

bribery went a great way, on most occasions; and they allege, that bribes included, they did not actually pay one half of what they do now, although nothing can be more moderate than the present assessment, which I am convinced does not amount to a tythe of the produce."

APPENDIX, No. 8.

EXTRACT Proceedings of the Board of Revenue in Bengal, dated 21st January 1794, respecting the difficulties experienced by Zemindars, in collecting their Rents from the Ryots, under the Regulations.

To William Cowper, Esq. President, and Members of the Board of Revenue.

Gentlemen,

THE difficulty I found in realizing the last kist of Aughun from the Maha Rajah, induces me to listen to his earnest request, of representing to you the hardship he sustains from one of his renters, who, destitute of good faith, and availing himself of the delay that necessarily attends the institution of law process, for the recovery of arrears of rent, is encouraged to withhold from him, his just dues. He begs leave to submit it to your consideration, whether or no it can be possible for him to discharge his engagements to government with that punctuality which the Regulations require, unless he be armed with powers as prompt to enforce payment from his renters, as government have been pleased to authorize the use of, in regard to its claims, on him; and he seems to think it must have proceeded from oversight, rather than from any just and avowed principle, that there should be established two methods of judicial process, under the same government; the one summary, and efficient for the satisfaction of its own claims; the other, tardy and uncertain in regard to the satisfaction of claims due to its subjects; more especially in a case like the present, where ability to discharge the one demand, necessarily depends on the other demand, being previously realized.

2. How far this representation of circumstances may be strictly correct, I shall be better able to judge when in possession of the Regulations of government entire; but there can be no doubt, as I have informed the rajah, that when completely furnished, they will be found to remove every reasonable cause of complaint of the nature of that under consideration; and I should, therefore, have declined troubling you on the present occasion, were it not that the instance adduced by the rajah, as concerning himself, and in support of the arguments above recited, is of a very grievous nature, as you will, I think, be convinced, from the following relation of the predicament in which he stands, in regard to his renter Banaressey Ghose. [515]

3. I had the honour of addressing you under date the 28th August, on the subject of this person, who resides in Calcutta, and of urging arguments similar to the foregoing, on the part of the rajah, in the hopes of inducing you to cause the defaulter to be apprehended and conveyed either to the adawlut or to the sudder cutcherry of this district, in like manner as a defaulter to government had just before been treated; thinking not only that the process would be as justifiable towards the one, as towards the other, but that it would, moreover, be alike effectual, in recovering an indisputable demand; to which you were pleased to reply, under date 3rd September, that conceiving my arguments by no means incontestable, you did not think it expedient to afford the rajah the relief solicited, though you forbore entering into any discussion in regard to the justness of those arguments, or to furnish me with any train of reasoning, whereby I might have been able to convince him that he sustained

no real hardship; contenting yourselves with referring me to the General Regulations, which direct, that to insure the punctual collection of the annual rents payable to zemindars by their farmers and ryots, they must have recourse to the rules of distraining their property, where any property can be found, and to the courts of justice, if they wish to attach their persons. Accordingly, not knowing of any property, and being of opinion that attachment of Banarsety Ghose's person, would be immediately followed by satisfaction of the demand, the rajah lost no time in making application to the dewanny adawlut; but has found, to his great disappointment and distress, that delay, greater than he could have imagined, does indeed, as it will be observed in Section I, Regulation XIV, necessarily attend the constitution of law procedure for the recovery of such demands; for some months are now elapsed, without its having been in the power of the zillah court to afford him the least redress, or without the defendant having been even brought to give answer to the plaint; and he, the defendant, still publicly appears in Calcutta without restraint, and in defiance of all law, civil and moral, continues to withhold from him the just dues, to the amount at this present time, of Sicca rupees 47,643, as will appear by the enclosed statement; for the want of which sum, he has, more than once already, in the course of the present year, been in imminent danger of confinement in the common jail, and in default of which payment, should this application fail of compelling it (as well as of many others that are withheld under similar circumstances, to a very considerable amount), he verily believes he shall, at the close of the present month, find himself liable to the exercise of those powers, with which it has pleased government to arm the collector, in order to enforce (without suffering *in its own case*, the delay incident to a law process) the punctual payment of its dues, unless he should, by shutting himself up in his house, or otherwise concealing himself from the peons who may be sent to arrest him, determine to avail himself of the four weeks, which Section I, of Regulation XIV, allow him, of keeping himself from under restraint, to anticipate or embezzle the revenue that may remain uncollected; which, however, much it may eventually prove to be in his power to effect, he has at present, no thoughts of attempting, trusting rather to the reasonableness of his cause, and the justice of government, than to any advantage which might be taken of particular parts of the Regulations, under a persuasion there will not be refused to him the same powerful, prompt, and efficacious means of enforcing payment from his renters, that are used to recover the dues of government from himself, more especially, since the practicability of the latter, necessarily depends on the former being previously performed.

I have, &c.

Burdwan, the 9th January 1794.

(Signed) S. Davis, Collector.

Translate of a Paper received from the Maha Rajah Tezchund Bahadur.

THE arrear of rent on account pergunnah Baley, to the end of Poose 1200 B. S. amounts to Sa. Rs. 43,743, and the arrear on account of 1199, amounts to Sa. Rs. 3,900, in all 47,643, now due from Banarsety Ghose, farmer of that pergunnah, who absents himself, and fails in the performance of his engagements: I have many times, represented his conduct to the Huzoor, and twice, made application to the adawlut; but without obtaining any satisfaction of the demand. I therefore request the case may be represented to the board of revenue, and application made to have the defaulter apprehended, and sent to the cutcherry, to discharge his engagements.

Agreed, that we answer the collector as follows:—

To Mr. S. Davis, Collector of Burdwan.

SIR,

We have received your letter of the 9th instant: as it would appear therefrom that the Rajah of Burdwan had instituted a suit against Banarsety

Ghose, in the dewanny adawlut: we desire that you will inform us, if in consequence of the non-attendance of the defendant, the judge made any application to the sudder dewanny adawlut, or took any other measures to enforce his attendance, or that of his authorized vakeel.

We are, &c.

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### APPENDIX, No. 9.

Extract BENGAL Judicial Consultations, 22d April 1802

(Civil.)

No. 6. ABSTRACT STATEMENT of Suits depending in the Zillah and City Courts, on the 1st January 1802.

Zillahs and Cities.	Before the Judge.	Before the Register.	Before the Native Commissioners.	TOTAL.
Backergunge ... ..	177	315	1,274	1,766
Benares City ... ..	260	229	1,183	1,672
Behar ... ..	1,209	2,041	337	3,587
Beerbhoom ... ..	67	371	300	738
Bhaugulpore ... ..	59	82	1,005	1,146
Burdwan ... ..	191	1,303	7,625	9,119
Chittagong ... ..	1,388	910	2,160	4,458
Dacca City ... ..	365	254	333	952
Dacca Jelalapore ... ..	955	815	1,452	3,222
Dinagapore ... ..	148	396	5,514	6,058
Hooghly ... ..	416	1,824	7,991	10,231
Jessore... ..	1,378	1,738	10,887	14,003
Juanpore ... ..	207	272	566	1,045
Midnapore ... ..	197	253	3,371	3,821
Mirzapore ... ..	200	252	1,050	1,502
Momensing ... ..	528	565	8,014	9,107
Moorshedabad City ... ..	115	189	87	391
Moorshedabad Zillah ... ..	27	1,762	16	1,805
Nuddea ... ..	269	217	5,992	6,478
Patna City ... ..	769	1,080	272	2,121
Purnea ... ..	261	543	25,601	26,405
Rajishahy ... ..	253	850	12,265	13,368
Ramghur ... ..	95	243	474	812
Rungpore ... ..	407	178	7,207	7,792
Sarun ... ..	61	8	19,707	19,776
Shahabad ... ..	...	...	...	...
Sylhet ... ..	170	492	1,573	2,235
Tipperah ... ..	152	182	10,461	10,795
Tirhoot ... ..	1,938	391	3,253	5,582
Benares Court of Appeal ... ..	...	...	...	52
Calcutta Court of Appeal ... ..	...	...	...	156
Dacca Court of Appeal ... ..	...	...	...	568
Moorshedabad Court of Appeal ... ..	...	...	...	26
Patna Court of Appeal ... ..	...	...	...	106

(Signed) JAS. STUART, Register. [517]