M.R.O. 1—33,600—16-10-29.

MADRAS RECORD OFFICE.

Government of Madras.

Judicial DEPARTMENT.

G.O. No. 1341 Press ~~Mts.~~

189-191.

Dated 19. 9. 1865 ~~19~~ .

7/8

Not to be folded or roughly handled

Read the following papers:—

No. 189. Proceedings of Government in the Revenue Department.

Communicating, for disposal in this Department, a requisition for convict labor, for the roads and other works in and about the town of Cuddapah. } (Dated 29th August 1865, No. 2027).

Referred to the Acting Inspector General of Jails, for his remarks.

(Signed) A. J. ARBUTHNOT,
Chief Secretary.

FORT SAINT GEORGE,
5th September 1865.

No. 290. From Lieutenant Colonel W. J. WILSON, Acting Inspector General of Jails, to the Honorable A. J. ARBUTHNOT, Chief Secretary to Government, Fort Saint George; dated Bangalore, 13th September 1865, No. 280.

I have the honor to return the Proceedings of Government in the Revenue Department, No. 504, dated 29th August 1865, forwarded to me on the 5th instant, and to report that I am informed by the Session Judge of Cuddapah that the whole of the working gangs of prisoners have for several months been placed at the disposal of the Collector and Magistrate, and are still being worked according to his directions.

No. 701. ORDER THEREON, 19th September 1865, No. 1341.

Lieutenant Colonel Wilson's letter is communicated to the Revenue Department.

2. Under recent orders, the present Magistrate of Cuddapah has been appointed to the charge of the Jail at that station.

(True Extract).

Chief Secretary.

To the Revenue Department.

Ed. J. H. Burns.

No. 504. Read the following Proceedings of the Board of Revenue, dated 9th May 1865, No. 2,336.

Read the following letter from H. G. SMITH, Esq., Collector of Cuddapah, to R. A. DALYELL, Esq., Acting Secretary to the Board of Revenue, dated Muddenpully, 13th April 1865, No. 44:—

SIR,

1. In acknowledging the receipt of the Board's Proceedings, as per margin, with enclosures, I have the honor to report that, when I arrived in Cuddapah in July 1863, I found the roads in and about Cuddapah in a very bad state, and some of them perfectly dangerous for quick travelling and difficult for even slow. I therefore spoke to the Sessions Judge on the subject, and found that three gangs of prisoners were at out stations for sanitary reasons, and two besides were employed on the railway, and others were employed elsewhere, leaving me only one gang for digging, carting, and repairing some twenty miles of road.

4th March 1865, No. 1,262, herewith returned.

2. There being an estimate for the first two miles of the road from Cuddapah to Madras, as also from Cuddapah to Vellore, this work was done by the Department Public Works, but the greater part of all the other roads were either worn out or fast doing so, owing to the prisoners being employed elsewhere for hire, and the proceeds taken for jail purposes. About the middle, however, of 1864, finding that the road, which would be the main one to the railway on its opening, was very bad, and in some places so impassable that bandies went out in the fields, I managed to get three gangs for digging and repairing the roads, and took some of the Local Funds for carting Kankur, as the railway was so near completion, and as it is this work that takes so much time when performed by prisoners. This number was subsequently increased to five, and the works were going on in a very satisfactory manner, when suddenly three were withdrawn, upon which I remonstrated with the Sessions Judge, as per enclosed letter, and you will see by his answer also enclosed, that he considers the railway works of more importance than the roads leading to it, the greater part of which are now fast wearing out, and which will get much more so if either the prisoners are not worked on them or else the proceeds given to either myself or the Department Public Works to be spent on them, and I will here remark that I can see no reason for employing the prisoners on the railway where labor is more abundant than on any other part of it.

Dated 6th March 1865, No. 161.

Do. 9th " " " 164.

3. I quite agree with Captain Moberly that Colonel Hemery was right in principle, in not allowing funds to be spent where there were prisoners; but in this case the prisoners were employed elsewhere, and surely money raised by out-door work, when plenty of coolies are available, cannot be called *savings*, when this legitimate work is neglected, to do which other money has to be expended.

4. I have, therefore, the honor to request that either the prisoners may be kept for working on the roads and other works in and about Cuddapah, or else that the proceeds of these works may be allowed for doing that which they ought to do.

Proceedings of the Madras Government, Revenue Department,
29th August 1865.

Enclosure No 1.

From H. G. SMITH, Esq., Magistrate of Cuddapah, to F. S. CHILD, Esq., Sessions Judge of Cuddapah, dated 6th March 1865, No. 161.

Having been given to understand that there is not more than one gang of prisoners available to keep the roads in and about Cuddapah in repair, the traffic of which is greatly on the increase, and some of the roads in wretched repair, for which there is no estimate, and as I am also given to understand that the remaining prisoners are employed on the railway, although there is abundance of labor to be obtained in the District, and further that the proceeds of the prisoners' labor is carried to the account of the Jail, I have the honor to request you will let me know if my information is correct in order that I may obtain an order from Government that either the prisoners be employed according to their orders, viz., in keeping the roads in repair within two miles of the Jail, or else that the proceeds of their labor be handed over to employ cooly labor in their stead.

From F. S. CHILD, Esq., Sessions Judge of Cuddapah, to H. G. SMITH, Esq., Magistrate of Cuddapah, dated 9th March 1865, No. 164.

In reply to your letter No. 161 of 1865 of the 6th instant, I have the honor to inform you that one convict gang is employed on the railway at Conamalapally. This it was necessary to send there permanently in consequence of the over-crowded state of the Jail. The two gangs employed on the railway here were applied for by the Railway Engineer, and I sanctioned the application, as I considered it most desirable to give every assistance to the railway.

(True Copies.)

(Signed) H. G. SMITH, *Magistrate.*

Submitted to Government, with reference to their Order dated 21st February, No. 380.

No. 505. Order thereon, 29th August 1865, No. 2,027.

Miscellaneous.

Referred to the Judicial Department, for issue of orders in that Department to place at the disposal of the Collector a sufficient number of prisoners to keep in repair the roads in and about the town of Cuddapah, pending the sanction for Rupees 45,000 in lieu of convict labor applied for in paragraph 5 of letter dated 17th November 1864, No. 2,110, Revenue Department, to the Government of India.

(True Extract.)

Acting Secretary to Government.

To the Judicial Department.
,, the Board of Revenue.
,, the Public Works Department.

Exd. S. T. Augustin.

No. 212. Read the following letter from F. LUSHINGTON, Esq., Deputy Auditor and Accountant General Fort Saint George, to the Secretary to the Government of India, Financial Department, dated Fort Saint George, 22nd October 1864, No. 2,832:—

SIR,

With reference to your Circular letter No. 1,973, dated 19th August last, to the Deputy Auditors and Accountants General, Bengal, Bombay, North-Western Provinces, Punjab, and Central Provinces, directing the preparation and transmission to this office of a statement exhibiting the amount of each item of receipt credited to Local Funds in 1863-64, in each of those Presidencies, with a view to my reporting for the information of the Government of India, what items among such are taken as Imperial receipts in this Presidency, I have the honor to annex a Memorandum containing the remarks of this office upon the several items referred to in the return of each Presidency. In this Memorandum, I beg to observe, are omitted such items as are taken under Local Funds in the accounts of the Madras Presidency also. A few of the items such as Estate Guage Fund in North-Western Provinces and Nuzzool Fund in Central Provinces are also left out without remark, as I am unable to form any idea of the nature of the receipts and disbursements referred to by them.

MEMORANDUM.

PUNJAB.
Local Agency Fund.

In the Madras Presidency the rents of houses are credited to the Public Works Department, and those of Gardens and Lands to Land Revenue, Miscellaneous.

Prison Labor Fund.

The sale proceeds of Prison Labor are credited to Law and Justice, the charges for maintaining the convicts being borne by the State. No separate fund is formed for exhibiting the receipts and disbursements on this account.

Municipal Fund.

The transactions on account of Municipal Funds are not shown in the Government accounts.

Forest Conservancy and Grazing Funds.

In those Districts in which the operations of the Forest Department extend, the Forest receipts are credited as Imperial Revenues, but when the Collector is entrusted with the duty of conserving the Forests of the Districts, the receipts and disbursements on account of Forest collections are shown under "Jungle Conservancy Fund." Grass rent for cattle grazing in small tracts of land is credited to District Road Fund; and grass rent for cattle grazing in jungles or large tracts of land, are taken under Land Revenue. Collections on account of cattle grazing made by Officers Commanding stations are brought to account separately by Paymasters.

Educational Cess Fund.

The cess levied for the Establishment and maintenance of Schools under the Madras Education Act VI of 1863, is not brought to account by Government. The sums raised by private contributions for constructing Educational buildings are credited to the Educational Building Fund. The contributions made by private parties on account of Scholarships, Prizes, &c., are invested in Government Promissory Notes, and the interest accruing upon them is credited to Deposits, which head is again debited when the necessary payment has to be made.

Sheriff's Fund.

The same as "Process Service Fund" in Madras, introduced under Act III of 1863.

Police General Fund.

No such Fund exists in the Madras Presidency; the cost for Police Guards supplied to private parties being borne by Government, the recoveries for the same are credited to Police.

Sanitarium Funds.

None in Madras.

Provincial Ferry Fund.

The receipts of Ferries on Imperial lines of road are credited to District Road Fund.

BENGAL.
Trust Funds. — No such Funds exist in Madras: the investments made for any charitable and Educational purposes are dealt with in the manner pointed out in the remark opposite to Educational Cess under Punjab.

Public Works Funds. — It is not known what description of collections is credited to the Fund for the improvement of Government Estates; the same remark is also applicable to Chittagong Chowk Tax Fund, and Muldah Bazaar Fund; the other items excepting those noted under Punjab appear under District Road Fund.

Miscellaneous Funds. — With the exception of the Police Superannuation Funds, which are exhibited in the Madras accounts under Service Funds, the other items referred to, under this division, seem to be peculiar to Bengal.

BOMBAY.
Educational Funds. — Already noticed under Punjab and Bengal.

Miscellaneous Funds. — With the exception of Port Funds and Pound Fund, which exist in Madras under those names, and Toll and Ferry Funds which appear under District Road Fund, the other items entered under this Division do not seem to be applicable to this Presidency.

CENTRAL PROVINCES.
Chundah Fund. — This has no existence in Madras.

Putwarree Fund. — The village Accountants in the Madras Presidency were paid in 1863-64 by Government, pending the introduction of the village cess leviable under the Madras Act IV of 1864.

Tulbanah Fund. — Presumed to be the same as "Process Service Fund."

NORTH WESTERN PROVINCES.
Village School Fund. — The School Fees collected in the Government schools are credited to a head called "School Fee Fund" in the Madras Presidency. It is not known what items the head "Village School Fund" is intended to receive credit for.

District Dâk Fund. — The charges on account of District Dâk Establishments are borne by Government in the Madras Presidency.

Cantonment Bazaar Fund. — Appears in the Military Accounts.

The other Funds entered in the List from the Deputy Auditor and Accountant General of North Western Provinces, excepting such as may have been already noticed, seem peculiar to that Administration.

(Signed) F. LUSHINGTON,

(True Copy.)

(Signed) J. MACKEY,
Acting First Assistant Accountant General.

To the Secretary to Government, Revenue Department, with reference to G. O. dated 13th September 1864, No. 1,682, inclusive of copies of Statements received from the Presidencies of Bengal, Bombay, North-Western Provinces, Punjab, and Central Provinces.

Ordered that the following letter be despatched.

No. 213. From J. D. SIM, Esq, Secretary to the Government of Fort Saint George, to the Secretary to the Government of India, dated 17th November 1864, No. 2,110.

SIR,

Local Funds.

1. I am directed to submit, for the consideration of the Right Honorable the Governor General in Council, the following remarks on the report* of the Accountant General of this Presidency on the Local Funds of Madras as contrasted with those of the other Presidencies.

* To the Financial Secretary, Government of India, dated 22nd October 1864, No. 2,832.

Proceedings of the Madras Government, Revenue Department,
17th November 1864.

I. There is a slight verbal inaccuracy in Mr. Lushington's note on "Forest Conservancy and Grazing Funds." In this Presidency the Collectors are charged with the conservancy of Village *Jungles*, which contain little more than scrub and firewood, and are subject to prescriptive claims on the part of the villagers. "*Forests*" are under the Forest Department, and the proceeds are in all cases strictly credited to the State. The Jungle Conservancy Fund comprises receipts from firewood, charcoal, &c., and is applied to the improvement and extension of these jungles, which are of very great importance to the people. The Forest Department could not conserve such scattered jungles, nor could the proceeds be administered more advantageously than under present arrangements. A revenue of about Rupees 18,000 per annum is realized from the Streeharicottah Jungles, which are under the management of the Collector, and chiefly supply the Madras market with firewood. I am directed to request that this small item may be passed in future to the head of Local Fund, as the Government will thus have it in their power to improve these jungles. The Grass Rents credited to Local Funds are derived merely from the esplanades of old forts, banks of channels, and the like petty sources.

II. The receipts from Ferries on *Imperial* roads have been credited to Local Funds only from the commencement of the current official year, under the order of the Supreme Government, dated 28th January 1864, No. 516.

III. The Village Accountants of this Presidency were paid in 1863-64 by Government in some Districts only and in these there were per contra receipts.

2. In other respects Mr. Lushington's report is correct.

3. The Governor in Council has been much struck by the very liberal appropriations to "Local Fund" in the other Presidencies, and he hopes that, with the facts which these papers disclose before them, the Supreme Government will extend the same liberality to Madras.

4. In the Bengal Statement the very large sum of Rupees 6,67,705 appears credited to Local Fund as "Calcutta Canal and Nuddea River Tolls." The subject was alluded to in the Financial Statement of the Honorable Sir C. E. Trevelyan, and the enquiry which this naturally initiated has shewn the Government that the same reasons exist for treating Cochrane's Canal at Madras in the same manner. This canal runs through the town, and was originally constructed by a private individual from whom it was purchased in 1837, for Rupees 1,43,854. The canal is about twelve miles in length and runs from Madras to Ennore. The marginal Statement shews that since the canal was purchased, it has repaid purchase money as well as all charges, improvements, and repairs, and has a balance to its credit of Rupees 3,92,550 with an annual net income of about Rupees 24,000. I am directed to request that for the same reasons and on the same principle as the Calcutta and Nuddea tolls and their balances were made over to the Bengal Local Fund, Cochrane's Canal with its balances may be made over to that of Madras. The canal tolls, I am to add, are now levied by the Collector, and henceforth the Imperial Treasury will be relieved from all charges on this account, as well as for the maintenance, improvement, and repair of the canal and its appurtenances. The sum to be transferred is but two-thirds of that transferred to Bengal.

		Rs.
Receipts from Tolls		8,36,785
Deduct.		
Purchase	1,43,854	
Establishment, Repairs, and Contingencies	1,88,266	
Improvements	1,12,115	
		4,44,235
Clear profit		3,92,550

5. The Local Funds of the other Presidencies (Bombay excepted) shew considerable receipts from "Convict Labor Fund." This is explained by the Accountant General of the Punjab to be "a fixed grant from the Imperial Revenue in lieu of convict labor, which was formerly available for local works." In this Presidency no such Fund has hitherto been allowed, and as the Government are not aware of any difference in the treatment of convict labor in this and the other Presidencies, I am to request that an annual grant equal to that allowed to the North

	Rs.
Bengal	2,73,719
North Western Provinces	45,665
Punjab	40,093

Western Provinces say Rupees 45,000, may henceforward be made to Madras. The Bengal item probably includes arrears, a claim which this Government are willing to waive.

6. There are various other items, ex. gr., the "Fund for the improvement of Government Estates" in Bengal, the "Cotton Improvement Fund" of Bombay, the "Local Agency Funds" of the North Western Provinces and the Punjab, and the "Nuzzool Fund" of the Central Provinces, which would seem to warrant similar claims on behalf of this Presidency; but the information which this Government possess regarding them is insufficient to justify such an application at present.

No. 2918

Revenue Dept. 1864

No. 2110.

By order &c.

Chief Secy. to Govt. of Madras.

Dated 17th November 1864.

Judicial Department.

PROCEEDINGS of the MADRAS GOVERNMENT.

Read the following papers:—

Pros: in the Rev: Dept:— Inter 29 Augt. '65 No. 2,027.

Letter from the Superintendent of Jails — 13 Sept. — " 280.

Order — 19 September 1865 No. 1341.

Lt. Col. Wilson's letter is communicated to the Rev: Dept.

2. Under present orders, the present Magistrate of Cuddapah has been appointed to the charge of the Jail at that station.

The Rev: Dept. despd 20/9.

1841 Pro. 19 Sept.

Medical 1865 Department

No. 1341.

PROCEEDINGS OF GOVERNMENT.

Dated 19 September 18

Sept 21 & Sept 25

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