose produce is not equal to their rent; and these fields only would be mentioned as cause of distress and failure; while those whose crops had been more abundant, having probably been already reaped, there would be no means of determining how far the deficiency of produce, in the one case, was counterbalanced by the excess in the other. Were it even possible to estimate exactly the actual loss in every year, it would not follow that it ought to be remitted; for the same cultivators who have lost this year may have gained last, and as no extra assessment was then laid upon their profits, no remission can now fairly be claimed for their loss. Whatever may have been the crop, should it have been even less than the seed, they should always be made to pay the full rent, if they can; because good and bad seasons being supposed to be equal in the long run, the loss is merely temporary, and the making of it good is only applying to the deficiency of a year of scarcity the funds which have arisen from one of abundance. Though there is no rule by which a positive judgment can be formed whether or not a ryot who asks a remission can pay his rent, it may, in most cases, be discovered by ordering the amount of his failure to be assessed upon the village; for, as the other inhabitants are usually well acquainted with his circumstances, if he has any means of answering the demand against him, they will point them out, in order to exempt themselves from being burthened with it. In the same manner, when a village fails, if the balance upon it is assessed upon the neighbouring villages, the desire of saving themselves from additional taxation will induce the ryots of those villages to find and give information how far the failing village may be able to pay the whole or a part of its balance. When individual balances are to be levied upon the village by which they are due, great care should be taken lest the rigorous exaction of them should so much distress the inhabitants as to disable them from cultivating their usual quantity of land the ensuing year. The amount of this second assessment ought seldom or ever to exceed ten per cent. of the rent of the ryots of the musara, or inferior village, on which it is imposed. If a balance still remains, it should be assessed upon all the musaras which constitute the mouza, but not in a greater proportion than ten per cent. of the rent. Should a part of the balance yet remain unextinguished, it ought to be remitted, because the inhabitants are extremely averse to contributing to the losses of any village but their own, and because, if more than an additional ten per cent. is raised upon the mouza in whose musara the failure has risen, there is great danger of its occasioning a considerable decrease of cultivation the following season. When individuals are pressed for balances, the extent of the consequent loss can never exceed the sum of their particular rents; but when a whole village is laid under a greater second assessment than it can bear, it may hereafter cause a very serious diminution of revenue. Whenever the failure of the crops gives reason to apprehend that there will be a balance against any village, the amildár ought to repair to the spot without delay; ascertain, with the assistance of the inhabitants of it and the neighbouring villages, what sum it will be necessary to raise by a second assessment; and, after making known to every ryot the additional amount he is to pay, take measures for its being collected with the last or two last hicks. When the loss, however, appears in a village whose inhabitants are able to make it good, the

amilḍār ought to take no notice of it, but proceed with his collections in the same manner as if there had been a plentiful crop; for the necessity of making remissions is much lessened by giving the ryots no encouragement to expect them.

6. When over-assessment is the cause of an outstanding balance, it ought to be remitted; for it would be unjust to exact more from the cultivators than their lands can possibly yield. Cases of failure from over-assessment alone are, however, very rare; because the potails, at the time of the settlement, always refuse to take their pattahs if it is too high, and always obtain a reduction when they show clearly that it is over-rated. Their own enmities are the most common source of over-assessment; for one potail often exaggerates the produce of the village of another, or offers more for it than it is really worth, with the intention of supplanting his rival, and making the ryots pay the loss. He ought to be obliged to pay it himself, as far as his means go; and, if they are not sufficient, the difference ought to be remitted. If, by any mistake or false information, one muzera in a mouza is rated too high and another too low, a second assessment ought to be laid upon the under-rated muzera, and applied to the discharge of the balance.

I am, Gentlemen, your obedient servant,

(Signed) THOS. MUNRO,

Principal Collector.

CUDDAPAH, 25th August, 1802.

ON THE THREE MODES OF MAKING A RYOTWAR SETTLEMENT.

To the Collectors of the Ceded Districts.

GENTLEMEN,

Para. 1. In making the annual revenue settlements there are three ways which are usually followed, and which have each, according to particular circumstances, their claim to preference. The first is, to make the mouzawar, or village settlement, of a whole district at once, and then to proceed to the kúlwar, or individual settlement, with every inhabitant of each village; the second is, to make the village settlement of one village, and then the individual settlement of it, before beginning with another; and the third is, to begin by settling with each individual of one village separately, and then, by adding their rents together, to make the village settlement.

2. The first mode, that of beginning with a general village settlement of a whole district, is that which I always observe myself, not only because it has in itself many advantages, but because no other would answer in a division so extensive as mine. It is much more expeditious, and is also frequently as correct as the others. By assembling all the potails and curnums of a district in one place, there is a better chance of obtaining speedy and even accurate knowledge of its actual state of cultivation, than there is by meeting them in their respective villages; because, besides the usual information to be derived from the curnums' accounts, there is always a great deal obtained from discharged curnums who wish to be restored, and from persons without employment residing in the different villages, who are desirous of renting them. By drawing intelligence from so many different sources, it usually happens that

the produce of some villages is more fully brought forward than that of others. But, as the potails and curnums of each village are averse to being higher assessed than their neighbours, they seldom fail to disclose whatever they know of their concealed resources; and, in this manner, the total actual produce of the district is soon known; and after the gross amount of the assessment is once fixed, should it still fall so heavy on any particular village, it is easily equalized by the potails themselves, with the assistance of the cutcherry. When neither the accounts of the curnums, nor any other information, raises the revenue so high as there is reason to think that it ought to be, and when it is therefore thought advisable to try the dangerous experiment of increasing the assessment, not from the accounts of the current year, but from the presumption that the produce, being known from authentic documents to have been much greater some years ago, cannot possibly be now so much diminished as it is represented to be, the additional rent which may be imposed upon the district on such an occasion is in general very readily partitioned by the potails and curnums among their respective villages. It is, however, very hazardous to attempt to raise the revenue upon such uncertain foundations; for there is often more mischief done by one year of over-assessment, than can be remedied by seven of moderation. Revenue servants who have had much experience, can easily ascertain, from the manner in which the potails and curnums proceed in distributing the extra assessment, whether or not there be really a corresponding extra produce. When they divide the extra assessment in a certain proportion among all the villages, it is usually a proof that the first assessment had been to the produce nearly in the same rates in them all; but it is no proof that it is too low. When they divide the extra assessment unequally, it is a strong indication that at least those villages on which the greatest additional weight is thrown, had before been under-rated. The chief objections to making a settlement of all the villages of a district at once are, that it is sometimes detrimental to cultivation, by keeping the potails and curnums away from their villages when their presence is wanted to promote it, and that, by bringing the heads of villages together, it enables them to form combinations to prevent the raising of the assessment, which they would not otherwise have thought of. Their being assembled is, however, much more frequently attended by a contrary effect; for private quarrels, and their jealousy of any of their neighbours obtaining more favourable terms than themselves, most commonly urge them rather to exaggerate the value of each other's villages, than to form any concert for their mutual benefit. In my division, the settlement of all the villages composing a district is always made at once, and the kúlwar, or individual settlement, is afterwards made by the amildār; but as few amildārs, who have not before been in the Company's service, have ever seen a kúlwar settlement, people are sent from the cutcherry to carry it into execution in all those districts where it is thought that it cannot be safely entrusted to the amildār.

3. The second mode, that of making the assessment of each village separately, is a very common one. It is less liable to be either too high or too low than the district settlement; because the state of a tank, or of the cultivation of particular fields, about which there may be a dispute, can be readily ascertained by sending some person on the spot; because those who are to make the settlements have also an opportunity of observing the general state of agriculture among the lands of the village; because it can be easily discovered whether those ryots who are reported by the curnums to

have emigrated, are present or not; and because the amount of the *muhtarfa*, or taxes on trades, can be more accurately determined at the village itself, than anywhere else. When the village settlement is once fixed, that of the different cultivators is greatly facilitated; because the *potail* and *curnum*, knowing that a certain sum must be levied, give every assistance, except perhaps in the case of a few of their own relations, to make a fair distribution of it, and because the cultivators, for the same reason, agree without much difficulty to their several proportions; and as the discovery of every unauthorized *isām* or cultivated *sirkār* field not brought to account, lightens their particular assessment, a regard for their own interest encourages them to give information of many frauds of this nature, which could not otherwise have been so readily detected. Though an *amildār* may visit and settle every village separately, a Collector, who has the management of five or six districts, must settle two, three, or more villages in one place; for, were he not to do so, the season would be over before he could finish his settlement. He has, in this way, more people to give him information of the state of these villages, than he could have had by going to each of them separately.

4. The third kind of settlement, the *kūlwār* or individual settlement, if the *curnum*'s accounts could be depended upon, would naturally be the best, because the stock of cattle, and the quantity and quality of land belonging to each cultivator, being known, it would be easy to fix his rent; and that of all the cultivators added together, would form the land rent of the village. But, as the *curnum*'s accounts are always false, to begin with fixing the rents of the cultivators would not only be the most tedious, but the most unequal of all settlements. Every single cultivator objects to his own assessment. When the *cutcherry* servants, by stating the quantity of his land and the rent that had been drawn from it in preceding years, endeavour to convince him that the assessment is moderate, and that he ought to agree to it, he urges all the excuses commonly brought forward by that class of men: that grain is now very cheap; that some of his cattle are dead; that he is poor, and cannot cultivate his land without an abatement of rent. He is privately encouraged by the *potail* and principal farmers to give as much opposition as possible; because they all, in their turns, intend to do the same, and they hope that, if he can obtain a reduction of his rent, they may also, under the same pretences, expect the same indulgence. Every *ryot* is usually sufficiently careful of his own interest to dispute about his rent, whether it is high or low; but should there even be some among them who, being satisfied with it, have no thoughts of starting objections, the fear of the *potails*' displeasure, and of the reproaches of the other *ryots* for deserting the common cause, induces them to raise as many difficulties as any of the rest. Much time is consumed in thus debating upon the rent of every individual; and if the revenue servants, either believing their representations of their distress, or wishing to expedite the settlement, allow some abatement of rent to those who are reckoned the poorest, they find that the aggregate of these remissions not only causes a considerable loss of rent, but increases the difficulty of settling other villages, by encouraging the *ryots* to insist on a similar, or perhaps a greater, reduction. The *ryots* who dispute the most obstinately, even though their rents are already too low, are the most likely to get a further abatement; and those who are less noisy and litigious are most liable to have their rents, perhaps already too high, raised still higher. It may be thought that the *ryots* being collected together in one place, no one would allow the land of another to be more favourably rated than his own, without complaining. This usually takes

place in villages where none of the *ryots* are very poor—where there are few in number, and nearly on a footing with regard to property. In such cases, they generally insist upon a fair division of the assessment; but in most other villages, in which both the poorest and the most substantial *ryots* are found, the assessment is for the most part unequal, and is always most favourable to the relations of the *potail*, and to each other *ryots* as hold out the most stubbornly.

5. When a country has been surveyed, the individual supercedes both the village and district settlement, because it is then no longer necessary to waste time in endeavouring to persuade the cultivators to accede to the assessment. The rent of every field being fixed, each cultivator takes or rejects what he pleases, and the rents of all the fields occupied in the course of the year in any one village form what is called the settlement of that village. But where no survey has been made, either the settlement with all the villages of a district at once, or that with three or four at a time in succession, must always be adopted. Besides the reasons already mentioned, the various accidents that affect the crop render it convenient to make the village precede the *kūlwār* settlement, because, though the general state of cultivation in a village may be known early in the season, the particular lands on which the crop may thrive or fail, can never be ascertained until it is pretty far advanced; and as the assessment of individuals must, in some manner, be regulated by the produce, the more advanced the harvest season is when their rents are fixed, the more likely are they to be proportioned to their means of discharging them. This system operates, no doubt, in many cases, as a tax upon industry and an encouragement to idleness; but as there is at present no other method of securing the realization of the public revenue, it must be continued until the country is surveyed, when every man will be made to pay, not according to the quantity of his crop, but of his land.

6. Though the crop should be considerably advanced before the individual settlement is begun, yet it ought not to be delayed beyond this period; and the sooner it is then finished, the better. If it were possible, it would be of great benefit to the inhabitants that it could be effected by the time the first *kist* becomes due; because every cultivator, knowing the full amount of his rent, and having the whole of his crop on hand, would see at once how far it was likely to answer the demand upon him, and would thereby be the more enabled to turn it to the greatest advantage. If it was more than sufficient, he would lay up a part to sell late in the year, when the price had risen to its highest pitch. If it was inadequate, he would still endeavour, by selling it only by degrees in proportion to his *kiste*, and by curtailing his expenses, to pay his rent. But when his rent is not settled till after most of the *kiste* have been collected, it is sometimes higher than he expected. He has probably not been so careful or economical as he would have been, had he known the amount of it earlier, and he is, therefore, unable to make it good. On the other hand, while he remains in his state of uncertainty, he sometimes suspects, without cause, that his rent will be raised higher than is actually intended. He perceives that his grain will not equal the demand against him; and he sells it off in a hurry at a low price, and absconds with the produce. It is, therefore, of importance that the individual settlement should never be longer delayed than is absolutely necessary; for the same bad consequences often ensue from uncertainty, as from a higher assessment.

7. Whenever the individual settlement of a district is completed, *patnahs* for every *ryot* paying rent to Government should be made out by the *curnum*,

lished by Munro in the Ceded Districts, *ib.*; reduction of, in the Ceded Districts recommended by Munro in 1807, *cxix.*; ordered in 1830, *ib.*; objections to frequent revisions of, 226; made under Read's orders in the Salem District, not treated as pledging the Government to a permanent assessment, 3, footnote; principles of, as ordered by Read discussed, 3—51; complicated rules of, criticised by Munro, 6—9; principles of, advocated by Munro, for Salem, 12—21; should not vary with the estate of the landholder, 12, 16; should not be enhanced in consideration of improvements effected by the landholders, 12, 18, 20; according to description of produce deprecated by Munro, 26, 28; such assessments abolished by Lord Harris, 28, footnote; public, should be entitled to preference over other debts, 46, 47; rate of, under the Mahomedan Governments, 94; highest point to which can be carried without destroying private landed property, 96; should be so moderate in time of peace as to enable the ryot to bear a war tax in time of war, 107; objections to attempting to equalize inequality of rates, 118; should have reference to the ordinary degree of cultivation in ordinary seasons, 162, 254; the actual produce in ordinary years the safest guide in fixing, 162; failure to pay, renders the land liable to be sold, 222; no evidence that the assessment was lighter under the Hindu than under the Mahomedan Governments, 228.

Assistant Judges, appointment of, 315.

Assistants, letter from, to Munro, *lxxxix.*

Assye, victory over the Mahrattas at, *lviii.*, *lix.*, *lxxxi.*; battle of, Munro's correspondence with General Wellesley on, *lxxxiv.*, footnote.

B.

Baillie, Colonel, Munro's remarks on his defeat, *xxviii.*

Bahári, district of, the greater part of, subject to Hyder Ali in 1780, the remainder subject to the Nizam, *xxv.*; one of the Ceded Districts, *lxix.*; the southern portion of, retained by Munro under his immediate management, *lxxii.*; impoverishment of, under the village lease system, *cxix.*, 110, 111, 214, 221—227; Munro's last visit to, *cxix.*;

his death in the district, *ib.*; orders for reduction of assessment neutralized by the action of the Collector, 214—217.

Bangalore, siege and capture of, *xxvii.*

Banjári, explanation of the word, 463, footnote.

Baramahal, the, ceded by Tipoo in 1792, *xxv.*; arrangements for its administration, *xxvii.*; its depressed condition under Tipoo, *xxviii.*, *xxix.*; Munro's attachment to, *xiv.*

Barlow, Sir George, succeeded Lord William Bentinck as Governor of Madras, *lxv.*; an opponent of the ryotwár system, *ib.*; follows as Governor-General the example of Lord Cornwallis in reversing Lord Wellesley's foreign policy, *ev.*; his appointment as Governor-General revoked a few months after it was made, *cxvii.*

Bassein, a port adjoining Bombay, *xxv.*; treaty of, *lxix.*

Basara, importance of efficient, to Indian armies, 279, 280; exemption from transit duties essential to their efficiency, 281.

Behar, part of the territory in the Bengal Presidency acquired by Olive, *xxv.*

Bengal, the youngest of the Indian Presidencies, *xxv.*

Bentinck, Lord William, Governor of Madras, support given by him to Munro's measures in the Ceded Districts, *lxv.*; recalled in consequence of the mutiny at Vellore, *lxxvi.*; his letter to Munro on the retirement of the latter from the Ceded Districts, *lxxviii.*; his remark about Metcalfe, *cxli.*

Berár, the Mahomedan chief of, *lx.*

Bighá, explanation of the word, 102, footnote.

Bijápúr, Mahomedan chief of, *lx.*

Bilgi, 52, footnote, 69.

Bisoi, explanation of the word, 185, footnote.

Board of Revenue, established at Madras, *xxviii.*; instructions to Read, *ib.*; addition to it of a native cutcherry, 121—124; practical working of the above arrangement, 121, footnote; duty of the Board to interfere when the mal-administration of a district is notorious, 210.

Bobbili, semidár of, 188.

Bombay, troops sent from Madras to, *xxiv.*; internal divisions of the local administration, *ib.*; little more than a commercial factory in 1780, *xxv.*

Brahmaputra river, *xxv.*

British manufactures, small demand for, in India, *xciv.*

British possessions in India in 1780, *xxv.*

British rule in India, circumstances which might have prevented its extension and consolidation, *xxvi.*

British troops for India, improbability of Britain being unable to furnish a sufficient number of, 263.

Buckinghamshire, Earl of, his opposition to the policy of advance, *evi.*

See Lord Hobart.

Barhanpur, Goddard's march from, to Surat, *xxiv.*, footnote.

Barna, King of, his letter to Lord Hastings, *cxix.*

Burmese war, origin of, *cxix.*; result of the war, *cxix.*; Munro's views as to the measures to be taken to insure the successful issue of the war, *cxix.*, 447—450; Minutes on, 430—460; preparations made by the Madras Government for, 430; mortality of European regiments at Rangoon, 437; neglect of the medical and military authorities to give notice of the need of fresh men, 438; novel difficulties of the war, 442, 443; no ground for apprehension regarding the tranquillity of India owing to the absence of a large body of troops in Burma, 448; possible protraction of the war, 450; after the fall of the capital, 450; means of preventing future aggressions by the Burmese, 451; our conduct should indicate an intention to retain our conquests, 452; in the event of the king deserting his capital and refusing to treat, some member of his family should be encouraged to assume the government, 453; proposals for increasing the army in Burma, 453—457; the army in Burma more suitable for Madras troops more suitable for service in Tenasserim than Bengal troops, 458; rewards proposed for native officers for service in Aracan, 459, 460.

C.

Cadjana, explanation of the word, 272, footnote.

Campbell, General Dugald, *lxxi.*

Campbell, Sir George, his recommendation to prohibit the exportation of grain during the famine in Behar in 1874, *cxixiii.*

Campbell, Mr. Richard, father of Lady Munro, *xcix.*

Canara, subject to Hyder Ali in 1780, *xxv.*; Munro appointed Collector of, *lxix.*; unsettled condition of, when Munro took charge, *lx.*, *lxi.*, 52, 75; oppression of the ryots of, by Hyder and Tipoo, *lx.*, 64, 65; combinations of the chiefs and ryots, *lx.*, *lxi.*, 56,

57; Munro's investigation into the land tenure of, *lxi.*, *lxii.*; land in, regarded as private property, *lxii.*, *lxiii.*, *lxv.*, 58, 60; occupancy rights of tenants in, *lxiii.*; saleable value of land in, *ib.*; Munro's earlier impressions of the condition of the landholders in, *ib.*, 63—65; his subsequent impressions, *lxiii.*, *lxiv.*, 76—82; Munro's settlement of, practically ryotwár, *lxiv.*; difference between the settlement of, and the settlements made in the Baramahal and Ceded Districts, *ib.*; Munro's dislike to the climate of, *lxvii.*; difficulties of travelling in, *ib.*; difficulties of transfer from, *lxviii.*; description of, 52, 53, footnote; precautions taken to preserve the revenue accounts in, 59, 60; original mode of assessing the land revenue in, 60; Vijayanagar assessment of, *ib.*; sub-tenures of land in, 67; modes of transfer of land in, *ib.*; State lands in, usually sold for a nazará, *ib.*; Munro's proposals for the settlement of, 71—74; forests of, placed under Government of Bombay, 174, 175; Munro's report on the subject of a permanent settlement of, 83—90; observations on proposed formation of large estates in, 83; prevalence and antiquity of private property in land in, *ib.*; impossibility of establishing great landed proprietors without annihilating the rights of the present landlords in, *ib.*; small estates not incompatible with good cultivation or with the security of public revenue in, *ib.*; temporary character of advantages to be derived from system of large estates in, *ib.*; small estates in, the arrangement of nature, 84; security of revenue equally good if not better in the case of small estates than in the case of large estates in, *ib.*; remedy in cases of extreme sub-division of landed property in, and consequent failure to pay public revenue, 85; results of past experience in this matter in, *ib.*; large estates cannot be managed with so much skill and economy as small estates in, *ib.*; expenses of Indian very much less than those of European husbandry in, *ib.*; regularity in payment of land revenue not affected by the smallness of the estates in, *ib.*; measures necessary in consequence of recommendation of Government to introduce a permanent settlement and a system of large estates in, 86; reasons against making such estates unduly large in, 87; terms upon

according to the form prescribed in my letter of the 20th August, and transmitted to the cutcherry, to be signed by you, after having been compared. You should give them yourself to the inhabitants of the villages near the spot where you happen to be at the time: in all other places they may be delivered by the amildar. It is proper that every pattah should have your signature, because the inhabitants have more confidence in it than in that of the amildar or potail. They know it is intended to guard them against extra demands; any they will be more likely to refuse compliance with them, when they have such a voucher in their possession. It likewise teaches them to look up to you, instead of the native servants: and, though they may not have courage to resist the demand in the village, to come forward afterwards with the complaint. They have always been so much accustomed to arbitrary exactions, that it is very difficult to prevail upon them, at least upon the poorer classes, to oppose them. But nothing tends sooner to convince them that there is a limit to assessment, and to encourage them to reject all extra impositions, than the general distribution of pattahs by the Collector.

I am, Gentlemen, your obedient servant.

(Signed) THOMAS MUNRO.

Principal Collector.

CHITVEL, 30th September, 1808.

INDEX.

A.
Adjustment of rank between the King's and Company's officers in the West India, 367.
Administration, inadequacy of our experience to enable us to determine the mode of, best adapted to India, 289; precipitancy of some of our measures of, it; importance of obtaining the Government to obtain accurate information as to the customs and opinions of the people, 288; innovation the ruling vice of our system, 281; advantages of, in the supervision of the police, magistracy, and revenue in the Collector, 281.
Advantages to be derived from a system of large estates in Canara, 28.
Aghadram, explanation of the word, 218, footnote.
Altaughá inam, suit regarding, 135—137; nature of, deduced, 140; resumption of, more common than in case of other grants, 150; practice regarding resumption of, in other parts of India, as well as in Canara, 151; question of resumption of, not one of law, but of usage, 152, 153.
Amherst, Earl of, his correspondence with Munro during the Burmese war, cxxxv.
Amir Khán, a Pathán chief who ravaged Kájpútna and Central India, cv.
Aracan, acquisition of, cxxvi.
Arrangah, invasion of Ceded Districts by, lxx.
Arca, North, still belonged to Nawáb of the Carnatic in 1780, xiv.
Arca, South, greater part of, belonged to Nawáb of Carnatic in 1780, xiv.; acquisition of, in 1824, 211; efficient management of, by the Collector, 212.
Arca, Brooke's Ouzilís, 212.
Arca, abolition of the European regiments of the Company likely to be detrimental to the entire army of the Company, xvii., 272; reasons

for maintaining a large military force in the Madras Presidency, 267; advantages in filling up casualties in British regiments in India by sending out recruits instead of relieving entire regiments, 271; a considerable addition of European infantry and cavalry would improve the Company's army, 272; native regiments should be brought back periodically to the districts in which they were raised, 275; question of augmenting the number of European officers attached to the native artillery, 276; question of reductions in the Madras army, 282—285; reduction of the strength of corps preferable to reduction of the number of corps, 284; should be sufficient not only for internal security but for offensive operations, 284, 285; unnecessary to have a European regiment with every large body of native troops, 410—412; unauthorised changes in the dress of the native army, 414—422; organisation of the artillery, 422—429; suggestion for employing spy regiments in the West India, and negro regiments in India, 282—270.
Army organisation, Munro a high authority on, xvi., xvii.; his views on, xvii.
Artillery, organisation of, 422—429; respective merits of horse and foot, 426; use of native horse and foot, should be restricted as much as possible, 427; no principal division or important fortress should be without a detachment of European foot, 428.
Assam, acquisition of, cxxvii.
Assam, fixed in Madras for thirty years in districts not permanently settled, xl.; moderate, advocated by Munro, 240, 241; permanent, advocated by Munro in a limited sense, xliii.; lightness of, in Canara, lxx.; in Canara laid upon each estate, or ward, 2.; of the Ceded Districts under the Vijayanagar Government, lxvii.; establishment of, 241.

resemblance in character to Munro, cxlii.; his popularity, ib.
 Elphinstone, Lord, as Governor of Madras, gave a fresh start to education in that Presidency, cxviii.
 Emigration, causes which induce, 23; much of it more apparent than real, ib.
 Englishmen, the question of a free resort of, to India, xcii., 404, 406.
 Entail regulations, expediency of, discussed, 118—121; objects of, 123; Visianagram Rájá's opinion of, 123.
 Estates in Canara, observations on the proposed formation of large, 83; small, not incompatible with good cultivation or with the security of public revenue, ib.; temporary character of advantages to be derived from a system of large, ib.; small, the arrangement of nature, 84; security of revenue equally good if not better in the case of small, than in the case of large, ib.; large, cannot be managed with so much skill and economy as small, 85; regularity in payment of land revenue not affected by the smallness of the, ib.; measures recommended in consequence of decision of Government to introduce a permanent settlement and a system of large, 86; reasons against making each unduly large, 87; terms upon which the, to be formed are to be held, 87, 88; improbable that there will be any competition for the, or that any considerable sums will be paid for them, 89.
 Eurasians, condition and prospects of, 558—560.
 Europe, the West Indies may be as effectively succoured from India as from, 370.
 European husbandry in Canara, expenses of Indian very much less than those of, 86.
 European Magistrate, unable to deal with all the petty offences brought before him under the system of judicial procedure established in 1803, 292.
 European officers, civil, large number not necessary, 516, 517; pecuniary transactions between a European district officer and a zemindár, 521—523; necessity of maintaining a high moral tone in the, of districts, 526, 527.
 European officers, military, establishment of, with native regiments excessive, xcvi.; ill-treatment of natives by, 518, 519; no inconvenience apprehended in sending, of sepoy regiments with their regiments to the West Indies, 366; sepoy

regiments would be efficient with a smaller proportion of, than at present, ib.
 European regiments, difference of transporting negro and, from the West to the East Indies would probably not be great, 366; sepoys would be as capable of opposing, in the West Indies as in India, 368.
 Europeans, negro troops would be less efficient than, in India, 368.
 Expense of negro troops need not be greater than that of sepoys, 364.
 Expenses of Indian very much less than those of European husbandry in Canara, 86.

F.

Famine, notice of Munro's views on famines in India, cxxiii., cxxiv.; Munro's view of the improbability of, in India from the operation of the seasons alone, 35, 36, 475; the above view contradicted by subsequent experience, 30, footnote, 475, footnote; recommendation to stop the importation of grain, 471; interference of Government in connection with the exportation of grain generally inexpedient, 472, 473, 477, 478; extensive character of the trade in grain, 473; quantity of grain which it is safe to export best regulated by the owners of grain, 473, 474; in an ordinary year few districts in India fail to yield more grain than is required for their consumption, 474; causes of famines in native states, 475; importation the most effective means of mitigating a scarcity, 477.
 Farmers, head, with tenants under them had not, as a rule, previously existed in India, 43.
 Farms, small, conducive to general wealth, 84; changes in number and extent of, not necessarily prejudicial to the revenue, 85; system of great, likely to increase poverty, 43, 44; system of small, does not necessarily entail undue labor on the revenue officials, 47, 48.
 Food, no difficulty about, for the different castes in the West Indies, 308.
 Foulis, Mr., Munro's letter to him about the French Revolution, xxi.
 Fox, the Right Hon. Charles James, his impressions and expectations regarding the French Revolution, xxi.
 France, had assisted Hyder Ali and Tippoo, xxv.; revolution in, anxiously observed by Munro, xxi.; Munro's apprehensions regarding

the power of, ib.; Warren Hastings' apprehensions of a renewal of the struggle with, xxii.
 French, their want of a good general in the campaign of 1783, xxix.; struggle with, in India, long and severe, xxiii.

G.

Ganjam, ancient zemindáries in, 185—187.
 Gibbon, Mr., his boast to be reversed, xxii.
 Glasgow, Munro's birthplace, xx.
 Goddard, General, troops sent to his assistance by the Madras Government, xxiv.; his famous march, xxiv., footnote.
 Golconda, Mahomedan chief of, 122.
 Goody, Munro buried at, cxl.; a memorial choultry erected at, ib.
 Government, constitution of the Madras, cxi.; must exercise its discretion in adopting or rejecting the advice of subordinate boards, 405; should invariably control any changes in the dress of the army, 421; must be the judge whether a public servant is fit for a particular office, or not, 528; measures recommended in consequence of the decision of the, to introduce a permanent settlement, and a system of large estates in Canara, 86.
 Governor, Governors of Indian Presidencies not usually selected from the Indian services, cxvii., cxviii.; conversation between the Duke of Wellington and Lord Ellenborough regarding the appointment of a Governor of Bombay, cxviii., footnote.
 Governor of Bombay, Elphinstone and note; selection of Elphinstone and Munro for the Governments of Bombay and Madras, cxix.; Munro an essentially constitutional Governor, cxxi.; arrangements for the conduct of business during the absence of the Governor from the Presidency town, 533, 535.
 Graham, Lieutenant, appointed one of Head's assistants, xxxvi.
 Grenville, Lord, his speech on the removal of the East India Company's charter in 1813, xci.; his advocacy of the competition system in connection with appointments to the Indian Civil Service, ib.
 Gwalior, chief of, xxiii.

H.

Halibarton, Mr. David, xxvi.
 Harris, General, afterwards Lord, Commander-in-chief at Madras, com-

with Mysore, xiv.
 Harris, Lord, Governor of Madras from 1854 to 1860, abolished the revenue rule making the amount of the assessment depend upon the description of produce, 29, footnote.
 Hastings, Warren, first Governor-General of Bengal, his energy, xxiv.; General of Bengal, his energy, xxiv.; opposed by a strong party in the Court of Directors, xxv.; factions antagonism in his Council, xxvi.; revenue settlements the least able of his measures, xxvii.
 Hastings, Marquis of, his disapproval of Lord Wellesley's policy when first appointed Governor-General, cxi.; complete change in his views, cxi.; extirpates the Pindáries, cxi.; throws the Peshwa, reduces the other Mahratta chiefs to the position of feudatories, and establishes British supremacy to the banks of the Satlej, cxvii.
 Heads of villages, powers of punishment and jurisdiction of, 291.
 Hindas, the simplicity of their ordinary mode of life, xciv., 491, 492; commercial habits of, xcvi.; small influence which contact with European customs produces upon them, 499, 490; their small demand for foreign manufactures, 499—494.
 Hindustáni language, Munro's study of, xxix.
 Hialop, Sir Thomas, Commander-in-chief at Madras, commanded a division in the last Mahratta war, cxvii.; defeated Holkar's troops at the battle of Mahidpur, 53.
 Hobart, Lord, afterwards Earl of Buckinghamshire, his conference with Lord Mornington at the Cape of Good Hope, lii.; President of the Board of Control, opposed to any increase of British territory in India, cvi.
 Hobart, Lord, Governor of Madras from 1873 to 1876, buried in St. Mary's Church, Fort St. George, cxl., footnote.
 Hodgson, Mr. J., a member of the Board of Revenue at Madras, and opponent of the ryotwár system, 122.
 Holkar, Jeewant Rao, attacked Poona and defeated the combined armies of Sindia and the Peshwa, lxxx.
 House-tax, the, in the Ceded Districts, virtually a tax on income, 108; the mode of assessment of, 104; inexpediency of exempting merchants from, 106.
 Husbandry in Canara, expenses of Indian very much less than those of Europeans, 86.

which estates to be formed in, are to be held, 87, 88; regulations proposed applicable at present only to parts of, 88; in other parts of, a permanent settlement should be deferred for five years; *ib.*; improbable that there will be any competition for estates in, or that any considerable sums will be paid for them, 89; from climate of, not likely to be a manufacturing country, but from same cause certain to be very productive, 90.

Canarese language, Munro's practical knowledge of, *xxix.*

Canning, the Right Hon. George, his opposition to any increase of British territory in India, *cvi.*; his praise of Munro's military achievements in the Southern Mahratta country, *cxi.*; his selection of Malcolm, Elphinstone, and Munro for Indian Governments, *cxi.*; his speech on the occasion of Munro's appointment as Governor of Madras, *cxi.*

Canning, Earl, his opposition to the restoration of Mysore to native rule, *lix.*

Cash, question of providing, for the payment of troops of the East India Company in the West Indies, 367; clothing for troops in the West Indies, *ib.*

Caste dispute, case of a fatal riot in connection with a, 287; proper mode of preventing such riots, 288—290.

Castlereagh, Viscount, his opposition to a policy of advance in India, *cvi.*

Ceded Districts, the, ceded by the Nizam to the East India Company in 1800, *lxviii.*; area of, *lxix.*; districts so termed, *ib.*; a scene of successive invasions for two hundred years, *lxix.*; had formed a part of the Hindu kingdom of Vijayanagar, *ib.*; fell into the hands of poligars in 1564, *ib.*; a portion of, conquered by Sivaji in 1680, *ib.*; invaded by Arangib, *ib.*; formed part of the viceroyalty of the Deccan, *ib.*; conquered by Hyder Ali in 1778, *ib.*; greater part of, reverted to the Nizam of the Deccan under the Treaty of Seringapatam, *ib.*; remainder allotted to the Nizam in 1799, *ib.*; character of the Hyderabad administration of, *ib.*; settlement of the land revenue in, *lxix.*; no traces of private property in land in, *ib.*; accurate records of ancient assessments wanting in, *ib.*; survey and assessment of, instituted by Munro, *ib.*; reduction in the assessment of, pro-

posed by Munro as Principal Collector in 1807, and eventually sanctioned by him as Governor in 1820, *cxviii.*, 110, 214.

Chaplin, Mr., suggested by Lord Ellenborough for Government of Bombay, *cxviii.*, footnote; Collector of Ballari, 110.

Charter, the, discussions regarding the renewal of, *xx—xxvi.*

China, trade with, continued to the East India Company in 1813 for twenty years, *xc.*

Chingleput, district of, *xv.*

Chittour, taking of, *xviii.*

Civil service, competitive system recommended for, by Lord Grenville in 1813, *xc.*; importance of revenue experience to civil servants, *cxviii.*, *cxix.*, 501—510; disadvantages to civil servants of beginning in the judicial line, 502, 503.

Closs, Colonel Sir Harry, member of the Commission at Seringapatam, *liv.*; Adjutant-General at Madras and afterwards resident at Poona, buried in St. Mary's Church, Fort St. George, *cx.*, footnote.

Cochrane, Mr., *lxxxix.*

Coimbatore, subject to Hyder Ali in 1780, *xv.*; satisfactory condition of the district in 1827, 273.

Collectors, jealousy felt by the civil servants towards the military, *c.*, *cxli.*; importance of the office of Collector, *cxviii.*, 515; appointment of Principal, 513, 514; should have no money dealings with the native inhabitants of their districts, 523—526; evils of habitual suspicion in a Collector, 526.

Commissariat, question of proposed changes in the management of, 387—393; accounts of, cannot be effectively audited unless the first audit is made by the Commissary-General, 388.

Company's officers, adjustment of rank between the King's and, in the West Indies, 367.

Competition system, Lord Grenville's advocacy of it, *xc.*

Compulsory regulations, objections to, 463—467.

Confessions, practice of extorting, attributable to the habits of the people, 514; complaints of forced confessions must be received with caution, *ib.*

Conjeveram, *xviii.*

Conversion of natives, impolicy of allowing European officials to interfere with the religion of the natives, 548—553.

Coorgs, the, ravaged Canara, *lx.*

Coote, Sir Eyre, *xv.*, *xxix.*

Cornwallis, Marquis of, his operations against Tipoo in 1791 and 1793, *xviii.*; his remarks on the inadequacy of official salaries in India in 1793, *xxviii.*; his semindari in 1793, *xxviii.*; his settlement in Bengal, *lxv.*; his views on Indian revenue questions, derived from English precedents, *lxix.*; his reversal of Lord Wellesley's policy of territorial extension, *cv.*

Correspondence, voluminous character of Indian official, in 1820, *cxxi.*

Cotton, means of increasing supply of Indian, 497.

Cotton goods, falling off in demand for Indian, *xcv.*; unfair treatment of India by England in the matter of, *xcv.*, *xcvi.*, footnote.

Council, the, consisted of three members, including the Commander-in-chief, *cxix.*; Munro's harmonious relations with, *cxvi.*

Court of Directors, the, a strong party in, opposed to Warren Hastings, *xv.*, *xvii.*

Courts-martial in the West Indies on native officers and men of sepoy regiments, 308.

Cradock, Sir John, recalled from the office of Commander-in-chief at Madras in consequence of the Vellore mutiny, *lxxxvi.*

Crime, chief causes of the prevalence of, 298; incidental causes which lead to a temporary increase of, 299; apprehensions of the Court of Directors as to increase of, unfounded, 310.

Criminal justice, administration of, should not be entirely in the hands of foreigners, to the exclusion of the natives of India, 322, 323; inefficiency of the system of administering with the aid of Mahomedan law officers, 324, 325; tediousness of the system of recording depositions in criminal trials, 325.

Cuddalore, town and fort of, *xv.*; battle and siege of, *xvii.*

Cuddapah, subject to Hyder Ali in 1780, *xv.*; included in Ceded Districts, *lxix.*

Canliffe, Mr. Brooks. See Arcot, South.

D.

Dalhousie, Marquis of, annexation policy of, *lix.*

Darya Daulat Palace, *lvi.*

Daulatabad, Mahomedan chief of, *lxix.*

Daydi, explanation of the word, 183, footnote.

Deccan, Nizam of the, *lxix.*

Deemukh, explanation of the word, 180, footnote.

180, footnote.

Dérikota, port of, *xv.*

Dharwar, not a Mahratta province, 368; jagirdars of, not ancient hereditary chiefs, *ib.*

Dhandaji, a Mahratta freebooter and rebel, *lx.*, *lxvi.*

Disdign. See Madara.

Disarming, the question of disarming the people, 463—470; its probable effects, 469.

District munsif, advantages of a more extended use of this class of judicial officer, 293, 294; question of abolishing fees in the district munsifs' courts in suits for less than ten rupees, 293; inexpedient that the offices should be invariably filled from the list of passed Hindu and Mahomedan law students, 303, 308; the Zillah Judge should be unfettered in his selection of munsifs, 303; appeals from the decisions of district munsifs comparatively few, 311; their final jurisdiction in suits under twenty rupees not abused, *ib.*; have acquired the confidence of the people, 312; question of allowing fees to, 317.

Dooly, explanation of the word, 446, footnote.

Dubashee, their mischievous influence in the jagir, *xxviii.*

Duncan, Mr. Jonathan, Governor of Bombay from 1796 to 1811, *cxviii.*

Dundas, Mr., his denunciation of General Goddard's expedition, *xxiv.*, footnote.

Duties, transit, proposal to suspend in time of scarcity, 484.

E.

East India Company, possessions of, in 1780, *xv.*; European regiments of, *xviii.*; erroneous views held by the Chief Justice at Madras regarding the political status of, 144, 145; question of providing cash for the payment of troops of the, in the West Indies, 267.

East Indies, difference of transporting negro and European regiments from the West to the, would probably not be great, 365.

Education, Munro's views on the duty of educating the natives of India, *cxviii.*; his proposal on the subject, 576—583.

Ellore, semindar of, 194.

Elphinstone, the Hon. Mountstuart, Munro's correspondence with him during the war in the Southern Mahratta country, *cxii.*; his re-

INDEX.

by his constituents in the Ceded Districts, lxxix.; his appellation as "Father of the People," ib.; departure from India, ib.; feelings on the occasion, ib., xc.; employment of his time in England, ib., xcii.; evidence before the House of Commons, xcii., xciii.; views on the question of throwing open the trade with India, xciii., xciv.; opposed to the unrestricted admission of Europeans into India, xcvi.; views on the organization of the Indian army, xcvi.; appointment to the Judicial Commission, xcvi.; return to India, ib.; marriage, xcix.; sentiments on returning to India, ib., c.; arrival at Madras, ib.; opposition to the Commission from the Madras civil servants, ib.—cii.; remarks on the panchayat system, ciii., footnote; applies for a military command in the third Mahratta war, cviii.; application at first unsuccessful, cix.; his military services and claims, ib.; appointment in a mixed civil and military capacity to the Southern Mahratta country, ib.; expedition to Sundúr, ib.; appointment as brigadier-general to the command of the reserve division, cx.; brilliant campaign, ib., cxi.; Mr. Canning's panegyric upon the campaign, ib., arduous character of his duties, ib.; correspondence with Mountstuart Elphinstone and Malcolm, cxii.; Malcolm's description of the campaign, ib.; unfavourable opinion of the Mahrattas, cxiii.; low estimate of the strength of the Pindáris, ib.; views on subsidiary alliances modified, cxiv.—cxvi.; second return to England, cxvi.; birth of his eldest son, ib.; nominated Governor of Madras, cxvii.; feelings on going to India for the third time, cxix., cxx.; appointed successively a Companion and Knight Commander of the Bath, cxx.; arrival at Madras and assumption of the Governorship, ib.; relations with his Council, cxi., nature of his duties, ib.; special matters which engaged his attention, cxxii.; remarks on the duties of a Collector, cxxiii.; on the proper training of civil servants, ib.—cxv.; on the employment of native agency, cxv.—cxvii.; on education, cxviii., cxxix.; on the press, cxxix.—cxxxii.; his thoroughness in transacting public business, cxxxii.; varied knowledge of details, ib.; regularity of his habits, ib.; applies for permission to retire, cxxxiii.; causes which prolonged

N.

his stay in India, ib.; views on famines, ib., cxxxiv.; work in connection with the war in Burma, cxxxv.—cxxxviii.; created a baronet, cxxxv.; receives the thanks of the Court of Directors for his services in connection with the war in Burma, ib.; his opinion of the danger of commencing a war with an inadequate force, cxxxvi.; statement of the objects of the war and of the best modes of achieving them, ib.—cxxxviii.; renews his application to be relieved, cxxxviii.; visit to Mysore in 1825, ib.; tour in southern districts in 1826, ib.; farewell visit to the Ceded Districts, ib.; his death, obituary official notification of it, cxxxix, cxl.; steps taken to perpetuate his memory, cxl.; his character compared with those of Elphinstone, Malcolm, and Metcalfe, ib.—cxlii.; appreciation of his character by the members of the Madras Civil Service, cxlii.; high estimation in which he was held by the Duke of Wellington, Mr. Canning, and Lord Ellenborough, cxliii. **Muttadari**, nature of the system, 3, footnote; introduced into the Salem district, ib. **Mysore**, chief of, xxiij.; army of, xxvi.; Rájá of, lv.; restoration of, to native rule, lix.; Munro's visit to, cxxxviii., 339—347; financial mal-administration of, 339.

Nagpur, suppression of native rule
in, lix.; advantage of having a
Madras Military force at, 395.
Nair Rájás, lxvii.

Nair Rájás, lxvii.

Natives of India, the, should be largely employed in the administration of the land revenue, 255, 256; general remarks on the policy of largely employing natives in the public service, 567—575; exclusion of, from all but the lowest offices degrading to the native character, 568, 569; their improvement hopeless, if they are excluded from all share in the government of their country, 569; advantages of our Government to, not unaccompanied by disadvantages, 570, 571; should be excluded from no offices in which they can be employed consistently with the preservation of European control, 573; probable result of our measures upon the character of, should be carefully considered, 573, 574; should not be regarded as men utterly unworthy of trust and destitute of ambition, 575.

1984-1985

native officers, courts-martial in the West Indies on, and men of sepoy regiments, 268.

Native princes, in cases of succession the British Government ought to confirm the choice of the chief and of the leading men of the country, 330; baneful influence of low favourites over, 346; interchange of presents with, 350.

Native states, British Government should not interfere with, on the ground of mal-administration, 231
interference with, in petty matters inexpedient, 248.

Native subordinates, delegation of authority to, unavoidable, 48; impossibility of dispensing with, 108; alleged dishonesty of, not incapable of being checked, 567, 568; proper mode of dealing with charges against, 563—566.

Native troops sent from India to the West Indies must have the same allowances as in India, 366.

Naubat, explanation of the word, 190, footnote.

Nawáb of the Carnatic, his possessions in 1780, xxv.

Negroes could not be recruited in India, 805; would be in many respects less trustworthy troops than sepoy, ib.

Negro regiments would not add to the efficiency of the Indian army, but would do no mischief in India, 369.

Negro revolt, sepoys from India would doubtless prove useful in the West Indies, especially in case of a, 369.

Negro troops would be less efficient than Europeans in India, 363; not likely to be more steady in action on

likely to be more steady in action or more formidable to the enemy than sepoy, 364; no difficulty in provisioning, *ib.*; the expense of, need

visioning, 16.; the expense of, need not be greater than that of sepoy, 16.; difference of transporting, from the West to the East Indies would probably not be great, 365; sepoy would have no jealousy of, 366.

Nellore, belonged to the Nawáb of the Carnatio in 1780, xxv.

Nepean, Sir Evan, Governor of Bombay, cxviii.

Nile, battle of the, xxxii.
Niléshwaram, 54.

Nizam, the, his confederacy with the
Mahratta chiefs and Hyder Ali,

xxiii.; entitled to an annual tribute of five lakhs of rupees from the East India Company for the Northern Sirkars, xxv.; more formidable than the Mahrattas, l.; the troops of, officered by French officers, lii., liii., footnote; the disbandment of

these troops and formation of a British subsidiary force at the capital of, lili, footnote: contingent furnished by him in the last war with Tippee, id.

North, Lord, his Government still in office in 1780, xxv.

Northern Sirkars, the four of, held by the East India Company in 1780 subject to a tribute to the Nizam, xiv.; inefficiency of the revenue management of, xxvii.; Munro's tour in, 184-207; power and influence of the zemindars in, 184-187; little intercourse between the Government officials and the people in, 187; general remarks on, 197, 206; revenue system obtaining in them under the Hindu and Mahomedan Governments, 198.

0

Observations on proposed formation
of large estates in Canada, 83.

Officers, adjustment of rank between the King's and Company's, in the West Indies, 267; native, court-martial in the West Indies on, and former regiments, 268.

Official correspondence, importance of observing the prescribed channels in conducting. 408-409.

Official morality, low standard of, in India a hundred years ago, xxxvii., cxviii.

xxviii. Oriental languages, Munro's proficiency in, xxix.; proficiency in, is not always a guarantee of official fitness, ib.

Oudh, annexation of, lix.
 Outports, the, question of throwing
 open the trade with India to, xci.—
 xvii.

P

Palkonda, zemindari of, 188.

Palkonda, seminary of, 207; *see* also *see* word, 207;
Panchayat, Munro's advocacy of the
system, xviii.; system legalised in
1816, but practically inoperative,
ciii.; explanation of the word, 46,
footnote; not employed by Hindus
in criminal cases, 231; corruption
diminished by the system, 236; ob-
jections to the system considered,
295; popularity of the system, 23;
irregularities incident to it, unac-
ceptable of correction, 23; Munro's
recommendation to try the system
in criminal cases, 296.

Pandál, explanation of the word, 181, footnote.

Pattikonda, the place where
died, cxxxix.; memorial grave and
well at, cxi.

well at, Ch.
Peddapur, semimātri of, 1900

- Pegu, annexation of, cxxvii.
 Pensions, inexpediency of subdividing, 536, 537.
 Permanent settlements, introduced by Lord Cornwallis in Bengal, lrv.; ordered to be introduced in Canara, *ib.*, 86; should be deferred for five years in Canara, 88, Munro's objections to, *ib.*, 245.
 Persian language, Munro's study of, xxix., xxxii.
 Peshcash, explanation of the word, 330, footnote.
 Peshwa, the, the nominal head of the Mahratta confederacy, lxxx.; planned with Sindia an attack upon the Nizam when the army of the latter was absent in Mysore, *ib.*; a puppet in the hands of Sindia, *ib.*; his escape to Bassein, *ib.*; agreed by Treaty of Bassein to receive a subsidiary force, *ib.*; secretly a party to the Mahratta confederation against the British, *ib.*; dethronement of, and annexation of the greater part of his dominions as British territory, cviii.
 Petrie, Mr., Acting Governor of Madras, lxxxviii.
 Pigot, Lord, Governor of Madras, deposed by his Council, xxiii.
 Pindaris, the, their audacious raids, cvii.; extirpated by Lord Hastings' forces, cviii.; Munro's low estimate of their strength, xxiii.
 Pioneers, utility of the corps of, 377, 445; their employment, 377.
 Pitt, the Right Hon. William, his earlier impressions and expectations regarding the French Revolution, xxxi.
 Pittbápur, zemindari of, 194.
 Police, Munro's views on, approved by Home authorities, xcii., xcvi.; system introduced by Munro better than that which it superseded, civ.; attempt to impart life and energy to the village police sound in principle and fairly successful in practice, *ib.*; union of police and revenue functions in the native officials of the revenue department an error, and too often a source of oppression, *ib.*; Munro's police superseded by a separate body of stipendiary police under the general control of the district magistrate, *ib.*; evils resulting from the establishment of, as a separate body, 296; old village police resorted to, 297; inutility of a preventive, 298; danger of police arrangements causing general anxiety and oppression to the people, 301; irregularities of, more difficult of concealment under the system introduced in 1816, 315; control of, should not be vested in the Provincial Courts, 319.
 Poligars, the, the Ceded Districts fall into the hands of, lxx.; Munro's description of, in the Ceded Districts, lxx.—lxxii.; many of the most turbulent expelled from the Ceded Districts, lxxii.
 Poona, Mahratta chief of, xxiii.; attack on, by Jeawant Rao Holkar, lxxx.
 Porto Novo, battle of, xxvii.
 Pottail, powers and duties of, 280. See Heads of villages.
 Pottah, explanation of the word, 189, footnote.
 Press, the, Munro's views on the subject of, cxxix., cxxx., 638—645; remarks in the Memoir on the question of, in India, cxxx.—cxxxii.; supposed connection of, with the mutiny of 1857, cxxx.; Mountstuart Elphinstone's high estimate of Munro's Minnie on, cxxxi., footnote; loyalty of the European press in India, *ib.*; its defects, *ib.*; its usefulness, *ib.*; modern growth of the native, *ib.*; need of restrictions upon the vernacular, cxxxii.; British power in India not based upon the liberties of the people, 638; a free press incompatible with the dominion of strangers, 638, 639; freedom of, if granted, cannot be confined to the Europeans, 640; bad effect of a free press upon the native army, 641—644; progress of knowledge among the natives of India not likely to be hindered by the necessary restrictions on the freedom of, 643, 644.
 Prevalence and antiquity in Canara of private property in land, 83.
 Primogeniture, absence of exclusive rights of, under Hindu law, lrv.
 Private property in land, prevalence and antiquity in, in Canara, 83; varied in different parts of India, 229; no trace of, at Vijayanagar, 239; was most perfect in Canara and Malabar, *ib.*; other countries in which it existed, *ib.*; introduced into the Baramahal by a moderate assessment, 241.
 Property, landed, in Canara, remedy in cases of extreme sub-division of, and consequent failure to pay the public revenue, 85.
 Provincial Councils, xxxvii., 201, footnote.
 Provincial Courts, the, control of police should not be vested in, 319.
 Provisioning negro troops, no difficulty in, 364.
 Public revenue, small estates in Canara not incompatible with good cultivation or with the security of the, 83; remedy in cases of extreme sub-division of landed property in Canara and consequent failure to pay the, 85.
 R

tion or with the security of the, 83; remedy in cases of extreme sub-division of landed property in Canara and consequent failure to pay the, 85.

R

- Raidrúg, emigration of the ryots from the táluq of, cxxii.
 Rajahmundry, collectorate of, 199; proper spelling of the word, *ib.*, footnote.
 Rájputána, native states in, relieved from Mahratta domination, cviii.
 Rampa, zemindár of, 195.
 Read, Captain Alexander (afterwards Colonel), Munro appointed his assistant in the Intelligence Department, xxvii.; placed in civil and military charge of the Baramahal, xxvii.; Munro's high opinion of him, *ib.*; nature of the duties entrusted to him, *ib.*; originator of the ryotwár system, xl.; appointed to command a force in the last Mysore war, xlviii.; Munro's letters to, lxxiii., lxxiv.; "Regulations for the Management of Revenue Affairs" issued by him, 3, footnote, 587—592; circular letter addressed by him to the Assistant Collectors in the Baramahal and Salem, 592—595; his capacity as an administrator not to be judged of by his style of writing, 595, footnote.
 Records, frequent destruction of, under native governments, 285.
 Recruits, if the West Indies can supply, negro regiments can be kept complete, 365; should be sent from India to supply vacancies in sepoy regiments in the West Indies, 367.
 Remissions of revenue, causes which necessitate, 604—608.
 Rent, use of the term by Munro, xlii., footnote; existence of, in its proper sense in Canara, lxiv., 67.
 Renters, employed by zemindárs, xxxvii.; by the Provincial Councils in the Northern Sirkárs, *ib.*; by the Government in the Jágir, *ib.*
 Revenue, small estates in Canara not incompatible with good cultivation or with the security of the public, 83; security of the, equally good if not better in the case of small estates in Canara than in the case of large estates, 84; remedy in cases of extreme sub-division of landed property in Canara, and consequent failure to pay the public, 85; regularity in payment of land, not affected by the smallness of the estates in Canara, 85.
 Revenue Department, the, necessity

of equalising emolument in, with those allowed in the judicial department, 511—517; appointment of Principal Collectors and Sub-Collectors, 512—518.

- Revenue survey, main objects of, 161; qualifications required for, *ib.*; expediency of using the acre as the standard of land measurement in, 162; want of, need not delay the introduction of a ryotwár settlement, 163; advantage of an accurate survey of each district, 362.
 Roberts, Sir Frederick, his march from Cabul to Candahar, xxiv., footnote.
 Ross, Mr., a Madras merchant, xxvi.
 Rambold, Sir Thomas, his Minute on the tranquillity of the Carnatic in 1780, xxiv.
 Ranjeet Sing, his designs upon the protected Sikh states of Sirhind checked by Lord Minto, cv.; Metcalfe's mission to his Court, cxli.
 Ryot, the, enforcement of the joint responsibility of ryots at one time advocated by Munro, xliii., xlv., 41; the real proprietor of the land, except in the Ceded Districts and in the Deccan, lxxviii.; combines the character of labourer, farmer, and landlord, 101; in the Ceded Districts and the Deccan had no property in land, *ib.*; description of the true status of the ryot, 235; unfavourable position of, in the Northern Sirkárs, 250—252; incapacity of the ryots to resist oppression, 258, 259.
 Ryotwár settlement, report on the mode of conducting a, 606—601; instructions regarding a, 604—608.
 Ryotwár system, the, misapprehensions regarding, xxxix.; leading features of, *ib.*, xl., 352; originated by Read and extended and advocated by Munro, xl.; defects which at one time hampered its working, *ib.*, introduced by Munro in the Ceded Districts, lxxii.; involves the assessment of each separate field, *ib.*; opposed by the authorities in Bengal and by eminent civil servants in Madras, lxxv.; re-placed in the Baramahal by the muttadári system, and in the Ceded Districts by a system of triennial leases, *ib.*; subsequently reverted to under orders from the Court of Directors, lxxvi., xliii.; salient points of the controversy regarding the ryotwár and zemindári systems of land tenure, lxxvi.; Munro's contention that the ancient land tenure of India was ryotwár, lxxviii.; arguments for and against, discussed by Munro, *ib.*, 96—106,

185; where it prevails, the ryot in the cultivating proprietor, 106; principle of, to impose a fixed assessment upon the whole land of the country, including waste as it is brought into cultivation, 107; simplicity of, *ib.*; apprehensions of the Court of Directors regarding, 108; advantages of the detailed inquiries which it involves, 263; brings the officers of the Government into direct intercourse with the people, 310.

S.

Sadr Adalat, the Court of, *cii.*

Sadr amina, extension of their jurisdiction, 292.

Salaries, evils resulting from small, xxxviii; Lord Cornwallis's representation on the subject of, *ib.*

Salem, district of, subject to Hyder Ali in 1780, xxv.; poverty of the inhabitants of, 22; embezzlements of public money in, 208—210; favourable tenures in, 212; alleged cause of the failures of the muttadars in, examined, 218.

Salsette, an island near Bombay, xxv.

Salar, semindar of, 189.

Sayer, explanation of the word, 189, footnote.

Scarcity. See Famine.

Secretary to Government, importance of revenue experience to, xxv., 503, 504; importance of the office of, to the revenue and judicial departments, 529—531; nature of the duties of the office, 530, 531.

Sepoys, superiority of the, in the British service over those in the French service attributable to the European officers of the former having been trained in European regiments, 378; negroes not likely to be more steady in action or more formidable to the enemy than, 364; the expense of negro troops need not be greater than that of, *ib.*; negroes would be in many respects less trustworthy troops than, 365; would have no jealousy of negro troops, 366; no difficulty in feeding, in the West Indies, 367.

Sepoy regiments, no inconvenience apprehended in sending European officers of, with their regiments to the West Indies, 366; would be efficient with a small proportion of European officers than at present, *ib.*; recruits should be sent from India to supply vacancies in, in the West Indies, 367; danger to the health of the, from change of climate not great, 368; would be as

capable of opposing Europeans in the West Indies as in India, *ib.*; period of service of, in the West Indies, *ib.*; courts-martial in the West Indies on native officers and men of, *ib.*; from India would doubtless prove useful in the West Indies, especially in case of a negro revolt, 369.

Seringapatam, Munro's opinion of the Treaty of, xxxiii., 1; provisions of the Treaty of, xxiv.; appointment of a native judge at, 564—566.

Service of sepoy in the West Indies, period of, 368.

Sholinghar, battle of, xxvii.

Shore, Sir John, afterwards Lord Teignmouth, 1.

Shrotriam grants, usually given for civil services, 338, 334.

Sirdar, explanation of the word, 545, footnote.

Sirkar, explanation of the word, 70, footnote.

Sivaji, the founder of Mahratta rule, lxx.

Small holdings, causes of the prevalence of, 245.

Smith, Adam, his doctrines referred to by Munro, xcv., footnote.

Somerville and Gordon, Glasgow merchants in whose counting-house Munro was employed, xxiii.

Southern Mahratta country, the, Munro urged the acquisition of a portion of, lxxxi.; question of the transfer of, from Bombay to the Madras Presidency, 351—360.

Spanish language, the, Munro's studies in, xxi.

Stevenson, Colonel, lxxxii.—lxxxv., footnote.

Stratton, Mr., appointed Munro's colleague on the Judicial Commission, *cii.*; Munro's correspondence with him, *cxi.*, *cxii.*

Stuart, General, his incompetency, xxix.

Subaltern, life of a, in Munro's time, xxxii.

Sub-Collector, subordination of, to the Principal Collector, 183; duties of, 516.

Subsidiary forces, objections to the employment of, *cxiv.*

Sunda, 52, footnote, 69, 70.

Survey. See Revenue survey.

T.

Tabsildar, explanation of the word, 49, footnote; powers of punishment and jurisdiction proposed to be vested in, 301.

Tanjore, district of, under a Mahratta chief in 1780, xxv.

Tank, importance of, 26; because evidently unproductive owing to the sitting up of the beds, 91; description of, which it is most useful to repair, *ib.*; duty of the ryots to execute the ordinary repairs of, 92; proposals for facilitating the repairs of, 263, 264; appointment of an Inspector-General of the Tank Department, 263.

Tápur, pass, xxvii.

Teignmouth, Lord. See Sir John Shore.

Telegu language, the, Munro's practical knowledge of, xxix.

Tenasserim, acquisition of, cxxvi.; Madras troops more suited for service in, than Bengal troops, 458.

Territorial extension, Munro's advocacy of, xxxiv.

Thackeray, Mr., his report on the Bellary district, 110.

Timber monopoly, the, origin of, in Canara and Malabar, 174; oppressive working of, 175, 176, 179, 180; attempt to introduce into Travancore and Cochin, 177; proposed legislation regarding, *ib.*—179; political and economic objections to, 180, 181.

Tinnevely district, the, subject to Hyder Ali in 1780, xxv.; unsatisfactory character of the revenue management of, 271.

Tippoo Sultan, pursuit of, by Lieut.-General Meadows, xxvii.; his sons sent as hostages to Madras, *ib.*; his military talent, xxx.; his fanaticism, xxxi.; peace concluded with, in 1792, xxxv.; last war with, xlix.—liv.; his hatred of the English, xlix.; his intrigues, *ib.*

Tomtom, explanation of the word, 287, footnote.

Trade, the, discussions of the throwing open of, xxi.—xxvi., 491—500; of Calcutta in 1797 and 1800, xxi., xxi.; Munro's opinion of the benefits resulting from the Company's monopoly of, 406; objections to throwing open, to the ports, *ib.*; probable effect of the loss of the China trade, 499.

Transporting negro and European regiments from the West to the East Indies, difference of, would probably not be great, 365.

Travancore, disputed boundary between, and Dindigul, 335—338; geographical and political position of, 338, footnote.

Trial by jury, advocated by Munro in criminal cases, 322; should be adopted as a measure to be persevered in, and not as an experi-

ment, 324, 325; advantages of the jury system, 324, 325; plan for regulating the system, 324, 325; Funchigat.

Trichinopoly, belonged to the Marathas of the Carnatic in 1780, xxv.; remarks on the tenure of land in, 271.

Tripster, proclamation addressed to the inhabitants of, 7, footnote, 157.

Troops, British, improbability of Britain being unable to furnish a sufficient number of, for India, 368; negro, would be less efficient than Europeans, in India, *ib.*; negro, not likely to be more steady in action or more formidable to the enemy than sepoy, 364; negro, no difficulty in provisioning, *ib.*; the expense of negro, need not be greater than that of sepoy, *ib.*

V.

Vacancies in sepoy regiments in the West Indies, recruits should be sent from India to supply, 367.

Vellore, army to invade Mysore collected at, liii.; mutiny of the native troops at, lxxxiii., lxxxv., lxxxvi.

Vijayanagar, Canara subject to the Rájás of, lxii., 53, 54, footnote; also Ceded Districts up to 1864, lxx.; Rájá of, defeated by confederacy of Mahomedan chiefs, *ib.*

Village communities, joint tenure by, the most ancient system in India, lxxviii., lxxxix.

Village munsifs, no reason to apprehend abuse of authority by, 310; tendency of, to avoid exercising authority, *ib.*, 311; recent proposals to extend the Madras system of village tribunals to other Indian provinces, *ciii.*

Vítal, 52.

Vizagapatam, district of, 188.

Vizianagram, semindar of, 189; his embarrasments, 190—192; unsatisfactory management of the semindari by the Collector, 192.

W.

Walpole, the name of the ship in which Munro sailed to India, xxiii.

Wandiwash, relief of, xxvii.

War, nothing so expensive as, quoted on with inadequate means, 424, 425.

Ward, Sir Henry, Governor of Madras, in 1800, buried in St. Mary's Church, Fort St. George, *cii.*, footnote.

Warg, the Canarese word for a stipend, lxxiv.

Waste lands, principle of the ryotwar system to impose an assessment

- Principal Collectors of the Ceded Districts, lxviii, lxviii; constitution of the Madras Government, cxx.
- Madras, subject to Hyder Ali in 1780, xiv; remarks on the revenue system in, 271; omission to preserve the survey accounts of, 272.
- Magistrate, union of the office of, with that of Collector advocated by Mauro, xviii; opposition offered to the measure at Madras, ci, cii; measure carried out, cii, ciii. See European Magistrate.
- Mahratta, first war with, xliii; fallacy of the notion that Tippon should be preserved as a barrier against them, xxi; maintain no standing army, ib.; second war with, lxii; their distrust of the British after the Treaty of Seringapatam, ib.; their hostility intensified by the Treaty of Bassem, ib.; last war with, cvii, cviii.
- Mahratta Government, strength of, continually varying, xxi; a government of plunder and depredation, ib., cxiii; composed of a confederacy of independent chiefs, xxi.
- Malabar coast, Mauro's memorandum on the defence of, lxvi, lxvii.
- Malabar district, subject to Hyder Ali in 1780, xiv; refractory character of the petty chiefs in, lx; inefficient management of, by the Government of Bombay, ib.; review of Mr. Gurnee's report on the revenue system of, 164-173; brief notice of its geographical position, area, population, political and revenue history, 164, 165, footnote; first steps to be taken for improving its internal administration, 166; special reasons for revising the land assessment of, 165, 166; revision of land assessment in accordance with the general wish of the landholders, 167; revision of the assessment of the garden lands of, 168; importance of preserving the landlords of, 169; Mr. Gurnee's proposals for assessing, 170, 171; objections to an export duty on pepper in, 172; points demanding consideration in connection with the district, 172, 173; forests of, placed under the Government of Bombay, 174, 175.
- Malcolm, Sir John, Mauro's colleague as secretary to the Commission at Seringapatam, liv; his friendship with Mauro, xlii; his eulogium of Mauro's conduct of the military operations in the Southern Mahratta country in 1818, ib.; recommended by Mr. Canby for an
- Indian Government, cxi; his character, cxi, cxi; Mauro's official notice of his public services, 589.
- Malby, Mr. Francis Newcome, his description of Canara, 52, 53, footnote.
- Mdwa, native states in, released from Mahratta domination, cviii.
- Mandem, Rajd of, 187.
- Mangalore, 52.
- Manufactures, utility of supporting them, of the country, 424. See Iron Works.
- Masnad, explanation of the word, 229, footnote.
- Mauritius, proclamation issued at, lii.
- Maxwell, Colonel, xlvii.
- McLeod, Lieutenant, appointed one of Mauro's assistants, xxi.
- Meadows, Lieutenant-General, xlvii.
- Measures recommended in consequence of decision of Government to introduce a permanent settlement and a system of large estates in Canara, 50.
- Metcalf, Lord, his character and career, cxi-cxii. See Hyderabad and Nizam.
- Military, rules to be observed when calling out the, in aid of the civil power, 304, 305.
- Military Board, unsuitability of, for business involving detail, 280; matters in which its advice is useful, ib.; subordination of, to Government, 404, 405. See Government.
- Minto, Earl of, his main policy, cv.
- Mirdal system, untrustworthy accounts of its origin, 229; its growth probably connected with the system of irrigation at the public expense, 230; erroneous nature of the theory that a mirasdar is exempt from liability for the assessment because he has kept his land uncultivated, 232; practice in the Decan opposed to any such theory, 234; mirasdars have no proprietary right in waste lands, 234, 235.
- Muhiri, semindar of, 196; pretender to the semindari of, ib.
- Mohurtia, explanation of the word, 213, footnote.
- Monopoly, the East India Company's trade, defended by Mauro, xciv, xciv.
- Moore, Sir Graham, xlii.
- Moore, Sir John, ib.
- Mornington, Lord. See Wellesley, Marquis of.
- Mauro, Mr. Alexander, father of Sir Thomas Mauro, xli, xc.
- Mauro, Sir Hector, Commander-in-chief at Madras in 1780, xvi; Sir Thomas Mauro's comments on his generalship, xlviii.
- Mauro, Lady, wife of Sir Thomas Mauro, xcix.

- Mauro, Sir Thomas, his birth and education, xli; his favourite studies and character at school, ib.; his views on school friendships, xlii; entered the counting house of Mauro, Somerville and Gordon, xliii; appointment to East India Company's maritime service, ib.; appointment as a cadet of infantry at Madras, ib.; arrival at Madras, ib.; his employment on his first arrival, xvi; robbed by his native servant, ib.; his pay as a cadet, ib.; his early friends at Madras, ib.; his narrow escape of being appointed to Colonel Baillie's detachment, ib.; marched with the army under Sir Hector Mauro and Sir Eyre Coote in 1780-1783, ib., xlvii; appointed a quarter-master of brigade in 1781, xlvii; acted as aide-de-camp at attack on French lines and battle of Cuddalore on 18th June 1783, ib.; employed on garrison duty from 1783-1788, ib.; regiments with which he served, ib.; appointed to the Intelligence Department, ib.; rejoined his regiment in 1790, ib.; served with the army of invasion in the Baramahal, ib.; served in the pursuit of Tippon through the Taper pass, ib.; served in most of Lord Cornwallis's operations in 1791 and 1793, ib.; accompanied the detachment sent to Madras in charge of Tippon's sons, ib.; appointed a civil assistant in the Baramahal under Head, ib.; his correspondence, ib.; style of his letters, ib., xlviii; his remarks on Colonel Baillie's defeat, and on Sir Hector Mauro's conduct in connection with it, xlviii; had attracted the notice of Sir Eyre Coote, xlix; the employment of his time when serving with his regiment, ib.; his attainments in the Oriental languages, ib.; his views on British policy in India, xxi; on the relative strength of Tippon and the Mahrattas, ib.; first impressions regarding the French Revolution, xxi; apprehensions regarding the power of France, ib.; the hardships of his life as a subaltern, xxi, xxi; his remarks on the peace made by Lord Cornwallis in 1793, xxi, xxi; views on the extension of British rule in India, xxi; remarks on Tippon's oppressive system of government, xxi; views on the importance of moderate assessments, xi; on the taxation of improvements, xli; on fixing the assessment
- with reference to the description of crop raised, ib.; on losses, xli; on the joint responsibility of ryots, ib.; use of the term rent, ib., footnote; views on permanent assessments, xli, lxvi, lxvii; liberateness of his life in the Baramahal, xlv; partiality for the Baramahal, ib.; correspondence with his family and friends, xiv; contempt for unpractical theories, xvi-xviii; appointment to the force under Head in the last Mysore war, xlviii; opinion of the Treaty of Seringapatam, i; remarks on the relative strength of Tippon and the Mahrattas, ib.; appointment as a joint secretary to the Commission at Seringapatam, lv; the commencement of his friendship with the Duke of Wellington (then Colonel Wellesley), ib.; points of resemblance in their characters, ib.; advocacy of the policy of extending British rule in India, lv; objections to the re-establishment of a native dynasty in Mysore, ib.; letter to Colonel Wellesley on the question of extending British rule, lvii, lviii, footnote; appointment as Collector of Canara, lx; reluctance to accept the appointment, ib.; criticisms regarding the ryots of Canara, lx; settlements of Canara, lxi, lxiv; his objections to altering the system of landed tenures in Canara, lxiv, lxv; his other duties in Canara, lxvi; memorandum on the defence of the Malabar coast, ib., lxvii; details of the climate of Canara, lxvii; remarks on the difficulty of travelling in that district, lxviii; of appointment as Principal Collector of the Ceded Districts, ib.; remarks on the condition of the Ceded Districts at that time, lxvi; survey and triots at that time, lxvi; assessment of the Ceded Districts, lxvii, lxviii; the multifarious character of his work in the Ceded Districts, lxviii, lxiv; popularity with the natives of the Ceded Districts, lxv; his defence of the triots, lxv; his defence of the ryotwar system, lxvii, lxviii; remarks on joint tenures, lxv; remarks on a subsidiary alliance with the Peshwa, lxv, lxvi; letter to General Wellesley on the battle of Assaye, lxvii, footnote; advocacy of an increase to the European force in the Indian army, lxv; remarks on the machinery of the Government, lxv; his appointment as Principal Collector of the Ceded Districts, lxv; his resignation of his services to the Government, lxvii, lxviii; his resignation of his services to the Government, lxvii, lxviii; his resignation of his services to the Government, lxvii, lxviii.

'the scene of great actions in ancient times; but when I return from India, it will be too late to attempt to enter upon a new career in this country, and my eyes will probably be too old, if I am not so in other respects, to permit me to derive any pleasure from visiting the countries of the Continent.'*

It was with these feelings that Munro embarked for India in the last days of 1819. He had been appointed a Companion of the Bath for his military services in the Mahratta War, and before his departure he was promoted to the rank of Knight Commander. In conformity with the custom obtaining in those days, shortly before he sailed, he was entertained by the Court of Directors at a banquet, at which Mr. Canning gave expression in eloquent terms to the sentiments of general satisfaction with which Munro's appointment was regarded.

We bewilder ourselves (Mr. Canning said) in this part of the world with opinions respecting the sources from which power is derived. Some suppose it to arise with the people themselves, while others entertain a different view. All, however, are agreed that it should be exercised for the people. If ever an appointment took place to which this might be ascribed as the distinguishing motive, it was that which we have now come together to celebrate, and I have no doubt that the meritorious officer who has been appointed to the Government of Madras, will in the execution of his duty ever keep in view those measures which will best conduce to the happiness of twelve millions of people.

Sir Thomas and Lady Munro reached Madras on the 8th of June, 1820, having spent a fortnight on the way at Bombay as the guests of Mr. Elphinstone, with whom Munro wished to discuss various public matters. He took his seat as Governor immediately on landing, and at once entered upon the business of the office. At that time, as now, the Government of Madras consisted of a Governor and three Members of Council, of whom the Commander-in-chief was one, and the other two were members of the civil service. To a Governor possessing no previous acquaintance with Indian administration, the Council is a valuable and necessary aid; but in the case of a man of Munro's antecedents, such assistance was certainly not necessary, and it would not have been surprising if in the earlier period of his government he had found himself somewhat embarrassed by the opposition of his colleagues; for on some of the most burning questions of the day his policy was but little in accord with the views hitherto maintained in the Council, and only a few years had elapsed since his functions on the judicial Commission had been for a time paralyzed by the opposition which they encountered. But it does not appear that from the time of his assumption of the Governorship, Munro experienced

any difficulty in his relations with his Council. It is not improbable that his path was smoothed to some extent by the support which his views had already received from the Home Government; but, making every allowance for this consideration, much must be attributed to the fact that Munro possessed in an eminent degree those qualities of earnestness, patience, and toleration for the opinions of others, which go so far to disarm opposition. There never was a more constitutional Governor than Munro. The law having provided that he should discharge the duties of his high office in conjunction with a Council, he acted up to its provisions in the spirit as well as in the letter, treating his colleagues with invariable confidence and unreserve; and thus it came to pass that while there never was an Indian Government in which there was less friction between the Governor and the Council, there never was a Government which was more essentially the Government of the Governor, than the Madras Government was while Munro presided over it.

The unceasing work which had been Munro's lot in the more subordinate employments hitherto filled by him, was not destined to be materially diminished in his new office. The Governor had less of the drudgery of detail than the district officer. Questions came before him more fully prepared. As a general rule his duty was rather to decide on facts ascertained by the investigations of others than to go through the laborious task of investigating. But if the quality of the work was different, the quantity was much the same. The ordinary business was heavy. Before Munro had been many weeks in office, he found that not only was his time occupied by the necessary business of administration, but that much of it was taken up "in reading masses of papers and useless altercation between different departments." He wrote:

These require all my patience and a great deal more, for I have very little left. Nothing is so tiresome as to waste time in discussions of matters of no importance in themselves, but which derive some from the absurd heat of the combatants.

The remark made by an English statesman, which is quoted in Sir John Kaye's "Life of Lord Metcalfe," that "eloquence in India evaporates in scores of paragraphs," was only an epigrammatic description of the fact with which the new Governor found himself confronted. He wrote to Mr. Canning:

By not coming to India you have escaped the irksome task of toiling daily through heaps of heavy long-drawn papers. I never had a very high opinion of our records; but it was not until my last return that I knew that they contained such a mass of useless trash. Every man writes as much as he can,

* Gleig's Life, vol. ii. pp. 93, 94.

either in Elphinstone or Munro. The letter which Metcalfe wrote to the Court of Directors, when he was passed over for the Government of Madras, could not have been written by either of those men. Between Elphinstone and Munro there were some strong points of resemblance. Both were essentially single-minded men, occupied with the work they were to do, and caring little for the credit or promotion they might earn. Of the two, Elphinstone was the one who probably most attracted the affection as well as the esteem of those with whom he was brought into contact. With much of Munro's force of character, with a refined and cultivated intellect, he combined a gentleness of disposition and sympathy with others which were inexpressibly attractive; but he appears to have lacked the sustained energy, physical as well as mental, which imparted to Munro his enormous capacity for work, and enabled him to combine so great a mastery of details with a firm grasp of principles. In general society Munro was probably the least popular man of the four. From very early life he was more or less affected with deafness, which at times disabled him from joining in general conversation, and increased an appearance of reserve, in some measure natural to him in his intercourse with strangers; but in the society of his intimate friends, and with all who were brought into direct communication with him on public business, he showed no lack of geniality, and by such he was regarded, not only with those sentiments of respect which his great talents, his large experience, and his broad and liberal views could not fail to inspire, but with those warmer feelings of affection which are called forth by an unselfish nature.

Reference has already been made to the opposition which some of Munro's measures encountered from the members of the civil service, and to the jealousy which at one time was felt in connection with his employment on duties considered to belong exclusively to them. No public servant ever more completely lived down antagonism and prejudice. During the seven years that he held the Government of Madras, Munro did more than any Governor had ever done to elevate the tone and raise the efficiency of the civil service, and by no body of men was his value more thoroughly appreciated than by the members of that service. When the writer of this Memoir first arrived in India, Munro had been dead upwards of fifteen years; but the memory of his work was still as fresh as if he had died but yesterday, and his name was never referred to save in terms of the greatest veneration and esteem. By the English statesmen of fifty years ago, Munro was regarded as the

Presidency, in the course of a few years, a small but influential body of highly educated native officials, who have done much to justify Munro's views as to the policy of giving to the natives of India a more important share in the government of their country.

Another question which about this time excited a good deal of discussion in India, was the question of the public press. In those days there was no native press in India. In Bengal the English press was subject to restrictions which varied in their stringency according to the disposition of the head of the Government for the time being. Under Lord Wellesley and his immediate successors, the restrictions were extremely severe, and any editor who made attacks in his paper upon the Government or its officers, or upon the religion of the natives, was liable to be deported from India. Lord Hastings allowed the press very considerable latitude; but Mr. Adam, who succeeded him in the Governor-Generalship pending the arrival of Lord Amherst, regarded the press as a dangerous instrument, and deported Mr. James Silk Buckingham, one of the Calcutta editors, for an infringement of the press regulations. At Madras there had always been a rigid censorship of the press, and no paper could be issued until it had been submitted for the inspection of the Government censor. Munro held very strongly the opinion that the restrictions upon the press ought not to be removed, and as the subject was exciting a good deal of attention, both in England and in India, shortly after he assumed the Government of Madras, he recorded his views upon it in a comprehensive Minute for the consideration of the Governor-General, and of the Court of Directors. The key-note of Munro's policy on this subject is contained in one of the first sentences of the Minute, in which he states that he 'cannot view the question of a free press' in India 'without feeling that the tenure with which we hold our 'power, never has been and never can be the liberties of the 'people.' He wrote:

Those who speak of the press being free in this country, have looked only at one part of the subject. They have looked no farther than to Englishmen, and to the press as a monopoly in their hands for the amusement or benefit of their countrymen. They have not looked to its freedom among the natives, to be by them employed for whatever they may also consider to be for their own benefit and for that of their countrymen. A free press and the dominion of strangers are things which are quite incompatible, and which cannot long exist together. For what is the first duty of a free press? It is to deliver the country from a foreign yoke, and to sacrifice to this one great object every meaner consideration; and if we make the press really free to the natives as well as to Europeans, it must inevitably yield to this result.*

* Minutes, p. 538.

liberty of throwing up their lands was a great concession in their favour; but as their lands are still greatly under-stocked, and consequently unproductive, such an abatement of rent ought to be made as might facilitate their means of stocking them completely. It is only for the purpose of hastening the attainment of this object, that I think any reduction necessary; for there are some arguments against bringing rents to a very low standard.

It in the first place directly cuts off a part of the revenue, and it forces many of the head farmers to narrow the limits of their farms, from the loss of their labourers, whom it tempts to leave them in order to set up for themselves. In this way, also, there will be some decrease of revenue, because the labour of the servant on new land will not produce so much as it did on that of his master. But this decrease will not be lasting, for it will soon be made up by the extra labour of the new farmers, who, with the exception of a few of the most indolent, will do much more work on their own account than on that of another; by the increase of population, to which the division of lands and low rents are favourable; and by the multiplication of cattle, and every kind of farming stock, which is always better managed by small than by great farmers. Those men whose farms have been lessened by the desertion of their labourers, must principally depend upon the increase of their own families for hands to enlarge them to their former size, because, while rents are low, and while there are vast tracts of good land unoccupied, of which anybody may take whatever he wants, every man who can purchase a bullock will farm for himself; and this difficulty of obtaining labour will continue until all the lands which can easily be rendered productive, shall be brought into cultivation.

Still a reduction of assessment, by enabling the farmers to increase their stock, would be very beneficial to the country, and even, finally to the revenue.

With regard to the probable effects of the survey assessment on the permanency of revenue, I have not the least doubt but that the amount of the rents of all the lands which may be occupied in the current year, may be collected without having to wait for any length of time. Any remission, therefore, made with the design of securing the realization of revenue, is unnecessary; but such important benefits will immediately accrue to the country, and at a future period to revenue itself, from facilitating the means of increasing the stock of the farmers, that I think it would be doing an injury to both not to remit fifteen per cent. of the lease assessment. This is apparently less than the twenty per cent. which I recommended in my letter of the 15th November, 1796;

it is in fact more, because I conceive that the advantages which the farmers will derive from the permission of relinquishing a part of their lands, and concentrating their stock upon a smaller quantity, will be at least equal to ten per cent.

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

The rental is not the sole cause, but only one among many others, of the cheapness of land. The cheapness is occasioned by the poverty of the inhabitants, which hinders them from stocking their lands, and drawing from them the produce which they would yield, if well cultivated. But it may be said that the rental is the cause of this inability. This is not, however, the case; for had not the exactions of Government and its servants, beyond the fixed rent, perpetually stripped the farmers of all their gains, numbers of them might now have been rich, and their lands might have yielded treble their present produce, and ~~been~~ ⁱⁿ course so much more valuable. The cheapness is also occasioned by the insecurity of property, arising from frequent wars and conquests, which render the possession of land precarious. It is occasioned by the manners of the farmers, whom a long experience of the violence of their rulers has made distrustful, and who therefore either squander or bury their gains, instead of employing them in the cultivation and improvement of their lands. It is occasioned by the high interest of money, which induces those who have it, to employ it in other channels which they think safer than farming. It is occasioned by the want of confidence in Government, which deters those who might be disposed to lay out their money in improving land, from doing so, from the apprehension that the rent may be raised: and it is occasioned by the great tracts of arable land which, for want of cultivation, remain in the hands of Government, ready to be given to whoever will take them. It is plain enough that, as long as these remain unoccupied, no other land can have any value, because no man will buy what he can get for nothing.

Cheapness of land principally attributable to the poverty of the farmers.

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

become saleable, Government must either remit them, or collect them by a second assessment upon the inhabitants.

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

The system of leases might be generally introduced, without any measures of constraint, by reducing the assessment in favour of those accepting leases.

It depends entirely upon circumstances, whether a whole district may, or may not, be rented in lease without constraint. If the rent is lowered as much as every farmer wishes, there is no doubt but that the whole of them would be glad to take their lands in lease; if the rent is higher than this, but such as it is imagined they can pay without much inconvenience, all the more substantial farmers will prefer a lease, in order to secure themselves from further demands. The poorer sort, having nothing of this kind to fear, and being also apprehensive that losses may disable them from fulfilling their engagements, will prefer an annual settlement; but if they are told that those who do not agree to a lease must give up their lands, most of them will rather consent than relinquish them. This alternative may be considered as some degree of constraint; that is to say, it is violence to them to insist on retaining the power of making your own assessments. But the whole of a district might be settled in lease without even the least appearance of constraint; for were it published, that all who consented to take their lands for a certain number of years would obtain a remission of fifteen per cent., and that all who did not would be obliged to pay the usual rent, there is not a man in the country who would not agree to the lease. This shows that there is no absolute necessity for constraint. If the remission is made without any such condition annexed to it, the number of farmers desirous of a lease would not be thereby much augmented; for, as the circumstances that give a value to a lease are certainty of possession and security against any increase of rent,—if these also exist under an annual settlement, there is no cause to lead the farmer to prefer the lease, but several to make him prefer the annual settlement. This is precisely the state of things in this country. The farmers know that they may hold their lands as long as they choose, and that their rents will never be raised. By this they have already all the benefits of a lease; but as, by not binding themselves, they have the chance of getting better lands than their own, by the death or failure of the former occupant, and are at liberty to take advantage of every opportunity that may offer of changing their situation for one more favourable, there is not one of them who will willingly accept of a lease. As long as they

A general reduction of assessment will not promote leases, so long as the ryots know that their tenure is practically permanent, and that the assessment is not likely to be increased.

are convinced that there is no danger of a rise of rents at a future period, any present remission would only tend to confirm them in their opposition to a lease; for as they would think that the remission had been granted solely for the purpose of prevailing on them to agree to it, they would think that, by persisting in rejecting it, they would obtain a still further reduction.

The inhabitants of these districts have everywhere this year been released from the engagements into which they entered last. It would therefore be in vain to attempt at present to renew them; for, having already seen that they were set aside whenever it was suspected that they were unfavourable to them, they would imagine that the same indulgence would be shown again; and if they even agreed to leases, they would do it without reflection, and without any serious intention of abiding by their agreements longer than it suited their convenience. As there is, however, no likelihood that will agree to a lease while rents remain unalterable, and as the privilege of throwing up whatever lands they please every year will render the amount of revenue uncertain, expedients might be adopted for introducing fixed settlements by degrees, which is all that is wanted; for the matter is not of so much importance as to make it necessary to hurry it forward.

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

The option of throwing up land annually enables them to adapt themselves to the seasons, and is beneficial to them, and ultimately to the revenue.

In the present state of the country, it is right that this advantage should be continued to the inhabitants some time longer; but in proportion as their circumstances improve, it might be withdrawn, in order to render it more easy to ascertain accurately the

As the country improves, this option may be withdrawn.

lábád had refused to surrender. A great part of the country, from Niléshwaram to Bárkúr, had been ravaged by the Coorgs. In

gar, and when the assessment of the land revenue, which still formed the basis of the assessment which Munro found in operation, was introduced; how the Vijayanagar assessment, which was a light one, having been apparently considerably less than one-fourth of the gross produce, had rendered the district prosperous, and had led to the formation of that which did not exist in any of the neighbouring countries, except Malabar, viz., private property in land; how, when the country passed under the Bednore dynasty in the latter part of the 16th century, the assessment was more than once raised, but was still not so high as materially to interfere with the prosperity of the people, until the conquest of Canara by Hyder Ali, under whom, and under his son and successor Tippoo Sultan, there ensued a period of over-assessment, of war, and of mis-government, which in some cases annihilated the old proprietors, and inflicted serious injury on all. It appears from a statement appended to the letter of 31st May, which it is not thought necessary to reprint here, that while Tippoo's assessment amounted to star pagodas 6,16,089-2-20, or £246,435, the assessment recommended by Munro did not exceed star pagodas 4,65,148-33-64, or £186,059. This assessment included the shist, the nature of which will be explained presently, and a portion of the additions made by the Bednore Government and by Hyder and Tippoo, which are commonly designated as shāmil. The Vijayanagar assessment, introduced between the years 1334 and 1347, including additions made to it up to the year 1660, constituted the rekha, or standard assessment, and amounted to star pagodas 5,80,759-22-15. From this sum large deductions were made on account of ināms, waste lands, &c., which reduced the actual assessment to star pagodas 2,46,623-14-12. This latter sum, styled the shist or balance, was in fact the standard assessment in 1660. It was raised by the Bednore Government, by various additions, to star pagodas 3,20,827-4-73, at which it stood when Hyder conquered Canara. It was further raised by Hyder to star pagodas 5,33,202-4-17, and by Tippoo nominally to 8,68,678-25-16, but, according to Munro, actually to only 6,16,678-25-16; and in regard to the

latter sum, it appears from a subsequent report by Mr. Thackeray (printed as an appendix to the Fifth Report) that it was merely a nominal assessment, for Tippoo never collected more than 4,73,550-3-12. Munro observes that 'the ancient assessment' is still written, not only in all general 'accounts of districts, but in those of every individual landowner. It is alone considered as the due of Government. All subsequent additions are regarded as oppressive exactions. They are not called rent, but are stigmatised by the names of obout, imposts, fines, &c., and distinguished by the names of the dīwāns who first 'levied them.' The ancient assessment referred to in this passage would seem to be the shist of 1660, amounting, as above stated, to star pagodas 2,46,623-14-12; but in the figured statement the shist is entered in one place at 3,20,827-4-73, in another at 3,27,159-7-62, and in another at 3,59,732-32-35—all of these figures evidently including additions to the ancient shist made by the Bednore Government; while in the abstract of Munro's settlement for 1799, the standard rent or shist is put down at 2,84,604-23-45, which sum is referred to by Mr. Thackeray as the amount of the 'ancient shist.' The discrepancy is not now of any material importance, and I merely refer to it because the shist, as forming an element in the assessment of Canara, has been recently brought prominently to notice in the suits instituted against the Government of Bombay by numerous landholders in North Canara, in consequence of the re-assessment of the land revenue in that district, which was annexed to the Bombay Presidency in 1862. Munro's settlement, as has been said, amounted to star pagodas 4,65,148-33-64, or £186,059. In making this settlement, he took as his basis Tippoo's assessment of star pagodas 6,16,089-2-20, adding some fresh items and new heads of revenue, but deducting 1,50,940-4-36 on account of waste land, heads of revenue lost, &c. Even thus reduced, the settlement he considered to be higher than could be judiciously imposed upon the district, but did not think himself 'at liberty to depart widely from the system which he found established,' as it was the same as that which 'existed in all the

many places the cattle had been swept away, the villages burnt, and the inhabitants—men, women, and children—carried off into

'provinces which the Company had acquired in the last and former war.' He had made 'no other reduction in the assessment of Tippoo Sultan than such as was absolutely necessary in order to ensure the collection of the rent. He considered himself merely as a Collector, who was to investigate and report upon the state of the country, but who was to leave it to the Board (of Revenue) to decide as to the expediency of lowering the assessment.' But while thus assessing the land revenue at the highest sum which could be collected without positive oppression, he urged upon the Board of Revenue and the Government the importance of reducing it to such an extent as to restore a saleable value to the land, and with this view he suggested a reduction of about 80,000 pagodas, to be effected by reducing the assessment in parts of the district to that which obtained at the close of the Bednore Government, in other parts to the Bednore assessment and 25 per cent. of the extra assessments imposed by Hyder, and in others to the Bednore assessment and 30 per cent. of Hyder's extra assessments. Munro's recommendations, which were framed with a view to the adoption of a permanent settlement, at that time in contemplation, were not supported by the Board of Revenue, but were sanctioned by the Madras Government on the understanding that the reduction was to be temporary, and was 'not to be entered in the accounts of the province as a diminution of any of the existing principles of assessment,' but 'that the whole amount was to be entered under a separate head of temporary gratuitous remission, to be deducted from the aggregate assessment of Fasli 1209' (A.D. 1799-1800). Munro was at the same time instructed to give his particular attention to certain disproportions which had been observed in the rates of assessment recommended by him, and also to the question of imposing a land-tax upon those estates which under the Hindoo dynasties had been held free of assessment, but had been assessed by Tippoo. Not only therefore was this reduction of the assessment made for 1799-1800 declared to be merely a temporary remission, but the assessment itself was ordered to be revised, with the avowed object of raising it, whenever the con-

dition of the people might justify such a step.

From Munro's second letter it would appear that having, after a longer residence in the province, formed a more favourable opinion of the condition of the people than that which he at first entertained, he did not deem it necessary to carry out the whole of the temporary reduction which had been sanctioned, but limited the reduction of the assessment to 2½ per cent. Munro was shortly afterwards transferred to the ceded districts, and the adoption of a permanent assessment for Canara was indefinitely postponed. Mr. Thackeray, writing in 1807, observes that 'the Collectors of Canara have ever since gone on lowering or raising the rent according to circumstances.' Upon Tippoo's standard each ryot's payment to Government consists of 'two parts shist and shāmil. The shist is the old land-tax, and is easy; the shāmil is the extra assessment, which is sometimes more, sometimes less, than the shist. Few individuals pay the full sum, including shist and shāmil; but while the Collector keeps the full standard 6,16,089-2-20 in view, the ryots have to look forward to pay it, according to the 'kykaghia, as it is termed. This standard is too high; but the annual settlement is made with a view to it, and the amount is regulated by circumstances.'

The system here described appears to have been continued for upwards of twenty years with very prejudicial effects on the prosperity of the district. The standard assessment was then reduced, and some years later still further reductions were made, which, followed by the abolition of the transit duties and of the tobacco monopoly, and by a considerable expenditure on roads, has rendered Canara one of the most prosperous districts in India. Now, the question is not whether the assessment is too high, but whether the land of Canara contributes its proper share towards the taxation of the Empire. Except in that portion of North Canara which has recently been surveyed and re-assessed under the orders of the Government of Bombay, there has been no survey of Canara since it became a British province, and it is believed by those

is uncertain. Gardens or plantations of cocoa-nut, betel-nut, and pepper are considered as private property, and follow the same rules as in Canara; but all other land is supposed to belong to the sirkár. It is also understood that, even in gardens, the property of the soil is vested in the sirkár, and that only the trees belong to the owner. As the sirkár, however, has no right to the ground while the garden remains, this is a distinction that can never be attended with any inconvenience to him; for when a garden is once planted, it may be kept up for ever by a succession of young trees, so that he may be said to be proprietor of the soil as well as of the produce. As in Sunda Payanghát one-third of the land-rent arises from cocoa-nut and betel-nut gardens; as all rice lands are occupied by sirkár* tenants, who are not removable while they pay their rents, except in the case of another person offering a nazarána, which rarely happens; as in Sunda Balaghát about three-fourths of the land-rent is drawn from gardens of betel-nut and pepper; and as it is only in a few villages on the Mahratta frontier that the ryots ever quit their lands, there seems to be nothing else wanting but a reduction of the present assessment, in order to constitute the rice lands private property as well as the gardens. There is even now a certain class of them distinguished by the name of shásan, or sunnud lands, which have in this manner become private property. They were originally waste lands, for which a nazarána was paid to the sirkár, in consideration of which they were made over to the purchaser for the simple shist, or standard rent, exempt for ever from all extra assessments. They amount to about six or eight per cent. of the sirkár lands. All rice lands, cultivated and waste, which have no sunnud, being liable to be sold by the sirkár, lands highly improved were sometimes taken from the ancient tenant and given to a stranger for a nazarána, who at the same time received a sunnud which secured him against all future increase of rent.

Exclusive of these two descriptions of sunnud lands, no land in Sunda is saleable except gardens, and many of them even, in consequence of the rent with which they are loaded, are unsaleable. Panjmahe, or Sunda Payanghát, is nearly in the same state, with respect to cultivation, as the most desolate districts of Canara; but Sunda Balaghát is much worse than either. It is nearly a complete desert. It has not throughout its whole extent a cultivated spot of a mile square, except a few small openings thinly scattered; all the rest of the country is overgrown with so thick a forest, that

* Sirkár, properly *sarkár*, the Government, the State. Sirkár tenants, tenants of the State.

THE CONDITION AND ASSESSMENT OF CANARA.

it can only be penetrated in the few places where roads have been made. Most of the heads of villages formerly retained parties of thieves in their service; for Sunda, having long been a frontier country, touching on the territories of several different powers, and its jungles affording the most complete cover to banditti, it has probably been accustomed to plunder all its neighbours, and to be plundered by them, ever since these circumstances concurred to favour such disorders.

These banditti, to the number of three or four thousand, secretly encouraged by the principal inhabitants, in 1796 expelled all the Sultan's garrisons excepting those of Hallihal and Sadásivaghar, and defeated several parties sent against them; and though they were at last dispersed by a strong detachment, several of the ring-leaders continued, at the head of bands of fifty or a hundred men, to elude the search of their pursuers among the jungles, and to commit depredations on the country till the beginning of the Company's government. As they were then offered indemnity for all past offences, and lands to cultivate, many of them have since come in. Some of them, however, still hold out. Robberies and murders, though not so common as before, are still very frequent. Many of the petty Mahratta zemindars, particularly on the northern frontier, give protection to robbers. No village is safe without a guard, so that it will probably be necessary to keep up the present establishment of peons for some years, till these disorders have subsided. The most effectual remedy for them all would, I imagine, be a moderate land-rent, which, by holding out an easy and certain livelihood, would bring back a great part of these banditti, who were originally labourers, to the habits of industry.

Having thus explained at some length the ancient and present state of Canara and Sunda, it only remains for me to offer a few observations respecting what ought to be the rate of assessment, and the extent of farms under a fixed settlement; but, as the assessment is of much greater importance than the division of the country, I shall confine myself entirely to it in the present letter. It may be supposed that, without the aid of a previous survey, or of the experience to be derived from long residence, I cannot form any correct judgment upon the subject. This may be true in many instances with respect to the assessment of farms or villages in detail, but there are certain points from which sufficiently just conclusions may be drawn with regard to what ought to be the total amount of the assessment. There can be little doubt that both Hyder and Tippoo generally raised rents as high as they could

Disturbed condition of the country.

Most of the land in Sunda not saleable.

Principles on which the assessment should be revised.