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DATED 1st March 1895

INDEXED.

[Despatch Abstract.]

FORESTS IN THE KURNOOL DISTRICT.

Recording Revenue Department Proceedings passing orders on the report of the Honourable Mr.J.Sturrock regarding the alleged irregularities in connection with the administration of ---.

Encl

BACK PAPERS.

G.O.	No.	Department.	Date.	G.O.	No.	Department.	Date.

FURTHER PAPERS.

G.O.	No.	Department.	Date.	G.O.	No.	Department.	Date.

18TH FEBRUARY 1895, No. 95, REVENUE.

GOVERNMENT OF MADRAS.

REVENUE DEPARTMENT.

READ—the following Proceedings of the Board of Revenue (Land Revenue), dated 10th January 1895, Forest No. 6 :—

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From

J. STURROCK, Esq.,

Acting Third Member of the Board of Revenue,

To

THE SECRETARY TO GOVERNMENT,

REVENUE DEPARTMENT.

SIR,

I have the honour to submit the report called for by Government in Government Order, dated 12th December 1894, No. 870, on the allegations made in the *Pioneer* and the *Hindu* in continuation of a former article in the *Pioneer* headed "A story of forest administration."

2. The villages referred to in the articles were Talamudipi, Velgode, Kurkunda, Guvvalagunta, Virapuram, Edurapad and Sivapuram in the Kurnool district which are said to have been raided by the Deputy Tahsildar of Atmakur.

3. It is a fact that certain searches for forest produce were made in six of these villages and in another called Ramapuram, while in Virapuram articles were picked up which had been thrown out, apparently to avoid seizure in places in which suspicion would arise against any particular person. The villages may be grouped as follows :—

1. Guvvalagunta,
2. Kurkunda,
3. Velgode,
4. Talamudipi,

} in which searches were made in September and October 1893 by the Deputy Tahsildar and Sub-Magistrate without warrant, on information or suspicion under section 191 (*c*) and section 105, Criminal Procedure Code.

5. Virapuram in which illicit articles of forest produce were picked up in September 1893.

6. Edurapad,
7. Sivapuram,

} in which searches were made in May 1894 by the Police in the Sub-Magistrate's presence after the issue of a warrant on a sworn information.

8. Ramapuram, in which searches were made in October 1893 by the Police in the presence of Ranger Newman on a warrant issued at the request of the Ranger.

4. As the articles in the newspapers refer mainly to searches on suspicion, I shall deal in more detail with the four villages in the first group, but I have made inquiries with regard to all.

5. According to the *Pioneer* of December 8th, it was stated in the Legislative Council that only four, not seven, villages were "raided." I have not been able to find any such statement in any copy of the replies to which I have been able to obtain access, but it will be seen from the preceding paragraph that there were only four villages in which searches were made by the Deputy Tahsildar without sworn information.

6. I first halted at Velgode, after which I proceeded to Atmakur, from which place I visited Guvvalagunta, Kurkunda and Ramapuram and then went on to Kurnool to finish the enquiry at head-quarters.

7. The charges made fall naturally under two heads, viz., (1) the alleged raiding of villages for small articles of forest produce, and (2) the seizure of large timber on suspicion at the Velgode forest tanna and in the forests. I shall deal with each separately, beginning with the searches in the villages.

8. *Origin of the charges.*—The *Pioneer* has denied that it received information from any Forest officer. It is not likely that there would have been any direct communication, but it is impossible for any one to read Ranger Newman's appeal * against his suspension by the Conservator, without seeing that the appeal and the articles have a common origin. Mr. Newman has a brother who often lives with him, who is said to have no regular employment but is believed to earn something by writing for newspapers in different parts of India. Ranger Newman moreover has all along made no secret of the fact that he wishes to press a number of the charges which have been brought forward by the *Pioneer*. He has set them forth very fully in his appeal-petition, † publishing papers which tell against his theories and charges as well as those which appear to support them. He also put in towards the close of the enquiry a further petition ‡ which I forward herewith with a few marginal notes. A bitter personal feud has existed for some time between him and the Deputy Tahsildar, whom he evidently believes to have brought forward some of the cases in connection with the alleged smuggling of large timber, for the express purpose of throwing suspicion upon his character, and after the discovery in October 1893 of the extensive illicit fellings in the forests, and the consequent suspicions entertained by the Collector with regard to his connection with them, he seems to me to have had but one idea, and to have been unable to look at anything except from the standpoint of his own personal feelings.

* Enclosure 2.

† Enclosure 2.

‡ Enclosure 5.

9. *Prevalence of illicit practices.*—The District Forest-officer, Mr. Lodge, at my request, has prepared a note (appendix C), on the prevalence of illicit practices in the district, and with reference to smuggling of articles of the kind which have lately been seized in the villages. I shall here quote from Ranger Newman's letter No. 342, dated 17th October 1893, alluded to in Mr. Lodge's note, partly because it gives a graphic description of a well-known practice, and partly because it is as well to show how completely the widespread existence of smuggling of the kind is admitted by the most active denouncer of the measures which have been taken to combat it.

"The Chenchus—who live in the forest—select a favorable opportunity when the Forest Guard is at one end of his beat, to fell a tree in a remote portion of the forest at the opposite end. They are expert axemen and cut up the tree into scantlings of about two feet in length. These they split and fashion into spokes and felloes (which are very easy of concealment). The villagers (chiefly Komaties with whom they have dealings) in collusion with the Chenchus either send carts on pretence of fetching thatching grass, and fetch the timber concealed in this or they send women to fetch head-loads of grass in which single spokes or felloes are concealed; or the Chenchus themselves, who move fearlessly about at night fetch the wood by secret byeways in the dead of night, and deposit it in the houses of the Komaties or merchants, or they bury the wood in the sand of adjacent streams or hide it in fields, and the villagers seize upon a favorable opportunity to smuggle it in . . . The wood is thus smuggled into the village

piecemeal, until it accumulates into a respectable quantity, as was the case in the recent seizure made by the Deputy Tahsildar. Large timber is very rarely attempted to be smuggled. The timber seized is satin wood plough-shares and plough-shafts, satin wood wheel boxes, and yégi spokes, felloes and pestles. All these are very easy of concealment."

From Mr. Lodge's note it will also be seen that the felling of "yégi" (Pterocarpus marsupium) has been stopped since 1890. The manufacture of yégi carts and cart-wheels, however, has not also stopped, and in support of the contention that this manufacture has been largely from smuggled wood, and not from wood procured elsewhere, it will be seen that the sales from the Ernapad depôt were trifling in 1893, and that a greatly increased demand set in shortly afterwards, as many as 43 yégi beams, or more than the whole of the sales at the depôt during the preceding year, having been sold to merchants in the one taluk in which the seizures were made. One man whose house had been searched in Ramapuram told me, when I visited the village, that he was going to get Rs. 1,000 worth of "yégi" from the Ernapad depôt. He added that that was because he found it easier to get it there than from the Nizam's dominions. The coincidence between this discovery and the active measures taken to suppress smuggling is significant.

10. Another method of smuggling not alluded to in the District Forest-officer's note is bringing reserved timber out of the forests, with the connivance of tannadars, under the cover of permits for inferior wood. In an order dated 29th November 1893, after the seizures by the Deputy Tahsildar, the late District Forest-officer called attention to the detection by the Velgode Tannadar of an offence of the kind and added "It appears since that there is no doubt this is a very common practice, and yet this is the only case that has been reported."

11. *The Deputy Tahsildar's searches in villages.*—It being beyond doubt that extensive smuggling was going on, the Deputy Tahsildar was told both by his Divisional officer and by the Acting Collector himself, when he saw him on tour in July 1893, that he was expected to show as much activity as possible, and find out the smuggled wood in the villages. This co-operation of Revenue officers with Forest officers is an old practice of the district, and is in fact a recognised feature of the Madras system of forest administration. Unfortunately the personal feud between the Deputy Tahsildar and the Ranger prevented any cordial co-operation. On the 20th September 1893, the Deputy Tahsildar was at Guvvalagunta selling the produce of topes, and checking the returns connected with the cattle census,—and here it may be mentioned that in these villages, the houses often consist of one large room in which cattle are kept on one side, while the remainder of the room is used both as a dwelling and a store-house. Even in many of the larger houses there is no broad distinction between the store-houses and the cooking and sleeping apartments. The Deputy Tahsildar states that while checking the cattle census in Gudi Chinna Venkataya's house he caught sight of a new satin wood wheel-box behind a tatty, and on looking round the tatty he saw a large number of new yégi felloes, spokes, &c. The Deputy Tahsildar is also a Magistrate of the Second-class, empowered to take cognizance of cases upon his own knowledge, suspicion or information under section 191 (*c*), Criminal Procedure Code, and under section 105 he can order a search in his presence in any case in which he is competent to issue a search warrant. Acting on these powers he had the place searched, and seized a large quantity of spokes and felloes in the state in which they come from the forest, the fibre with which the bundles are usually tied being present in some instances. This being an obvious case of smuggling he enquired confidentially in the village, and eventually made some more searches and seizures. On the following day, viz., the 21st September, he made similar searches, with more or less similar results in Kurkunda, and at Velgode on the 22nd and 23rd September, reporting the whole on the 26th September to the District Magistrate, the Sub-Divisional Magistrate and the District Forest-officer. On the 6th October he again made searches at Talamudipi and reported his action on the 11th. This ended the series of searches on his own responsibility. The articles seized at Virapuram were picked up unclaimed, and the searches at Edurapad and Sivapuram were made on sworn information seven months afterwards.

12. With regard to searches in villages—whether in houses or backyards—I suppose there is no officer who does not regard them with dislike, but even in the circular

quoted by Ranger Newman as prohibiting them, it is stated that there is no objection to a Range officer occasionally inspecting a village, as they are presumed to have sense and know when to stop. Whether the Deputy Tahsildar had sense enough to know when to stop, I shall discuss further on, but if village searches can ever be regarded as admissible, it must be in cases where, as in the present instance, it is perfectly well known that smuggling for trade purposes is rife and the attenuated forest establishments are powerless to deal with it in the forests. The question is well dealt with in the last paragraph of the Conservator's report on Ranger Newman's appeal which I quote below for ready reference:—

"It must be borne in mind, however, that the fact is notorious that theft of wood is rife all along that border, and local officers occasionally have sources of information on which they are not only justified in acting, but are forced to act if they do their duty. It is all very well for purposes of misleading from the main point of enquiry to raise a virtuous protest against house searching. House searching is certainly a thing to be avoided as much as possible (the remedy being a sufficiently strong protective staff): but if there is no acting on good evidence, timber theft goes on until it assumes alarming proportions. I remember some years ago when there were suspicions for a long time about a village in Coimbatore, but there was a feeling against house search. Definite information came at last, however, and the search showed that half the houses in the village were not inhabited but were crammed with wood . . . . . This wood had been for the most part fashioned in the forest to make it portable. The cry about fashioned wood in the petition is an exaggeration. Mr. Newman knows well that much of the wood is fashioned in the forest. If proof is wanted the issue of permits for spokes and felloes will give it; and no one has shown this more clearly than Mr. Newman in detailing the thefts by night through the agency of Chenchus."

13. *Number of seizures.*—According to the *Pioneer* the Deputy Tahsildar was permitted to raid villages "literally as if it were an enemy's country," and he is said to have cleared out the furniture of seven villages. It will be shown hereafter that practically nothing which can be called furniture was touched, while the facts as regards the extent of the clearing out can be gathered from the following abstract * with regard to six villages. The articles in the seventh were picked up after being thrown out and were comparatively few in number.

* For details see Appendix B.

Villages.	Total houses.	Seizures	
		In houses.	Elsewhere.
Kurkunda	261	5	..
Guvvalagunta	178	5	4
Velgode	600	6	6
Talamudipi	251	2	3
Edurapad	78	3	..
Sivapuram	97	1	..
Total ..	1,465	22	13

It thus appears that in villages with 1,465 houses twenty-two seizures were made in houses and thirteen in other places such as store-houses, cow-sheds, backyards, &c.

14. *Places in which seizures were made.*—In the original article in the *Pioneer* it was stated that the Deputy Tahsildar had cleared out wholesale the furniture of seven villages, and this furniture was said to have been seized in the dwelling-houses of the people. On its being explained that the articles had been mainly seized, not in the dwelling-houses of ryots but in the possession of timber merchants and carpenters, the *Pioneer* replied that every one of the articles made the subject of prosecution was seized in dwelling-houses. The point of the explanation surely lay clearly enough in the distinction to be drawn between seizures of furniture in ordinary dwelling-houses and the seizure of stock in trade in the possession of timber merchants and carpenters, and the mere fact that workshops and store-rooms frequently form part of the same building as a dwelling-house does not make the distinction any the less real. Details of the different articles found in houses and in backyards, store-rooms, cow-sheds and other places are given in Appendix B, of which the following is an abstract:—

—	Houses.			Other places.		
	Number	Articles.	Value.	Number.	Articles.	Value.
			Rs. A. P.			Rs. A. P.
Timber merchants	3	779	335 0 0	3	105	127 4 0
Carpenters	8	254	142 4 0	4	28	11 12 0
Ryots .. { Claimed by merchants or carpenters ..	2	235	100 4 0	3	9	51 0 0
{ Not claimed by others	9	101	21 10 0	3	9	35 0 0
Total ..	22	1,369	599 2 0	13	151	225 0 0

From the above it will be seen that only a small proportion of the articles seized was not either found in the possession of timber merchants and carpenters or claimed by them, and a part of even that small proportion was proved to have been stored for carpenters as, for instance, in the Edurapad and Sivapuram cases.

15. I saw all the places in which seizures by the Deputy Tahsildar had been made in Velgode, Guvvalagunta and Kurkunda, in which three villages 26 out of the whole 35 seizures were made, and it was quite clear that the searches were confined to places in which it was known to be likely that the articles would be found. In one case, for instance, Vashtupalli Venkatramudu of Velgode complained to me that his cook-room had been entered, but he at the same time admitted that wheels, wheel-boxes, four spokes and a felloe had been kept there. The room moreover did not look like a cook-room, though I cannot say that cooking had never been carried on there.

16. The figures given above relate only to seizures made by the Deputy Tahsildar. The list given in Board's Proceedings, No. 1509, dated 19th November 1894, included the articles seized in Ramapuram and Guvvalagunta by the Ranger and those picked up at Virapuram after being thrown out to avoid detection.

17. *Additional searches alleged to have been made.*—While I was inspecting the villages, certain people came forward and stated that their houses had also been searched, although the Deputy Tahsildar had not reported having done so. Charges of this kind are very likely to be recklessly brought when party feeling has been roused, and it is significant that only one unreported search was alleged in the first village I visited (Velgode), four in the second (Guvvalagunta), and five in the third (Kurkunda). The searches in the fourth (Ramapuram) were made, with one exception, by Ranger Newman under search warrant, and no additional searches were alleged here. In Guvvalagunta one of the additional houses said to have been searched was that of Pedda or Baluja Nagappa or Nagaya, and the search was also said to have taken place at night. The Deputy Tahsildar explained that he went to the house to see permits which the owner said he could produce in support of timber seized elsewhere, and on reference to Ranger Newman's report of the 17th October 1893 (with File IX—Appeal records), I find that he there brings a charge against the Deputy Tahsildar of omitting to search this rich man's house and that of his brother, although he had repeatedly gone there both day and night. In the same report there is a quotation from a written statement by the Reddi in which it is said that at about lamplight time the Deputy Tahsildar went to the brother's houses to get permits for logs. One of the other complaints at Guvvalagunta was also promptly followed by a statement that the visit was on account of the cattle census and on going to the place I found that cattle were kept inside the houses. In Kurkunda one of the alleged searches (Sheshanna's) was quickly toned down to a statement that the Deputy Tahsildar looked in at the door and passed on without entering, and a statement by the brother of an accused party in one of the cases, to the effect that his cow-shed occupied by two women had been searched, was denied by the women when I went to the shed. As so many of the complaints were promptly discredited and the great body of the crowd which followed me as I visited the houses showed no inclination to support the statements when I appealed to it, I thought it unnecessary to go any further into the matter. It formed no part of the original charges against the Deputy Tahsildar, although these charges were given in great detail and drawn by no friendly hand. When making the searches the Deputy Tahsildar evidently thought he was acting in a vigorous manner which would secure approval, and he could not, so far as I can judge, have had any

motive for suppressing mention of these searches if they really took place, while he reported one unsuccessful search at Velgode and another at Kurkunda.

18. *Nature of the articles seized.*—In its vindication on the 8th December of its article in a former issue, the *Pioneer* stated that its original charge had been that private premises had been entered and seizures made of domestic articles, such as cots, cart-wheels, and the like, and it justifies this charge by alluding to the seizure of two cots and saying that it is admitted that seizures were made of "spokes and felloes of wheels, axle-boxes, ploughs, pestles, legs of cots, cot-frames and other small articles which are usually roughly fashioned in the forests." Articles which are merely rough-fashioned can hardly be regarded as domestic articles in any sense, and the natural meaning of the *Pioneer's* words is that articles in domestic or industrial use had been seized. Even after quoting the list given above it goes on to say "only take their cots, wheels and ploughs and you have taken all they have except their pots and pans." Surely this has no meaning, unless the articles seized were articles in use, or fit for use; and yet, except as regards one cot and one pair of wheels, there is nowhere, so far as I can see, a distinct assertion that any of the articles had been used. I inspected a large number of them at Velgode, Guvvalagunta, Ramapuram and Atmakur (Talamudipi and Edurapad articles) and am thus in a position to confirm generally the following extracts from the District Forest-officer's note printed with Government Order, No. 870, dated 12th December 1894.

"5. The other items in the list which from the names given them might appear to be fashioned articles, are boxes (*i.e.*, wheel naves), yokes, ploughs, pestles, cot pieces, cot legs, cart frames, spokes, felloes and certain agricultural implements.

"I must here explain that in order to facilitate carriage out of the hills, articles such as the above, are roughly fashioned in the forests and are then called yokes, ploughs, pestles, &c., although in reality they are merely bits of roughly shaped timber intended ultimately to be made into yokes, &c.

"This was the condition of almost all the articles falling under the above denominations; the wheel naves were merely blocks of wood about a foot in diameter and in length; the yokes were poles cut to the length of a yoke, and so with all the other articles.

"In a few cases the carpenter had already made an impression on those blocks; out of fifteen satinwood naves at Kurkunda, four had been shaped ready for use, but in no case were the articles old, nor had they ever been used."

My notes recorded on the day of inspection from pencil notes made on the spot are forwarded with this report.

19. With regard to the cots, the District Forest-officer, who wrote from memory, made a mistake in saying that one was unfinished. His explanation is amongst the papers submitted (Enclosure 3).

20. These cots have been made much of by the *Pioneer*, probably because at first sight it might seem that out of 1,520 articles seized, two, or at any rate one, might be claimed as falling within the description applied by the *Pioneer* to the seizures generally. It was asserted that "the very cots of the people, passed down from father to son for a generation," had been seized and confiscated; the real fact being that two cots, apparently forming part of the stock in trade of a timber merchant, had been seized, concealed on the top of a mosque along with other articles believed to be illicit, this concealment being proved by independent testimony.

21. In a later article the *Pioneer* states that its knowledge about one of the cots was very minute, and that far from being in an unfinished condition, it was a very old one. A reference to the record shows that the accused himself did not put forward any claim to a greater age than two years, and after a careful inspection of the cots I can confidently say that they show no sign of having ever been in use, though they seem to me to have been made of old wood. The edges of the frames are still sharp and clean cut, which would not be the case if tapes had been on for any time and only temporarily removed. The marks of the turning lathe are also still on the ends of the cot legs without being rubbed as they would have been if the cots had been in ordinary use.

22. The two cart-wheels also, which were said to have nearly worn-out tires, had certainly never been used, though the tires looked as if they had been used before on other wheels. The woodwork of the wheels was new, and it is certain that the axle-

boxes had never been greased. It is said in the *Pioneer* that cart-wheels are always made of old seasoned wood, but yegi (*Pterocarpus marsupium*) spokes and felloes are ordinarily fit for use after seasoning for six months.

23. *Compounded cases.*—A few days after the Deputy Tahsildar had made the seizures at Guvvalagunta and Kurkunda, Ranger Newman submitted proposals for the composition of five cases arising at Kurkunda, and two at Guvvalagunta, and the District Forest-officer accepted his recommendations. The Deputy Tahsildar brought to the notice of the Collector that this was opposed to a circular of 1891 forbidding the composition of cases in which reserved timber was concerned, and the Collector thereupon issued an order which, if he had not recalled it, would have justified his being charged with persisting in illegal prosecutions. The order is printed in full in his letter in the Government Order, No. 870, dated 12th December 1894, and it will be seen that he cancelled the District Forest-officer's order compounding the offences and ordered the prosecution of the offenders. In the same order he gave expression to a suspicion that Ranger Newman desired to save offenders rather than to protect forest revenue—a suspicion which cannot have been based on the record alone, as the composition recommended was on very onerous terms.

24. The District Forest-officer replied to the effect that, under section 55 of the Act, the District Forest-officer had certain powers conferred on him in regard to compounding offences, and submitted that it is not in the competence of any one but Government to limit those powers. It is unnecessary now to discuss the force of this contention, for the Collector noticed that in five cases the composition money had been paid, and any prosecution thereafter would be illegal under section 55 of the Act. He therefore issued his No. 653 M., dated 4th December 1893, printed in full in the same letter as the former, giving the parties the option of paying up again the composition money which had been refunded, and sent a copy of the proceedings to the Taluk Magistrate with a foot-note directing him to stay all proceedings in forest cases. The parties paid up the money again, and the incident came to an end, though it will be necessary for me to deal hereafter with assertions which have been made to the effect that these cases were actually transferred to the file of another Magistrate and carried on till a conviction was secured. In this connection it may also be mentioned that when it was stated in Board's Proceedings, dated 19th November 1894, No. 1509, that the compositions had not been interfered with, it was not known that a new prosecution had actually been instituted before the Collector's first order was cancelled by him. It now appears that the parties were put upon their trial, but under the second order above noted proceedings were stayed before judgment was passed.

25. In No. 653 M., dated 4th December 1893, the District Magistrate also asked the District Forest-officer to state whether he was of opinion that the two Guvvalagunta cases, in which composition had been approved, but the money had not been paid should still be compounded. The present District Forest-officer, who had in the meantime joined the district, replied that the cases were much too important to be compounded, and in his No. 487, dated 19th January 1894,* Ranger Newman reported that the parties now declined to compound. In these circumstances there was clearly no bar to the prosecution being continued, and the cases were recently decided by the Head-quarter Deputy Magistrate, who amalgamated the two and convicted the first accused, fining him Rs. 300,† or half the amount recommended for composition and approved by the late District Forest-officer.

* Additional file IX (*b*) with the Ranger's Appeal Records.

† C. C. No. $\frac{35}{94}$, Appendix A., No. 6.

26. From the comments in the newspapers it would seem that the Collector's action in regard to compounding has been regarded as an indication of peculiar harshness, and a desire to secure severe punishments in all cases, but it will be seen that he was merely acting in pursuance of a general principle affirmed by his predecessor and without any reference to the merits of individual cases, and it must be borne in mind that he had no reason whatever for believing that a weak case could be more effectually dealt with by a prosecution than by a composition order. It is well known to be quite the other way, and in the circular of 1891, which the Collector was anxious

to enforce, it is explicitly laid down that as a general rule it is only when offenders are taken red-handed, or when the offence is admitted, or when the evidence against offenders is very strong, that a case can be compounded.

27. *Compounded cases said to have been transferred.*—A statement has been confidently made that a report had been submitted by Mr. Sethu Rao, formerly Taluk Magistrate of Nandikotkur, to the effect that the annulment of compositions and the re-institution of prosecutions in certain cases on his file was illegal, and that Mr. Mullaly thereon issued orders for the transfer of the cases to the Probationary Deputy Magistrate, and after two of the cases had been convicted, heard appeals from them, and confirmed the convictions himself. In his letter, dated 16th November 1894, Extra No. F., printed with G.O., dated 1.th December 1894, No 870, the Collector and District Magistrate reported that so far as his recollection went, and according to the records of his office, the Taluk Magistrate had never reported to him that the cases transferred by him could not stand, but when the statement was so confidently repeated, he began to distrust his recollection, and asked that the Taluk Magistrate Sethu Rao, who was then under suspension, should be summoned and examined.* It was really immaterial whether any such report was written or not, as it will have been seen from what I have written above, that in his Proceedings, dated 4th December 1893, No. 653 M., Mr. Mullaly directed that in the cases which had been compounded the parties should be given the option of paying up again the sums which had been refunded, and that some other cases—which related to another village altogether—should be transferred to the file of the Probationary Deputy Magistrate.

* Enclosure 1, statement No. 10.

28. It seemed however to be desirable that the origin of the persistent allegation should be cleared up if possible, and I accordingly sent for Mr. Sethu Rao, who stated † that he had submitted no official report but had written a private letter to the Collector, as on reference to the Forest Act he found that composition amounted to a discharge. He added that he had been under the impression that the cases were transferred by the District Magistrate's proceedings above quoted, but on looking at his official diary, he found that he had been mistaken, as his diary merely n ted that all proceedings in those cases had been stayed.

† Enclosure No. 1, statement No. 10 (*a*).

29. The compounded cases on the District Magistrate's list forming an enclosure to his Proceedings, dated 4th December 1893, No. 653 M., were Nos. 1 to 5 of Kurukunda. Those which it had been also proposed to compound were Nos. 6 and 7 of Guvvalagunta, while Nos. 14 to 22 transferred to the Probationary Deputy Magistrate, were cases in which prosecution had been sanctioned by the District Forest-officer without previous reference to the Collector. In the note communicating copy of the proceedings to the Taluk Magistrate the following instructions were issued :—

"Copy to Sub-Magistrate, Nandikotkur, who will stay proceedings in all the forest cases included in this list pending on his file.

"The records in cases Nos. 14 to 22 should be sent immediately to the Probationary Deputy Magistrate."

The propagation of the misstatement may possibly have arisen from a careless reading of paragraph 4 of the proceedings which runs as follows :—

"4. Prosecution has been sanctioned by the District Forest-officer in cases 14 to 22 and they have been reported to the Magistrate by the Ranger.

"All these cases will be transferred to the file of the Probationary Deputy Magistrate for disposal according to law ....."

If the sub-paragraph beginning with "all these cases" had been carelessly read as a new paragraph, it might have led to the impression that all the forest cases in the file were meant to be transferred—but the meaning of the proceedings is clear enough, while the instructions in the note to the Sub-Magistrate are explicit—and as a matter of fact the compounded cases (Nos. 1 to 5) were not transferred at all.

30. *Prosecutions.*—With the Collector and District Magistrate's Proceedings, dated 4th December 1893, No. 653 M., was issued a list of 50 seizures, of which 34 were in villages. These would all in the ordinary course have been reported by the

Ranger to the Atmakur Sub-Magistrate (Deputy Tahsildar), but as most of the seizures had been made by that officer, he was precluded from trying the cases, and they were accordingly reported to the Taluk Magistrate of Nandikotkur with the exception of Nos. 32 to 36 which related to seizures made by Ranger Newman, and were reported to the Atmakur Sub-Magistrate and disposed of by him as shown in Appendix A (Nos. 35–39). In his No. 653 M., dated 4th December 1893, the District Magistrate transferred to the Probationary Deputy Magistrate Nos. 14 to 22, and the remainder in Proceedings, dated 2nd April 1894, No. 273. In this proceedings Nos. 32–36 were also transferred under the impression that they were on the file of the Taluk Magistrate, but as the cases had been disposed of the order of transfer abated. The Probationary Deputy Magistrate disposed of the eight cases transferred to him in No. 653 M., dated 4th December 1893, at Velgode, but before the other cases reached him he had left the neighbourhood on other duty, and when he went to Madras for an examination the District Magistrate transferred all the cases pending on his file to the Head-quarter Deputy Magistrate. Owing to want of complete correspondence between the Collector's list and the Taluk Magistrate's file of reported cases, three cases of seizures in Guvvalagunta by Ranger Newman still remained on the Taluk Magistrate's file, and four were added in May 1894, on account of seizures made in Edurapad and Sivapuram under warrant issued on sworn information. This, with the splitting up of one or two cases into separate charges by the Head-quarter Deputy Magistrate, makes up the 43 cases entered in Appendix A.

31. When I arrived in the district I found a number of the cases still pending with the Head-quarter Deputy Magistrate and the Taluk Magistrate. Different reasons are assigned in explanation of the delay, but I cannot help suspecting that it had much to do with the doubt raised as to the legal effect of section 56 of the Forest Act. Ranger Newman's conduct at the Velgode trials probably attracted attention, and his brother was understood to be about to deal with the matter in the newspapers. The Head-quarter Deputy Magistrate made a reference to the District Magistrate on the point, and the decision in the appeal cases was no doubt looked for. This however was delayed owing to the application for transfer made to the High Court, and soon after the appeal was disposed of, the articles appeared in the *Pioneer* and the District Magistrate was called on to submit a report on the matter. In order that I might be able to submit a complete report, I asked the Magistrates concerned to complete these enquiries as soon as possible, and the last case was disposed of on the 27th December.

32. *Results of prosecutions.*—The results of the prosecutions are given in detail in appendix A with a note against each showing briefly the grounds of conviction or acquittal. The following is an abstract of the 32 seizures with which the Deputy Tahsildar was concerned. In another table the seizures are given as 35. The difference is due to seizures in a house and in a shed attached to it being treated as one for the purposes of prosecution :—

—	Taluk Magistrate.	Probationary Deputy Magistrate.	Head-quarter Deputy Magistrate.	Total.
1. Acquitted (property released)	1	1	8	10
2. Acquitted (property confiscated) ..	1	..	1	2
3. Withdrawn (property released) ..	..	1	..	1
4. Withdrawn (property confiscated) ..	..	2	..	2
5. Convicted	4	5	2	11
6. Compounded	5	..	..	5
7. No prosecution instituted .. 1	..	..	..	1
Total .. 1	11	9	11	32

It would thus seem that so far as the Courts are concerned, the propriety of the seizures has been established in all but 12 cases, viz., 10 cases in which the parties have been acquitted, 1 case withdrawn with the release of the property, and 1 case in which it was decided not to prosecute. The good faith, and the legality of the decisions, of the Courts having been questioned, I must make a few remarks on that head.

33. *Independence and integrity of the Courts.*—In one of the articles in the *Pioneer* allusion is made to the hollowness of trials by a Magistrate who is a young native

subordinate of the Collector, and in the speech said to have been made by the counsel for the defence which is quoted, apparently with approval, it is said that the Court had shown it was not sitting as a Court of Justice, but merely as a subordinate Court bound to enforce the orders of the Acting District Magistrate whether they be legal or not. Mr. Woosman Sahib, the Probationary Deputy Magistrate, is not by any means very youthful, being 27 years of age. He is a B.A., B.L., and Vakil of the High Court and does not seem to me to be the stamp of man who would suppose himself bound to enforce the orders of the Acting District Magistrate when sitting as a Court of Justice, or likely to gain anything by doing so. I am unable to understand how such an impression could have arisen—if it really did arise—unless it were because he said he was not called on to go into the question of whether the seizures were legal. In this it seems to me he was right, as the question before him was whether an offence had been committed with regard to the property produced before him after seizure. Ordinarily a Court would look into the question of an alleged illegal seizure, not because it could affect the merits of the case, but in view to bringing any illegality to the notice of the superior officer of the seizer, but in the present case the circumstances of the seizure had already been reported to the superior authority. The cases were referred to the Probationary Deputy Magistrate in the ordinary course of business, and I can find nothing on the record which could have led him to believe that the District Magistrate was anxious to get a conviction irrespective of the Court's opinion as to the merits. In this connection I may as well say a few words with regard to the speech. I have examined the pleader * and though he claims the last five sentences as almost literally his own, he specifically repudiates certain other sentences, states he does not know what a halo means, and adds. "In my speech, as given in the article, some of my remarks are twisted and given a meaning I did not intend," "and words and sentences are not my own." He disowns all aspersions on the character of the Court or of the Collector, and a speech devoid of these must certainly have been something very different from that given in the *Pioneer*.

* Enclosure No. 1, statement No. 17

34. *Legality of the convictions.*—As it is said by the parties in two cases disposed of by the Probationary Deputy Magistrate and confirmed on appeal, that the question of the legality of the convictions is to be brought to the notice of the Sessions Court † in view to the High Court being moved to interfere in revision, it is possible that the eventual outcome of the prosecutions may be a definite ruling which may act as a guide to the department. In the present enquiry nothing has been brought to my notice which bears out the assertion that under a ruling of the High Court the bulk of the articles seized could not be regarded as forest produce within the meaning of the Forest Act. Forest produce, as defined in section 2, Act V of 1882, includes timber when found in, or brought from, a forest and "timber" under the same definition includes all wood whether cut up or fashioned or hollowed out for any purpose or not. The only ruling of the High Court bearing on the section which I can find is that in Indian Law Reports IX Madras, 373, in which it was held that logs of wood when they have become part of a house and permanently fastened to a building attached to the earth have ceased to be timber within the meaning of that section. This obviously does not apply, though I think by analogy a Court might fairly hold that articles of furniture, or implements of industry, brought into use had also ceased to be timber. The Head-quarter Deputy Magistrate in one of the cases has held that cart-wheels having tires are not articles of forest produce, but the Probationary Deputy Magistrate took a different view with regard to wheels which had not been used although tires had been put on. If he is wrong in his law the High Court, as above stated, will have an opportunity of putting him right, but whatever may be the law with regard to cart-wheels with tires the bulk of the articles seized were in the state from which they were brought from the forest, while most of the remainder were only partially wrought up, and none, so far as I could judge, had been brought into actual use. The next question is whether the articles seized, if timber, could be said to have been found in, or brought from, a forest. If not they are not forest-produce, they do not come within the purview of section 56 of the Forest Act, which declares that when a question arises as to whether

† Enclosure No. 1, statements 6 and 7.

any forest produce is the property of Government, such produce shall be presumed to be the property of Government until the contrary is proved. It has been asserted that in Board's Proceedings, dated 30th November 1891, Forest No. 503, it has been held that articles seized in houses are not forest produce. This however is not the case, as the Board merely held that there was no reason to take exception to a Magistrate's decision that in the case of wood which was not found in a forest, and which was said to have been grown on patta land, section 56 did not apply unless there was evidence to show that it was likely the wood had been cut in a Government forest. In the present case the contention was that the articles were made of particular kinds of timber which do not grow anywhere except in forests, and as they were found outside a forest, they must have been brought from one, and it was in fact admitted that the articles had come from a forest, though it was pleaded that they had been licitly obtained either from a Government forest or from the Nizam's Dominions. It was therefore clear that the section did apply if the articles were timber, and the Courts had merely to consider how far the presumption was rebutted.

35. *Disposal of appeals by the District Magistrate.*—Exception has been taken to the District Magistrate's disposal of appeals from two convictions by the Probationary Deputy Magistrate, but his action in the matter seems to me to be in no way open to objection. It has been shown that there is absolutely no ground for the assertion that the cases in question are cases which had been compounded, and which the District Magistrate had again ordered to be prosecuted. They were merely cases which had been transferred to the Deputy Magistrate in the ordinary course. The District Magistrate had to find work for the Probationer, and when a number of cases arose in one locality, the District Magistrate ordered their transfer to him and directed him to go to the spot and enquire into them there for the convenience of the parties.* The prosecution had been ordered by the District Forest-officer without the District Magistrate having had any thing to do with it beyond pointing out † that under an old order certain cases in which seizures had been made by a Deputy Tahsildar were cases for prosecution and not for composition, while his only connection with the seizures had been that in a general way he had instructed the Deputy Tahsildar it was his duty to put down the smuggling from the forests which was notoriously prevalent in his division. In addition to this the parties had withdrawn an application which they had made to the High Court for the transfer of the case.

* No. 653-M., dated 4th December 1893.

† No. 866, dated 7th October 1893.

36. I offer no opinion as to the correctness of the District Magistrate's interpretation of the law, or his appreciation of the evidence. It will be seen that the Vakil for the appellant did not appear to argue the case before him, and it is proposed to ask the Sessions Court to move the High Court to interfere in revision. ‡

‡ Enclosure No. 1, statements 6 and 7.

37. The *Pioneer* in its issue of the 8th December says that its charge was that the people had been tried by the same set of officials who had come down upon them originally, the final court of appeal being that of the Collector who was responsible for the whole policy. As the appeal lay to the Collector only with regard to the nine cases tried by the Probationary Deputy Magistrate, who had absolutely nothing to do with the seizures, and the Collector had little more, the *Pioneer's* charge seems somewhat reckless. I do not know if the Head-quarter Deputy Magistrate, from whom an appeal lies to the Sessions Court, is included in the "set of officials" whose action is commented on, but a reference to Appendix A will show that he has unhesitatingly given the accused the benefit of any possible doubt.

38. *Whether there has been oppression and illegality.*—I have already stated that in my opinion searches were called for and were legally undertaken, but I consider that the Deputy Tahsildar showed a want of discretion in making so many seizures as he did, it being very undesirable, in the case of forest offences, to institute more prosecutions than are necessary to exercise a deterrent effect. It would also have been better, in the absence of specific information, if the seizures had been confined to cases in which persons were found in possession of large quantities of timber fresh from the

forests, as when section 56 is likely to come into play, it is important that no prosecutions should be undertaken when the circumstances are such that an innocent person might be placed at a disadvantage. In the present instance, however, it is probable that very few really innocent persons were charged, and I see no reason to doubt that all had a fair trial. It is true that the Head-quarter Deputy Magistrate and the Probationary Deputy Magistrate took different views as to the extent of the application of section 56 and that some of those convicted by one Magistrate might have been acquitted if tried by another, but the personal equation cannot be eliminated from judicial work, and it is perfectly well known that even in England some judges are held in special awe by offenders. I have the fullest belief in the importance of pursuing a policy of forbearance and consideration in dealing with forest offences, but I do not think the injunctions of the Government of India in this respect were issued with reference to an organized system of robbery of reserved timber for trade purposes, such as that which the Deputy Tahsildar was endeavouring to combat. Some of our forest rules are innovations and are not well understood, but the strict reservation of specially valuable trees is no novelty in India, and the existing custom in the Kurnool district of regarding it as unlucky to use *Pterocarpus marsupium* for private houses, while it is eagerly sought after for temples and village chavadies is unquestionably a survival from a time when that timber was jealously guarded for State and religious purposes, the branch wood being used, as it now is, for spokes and felloes of cart-wheels.

39. I may here add that the Deputy Tahsildar did not show an entire want of discrimination, as in some cases I found old wood in houses which he searched without touching it, and in Lala Honkaram's case (No. 21 in Appendix A) the accused himself told me that the Deputy Tahsildar was willing to release some articles he thought satisfactorily accounted for, but he would not agree to this and said all must be released or none. He is likely, I think, to show more discretion in future. He himself, as trying Magistrate, has had to acquit four out of five cases in which seizures had been made by Ranger Newman, and the only seizures he has made since October 1893 have been four in May 1894, on sworn information, and one in October 1894, in which the wood was evidently fresh from the forest. With regard to the seizures in May 1894 my attention was attracted by the fact that the informer was a criminal under trial in the Sub-Magistrate's Court, but the proverb about knaves falling out cannot be altogether ignored in criminal administration, and the judgment of the Taluk Magistrate, before whom the accused was prosecuted, shows that a strong case was made out. It will probably come before the Head-quarter Deputy Magistrate in appeal.

40. *Detention of articles after acquittal.*—In the case of Lala Honkaram, who was acquitted by the Probationary Deputy Magistrate, it is true that the articles with regard to which he was charged were not released for nine months but no order for its release was passed by the Deputy Magistrate and there is no foundation for the statement that the Acting Collector ordered the detention. He had absolutely nothing to do with it, directly or indirectly, and the detention was the result of a mistake which Lala Honkaram himself did nothing to get put right beyond sending one petition to the Deputy Magistrate, which was overlooked amidst the many papers which he had to deal with when holding the jamabandi of the Pattikonda taluk with his small office establishment.

41. In accordance with several rulings of different High Courts, the Deputy Magistrate passed no formal orders under section 517, Criminal Procedure Code, regarding property produced before him in cases which end in acquittal and, under the practice then in force, it was the duty of Ranger Newman to release the property as soon as an order of acquittal was passed. He failed to do so and excuses himself by saying he got no order from the Magistrate. He did not, however, report the matter for the District Forest-officer's orders until April 1894, though the acquittal order was passed on the 22nd February 1894. When the District Forest-officer took stock on the 30th April 1894, the Ranger then told him that the articles, or part of them, were to be released, but as the list of confiscated property did not bear out the statement, the District Forest-officer wished to look into the matter and therefore told him verbally, as he was taking stock, not to release them as he intended to take further action. The matter escaped his memory and neither the Ranger nor Lala Honkaram made any further reference to him on the subject.

42. *Seizure of beams used for the construction of Temple Cars.*—In the first of these two cases the Deputy Tahsildar found that beams had been removed from two wells which were used by the public and which he believed to be Local Fund wells. On enquiry it was found that the wells were private property, and the Collector directed the release of the beams without instituting any prosecution. The second case is No. 13 in Appendix A. It was contended for the accused that the logs were brought from the forest under permits in 1884 and the Magistrate held that it was difficult to fix the age of the beams, as they were all more than two or three years old, at all events, and therefore acquitted the accused. There is certainly no room for complaint that a harsh view of the law was taken by the Magistrate in this case, but I think a seizure of the kind should not have been made unless the circumstances had been such that there was absolutely no room for doubt that the wood had been illicitly obtained.

43. *Extent to which the Collector was acting against the advice of the Forest-officers.*—This matter has been treated in the newspapers as if the Collector and the Revenue officials were responsible for the seizures, and the Forest-officers had done all they could to defend people whom they believed to be oppressed. There is absolutely no foundation for this view so far as the searches in the villages are concerned at any rate. When the seizures made by the Deputy Tahsildar came to the notice of the late District Forest-officer, he wrote proposing that the Tahsildar, assisted by the Ranger, should search every village within a reasonable distance of the Forests.* Ranger Newman proposed to compound the offences on the express ground that the decisions of the subordinate magistracy were uncertain and in replying to the Collector's objections to compounding the offences, the late District Forest-officer remarked that from what he had observed of the action of the magistracy generally in the districts, in regard to forest cases, the tendency seemed to be to inflict inadequate sentences, if indeed the offenders were not acquitted altogether.† Ranger Newman's long letter, No. 347, dated 17th October 1893, is an elaborate explanation to show that if he had had the same powers as the Deputy Tahsildar he could have made equally good seizures, and in one place he complains that his application for a warrant for the search of three houses was rendered useless by the publicity which the Sub-Magistrate gave to the issue of the warrant. Similarly in letter No. 357,‡ dated 28th October 1893, he dilates on the success of a ruse by which after searching some houses in Ramapuram under warrant and seizing "illicit wood, yegi spokes, felloes, &c.," he informed the villagers he would get warrants to search the whole of the houses next day, with the result that illicit wood was thrown out from the houses during the night and seized by the peons whom he had sent back for the purpose. Though all the prosecution statements were filed by the Ranger and the details of the cases were consequently well known to him, his letter No. 439, dated 21st December 1893, is the first in which he takes exception to the legality of the seizures of small articles in the villages and that letter was written after he knew that his conduct in connection with the illicit felling of timber was viewed with grave suspicion by the Collector.

* Office-note, dated 24th October 1893.

† Office-note, dated 24th October 1893, with file IX, appeal records.

‡ File IV, appeal records.

44. It is true that the late District Forest-officer resented the employment of extraneous agency to discover the illicit fellings in the forests as he had no suspicion regarding Ranger Newman's conduct in the matter and did not believe in widespread smuggling of large timber, but in intimating this he was careful to add § that the illicit traffic referred to in these notes had nothing to do with the seizures of cart-wheels, frames, boxes, spokes, felloes, manufactured almost entirely of yegi wood.

§ P.S., dated 13th January 1894, to office-note, dated 4th December 1893.

45. As regards the smuggling of large timber the Conservator concurred with the Collector and the present District Forest-officer rather than with the late District

Forest-officer and even after reading Mr. Newman's appeal adhered to his opinion that not only was there an attempt on Mr. Newman's part to stifle enquiry, but that he must have known that the illegal felling of timber had obtained extremely large proportions.§

* Report on Mr. Newman's appeal, No. 1500, dated 11th November 1893, paragraph 8.

46. *Illicit felling in the forests.*—Before dealing with the particular cases in which timber was detained on suspicion that it was connected with illicit felling in the forests, I will give a brief description of the arrangements in force, and the circumstances under which it was considered there was sufficient suspicion of fraud to justify detention pending enquiry.

47. Felling of reserved and specially valuable classes of timber had been stopped for some time in this neighbourhood, but the removal of other species was still allowed, and owing to insufficiency of establishment it had been found necessary to retain the worst form of the permit system, viz., that under which an applicant is given permits and allowed to go into the forest and fell, wherever he can find it, a certain number of cart-loads of timber of the class specified and bring it to the tanna mentioned in the permits within a prescribed period. The timber must be covered with a permit from the time of felling until it reaches the tanna where the permit must be given up to the tannadar. To guard against frauds under the pretext that carts were travelling separately and some must be without permits it had been the rule since October 1891 that a separate permit should be given for each cart-load. Under this system it will be seen that the period for which the permit runs is a matter of great importance as a check against fraud, and the period allowed is limited to what is considered to be really required for the felling, squaring and transport of the timber with the exercise of reasonable care and promptitude.

48. For some time it had been rumoured that with the connivance of the tannadar more than one consignment was being passed out from the forests near Velgode under one permit, two trips being taken by one cart before the permit was made over to the tannadar, and on the 22nd October 1893 the Deputy Collector and the Deputy Tahsildar proceeded together to the Velgode forests and found 63 logs lying uncovered by permits between the 11th and 26th mile from Velgode; many of them by the side of the drag road, to which place they had been illicitly brought from the place of felling and left at such a distance from the tanna that the transport to it could be effected within two or three days, so that, with the connivance of the tannadar, or of the tannadar and the Ranger together, two or even three cart-loads could have been brought under cover of one ten days' permit over the only portion of the route on which there was ordinarily any real danger of check by any other official. The Ranger, who had by this time seized another fifty logs in the forests, explained † that, owing to his very limited establishment, he was unable to find out all that was going on in the forests, but on enquiry he found that in the wet weather the time allowed by the permits was insufficient and the timber was cut, not with the view of committing fraud, but so that it might be ready for extraction and removal within the time allowed on the permits when taken out. Even if this explanation be correct, it could not be accepted without full enquiry, as the irregularity was manifestly of a kind which tended to facilitate the commission of offences, and with reference to the stress laid by Mr. Newman on the impossibility of a fraud being committed unless he connived at it, the Conservator, in reporting on Mr. Newman's appeal, has rightly observed he is bound to remark that among other possibilities such a possibility might fairly be considered. It also seems to me that even without the Ranger's connivance a fraud might very well have been carried out without any appreciable additional risk of detection.

† Page 33 of his appeal petition.

49. With regard to the adequacy of the explanation it has to be noted that the only officer who has treated it at all lightly is the late District Forest-officer Mr. Murray who ‡ was of opinion that

‡ Office-note No. 1443 C., dated 4th December 1893.

although the practice of felling trees before taking out permits was grave and should not have been allowed to take place, yet greater importance had been attached to it than the matter called for. On this the Conservator remarked * "the practice is utterly wrong and must tend to facilitate frauds and should be stopped."

* Letter to Collector, No. 722, dated 28th June 1894.

50. *Velgode tanna case.*—A great deal has been written about this case, and much made of petty discrepancies, but the main facts are briefly as follows:—On the morning of the 22nd September 1893, the Deputy Tahsildar arrived at the Velgode tanna and found lying there timber admittedly equal to the contents of eleven cart-loads, while the tannadar was in possession of eight permits only. Shortly afterwards two men turned up and produced three permits, the explanation being that the timber had arrived during the night or early in the morning, and there had been no opportunity to give up the permits sooner. The Deputy Tahsildar was not satisfied that these permits really related to the timber in question, and, after marking on the permits the names of the parties who produced them, he told the tannadar to detain the timber and reported the matter to the Collector, the District Forest-officer and the Range officer.

51. The Range officer took it upon himself to release the timber without reference to any one, and then reported his view of the matter to the late District Forest-officer Mr. Murray who attached little importance to the manner in which the permits had been produced, but directed that the wood should not be released until it was explained, with reference to the dates of the permits, how the timber had been produced at the tanna within four and six days respectively when the cutting, preparation and extraction of fresh timber from the forests could not, under ordinary circumstances, be accomplished within four days. In reply, Ranger Newman explained in a report dated 8th November 1893, No. 374, that the Velgode merchants were in the habit of taking permits "in a running continuity" which he described in some detail and added that in this way it is quite feasible to cut, prepare and extract from the forest a limited number of cart-loads within six or four days. This explanation the District Forest-officer passed on to the Collector without comment, but from a later office-note it seems that he was not satisfied with it and determined to make further enquiries when he visited the locality.

52. It is apparent that if timber is standing at such a distance that it requires about ten days to cut it and bring it to a given spot, no system of permits "in running continuity" will enable it to be brought within four days, unless, at some time or other, some timber is on the ground, or in transit, uncovered by a permit and the real explanation was, of course, the existence of the gravely irregular practice of cutting in advance of the issue of permits.

53. The Collector was not satisfied with the explanation and handed over the papers to the Conservator for remarks. After these had been received†, he charged Ranger Newman with releasing the timber without orders in view to stifle inquiry, dismissed the tannadar and ordered the prosecution of the men who brought the timber to the tanna.

† Notes sent with letter dated 17th Feb. 1894.

54. The points which weighed with him in ordering the prosecution seem to have been—

(1) The timber was not covered with permits when found at the tanna.

(2) Though permits were produced very shortly afterwards, they were found by the District Forest-officer to require explanation.

(3) Two of the permits were issued at Atmakur on the 18th September, and it is certain that the holder of a permit taken out at Atmakur on the 18th could not have cut and squared timber in the Velgode forests under that permit and produced it at the tanna so early as the morning of the 22nd.

(4) Large seizures had been made of timber cut before the issue of permits in the Velgode forests. Opinions differ as to whether the practice was adopted with a view to fraud in the first instance, but it unquestionably facilitated the fraudulent removal of timber.

(5) The Conservator, on reading the papers sent to him, had remarked * that he believed there was a fraud in progress at the tanna.

(6) Ranger Newman's hasty release of the timber without the usual reference for orders, and his hysterical defence of his conduct, seemed to indicate that he knew there was something wrong and was anxious to stifle enquiry.

* Notes on files sent by Collector of Kurnool. Concluding remarks dated 17th February 1894.

55. The grounds for suspicion seem to me sufficient to justify the Collector desiring to have the matter investigated by a court of justice. Mr. Murray was of opinion that there was not sufficient ground for suspecting Mr. Newman of a desire to stifle enquiry, and the Board, in disposing of his appeal, held that no bad faith was proved, but I think the circumstances were such that there was room for a different opinion. It will be observed that the Conservator, in his letter dated 28th June 1894, No. 722, stated that it was "at any rate just within the bounds of credibility that the Ranger had no intention of conniving at or hushing up a fraud and that his action was merely a gross case of defect of judgment."

56. It has been stated that prosecutions were repeatedly ordered in spite of repeated protests. As a matter of fact this is the only case in which an order for prosecution was repeated. On the first occasion the Collector and District Magistrate, dealing with a large number of cases which had been reported to him, passed the following order in general terms:—

"The District Forest-officer is requested to obtain and forward the explanation of the Range officer, Nandikotkur, as to why he has not yet reported to the Magistrate cases Nos. 8 to 13 and 23 to 50 except cases 44 to 46. Steps should be immediately taken for the prosecution of the offenders in these cases."†

† Paragraph 3 of Proceedings No. 653 M., dated 4th December 1893.

57. On the second occasion he dealt with the reply to the above reference in which with regard to these cases the District Forest officer remarked that he did not think any court would convict as the permits were produced with very little delay. As shown above, the Collector and District Magistrate held that there were other grounds for suspicion, and he therefore decided that the prosecution should go on.‡ The Ranger, however, took no action on the orders issued to him, and the matter has now been dropped. Whatever grounds there may be for suspicion, it seems to me that nothing would be gained by a prosecution.

‡ No. 295 M., dated 11th April 1894.

58. Objection has been taken in the newspapers to the siezure of timber in a tanna. It is not easy to smuggle big logs across country or by routes over which it is unusual to transport them, and the simplest method of smuggling large timber is to come to an agreement with a tannadar. It is perfectly well known that forest offences are frequently carried on with the connivance of tannadars and even of Rangers, and it is absurd to suppose that when an offender has succeeded in getting his smuggled articles as far as the tanna of his accomplice, he is to be held to have reached a sanctuary which cannot be invaded.

59. *Deputy Tahsildar's report in the Velgode tanna case.*—In this connection it has been alleged that the Deputy Tahsildar reported that there were no permits for the timber, and that he found it in the tanna, and it has been stated that this report was false and made for the purpose of creating a case. The full facts of the case were reported by the Deputy Tahsildar in his arzi No. 9, dated 26th September 1893. In paragraph 10 of a report No. 14, dated 28th October 1893, he alluded to this Telugu arzi and said that he had therein reported how he had to confiscate three bandy-loads of wood found lying before the tanna without permit. The Ranger fastened on this brief recapitulation of a report on a somewhat complicated matter and founded on it a grave charge of submitting a false report in order to create a case. Obviously the paragraph in the report must be read with the arzi quoted in it, and the Collector, the Conservator and the Board have alike been unable to find that any false report has been submitted.

60. *Detention of* 100 *cart-loads of timber.*—After the discovery of the serious irregularity referred to above of wholesale felling without permits, and the seizure of 113 logs found felled and squared in the forests, there was an unusual rush for permits obviously with the intention of clearing off the felled logs scattered throughout the forests and which had not been found and seized. The Collector, who had ridden over to make personal enquiries in the matter, noticed a large quantity of timber at the tanna which had been brought down on permits obtained after the seizure on the 22nd October, and as he considered that Ranger Newman ought not to have issued these permits, and would not in fact have done so unless he had allied himself with the interested parties to stifle enquiry, he ordered that all the timber then at the tanna or on the way to it should be detained pending enquiry into the matter. Mr. Murray, the District Forest-officer, while considering that the irregularity was a grave one, held that it did not deserve the importance which had been attached to it, and, in fact, could not, in practice, be completely put a stop to so long as the present permit system was continued. In this note he made no recommendation with regard to the 100 cart-loads detained under the Collector's verbal orders, and as the Collector was unable to accept the District Forest-officer's views as to the illicit fellings, he handed over to the Conservator, who visited the district on the 11th December, all the papers relating to the matter and to a number of other pending forest questions and asked for his opinion. The papers were received back on the 23rd February 1894 with the Conservator's opinion that the large increase in the number of permits taken out between the 22nd October and 3rd November was directly connected with the seizure made by the Deputy Tahsildar. The records were then passed on to the present District Forest-officer who had arrived after the occurrences had taken place and was unable to gather from the papers anything definite about the 100 cart-loads which had been detained under the Collector's verbal orders. After his visit to Velgode he recommended the release of the timber as no fraud was proved, and the parties had been sufficiently punished by the detention of their timber. An order directing the release was therefore passed on the 12th May 1894. There is no doubt that all the Velgode merchants were concerned in the illicit working which was being carried on in the forests, and when men engage in what they well know to be illicit practices, they have themselves to blame if they suffer inconvenience while the matter is being enquired into. The inconvenience which they actually did suffer is also probably exaggerated by the Ranger. They only put in two petitions. In one of these allusion was made to the timber deteriorating from exposure, but one of the most important of the merchants told me that a few days after the seizure they were allowed to arrange the timber in heaps according to the owners. If they had wished to cover these heaps there was no reason why they should not have done so.

61. *Detention of six cart-loads of timber.*—When the Deputy Collector and the Deputy Tahsildar reached the spot at which they had information they would find the Wudders at work on timber without permits, they found 16 logs or six cart-loads in the custody of Wudders. Permits were not forthcoming when asked for, but shortly afterwards, while they were talking, a man came up with permits for six cart-loads in the name of Ameer Khan of Velgode and said he had been taking his meals. Ordinarily, no doubt, this explanation would have been accepted, but the Deputy Magistrate believed the man had followed them from Velgode, and he seized this timber, as well as what he found subsequently, without attaching as much importance as he ought to have done to the fact that in the case of these six cart-loads it could not be proved that the timber had been cut before the permit had been taken out. This seizure was thus merged in the larger and justifiable seizure of 63 logs reported in paragraph 48 and the papers were sent off to the Conservator, involving the same delay as in the case of detention on suspicion dealt with in the preceding paragraph.

62. With regard to the order to prosecute alluded to in the newspapers the cases were reported in the same list as that mentioned in connection with the Velgode tanna case on which an order was passed calling for explanation as to why prosecutions had not been instituted in certain cases and finishing up with the remark "steps should be at once taken for the prosecutions of the offenders in these cases." From the wording of the order it would seem that immediate prosecution was not intended to take place in cases in which an adequate explanation was forthcoming, and when the explanation was eventually dealt with the District Magistrate stated in his Proceedings No. 295 M., dated 11th April 1894, that he agreed with the opinion expressed

by the District Forest-officer and the cases would not be prosecuted. It will also be noted that it was not at any time proposed to prosecute the men who had taken out permits, but the Wudders in whose possession the timber had been found.

63. *Disowning of lieitly cut timber through fear.*—It is a fact that when some logs were found uncovered by permits in the possession of Wudders who said that they had been cut for one Vadaru Venkat Reddi, the said Vadaru Venkat Reddi afterwards denied responsibility for them, although he did at the time hold permits under which they might have been cut. There is nothing to show that the wood was actually felled and squared after the permits had been taken out, and, looking to the proved prevalence of illicit felling, it would seem that Vadaru Venkat Reddi thought it safer to repudiate these particular beams—if indeed they had been cut for him, for which there is only the word of the Wudders.

I have the honor to be,

Sir,

Your most obedient servant,

(Signed) J. STURROCK,
Ag. 3rd Member, Board of Revenue.

APPENDIX A.

STATEMENT of seizures by the Deputy Tahsildar-Magistrate of Atmakur and the Forest Ranger.

Serial number of seizures.	Place of seizure.	Names of Courts and Calendar Number.	Articles found.	Approximate value.	Remarks.
1	2	3	4	5	6
			BY DEPUTY TAHSILDAR-MAGISTRATE.		
			(1) *Kurkunda.*—Number of houses, *261*; population, *1,235*; date of seizures, *21st September 1893*; number of seizures, *5*.		
1	Carpenter Papaiya's house.	Nandikotkur Taluk Magistrate's Calendar Case No. 97 of 1893.	24 yegi felloes .. .. 129 yegi spokes .. .. 13 billudu naves .. .. 1 chinduga pestle .. .. .. 3 yegi frames for cart parampattalu .. 1 jittigi piece (aindu) .. .. .. 4 vadde legs .. .. 2 chirumani spars .. .. .. 1 jittigi piece .. .. 3 yegi cot legs	RS. A. P. 48 0 0	Compounded Rs. 150 with confiscation of articles seized. This and the four following cases were compounded by the District Forest-officer, but on its appearing that the composition of cases involving reserved timber had been forbidden by a circular in 1891, the Acting Collector in Proceedings, dated 7th October 1893, cancelled the composition and directed that the prosecution should be renewed. On the 4th December the Acting Collector reconsidered this order and directed the Taluk Magistrate to stay proceedings in the cases. The composition money originally agreed on, which had been refunded, was then collected again and credited in the accounts on the 18th December 1893 and finally confirmed by District Forest-officer in No. 1601, dated 27th January 1894. Owing to an omission on the part of the ranger, the final acceptance of the money had not been intimated to the Magistrate until after my arrival in the district, but nothing had been done by the Magistrate after he stayed proceedings on the 6th December 1893. The cases have now been formally removed from the file.
2	Carpenter Vencatesam's house.	Nandikotkur Taluk Magistrate's file No. 110 of 1893.	6 small Rudraganapu planks .. .. 4 big do.	3 0 0	Compounded Rs. 15 with confiscation of article seized.
3	Ryot Teluga Papanna's house.	Nandikotkur Taluk Magistrate's Calendar Case No. 99 of 1893.	17 yegi felloes .. .. 4 chinduga yokes	6 0 0	Compounded Rs. 20 do. do.
4	Carpenter Masum's house.	Nandikotkur Taluk Magistrate's Calendar Case No. 98 of 1893.	2 billudu naves .. .. .. 4 yegi frames for cart (parampattalu).	2 4 0	Compounded Rs. 15 do. do.
5	Ryot Attalur Seshanna's house.	Nandikotkur Taluk Magistrate's Calendar Case No. 100 of 1893.	1 yegi pestle .. .. .. 1 chinduga do. .. .. .. 2 jittigi do.	0 8 0	Compounded Rs. 10 do. do.

Statement of Seizures by the Deputy Tahsildar-Magistrate of Atmakur and the Forest Ranger—*cont.*

Serial Number of Seizures.	Place of Seizure.	Names of Courts and Calendar Number.	Articles found.	Approximate value	Remarks.
1	2	3	4	5	6
		BY DEPUTY TAHSILDAR-MAGISTRATE—*cont.*			
		(2) *Guvvalagunta village.*—Number of houses, *178*; population, *797*; date of seizures, *20th September* 1893; number of seizures, *9*.			
				RS. A. P.	
6	Timber Merchant Gadichinna Venkataya's house.	Head-quarter Deputy Magistrate's Calendar Case No. 35 of 1894.	493 yegi spokes 228 yegi felloes 6 billudu naves 2 chinduga yokes 1 vaddi yokes 1 jittegi side-piece for cot 5 teak side-pieces for cot 1 chirumani piece for cart-frame 1 teak log 1 yegi harrow piece 14 chirumani frame spars 4 rudraganapu planks 1 teak plank 2 billudu pieces 1 yegi piece 1 yegi pestle 26 yegi felloes	250 0 0	Convicted, Rs. 300 fine, 25th December 1894. In this and the following case the late District Forest-officer approved the Ranger's recommendation for composition, but before the money had been paid the Acting Collector requested the District Forest-officer to reconsider the matter and the present District Forest-officer ordered a prosecution. The composition approved of, Rs. 500 was never tendered. Ranger Newman now states that in the following case, the composition money Rs. 100 was tendered after the Acting Collector's Proceedings disapproving of composition had been received, and was refused; but in his No. 487, dated 19th January 1894, he reported that the parties in both cases now declined to compound. These cases and others noted below were transferred on the 2nd April 1894 to the Probationary Deputy Magistrate who had been specially ordered to go to Velgode to dispose of cases 15 to 23 in this list (14 to 22 in the Collector's list). As he was engaged on the jamabandi of the Pattikonda and Markapur taluks, he was unable to take up the cases last sent to him before going to Madras for an examination and on the 6th July 1894 the cases were transferred to the Head-quarter Deputy Magistrate. The delay in disposal on his part is due in some measure to a reference having been made to the District Magistrate about the interpretation of section 56 of the Forest Act. A reply to the reference was received on the 26th August and on the 12th November all proceedings were stayed in order to submit the records to the District Magistrate who had been called on to report with reference to the charges brought against the administration in the *Pioneer*. After looking through the records and finding that prosecution was not barred under the second clause of section 55 of the Forest Act, I returned them to the Magistrate and requested him to proceed in due course of law which he accordingly did, and after hearing the evidence on the 24th December, delivered judgment on the 25th December convicting the accused and fining him Rs. 300, or half the amount proposed for composition. As he stated that the articles concerned in No. 7 were his, the two cases were formed into one and the accused in No. 7 was discharged. The articles were almost all fresh from the forest when seized, and section 56 of the Forest Act was consequently held to apply.
7	Mullala Pakiramma's house (connected with No. 6).	Head-quarter Deputy Magistrate's Calendar Case No. 16 of 1894.	43 yegi spokes 2 plough bars 6 yegi frame cross-bars for cart 2 nallamaddi felloes 1 billudu plough 3 yegi harrow pieces 2 vaddi yokes 4 chirumani pieces for cart frame 1 ippa beam	40 0 0	
8	Carpenter Vadla Seshanna's house.	Head-quarter Deputy Magistrate's Calendar Case No. 17 of 1894.	2 wheels with tires 4 yegi spokes 1 yegi piece 2 billudu ploughs 5 yegi planks for a car	22 0 0	Acquitted 24th December 1894. The cart wheels having tires were not treated as forest produce. The other articles were either old or proved to have been licitly obtained.
9	Mullala Subbanna's outer cattle-shed.	Head-quarter Deputy Magistrate's Calendar Case No. 18 of 1894.	2 wheels without felloes	9 0 0	Acquitted 24th December 1894. The articles were disowned by the accused and claimed by the accused in No. 11.
10	Mullala Vengamma's outer cattle-shed. *N.B.*—Property was said to belong to Vadla Veeranna.	Nandikotkur Taluk Magistrate's Calendar Case No. 234 of 1894.	2 yegi frame cross-bars 2 yegi wheels, for one of which one felloe was wanting. 1 yegi felloe	22 0 0	Acquitted. Prosecution of Vadla Veeranna ordered.

Statement of Seizures by the Deputy Tahsildar-Magistrate of Atmakúru and the Forest Ranger—*cont.*

Serial Number of Seizures.	Place of Seizure.	Names of Courts and Calendar Number.	Articles found.	Approximate value.	Remarks.
1	2	3	4	5	6
		BY DEPUTY TAHSILDAR—MAGISTRATE—*cont.*			
		(2) *Guvvalagunta village.*—Number of houses, 178; population, 797; date of seizures, 20*th September* 1893; number of seizures, 9—*cont.*			
				RS. A. P.	
11	Carpenter Vadla Veeranna's house.	Head-quarter Deputy Magistrate's Calendar Case No. 19 of 1894.	1 billudu plough 2 jittegi pieces 1 nallamaddi spar 1 harrow piece	1 0 0	Acquitted as the Magistrate thought the evidence adduced to prove that they had been obtained licitly might be true; date of acquittal, 24th December 1894.
12	Near Manti Reddi Gari Venkatappa's house.	Nandikotkur Taluk Magistrate's Calendar Case No. 235 of 1894.	2 billudu ploughs 3 yegi pieces	5 0 0	Acquitted 24th December 1894, as connection with the articles could not be proved against the accused.
13	In the open verandah in front of a temple. *N.B.*—The Yegi beams were said to have been brought by Uppa Pedda Nagappa.	Head-quarter Deputy Magistrate's Calendar Case No. 20 of 1894.	3 yegi pieces (squared) 5 yegi beams forming portion of wood work of a car (with edges fashioned). 3 yegi beams (without edge work) 4 yegi spokes 1 yegi piece 31 ,, planks	25 0 0	Acquitted as the Magistrate thought it difficult to fix the age of the beams, &c., which were two or three years old at all events; date of acquittal 24th December 1894.
14	Kumara Tirupangadu's house.	Head-quarter Deputy Magistrate's Calendar Case No. 21 of 1894.	1 ,, harrow piece 2 chirumani pieces for cot-frame	0 8 0	Convicted as it was proved that, when the articles were seized, the accused had admitted he had got them from the forests, 24th December 1894.
		(3) *Velgode village.*—Number of houses 600; Population 2,783; Date of seizure (in cases 15 *to* 21 *22nd September* 1893, (*and in the other cases the next day*); No. of seizures 10.			
15	Carpenter Bollupalli Ramanna's house.	Pro. Deputy Magistrate's Calendar Case No. 1 of 1893.	22 yegi spokes 4 ,, felloes 1 billudu nave	5 0 0	Convicted 26th January 1894, Rs. 30 fine. In this case the accused was a carpenter. Section 56 was relied on. It was considered improbable that the articles had been kept for eight years without being disposed of as alleged, when there was a good demand for yegi articles; and there were discrepancies in the defence evidence.
16	Ryot Kankula Kesanna's house.	Pro. Deputy Magistrate's Calendar Case No. 5 of 1893.	11 yegi spokes	1 6 0	Convicted 26th January 1894, Rs. 20 fine. Section 56 of the Forest Act was relied on, and there was evidence to show that the articles were not made from the log of which the butt end was produced in Court as that from which they had been made. This was borne out by marks made with an adze in Court. The defence witnesses were believed to be interested parties, and their statements as to their ability to identify articles were not borne out when put to the test before the Court.
17	Backyard to the west of Carpenter Peddaviranna.	Pro. Deputy Magistrate's Calendar Case No. 6 of 1893.	2 yegi pieces for cart-frame	2 0 0	This case was withdrawn on 19th February 1894. It could not be shown that the accused was the owner of the articles seized.
18	Backyard of Carpenter Venkatesam.	Pro. Deputy Magistrate's Calendar Case No. 8 of 1893.	1 billudu plough	0 4 0	This case was with drawn on 19th February 1894. The accused could not be shown to be the owner of the articles found in his backyard.
19	Gurram Balanna's (1) cow-shed, (2) his house.	Pro. Deputy Magistrate's Calendar Case No. 2 of 1893.	2 wheels without tires 21 yegi spokes 8 yegi felloes	20 0 0 4 10 0	Convicted 15th February 1894, Rs. 50 fine. The articles were said to have been made from the same log as those in No. 15, and this conviction was based on the same grounds.

Statement of Seizures by the Deputy Tahsildar-Magistrate of Atmakúru and the Forest Ranger—*cont.*

Serial Number of Seizures.	Place of Seizure.	Name of Courts and Calendar Number.	Articles found.	Approximate value.	Remarks.
1	2	3	4	5	6
			BY DEPUTY TAHSILDAR—MAGISTRATE—*cont.*		
			(3) *Velçode village*—Number of houses *600* ; Population *2,783* ; Date of seizure (in cases 15 *to* 21) *22nd September* 1893 (*and in the other cases the next day*) ; No. of seizures *10—cont.*		
				RS. A. P.	
20	Timber Merchant Vustupalli Venkataramudu's house.	Pro. Deputy Magistrate's Calendar Case No. 3 of 1893.	4 new cart wheels without tires .. 2 ,, ,, with tires .. 4 yegi spokes .. .. 1 yegi felloe .. .. 4 billudu naves	65 0 0	Convicted on 22nd February 1894, Rs. 100 fine. Confirmed on appeal. The accused says he is going to move the Sessions Court on revision. In the lower court section 56 of the Forest Act was relied on. The accused was shown to have made contradictory statements as to the way in which he had come into possession of the articles and it was held to be highly improbable that he, as timber merchant, would have retained satin wood (billudu) wheel boxes for 11 years and yegi spokes and felloes for about 8 years when there is a strong demand for such articles. The defence witnesses were discredited. Two were accused in other similar cases and the rest were also interested in the accused's acquittal. The District Magistrate adjourned the hearing of the appeal to permit of the High Court hearing an application for the transfer of the appeal, but the application was withdrawn.
21	Timber Merchant Lala Honkaram's (1) storehouse, (2) dwelling house.	Pro. Deputy Magistrate's Calendar Case No. 7 of 1893.	3 yegi cart-frames with cross-bars .. 4 yegi wheels without tires .. .. 38 billudu wheel-boxes.. .. .. 2 yegi cart-wheels without tires ..	110 0 0	Acquitted on 22nd February 1894, as the accused accounted satisfactorily for his possession of the articles.
22	Ryot Venkata Reddy's house.	Pro. Deputy Magistrate's Calendar Case No. 9 of 1893.	1 billudu wheel-box	0 12 0	Withdrawn 14th March 1894, as there seemed to be no case.
23	On the top of a mosque (Timber Merchant N. Chandraiya charged).	Pro. Deputy Magistrate's Calendar Case No. 4 of 1893.	2 new teak cots .. .. .. 8 billudu wheel-boxes .. .. .. 3 billudu nagelu (plough poles) ..	12 4 0	Convicted on 22nd February 1894, Rs. 70 fine. The accused is a timber merchant. Section 56 of the Act was relied on and he was held not to have satisfactorily explained how he had come into possession of the articles which were found hidden on the top of a mosque which adjoined his house. The plough poles were of green wood. When I inspected the locality I noticed that, if the cots had been put out to dry as alleged, there was plenty of room for them on the top of the accused's house ; also the top of the house is open, while the top of the mosque is surrounded by a parapet wall. The appeal was heard as in No. 20.
24	In the compound of Kesavasawmy temple (Mannar Acharya charged).	No prosecution instituted ..	2 beams forming portion of wood work of a temple car.	10 0 0	This was supposed to be a theft of Local Fund wood. The matter having been satisfactorily explained, the wood was released.
			(4) *Talamudipi village.*—Number of houses *251* ; Population *1,357* ; Date of seizure *6th October 1893* ; No. of seizures *4*.		
25	Vadla Subbarayudu's (1) cow-shed, (2) near work shop in front of his house.	Head-quarter Deputy Magistrate's Calendar Case No. 22 of 1894.	11 yegi felloes .. .. 2 yegi poles (rough) for cart-frames.. 2 ,, (squared) for cart-frames.. 2 teak logs .. .. 2 yegi pieces .. .. 2 billudu ploughs	8 0 0	Acquitted 25th December 1894. Talamudipi is so far from the forest that it would be straining section 56 to put the accused to strict proof that the articles were made of wood licitly obtained.
26	Kattubady Hussein Sahib's house.	Head-quarter Deputy Magistrate's Calendar Case No. 23 of 1894.	9 billudu wheel-boxes (squared) .. 3 billudu wheel-boxes (rough) .. 2 yepi wheel-boxes (squared) .. 47 yegi felloes .. .. .. 84 yegi spokes	60 4 0	Acquitted 12th November 1894. The articles found belonged to accused in No. 28.

Statement of Seizures by the Deputy Tahsildar-Magistrate of Atmakúru and the Forest Ranger—*cont.*

Serial Number of Seizures.	Place of Seizure.	Names of Courts and Calendar Number.	Articles found.	Approximate value.	Remarks.
1	2	3	4	5	6
			BY DEPUTY TAHSILDAR-MAGISTRATE—*cont.*		
			(4) *Talamudipi village.*—Number of houses, *251* ; population, *1,357* ; date of seizure, *6th October 1893* ; number of seizurues, *4—cont.*		
				RS. A. P.	
27	Boyasawmi Gadu's cattle shed.	Head-quarter Deputy Magistrate's Calendar Case No. 24 of 1894.	2 new cart wheels without tires ..	20 0 0	Acquitted 12th November 1894. The articles found belonged to accused in No. 28.
28	Vadla Rangaswamy's (1) house (pial), (2) near workshop in front of the house.	Head-quarter Deputy Magistrate's Calendar Case No. 25 of 1894.	5 yegi jadigamulu .. .. .. 1 billudu plough .. .. .. 2 billudu pieces .. .. .. 1 yegi piece	2 8 0	Acquitted 12th November 1894, as the articles were fairly satisfactorily accounted for.
			BY RANGER MR. NEWMAN.		
			(1) *Guvvalagunta village.*—Number of houses, *178* ; population, *797* ; date of seizure, *18th October 1893* ; number of seizures, *6*.		
29	Uppu Chinna Nagappa's manure pits.	Head-quarter Deputy Magistrate's Calendar Case No. 26 of 1894.	104 yegi felloes .. .. 251 yegi spokes .. .. 2 billudu boxes .. .. .. 1 yepi gonudindu .. .. .. 19 sandra gonu pieces .. .. .. 2 teak planks .. .. 1 rudraganapu plank	124 6 0	Acquitted 7th September 1894. The accused's connection with the articles found in his manure pits could not be proved.
30	Mallula Lingaiya's manure pit.	Head-quarter Deputy Magistrate's Calendar Case No. 27 of 1894.	21 yegi felloes .. .. 26 yegi spokes .. .. 3 billudu pieces .. .. .. 1 sandra gonu piece	17 8 0	Acquitted 7th September 1894, as the owners of the manure pits were not proved to have any connection with the articles found in them. The articles were confiscated.
31	Narla Ankanna's manure pit.	Head-quarter Deputy Magistrate's Calendar Case No. 28 of 1894.	2 nallamaddi pieces	6 0 0	Do. do. do.
32	Mangali Subbigadu's manure pit.	Head-quarter Deputy Magistrate's Calendar Case No. 30 of 1894.	4 yegi boxes	4 0 0	Do. do. do.
33	Mallula Pakiramma's manure pit.	Head-quarter Deputy Magistrate's Calendar Case No. 29 of 1894.	24 yegi spokes .. .. 3 yegi felloes .. .. 7 chinduga yokes .. .. .. 1 jittigi dindu	9 8 0	Do. do. do.
34	Uppu Peddanagappa's manure pit.	Nandikotkur Taluk Magistrate's Calendar Case No. 233 of 1894.	7 yegi felloes .. .. 3 yegi spokes .. .. 1 chinduga plough .. .. .. 1 chiruman cot piece	15 4 0	Do. do. do.

Statement of Seizures by the Deputy Tahsildar-Magistrate of Atmakúru and the Forest Ranger—*cont.*

Serial Number of Seizures.	Place of Seizure.	Names of Courts and Calendar Number.	Articles found.	Approximate value.	Remarks.
1	2	3	4	5	6
			BY RANGER MR. NEWMAN—*cont.*		
			(2) *Vadla Ramapuram.*—Number of houses, *191*; population, *778*; date of seizures, *26th October 1893*; number of seizures, *5*.		
35	Bairam Sahib's house ..	Átmakúru Sub-Magistrate's Calendar Case No. 20 of 1894.	25 billudu wheel boxes .. .. .. 32 yegi felloes .. .. 49 yegi spokes .. .. 6 yegi parumkommulu .. .. 11 teak pieces .. .. 2 tumki cot legs .. .. 1 tumki piece .. .. 1 billudu dindu .. .. 1 chiruman cot piece .. .. .. 2 yegi cart wheels .. .. .. 1 yegi wheel without felloes .. .. 7 yegi complete .. .. 2 teak cot legs	RS. A. P. 164 6 0	Acquitted 10th February 1894, as it was proved that the wood had been licitly obtained.
36	Husseinkhan's house and compound.	Átmakúru Sub-Magistrate's Calendar Case No. 21 of 1894.	4 yegi parumkommulu (poles for cart frame). 1 sandra dindu .. .. 8 yegi felloes .. .. 1 yegi dindu .. .. 6 billudu wheel boxes .. .. .. 1 yegi cart frame with spars .. .. 8 yegi spokes .. .. 1 yegi piece .. .. 1 billudu piece	34 14 0	Convicted 21st February 1894. The articles being clearly new and the accused having been found trying to conceal them, section 56 could be fairly relied on.
37	Murtuza Sahib's house ..	Átmakúru Sub-Magistrate's Calendar Case No. 22 of 1894.	2 billudu wheel boxes .. .. .. 17 yegi spokes	8 4 0	Acquitted 19th February 1894, mainly on the ranger's own evidence that the wood was old.
38	Kasireddy Naganna's house.	Átmakúru Sub-Magistrate's Calendar Case No. 23 of 1894.	3 sandra gonu pieces .. .. .. 1 nallamuddi piece .. .. .. 3 yegi spokes .. .. 2 yegi pestles .. .. 1 jittigi cot leg	3 2 0	Acquitted 15th February 1894. Wood was proved to have been licitly obtained.
39	Kasireddy Chinna Sankanna's house.	Átmakúru Sub-Magistrate's Calendar Case No. 24 of 1894.	2 billudu nagalu .. .. .. 3 billudu pieces .. .. 8 sandra gonu pieces	1 14 0	Do. do. do.
			SEIZURE BY ATMAKURU DEPUTY TAHSILDAR-MAGISTRATE IN MAY 1894.		
			(1) *Edurapad village*; Number of houses, *78*; population, *384*; date of seizures, *4th May 1894*; number of seizures, *3*.		
40	Yerrabandla Naganna's house.	Nandikotkur Taluk Magistrate's Calendar Case No. 232 of 1894.	1 unfinished cart yoke .. .. .. 1 spoke	2 0 0	Convicted 26th December 1894, Rs. 8 fine; the plea was that the wood had been concealed by No. 137 of 1894 (Vadla Nagalingam). He could not prove it, and even by his own admission he abetted the concealment.

Statement of Seizures by the Deputy Tahsildar-Magistrate of Atmakúru and the Forest Ranger—*cont.*

Serial Number of Seizures.	Place of Seizure.	Names of Courts and Calendar Number.	Articles found.	Approximate value.	Remarks.
1	2	3	4	5	6
			SEIZURES BY ATMAKURU DEPUTY MAGISTRATE IN MAY 1894—*cont.*		
41	Boya Seshanna's hut ..	Nandikotkur Taluk Magistrate's Calendar Case No. 139 of 1894.	9 new cotton hand spinning yegi spokes. 2 jittigi posts .. .. 3 chiruman pieces .. .. .. 1 billudu piece .. .. 1 jittigi cot piece	RS. A. P. 1 8 0	Convicted 26th December 1894, Rs. 8 fine; same as in Calendar Case No. 232 of 1894 above.
42	Vadla Nagalingam's house.	Nandikotkur Taluk Magistrate's Calendar Case No. 137 of 1894.	6 yegi wheels without felloes	60 0 0	Convicted 27th December 1894, Rs. 200 fine; information was given against him by a servant whom he had charged with theft. The servant knew how he obtained and concealed illicit wood and his statements were corroborated in different ways. The heavy fine is not explained, but presumably it was because he seemed to carry on systematic smuggling.
			(2) *Sivapuram village.*—Number of houses, 97; population, *463*; date of seizure, *4th May 1894*; number of seizures *1*.		
43	Pratapagiri Subbaiya's house.	Nandikotkur Taluk Magistrate's Calendar Case No. 138 of 1894.	4 yegi felloes .. .. 5 yegi spokes .. .. 3 teak cot pieces .. .. .. 1 teak cot leg .. .. 1 anduga plank	4 6 0	Convicted 26th December 1894, Rs. 18 fine; he admitted before the Deputy Tahsildar that he used to get articles from the chenchus; at the trial he denied this, but being a Panchanga Brahmin in a village near the forest, the natural presumption from his being in possession of articles of the kind is—in the absence of explanation—that he acted as an intermediary between the chenchus and a carpenter.
			The following articles were found lying *unclaimed in the fields* inside the tank of *Virapuram* village, hamlet of Guvvalagunta—		
			5 yegi posts .. .. 1 nallamaddidoor spar .. .. .. 2 yegi plough bars .. .. .. 1 nallamaddi cart pole .. .. .. 8 karaka plough poles .. .. .. 16 yegi felloes .. .. 4 billudu wheel boxes .. .. 2 chiruman pieces for axles .. .. 6 vadde pieces for cot legs .. .. 1 muddi yoke .. .. 4 chiruman cot spars .. .. .. 1 yegi pestle .. .. 3 teak cot spars .. .. .. 2 yegi harrow pieces .. .. .. 1 billudu plough .. .. .. 8 billudu plough poles .. .. .. 3 nallamuddi pieces .. .. .. 4 yegi pieces	33 0 0	

APPENDIX B.

PARTICULARS of articles seized.

Serial number.	Places where articles were found and names of owners.	Yegi felloes.	Yegi spokes.	Naves.	Logs or beams.	Pestles.	Side pieces for cots.	Paramkommulu (side pieces for cart frames).	Parumpattalu (cross pieces for cart frames).	Garrudindus and other pieces.	Cot legs.	Planks.	Yokes.	Ploughs.	Wheels.	Cots.	Total number.	Total approximate value.	Whether confiscated or released.	Remarks.
1	2	3	4	5	6	7	8	9	10	11	12	13	14	15	16	17	18	19	20	21
	In the houses of the following carpenters.																	RS. A. P.		
1	Vadla Papaiya of Kurkunda ..	24	129	13	..	1	..	3	2	2	7	..	..	..	..	..	181	48 0 0	Case compounded and articles confiscated.	
2	Vadla Venkatesam of do. ..	..	..	..	..	..	..	..	..	..	..	10	..	..	..	..	10	3 0 0	Do. do.	
3	Vadla Masum of do. ..	..	..	2	..	..	..	..	4	..	..	..	..	..	..	..	6	2 4 0	Do. do.	
4	Vadla Seshanna of Guvvalagunta.	..	4	..	..	..	..	..	..	1	..	5	..	2	2 with tires.	..	14	22 0 0	Released ..	
5	Vadla Veeranna of do. ..	..	..	..	..	..	..	..	1	3	..	..	..	1	..	..	5	1 0 0	Do. ..	
6	Bollupalli Ramanna of Velgode ..	4	22	1	..	..	..	..	..	..	..	..	..	..	..	..	27	5 0 0	Confiscated ..	
7	Vadla Rangaswamy of Talamudipi.	..	..	..	..	..	..	..	..	5	..	..	..	..	..	..	5	1 0 0	Released ..	
8	Vadla Nagalingam of Edurapad.	..	..	..	..	..	..	..	..	..	..	..	..	..	6 without felloes.	..	6	60 0 0	Confiscated ..	
	Total ..	28	155	16	..	1	..	3	7	11	7	15	..	3	8	..	254	142 4 0	....	
	In backyards, &c., of the following carpenters.																			
9	Pedda Veeranna of Velgode ..	..	..	..	..	..	..	2	..	..	..	..	..	..	..	..	2	2 0 0	Unclaimed and confiscated.	In his backyard.
10	Vadla Vencatesam of do. ..	..	..	..	..	..	..	..	..	..	..	..	..	1	..	..	1	0 4 0	Do. do.	Do.
11	Vadla Subbarayudu of Talamudipi	11	..	..	2	..	..	4	..	2	..	..	..	2	..	..	21	8 0 0	Released ..	In his cow shed and near workshop in front of his house.
12	Vadla Rangaswamy of do.	..	..	..	..	..	..	..	..	3	..	..	..	1	..	..	4	1 8 0	Do. ..	Near workshop in front of his house.
	Total ..	11	..	..	2	..	..	6	..	5	..	..	..	4	..	..	28	11 12 0	....	
	In the houses of the following timber merchants.																			
13	Gadichinna Venkataiya of Guvvalagunta.	228	493	6	1	1	6	1	14	4	..	5	3	..	..	..	762	250 0 0	Confiscated ..	
14	Vustupalli Venkataramudu of Velgode.	1	4	4	..	..	..	..	..	..	..	..	..	..	4 without tires. 2 with tires.	..	15	65 0 0	Do. ..	
15	Lala Honkaram of Velgode ..	..	..	..	..	..	..	..	..	..	..	..	..	..	2 without tires.	..	2	20 0 0	Released ..	
	Total ..	229	497	10	1	1	6	1	14	4	..	5	3	..	8	..	779	335 0 0	....	

Serial number.	Places where articles were found and names of owners.	Yegi felloes.	Yegi spokes.	Naves.	Logs or beams.	Pestles.	Side pieces for cots.	Paramkommulu (side pieces for cart frames).	Parumpattalu (cross pieces for cart frames).	Garrudindus and other pieces.	Cot legs.	Planks.	Yokes.	Ploughs.	Wheels.	Cots.	Total number.	Total approximate value.	Whether confiscated or released.	Remarks.
1	2	3	4	5	6	7	8	9	10	11	12	13	14	15	16	17	18	19	20	21
	In store-houses or other places selected by the following timber merchants.																	RS. A. P.		
16	Lala Honkaram of Velgode ..	..	..	38	..	..	..	3 with spars.	..	..	..	..	..	..	4 without tires.	..	45	90 0 0	Released.	In his store-house.
17	Nagali Chandriya of Velgode ..	..	..	8	..	..	..	..	..	3	..	..	..	..	..	2	13	12 4 0	Confiscated.	On the top of a mosque near his house.
18	Pedda Nagappa of Guvvalagunta.	..	4	..	8	..	..	..	..	4	..	31	..	..	..	..	47	25 0 0	Released.	In the open varandah in the front of a temple.
	Total ..	..	4	46	8	..	..	3	..	7	..	31	..	..	4	2	105	127 4 0	..	
	In the houses of the following ryots.																			
19	Teluga Papanna of Kurkunda ..	17	..	..	..	..	..	..	..	..	..	..	4	..	..	..	21	6 0 0	Case compounded and articles confiscated.	
20	Attalur Seshanna of Kurkunda ..	..	..	..	..	4	..	..	..	..	..	..	..	..	..	..	4	0 8 0	Do. do.	
21	Kumara Tirupangadu of Guvvalagunta.	..	..	..	..	..	2	..	..	1	..	..	..	..	..	..	3	0 8 0	Confiscated.	
22	Mallala Pakiramma of Guvvalagunta.	28	43	..	1	..	..	4	6	3	..	..	4	1	..	..	90	40 0 0	Do.	Claimed by a timber merchant Godichanna Vencataiya.
23	Kankula Kesanna of Velgode ..	..	11	..	..	..	..	..	..	..	..	..	..	..	..	..	11	1 6 0	Do.	
24	Gurram Balanna of do. ..	8	21	..	..	..	..	..	..	..	..	..	..	..	..	..	29	4 10 0	Do.	
25	Venkata Reddy of do. ..	..	..	1	..	..	..	..	..	..	..	..	..	..	..	..	1	0 12 0	Released.	
26	Kattubady Hussein Sahib of Talamudipi.	47	84	14	..	..	..	..	..	..	..	..	..	..	..	..	145	60 4 0	Do.	Claimed by carpenter Rungasawmy.
27	Yerrabandla Naganna of Edurapad.	..	1	..	..	..	..	..	..	..	..	..	1	..	..	..	2	2 0 0	Confiscated.	
28	Boya Seshanna of do.	..	9	..	2	..	..	..	..	5	..	..	..	..	..	..	16	1 8 0	Do.	
29	Pratapagiri Subbaiya of Sivapuram.	4	5	..	..	..	3	..	..	..	1	1	..	..	..	..	14	4 6 0	Do.	
	Total ..	104	174	15	3	4	5	4	6	9	1	1	9	1	..	..	336	121 14 0	....	

Particulars of articles seized—*cont.*

Serial number.	Places where articles were found and names of owners.	Yegi felloes.	Yegi spokes.	Naves.	Logs or beams.	Pestles.	Side pieces for cots.	Parampattalu (side pieces for cart frames).	Parampattalu (cross pieces for cart frames).	Garrudinalu and other pieces.	Cot legs.	Planks.	Yokes.	Ploughs.	Wheels.	Cots.	Total number.	Total approximate value.	Remarks.	Whether confiscated or released.
1	2	3	4	5	6	7	8	9	10	11	12	13	14	15	16	17	18	19	21	20
	In cow sheds, &c., of the following ryots.																	Rs. A. P.		
30	Gurram Balanna of Velgode ..	..	..	..	..	..	..	..	..	..	..	..	..	..	2 without tires.	..	2	20 0 0	In his cow shed.	Case pending ..
31	Manti Reddi Gari Venkatappa of Guvvalagunta.	..	..	..	..	..	..	..	..	3	..	..	..	2	..	..	5	5 0 0	In the bushes and fields in front of his house.	Unclaimed and confiscated.
32	Mullala Subbanna of do. ..	..	..	..	..	..	..	..	..	..	..	..	..	..	2 without felloes.	..	2	9 0 0	Claimed by carpenter Veeranna of Guvvalagunta.	Released ..
33	Mannar Acharya of Velgode ..	..	..	..	2	..	..	..	..	..	..	..	..	..	..	..	2	10 0 0	Portion of wood work of a temple car.	No prosecution instituted.
34	Mullala Vengamma of Guvvalagunta.	1	..	..	..	..	..	..	2	..	..	..	..	..	2	..	5	22 0 0	Claimed by carpenter Veeranna.	Will depend on order in case against Veeranna.
35	Boyaswami Gadu of Talamudipi.	..	..	..	..	..	..	..	..	..	..	..	..	..	2 without tires.	..	2	20 0 0	Claimed by carpenter Rangasawmy of Talamudipi.	Released ..
	Total ..	1	..	..	2	..	..	..	2	3	..	..	..	2	8	..	18	86 0 0	....	....

ABSTRACT.

Articles found in possession of	Confiscated.			Released.			Orders deferred.			No prosecution instituted.			Total.			Remarks.
	Number of articles.	Value.		Number of articles.	Value.		Number of articles.	Value.		Number of articles.	Value.		Number.	Value.		
		Rs. A. P.			Rs. A. P.			Rs. A. P.			Rs. A. P.			Rs. A. P.		
Carpenters	233	120 8 0		49	33 8 0		..	..		..	..		282	154 0 0		Includes 90 articles, worth Rs. 40, claimed by a timber merchant and 154 articles, worth Rs. 111-4-0, claimed by a carpenter, leaving 110 articles, worth Rs. 56-10-0, found in the possession of ryots, and not claimed by timber merchants or carpenters.
Timber merchants	790	327 4 0		94	135 0 0		..	..		..	..		884	462 4 0		
Ryots	195	65 14 0		150	90 0 0		..	..		2	10 0 0		354	207 14 0		
Total ..	1,218	613 10 0		293	258 8 0		7	42 0 0		2	10 0 0		1,520	824 2 0		

APPENDIX C.

Office-note from F. LODGE, Esq, District Forest-officer, to the Forest Commissioner, dated Kurnool, 27th December 1894, Extra No. 2.

[*Reference.*—Your office-note of 19th instant.]

It has been generally admitted for many years that timber smuggling takes place all along the foot of the Nallamalais. The fact that smuggling was suspected and in some cases proved is evident from the following :—

(1) As long ago as 1890 a forged sale hammer was known to exist—*vide* enclosure No. 1. This could only have existed for the purpose of marking timber for which the Government sale hammer mark could not be obtained, *i.e.*, smuggled timber. It was at Velgode that beams marked with this forged sale hammer were seized. One forged hammer was actually discovered in 1889 and the possessor sentenced to six months' imprisonment in Calendar Case No. 57 of 1889 on the file of the 2nd-class Magistrate of Atmakúru; the piece of wood filed as evidence bearing side by side the impressions of the Government hammer and the forged hammer is herewith submitted.

There is evidence *now* of the existence of a forged hammer at Ernapad, and a case is pending before the Kalwa Sub-Magistrate in connection with it.

(2) While Mr. Ward was in the district, the following method of smuggling was found to exist. Timber was brought to the docketing tanna twice under cover of one permit; the logs brought first were numbered at the tanna and removed; the second consignment, on arrival at the tanna, was stamped with the same numbers as were impressed on the first consignment. These numbers were then entered on the way-permit which was given to the owner of the logs; all that he had to do was to move the consignments at different times, so that the way-permit could accompany each of them. I have not the records to refer to, but I believe that two logs bearing the same number were found, the fraud was exposed, and it was in consequence of this that the issue of way-permits was stopped, and the sale hammer mark impressed by the Ranger on every log of the more valuable species before it left the tanna.

(3) In the forest sheet for February 1891, a circular is published limiting the duration of permits issued for various kinds of produce. The limit of time was evidently fixed with a view to preventing permits being used more than once before the date of expiry; thus for hard woods (class I and class II) ten days were allowed for each cart-load of squared timber, six days for rough timber, for the more easily found and felled trees included in class III the time was limited to seven days for squared and four days for rough timber; similarly for whole bamboos four days and for split bamboos ten days were allowed; at the foot of the circular the order is issued "the above only refers to cart-loads, and for less quantities less time must be given; it is not necessary to give the maximum number of days in every case".

(4) I find the following in a draft by my predecessor, dated the 24th August 1893: "Illicit fellings are, it is believed, more or less common throughout the forest tracts, *e.g.*, the removal of tinwood for ploughs, teak and other valuable timber. Inspection, properly so called, cannot be undertaken on foot or on horseback owing to the denseness of the forests and to move along a foot-path or cart-track for such a purpose is practically useless, for illicit fellings would not be carried on in their immediate vicinity."

(5) Also the following in an office-note to the Collector, dated 4th December 1893, in reply to a note about illicit fellings: "You moreover say that the valuable forests in Nandikotkur have been destroyed and that this fact has been brought repeatedly to my notice; so far as I can recollect, however, I was the person who brought the fact to your notice. The destruction, however, does not relate to the present, but to what has taken place in the past; for years and years these forests (I mean the whole of the Nallamalais) have been hacked about just when and where people chose, and during the building of the railway it is believed wood poured out as fast as it could be cut."

(6) Mr. Newman's report on the damage done by the Chenchus in the illicit removal of timber worked up into portable articles, such as spokes and felloes, is, I believe, already with you.

(7) Extract from Anantapur District Forest-officer's letter No. 1923, dated 27th November 1893: "At Guntakul or Gooty . . . there would be a fairly good sale for timber of the first and 2nd class spokes, felloes and naves, and specially teak timber . . . , a great deal of timber (the Tahsildar says about Rs. 10,000 value) is sold yearly at Gooty and Tadpatri by merchants who import it from the Nallamalais." Although the letter was received subsequent to the seizures at Guvvalagunta, Velgode, &c., I quote it to show that smuggling was going on.

(8) Up to 1892 (and during part of 1893 I believe) the Kristnapurum shrotriemdar issued permits for satinwood; quantities of satin woodwere removed under cover of these permits until it was proved that no satinwood stumps, much less trees, large enough to yield timber of the size removed, existed in the shrotriem limits. The papers connected with this point, I think, form part of the records which accompanied Mr. Newman's appeal.

(9) Since April 1890 (*vide* forest sheet for that month) the felling of yegi and yepi trees on permit has been prohibited; but the construction of new yegi carts and cart wheels has not stopped. The sales from the depôt at Ernapad were very poor in 1893, and yegi timber could not be legally procured anywhere else in the district with the exception of eight logs sold at Atmakúru. Enclosure 2 shows that in January 1893 there was a large auction sale at Ernapad, at which the chief item was 20 "sets" of spokes and felloes (a "set" consists of 24 spokes and 12 felloes, enough for a pair of wheels); from February till October 1893, only 24 yegi logs and beams were sold from depôt, while in the same period the accounts show that 6 yegi beams were sold at Atmakúru (surplus from collections for Public Works Department). In September and October 1893, the seizures took place; the Ernapad return shows that from January to November 1894 no less than 223 yegi logs and beams were sold. The natural conclusion is that owing to the seizures the smuggling of timber received a check and consequently the demand for timber legally obtained increased. As the news of the seizures spread, the increased demand may have come from all parts of the district, but that some of the increase was due to increased demand in Nandikotkur taluk is evident from the fact that, of the beams sold from March to November 1894, 43 (*i.e.*, more than the total sales of the preceding year) were sold to merchants in Nandikotkur taluk, principally residents of Guvvalagunta, Kurukunda, Ramapuram and Atmakúru.

In 1893 the yegi from Ernapad sold at Re. 1 per cubic foot; at the close of the year there was a lot of stock on hand which it was determined to sell at reduced prices; this stock included 37 yegi logs and beams which were not sold in 1893 owing to want of demand, and which had deteriorated by long exposure in depôt. These were sold at rates varying from 10 annas to Re. 1 per cubic foot; the current year's supply sold so fast at Re. 1 per cubic foot, that I had to raise the price of large logs to Rs. 1-4-0 per cubic foot.

(10) The issue of permits for Erramaddi in Nandikotkur range was stopped in October 1893; from January to November 1893, 64 beams, and from January to November 1894, 245 beams were sold from Ernapad depôt. If the stoppage of permits for Erramaddi in 1893 resulted in such a large increase in depôt sales in 1894, why was the demand for yegi so small in 1893 although permits had been stopped since 1890? Presumably because timber was smuggled largely until the seizures of September and October 1893.

(11) Erramaddi is cut chiefly for export; Ernapad is 9 miles and Velgode 17 miles from the railway, yet the demand at Ernapad was small until the seizures at Velgode.

(12) On page 33 of Mr. Newman's petition an extract is given to the effect that one log found at Obleswarampenta was said to have been cut for the wife of a Wudda living at Ernapad; with the depôt at Ernapad and forests above Ernapad why should a person residing at Ernapad send to the forests above Velgode for a log?

(13) With large forests and a small establishment there is always smuggling in progress; I could quote many instances which I met with during the years 1887—1892 in Cuddapah district, but fear that this note is already exceeding reasonable limits; the small establishment being over-worked and under-supervised is generally dishonest and encourages smuggling in exchange for palm oil; I cannot quote a better instance than that of Forest Guard Davood Sahib of Siddepalli near Atmakúru, concerning whom it was recorded in evidence in a forest case that he kept a private gumasta at 8 annas per day, *his* pay being Rs. 8 per month; another Forest Guard on similar pay is known to ride out to his beat on his own pony, followed by his horse-keeper.

SALES from Ernapad depôt from January 1893 to November 1894, Kurnool district.

Month and year.	Number.							Rate.	Amount.
	Yegi spokes.	Yegi felloes.	Yegi logs and beams.	Teak posts, beam or log.	Ebony beam or logs.	Erramaddi beams or logs.	Sundries.		
1	2	3	4	5	6	7	8	9	10
1893.									RS. A. P.
January	480	240	..	1	2	21	34	Auction.	494 7 0
February	..	..	2	..	..	6	..	..	66 6 0
March	..	..	6	..	..	18	..	..	187 6 0
								per c. ft.	
April	..	..	2	..	..	3	..	1 0 0	42 8 0
May	..	..	..	..	..	13	..	1 0 0	126 4 0
June	..	..	..	..	..	2	..	1 0 0	20 2 0
July	..	..	2	..	..	..	..	1 0 0	8 12 0
August	..	..	3	..	..	..	..	1 0 0	22 6 0
September ..	..	..	8	..	..	..	..	1 0 0	54 0 0
October	..	..	1	..	..	..	1 Jettegi beam.	1 0 0 1 4 0	16 10 0
November ..	..	..	3	..	..	1	..	1 0 0	24 0 0
December ..	..	..	2	Yegi logs sold at Atmakúru this month.					
1894.									
January	..	..	3	..	..	19	..	Rates varying from Rs. 1-4-0 per cubic foot for yegi.	125 11 8
February	..	..	8	..	..	4	1		62 6 3
March	..	..	21	..	..	39	5		548 3 2
April	..	..	11	..	..	8	1		158 9 5
May	120	60	20	..	..	58	1		871 0 0
June	..	..	70	..	..	33	2		949 1 9
July	96	48	5	2	..	40	8		645 6 9
August	72	36	10	..	..	3	5		203 8 0
September ..	..	..	23	5	2	14	1		552 4 0
October	240	120	33	..	..	12	1		616 6 0
November ..	144	72	10	..	..	15	1		406 8 0

ORDER—dated 18th February 1895, No. 95, Revenue.

Forest No. 30.

As required by G.O., No. 870, dated the 12th December 1894, the Hon'ble Mr. Sturrock reports the results of his inquiries into the alleged irregularities in connection with the administration of the forests in the Kurnool district Mr. Sturrock's report is careful and full; and it is unnecessary for Government to do more than state the general conclusions at which it has arrived on a review of the whole information now before it. Particulars on a large number of the specific points included in the inquiry have been furnished in the replies given on behalf of the Government to questions asked at the meeting of the Legislative Council held on 22nd January 1895.

2. It is abundantly evident that for some time the smuggling of forest produce from the hill reserves on the Nallamalais had prevailed on an organized and extensive scale. The state of things is tersely described by the District Forest-officer in the following words—"for years and years these forests (I mean the whole of the Nallamalais) have been hacked about just when and where people chose." So far as regards small timber the traffic was carried on by carpenters, timber merchants and others in the villages adjoining the hills with the aid of the forest Chenchus, who roughly fashion the wood, improvidently and indiscriminately felled by them without license, into the shape of spokes, felloes, shafts, wheelboxes and other small articles, which being capable of easy concealment are stealthily removed from the forests to the houses of those engaged in the business to be worked up and made fit for final use. In respect of large timber, illicit practices of several kinds are described, such as (*a*) bringing logs of reserved timber out of the forests with the connivance of the tannahdars under cover

of permits for inferior woods; (*b*) stamping two consignments with the same numbers and removing them under the same way-permit at different times; (*c*) using the same way-permit more than once, an excessive period being allowed by the tannahdar to cover more than one trip; (*d*) using the permits of private forest-owners to cover removals from the Government forests; and (*e*) the use of counterfeit sale hammers.

3. In such circumstances the district officers were, in the opinion of Government, only doing their bounden duty in taking active steps to discover the offenders and to put a stop to practices that were not only in breach of the law, but were rapidly ruining these valuable forests. It remains then to examine whether there is any ground for charging the local authorities with extreme rigour or illegality in carrying out this duty. In respect of the contraband trade in small timber searches were made in certain villages, and Mr. Sturrock's report shows that in no case of search was legal procedure violated. The searches in the four villages of Guvvalagunta, Kurukonda, Velgode and Talamudipi, conducted by the Deputy Tahsildar personally in September and October 1893, were in exercise of the powers vested in him as a 2nd-class Magistrate by sections 191 (*c* and 105, C.P.C.; in all cases but one the search was on information received; in the excepted case, the search, which resulted in the seizure of numerous pieces of timber, was on suspicion reasonably induced by what came under the Deputy Tahsildar's own observation. The searches in Ramapuram in October 1893 and in Ederupad and Sivapuram in May 1894 were made by the police on warrants issued on sworn information. In Virapuram no houses were searched, the 72 articles seized being picked up in the tank-bed, where they had been thrown.

Complaints were preferred to Mr. Sturrock locally that a few unreported searches were made by the Deputy Tahsildar, and although the latter officer denied the fact, Mr. Sturrock investigated a certain number of the cases and found them to be unsubstantiated. It would have been more satisfactory, however, if the investigation had been carried through in every case. At the same time the Government, for the reasons given in the report, finds no ground for refusing to accept Mr. Sturrock's conclusion that all the searches were reported, and that besides the two unsuccessful searches, one at Velgode and one at Kurukonda, all the searches were followed by seizures.

4. The report gives full particulars of the number of searches and seizures in each village, the places in which they were made, and the nature of the articles seized, and it is unnecessary to recapitulate the details. The inquiry disposes completely of the allegations which made it appear that the seizures were mainly of the furniture of the villagers and articles in domestic and industrial use. Altogether nearly 1,600 pieces of timber were seized and these generally were unused and roughly fashioned blocks and shafts of the various kinds described in paragraph 2 *supra*. The gross and sweeping misrepresentations on this point were based apparently on the inclusion, with property seized as illicit, of two cots in one case and of two cart-wheels in another. The circumstances in which this happened are sufficiently explained in paragraphs 19 to 22 of the report. With regard to the alleged seizure of two temple cars, it appears that in one case two beams of a car, and in indirect consequence the car itself, were attached. The attachment in this particular case was not in connection with any forest offence; the complaint was on the part of the Local Fund Department which asserted that the beams were property stolen from it; and the case does not fall within the scope of the present inquiry. In the other case 47 yegi beams were seized as illicit in the open verandah in front of a temple; the car was not attached. The Government however agrees with Mr. Sturrock that in the circumstances the attachment was injudicious.

5. The result of the prosecutions instituted in consequence of the seizures is fully detailed in the appendix to the report. Cases convicted and in which composition was paid by the accused, as well as those in which confiscation of the timber was ordered, the accused being acquitted on the ground of his connection with the wood not being proved—all these cases have been rightly held to justify the seizures relative to them. The total quantity of illicit timber (exclusive of what was taken unclaimed in the Virapuram tank) confiscated as the result of the prosecutions was over 1,200 pieces, leaving about 300 to be returned to the parties. Comparing the number of clear acquittals with the average results of ordinary criminal prosecutions, the proportion

cannot be said to indicate any undue straining of the law. Questions of the legality of the convictions and of the sufficiency of the evidence on which they are based are matters for the appellate tribunals.

6. On the whole having regard to (*a*) the number of searches compared with the number of villages implicated, (*b*) the observance of legal procedure in making the searches, (*c*) the results of the prosecutions, (*d*) the quantity and value of illicit timber seized and confiscated, and finally (*e*) the necessity of repressive measures to meet the widespread smuggling that prevailed, the Government is not prepared to condemn the proceedings of the local authorities as reckless or speculative, nor can it find any justification whatever for characterizing their action as "raiding the villages." Mr. Sturrock indeed considers that the Deputy Tahsildar showed a want of discretion in making so many seizures, and thinks that action should have been confined to cases of possession of *large* quantities of timber *fresh* from the forests. At the same time he points out that what the Deputy Tahsildar had to combat was an "organized system of robbery of reserved timber for trade purposes." Although, therefore, it may be easy now to pick out a few cases which he might perhaps have left alone, his searches were, in the opinion of the Government, generally justifiable, and initiated on reasonable grounds.

7. In connection with certain of these cases the Collector has been blamed in that after they had been compounded, he insisted on cancelling the composition and instituted prosecutions. Mr. Sturrock explains that the Collector cancelled the composition in the five cases referred to because it was contrary to departmental orders to compound cases in respect of reserved wood. When it was subsequently pointed out that the acceptance by the District Forest-officer of the composition operated in law as an acquittal, the Collector revoked his original orders, and criminal proceedings were stayed in every case in which the party was still prepared to pay the amount of composition agreed upon. The accused in these five cases had been, however, brought unnecessarily before the courts; and the Government regrets that the Collector, before directing the prosecutions, should not have been careful to restrict his orders to cases in which composition had not been actually accepted. The story about the transfer of these cases from the file of the Taluk Magistrate to the Probationary Deputy Magistrate on the ground that the former objected to the prosecutions is shown to be altogether false. The only cases transferred to the Probationary Deputy Magistrate were cases in which prosecution had been sanctioned by the District Forest-officer; the compounded cases were not transferred at all. The Government concurs entirely with Mr. Sturrock in regarding the animadversions cast upon Mr. Usman Sahib's independence as entirely unmerited. The charge laid against the Collector and the Probationary Deputy Magistrate of conspiracy to bring about convictions regardless of evidence is entirely devoid of foundation. With regard to the delay in restoring Lala Honkaram's property after his acquittal, although the fault may be attributable partly to the omission of the Deputy Magistrate to give instructions on the point at the close of the trial and partly to Lala's own dilatoriness, the Government considers that the District Forest-officer is nevertheless much to blame in overlooking the matter in his office.

8. The *second* head of the inquiry relates to the complaints regarding the seizure of large timber in the forests. The modes in which the irregularities in this connection are carried out have been described in paragraph 2 *supra*. The report deals very fully with certain specific cases (*a*) the Velgode tanna case; (*b*) the detention by the Collector of 100 cart-loads lying at the tanna; and (*c*) the detention by the Deputy Tahsildar of Amirkhan's wood. The underlying justification for the intervention of the authorities was the notorious prevalence of illicit practices, and the knowledge that these could not well be carried through successfully without the connivance of the forest subordinates; in some instances their connivance was essential. In the three cases discussed in the report, the Government considers that the original detention pending inquiry into the *bona fides* of the permits, which ostensibly covered the consignments, was *primâ facie* justifiable. In the Velgode tanna case also, in which Ranger Newman very irregularly released the detained timber without reference to the District Forest-officer, the Collector's order to prosecute the parties concerned was, in

the opinion of Government, legitimate. But His Excellency the Governor in Council cannot find any valid excuse for the long delay that took place before final decision was arrived at for either the release or the confiscation of the timber. For these delays the Collector must be held responsible. It was his clear duty to see that the charges were dealt with speedily and each case on its merits. It is observed that every facility appears to have been given for the protection of the wood during its detention.

9. It has been alleged that the Revenue authorities were acting throughout in opposition to the advice of the Forest-officers. As regards the searches in the villages, the report and its enclosures show that there "is absolutely no foundation for this view." As regards the detention of large timber, action was taken in consequence of what the Forest-officers themselves had brought to notice. The Conservator supported the Collector. The Ranger no doubt protested in the particular cases mentiond, arguing that as permits were forthcoming, there was no ground for the detention; but the question was not whether there were permits in existence, but whether those produced were not fraudulently used; and this involved an inquiry into the conduct of the forest subordinates themselves. So far as the searches in the villages are concerned, the report shows that there is nothing to support the allegation that action was taken without the countenance of the Forest Department. The personal bad feeling that existed between some of the revenue and forest subordinates caused a certain amount of friction; but it was only when his own conduct had been called in question that Ranger Newman began to oppose the Deputy Tahsildar's action in the villages. The report says: "though all the prosecution statements were filed by the Ranger and the details of the cases were consequently well known to him, his letter No. 439, dated 21st December 1893, is the first in which he takes exception to the legality of the seizures of small articles in the villages, and that letter was written after he knew that his conduct in connection with the illicit felling of timber was viewed with grave suspicion by the Collector."

So far as difficulties arose from the personal jealous animosity that existed between the Deputy Tahsildar and the Ranger, the Government is of opinion that the Collector should have intervened at a much earlier stage. The revenue and forest subordinates are here, as in other parts of India, independent and in no way subordinate the one class to the other; but there being numerous circumstances in which they have of necessity more or less intimate official relations, it is essential in the public interests that they should work in harmony and it is the duty of the Collector, who has in his district supreme control over both, to take care that this object is attained. Fortunately cases of friction are of very rare occurrence.

10. On a careful review of the results of the inquiry, His Excellency the Governor in Council has no hesitation in declaring that the general conclusions at which Mr. Sturrock has arrived are fully warranted. The existence of a widespread traffic in illicit forest produce necessitated stringent measures of repression. The duty of searching houses is not one which falls ordinarily within the scope of a Forest officer's functions, though such searches may be executed by the Police under warrants obtained at the instance of the Forest Department. In Kurnool the limit of interference on the part of the forest staff had, by local orders, been very properly defined as the forests and their immediate neighbourhood. In the cases reported by Mr. Sturrock all the searches appear to have been conducted by the Police or by the 2nd-class Magistrate himself, and the proceedings were throughout perfectly legal. Similar remarks apply to the detention of large timber. It is observed that in Guvvalgunta the seizures made by the ranger were of articles found in manure pits. The complaints of wholesale illegality and oppression on the part of the District Revenue authorities must be dismissed as untrue. The minor points in which their conduct is open to comment or animadversion have been sufficiently noticed in the preceding paragraphs. With regard to these the Board of Revenue will issue such subsidiary instructions as may be required.

11. There is one further matter to which the Government would direct the Board's attention. No complaint has reached the Government on the subject, nor is it noticed in the report; but it seems desirable that the Board should ascertain whether

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the people have reasonable facilities for procuring the timber they require and which the forests supply. If the Government holds a virtual monopoly of any produce, it is a primary obligation to satisfy all legitimate demands therefor with the least inconvenience practicable, since every difficulty raised in the way of supply may incite and conduce to crime. It appears that the felling of certain species of woods was prohibited in 1890, and from the seizures made in these villages it is evident that these woods were in constant demand. They seem to have been procurable at the Ernapad depôt; but it should be ascertained whether the supply at this depôt is usually sufficient, whether the one depôt is enough, and generally whether there is any ground of dissatisfaction in connection with the supply of timber of the kinds required. The Board should further ascertain whether these particular kinds of wood are essential for the purposes specified. It is believed that babul (*acacia arabica*) is extensively used in the manufacture of wheels and agricultural implements, but the Government is not aware whether this species is common in Kurnool.

(True Extract).

C. Gibson.

Secretary to Government.

To the Board of Revenue (Land Revenue).
„ the Judicial Department.

Rxd. C. M. Brisson.

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REVENUE.

Issued

Read. 26/2/95 Encl.

G.O., 18th February 1895, No. 95.

FEBRUARY.

Forests in the Kurnool District.

Passing orders on the report of the Hon'ble Mr. J. Sturrock regarding the alleged irregularities in connection with the administration of the —.

Ge. 951 : 14 Decr 1894 Pub.
Abs. Proc of the Legislative

Order / Mis 1st March 95 No 458

Recorded.

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JMR
1/3/95

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STATEMENT WITH DITTO.								
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