

Legislative (1897) Department.

ORDINARY MS.

G.O., No. 37

DATED 12-4-97

12/4/97

INDEXED

15/5

[Despatch Abstract.]

Legislative Council questions

Coming to the Public Works Department
copy of questions asked at the meeting of the Council
held on the 9th instant, together with the answers given
thereto. With reference to the answer given to Qⁿ no. XXVI.

BACK PAPERS.

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

FURTHER PAPERS.

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

[G.]
[21.]
500-28-10-96.

Legve DEPARTMENT.

Papers to be read in proceedings :--

Again G.O., dated 189 , No.
Again G.O., dated 189 , No.
Current No. of 189 , dated , from
" " " 189 , " , "
" " " 189 , " , "

*Read Questions asked at the meeting of the
Legislative Council held on the 9 April
1897 & the answers given thereto.
ORDER. No 37 Legve of 12.4.97*

*Communicated to the Public works
Department with reference to the
answer given to question No XXVIII.*

H. J. L.

*To the Public Works Department
21/4/97
CRV
12/3/97 Note*

*The Public works Dept. if it thinks
have to make the necessary inquiry, as the Hon.
Member will in all probability repeat his
question as requested.*

Humble Mr Price

GOVERNMENT OF FORT ST. GEORGE.

LEGISLATIVE DEPARTMENT.

NOTICES FOR THE MEETING OF THE COUNCIL ON FRIDAY,
THE 9TH DAY OF APRIL 1897.

(1) *Additional Member.*

The Secretary reports that the Hon'ble Mr. GEORGE GOUGH ARBUTHNOT takes his seat as Additional Member of Council.

(2) *Financial Statement.*

The Hon'ble Mr. H. W. BLISS, C.I.E., explains the annual financial statement for 1897-98.

(3) *Questions.*

With the permission of His Excellency the President—

The Hon'ble C. VIJAYARAGHAVACHARIAR asks the following questions:—

I. In reference to the following questions asked by me at the last two Meetings of the Council, which the Government was not then in a position to answer, has it since obtained the necessary information and, if so, will it be pleased to answer them and lay the papers of the several inquiries on the table:—

(1) Question No. XXXII on the agenda paper for the Meeting of the Council on the 9th December 1896—

[“XXXII. Will the Government be pleased to state whether its attention has been called to the conduct of Mr. Vaughan, Joint Magistrate of North Arcot, during the trial of the calendar case, No. 65 of 1896, on his file?

Whether it is a fact that Mr. Vaughan limited by time the right of the accused to cross-examine the witnesses called on behalf of the prosecution?

Whether it is a fact that he refused to record material parts of the proceeding before him, and that in the case of one important witness, the Revd. Mr. Chamberlain, he made no record at all of his cross-examination beyond a few symbols such as—○ ○—which he, Mr. Vaughan, interpreted to the District Magistrate to mean that nothing material was elicited in cross-examination?

Whether Mr. Vaughan's account of what had taken place before him in the course of the trial was found by the District Magistrate on investigation to be inaccurate?

Whether it is a fact that the District Magistrate has recorded his opinion that the action of Mr. Vaughan in court and his action in giving him (District Magistrate) an inaccurate version are ‘serious matters’?”]

(2) Question No. II on the agenda paper for the Meeting of the Council on the 9th February 1897—

["II. Will the Government be pleased to state—

- (a) Whether it is a fact that Mr. Thornton, I.C.S., while Sub-Collector and Joint Magistrate of Salem in August 1896, directed the Tahsildar of Dharmapuri by wire to send up to him one Sampangi, a peon attached to the office of the Deputy Tahsildar and Second-class Magistrate of Pennagaram, without stating the purpose in the telegram, and, on the peon's appearance before him, asked him if he took to his master, the said Deputy Tahsildar, a bribe of Rs. 100 entrusted to him by one Baoodeen Sahib, and on the man's persistent denial he was informed on the spot that he was a prisoner charged with the abetment of the said bribery under section 164, Indian Penal Code, and remanded to jail?
- (b) Whether it is a fact that it was some time before the Magistrate discovered that an offence under section 164, Indian Penal Code, is a bailable one, and that, on this discovery, Mr. Thornton ordered the peon to find two sureties of Rs. 500 each, besides his own recognizance of Rs. 500?
- (c) Whether it is a fact that this peon was then over 40 miles by ordinary road from his native place of Pennagaram; that, being suddenly ordered to appear before Mr. Thornton without being previously informed why, he was unable to find the required security on the spot?
- (d) What is the length of time during which he was kept in custody for want of security?
- (e) Whether it is a fact that this man has been subsequently discharged by Mr. Thornton himself for want of evidence?
- (f) Whether it is a fact that Mr. Thornton sent round a notice to be proclaimed by beat of tom-tom in Pennagaram and in several other places within the jurisdiction of the said Deputy Tahsildar and Second-class Magistrate that persons having complaints to make against that officer might come and prefer them to him?
- (g) Whether it is a fact that he had ordered about 150 village officers to appear before him and questioned them all whether or not they had given bribes and supplies to the said Deputy Tahsildar and Second-class Magistrate?

If the Government has no information on the subject, will it be pleased to direct an inquiry into these matters and place the papers relating to the same on the table?"

The Hon'ble Mr. Bliss:—

- I. (1) and (2) The only answer the Government can give to these questions is that it has made full inquiry into the matters referred to and has passed such orders as seemed necessary.

The Hon'ble C. VIJAYARAGHAVACHARIAR:—

- I. (3) Clause (c) of question No. IV on the agenda paper for the Meeting of the Council on the 9th February 1897—

["IV. * (a) Whether it is a fact that Mr. K. Krishnan Nair, B.A., B.C.E., whose term of office as member of the Calicut Taluk Board expired last year, was asked if he was willing to be re-appointed and had given his consent?"

(b) Whether it is a fact that four or five others who also vacated office in the taluk board along with him have been re-appointed?

(c) What are the circumstances under which this gentleman was excluded?"

* Note.—Clauses (a) and (b), also have been printed to render clause (c) intelligible.

The Hon'ble Mr. Bliss:—

- I. (3) The Hon'ble Member is referred to the answer to the same question at the Meeting of the Council on the 9th February 1897. The Government does not consider it necessary to call for the information.

The Hon'ble C. VIJAYARAGHAVACHARIAR:—

- I. (4) Question No. VI on the agenda paper for the Meeting of the Council on the 9th February 1897—

["VI. Will the Government be pleased to state—

- (a) Whether it is a fact that there is an order of the District Magistrate of Salem impressing upon the Deputy Magistrates and Sub-Magistrates of the district that it is part of their duty to wait upon the Superintendent of Police when he goes to their divisions?
- (b) Whether the statement made in the *Madras Standard* of the 8th May 1896 that the following circular of the District Magistrate of Malabar appeared in the *Malabar District Gazette* of 18th March 1892 is true?
'The Sub-Magistrates are informed that it is part of their duty to wait on the Superintendent of Police when he arrives at their head-quarters and to give all information and assistance in their power.'
- (c) Whether similar orders of District Magistrates are in force in other districts and whether there are directions issued by the District Magistrates as to the way in which the Subordinate Magistracy ought to address Superintendents of Police as if these latter officers were their (Subordinate Magistrates) official superiors?
- (d) Whether in view of the feeling that widely prevails that such orders and circulars were intended to bring the Magistracy into subordination to the Police, the Government would direct the withdrawal thereof?
- (e) Whether the attention of the Government has been drawn to a series of articles on the vagaries of the Mufussal Police that appeared in the *Madras Standard* in its issues of the 30th and 31st December 1896 and 3rd January 1897?
- (f) Whether it is a fact that the Head Assistant Magistrate of Penukonda has stated, 'at present the Police Inspectors are not only allowed with impunity but are encouraged to bring up the gravest possible charges against the Subordinate Magistrates though there is not an atom of truth or probability in them.' Whether the Government is aware that there is a growing feeling of alarm and anxiety that what the Head Assistant Magistrate of Penukonda has said is true of the Police throughout the Presidency?"

The Hon'ble Mr. Bliss:—

- I. (4) The Hon'ble Member is referred to the answer given to his question No. VI at the Meeting of the Council on the 9th February last to which the Government has nothing to add.

The Hon'ble C. VIJAYARAGHAVACHARIAR:—

- I. (5) Question No. X on the agenda paper for the Meeting of the Council on the 9th February 1897—

["X. Will the Government be pleased to state—

- (a) Whether it is a fact that Mr. E. H. O. Sewell, Inspector of Salt and Abkari Revenue, Ránipettai Circle, North Arcot district, while on a shooting excursion on the 19th December last, ordered one Abdul Khader, a Salt and Abkari peon under his orders, to swim to a tree in the middle of a tank and pick up for him from its branches a bird he had shot?
- (b) Whether it is a fact that this peon met his death while carrying out this order?

- (c) What were the full circumstances which brought about his death?
- (d) Whether it is a fact that Abdul Khader was an indifferent swimmer and that he stuck to the tree long and cried for help before he died?
- (e) Who were the other persons that were with Mr. Sewell? How far is the tank from the nearest village and what was the help which Mr. Sewell rendered or endeavoured to render to Abdul Khader when it was found he was unable to swim back and struggling for life?
- (f) When and what was the information which Mr. Sewell sent of this occurrence to the Magistrate?
- (g) Whether any Magistrate held any inquiry touching the death of this man?
- (h) Whether it is a fact that no post-mortem examination was held?
- (i) Whether this man was also in the enjoyment of a military pension? Whether Mr. Sewell has made any provision for the widow and son of this peon? If not, whether the Government would direct him to make a suitable provision for them?
- (j) What notice has the Government taken of the conduct of Mr. Sewell in connection herewith?"

The Hon'ble Mr. Bliss :—

- I. (5) The Government has no knowledge of the matter and considers that it is unnecessary to call for any information regarding it. It appears to have been an unfortunate accident and any enquiry as to the circumstances should be undertaken in the ordinary course of law. There is nothing before Government to show the need for any special action on its part.

The Hon'ble C. VIJAYARAGHAVACHARIAR :—

II. Will the Government be pleased to lay on the table papers showing the conditions on which the South Indian Railway Company manages the railway for the Government?

The Hon'ble Colonel Campbell :—

- II. The contract, dated 24th November 1890, between the Secretary of State and the South Indian Railway is published as Appendix O to Part II of the Director-General of Railways' Administration Report of 1890-91, page 142, to which the Hon'ble Member is referred.

The Hon'ble C. VIJAYARAGHAVACHARIAR :—

III. (a) In the light of the facts obtained in the trial of the recent Negapatam riots case and of the observations made by Mr. Hamnett, I.C.S., in his judgment, is the Government in a position to say what were the causes of the riots and what steps does it propose to take to remedy the grievances complained of by the railway workmen and employes at Negapatam?

(b) Will the Government be pleased to consider whether, under the circumstances of the case, it is necessary at this late day to continue further prosecutions for participation in the said riots?

The Hon'ble Mr. Bliss :—

III. (a) The Hon'ble Member is referred for the causes of the riots to the Magistrate's judgment. The reply to the final part of the question is "No".

(b) This must be left to the discretion of the local Magistrate.

The Hon'ble C. VIJAYARAGHAVACHARIAR :—

IV. (a) What was the amount of the South Indian Railway Fine Fund when the railway became the property of Government and what is its present amount?

(b) Is this fund Government property? If so, by whom has it been administered since it became its property and for what purposes?

(c) Is it a fact that nearly the whole of this fund has been made up by fines imposed upon the Indian subordinates of the Railway Company?

(d) Is it a fact that, out of this fund, recreation-rooms, at a cost of over Rs. 75,000, are being constructed for the benefit of the officers of the company, to the exclusion of its Indian officers?

(e) Is it a fact that out of this fund a large sum is proposed to be spent in securing a good bungalow at Ootacamund or Coonoor for the benefit of the European employes of the company? If so, what is the sum proposed to be so spent? Will it please lay on the table papers connected with the proposal. In view of the distress in this Presidency and the present financial condition of the Government, will it be pleased to cancel the proposal?

(f) Will the Government be pleased to consider the undesirability of allowing the European officers of this railway, who impose and collect the fines from their Indian subordinates, to utilize the fund for their exclusive benefit and of entrusting the entire management of this fund to Government officers and for purposes connected with the general administration of the railway without regard to race distinctions?

The Hon'ble Colonel Campbell :—

IV. (a) Then Rs. 1,42,178 now Rs. 1,79,714.

(b) The fund is Government property. It is administered by the South Indian Railway Company subject to the control of Government whose sanction must be specially sought and obtained when proposals are made involving large expenditure or involving principles.

(c) The majority of the Railway subordinates being natives of India it follows that most of the fund has been realised from them.

(d) Recreation rooms to about the value of the sum stated are being provided with the special sanction of Government, but they are for the benefit of all races alike. Membership for the purpose of the future upkeep of the rooms will be compulsory in the case of Europeans but optional with natives of India.

(e) It is proposed to provide a sanitarium at Coonoor for European and Eurasian subordinates at a cost of Rs. 10,000 or Rs. 15,000 and also a reading-room for natives of India at Trichinopoly. But these proposals are not yet before Government.

(f) The Hon'ble Member has been misinformed. The fine fund is not used for the benefit of the European officers of the Railway, but for those of the subordinates—European, Eurasian or Indian.

The Hon'ble C. VIJAYARAGHAVACHARIAR :—

V. Is the Government aware that the third-class reserved compartments for women in the South Indian Railway are narrower than the other third-class compartments of the same railway, and that, owing to this fact and to the nature and position of the closets therein, such compartments are uncomfortable and insanitary?

The Hon'ble Colonel Campbell :—

V. The nature of the accommodation referred to is as good as is at present practicable. On the South Indian as well as on all other Indian Railways the comfort and convenience of native passengers and especially of native female passengers continues to receive the attention of the Government and such accommodation is given as the available rolling stock and the conditions generally admit of.

The Hon'ble C. VIJAYARAGHAVACHARIAR :—

VI. Is it a fact that there are no Indians employed in this railway who have received a University education?

Will the Government be pleased to take the question of reorganizing the whole system of management of this railway so as to invite to its service men who have received higher education in this country and so as to reduce the cost of the management?

The Hon'ble Mr. Bliss :—

VI. It is not a fact. Government has no intention of reorganizing the South Indian Railway service upon the lines suggested by the Hon'ble Member.

The Hon'ble C. VIJAYARAGHAVACHARIAR :—

VII. (a) Has a proposal been submitted to the Government to absorb the Taluk Board of Sivaganga into the Taluk Board of Ramnad in the Madura district, and if so, what are the grounds on which the Government is invited to sanction the proposal?

(b) Is the Government aware that the feeling throughout the Sivaganga Zamindari is against this amalgamation and that large public meetings are being held in several places of the zamindari protesting against the proposal?

(c) Has the Government received memorials praying that this proposal be not sanctioned?

(d) In view to this feeling and to the large areas of the Taluk Boards of Sivaganga and Ramnad, will the Government be pleased to disallow the proposal?

The Hon'ble Mr. Bliss :—

VII. (a) A proposal to amalgamate the Sivaganga and Ramnad Local Fund taluks has been received by Government. It is based on the ground that the two taluks are under one Revenue Divisional officer, who is the President of both the taluk Boards and has his head-quarters at Ramnad, that the amalgamation will facilitate the disposal of business, and that the office establishment, which is now inadequate and insufficient, can be strengthened, improved and better controlled.

(b) and (c) The Government has received a memorial and a telegram in favour of the amalgamation and several telegrams against it, with an intimation in many cases that memorials will follow.

(d) The subject will be duly considered by Government.

The Hon'ble C. VIJAYARAGHAVACHARIAR :—

VIII. In reference to the answer to my question No. IV, clause (f), asked at the last Meeting of the Council, whether the Government would consider the desirability of appointing two-thirds of the members of the taluk Boards by election under the provisions of the Madras Act V of 1884, will the Government be pleased to state—

(a) Under what circumstances the said provisions were introduced in the Act by this Government?

(b) What are the grounds on which the Government hesitates to give effect to these provisions?

(c) Whether it will carry out the objects of these provisions by making rules for election thereunder and introducing them tentatively at least in such taluk Boards as the Government might be pleased to select?

The Hon'ble Mr. Bliss :—

VIII. (a) They were introduced to meet the case of taluks which should be considered sufficiently advanced to exercise the privilege.

(b) The Government does not consider that the inhabitants of rural tracts are yet sufficiently advanced to appreciate and avail themselves of the elective franchise.

(c) In view of the answer given to (b) this question requires no answer.

The Hon'ble C. VIJAYARAGHAVACHARIAR :—

IX. (a) Whether it is a fact that the Madras Government had recently submitted to the Government of India a scheme for the reorganisation of the Revenue Survey Department?

(b) Whether the Government of India sent the scheme back to the Madras Government in view to its submitting a revised scheme?

(c) What was the scheme submitted by this Government? Is it a fact that the Government proposed to place each district in charge of a graded European officer?

(d) Whether the Government of India in sending it back suggested that the object of the Government might be attained by increasing the staff of Deputy Collectors and placing one Survey Deputy Collector in charge of each district? And on what grounds did the Government of India base its recommendation?

(e) Has the Government accepted the recommendation of the Government of India? If not, what were the grounds for refusing to accept it?

(f) Will the Government be pleased to place on the table the correspondence relating to the subject?

X. Has the Government submitted a revised scheme for such reorganisation, and, if the matter has been disposed of, will it place the papers on the table?

Will the Government be pleased to state—

(a) the necessity for any reorganisation of the Madras Revenue Survey Department?

(b) whether the reorganisation would increase the cost of the administration of the department, and, if so, by how much a year?

(c) what would be the difference in the cost between the schemes recommended by the Government of India and proposed by this Government?

The Hon'ble Mr. Stokes :—

IX and X. The reorganisation of the Survey Department has formed the subject of recent correspondence with the Government of India and is still under consideration. The Government is not prepared at this stage to lay the papers on the table and regrets that, for the present, it cannot furnish the Hon'ble Member with any further information on the subject.

The Hon'ble C. VIJAYARAGHAVACHARIAR :—

XI. Is it a fact that areas closed to grazing in reserved forest lands by the side of railways are excessive in comparison with such closed areas in other reserved forest lands, and are very inadequate to meet the requirements of the ryots? If so, what are the special reasons for adopting this policy near a railway?

Will the Government be pleased to call for a statement showing in each district the total extent of the reserved forest lands on either side of the Madras Railway, the extent in such lands closed to grazing, and the number of cattle, sheep and goats at the end of the last official year, of the villages depending for grazing purposes on such reserved forest lands?

The Hon'ble Mr. Grose :—

XI. No policy has been adopted by Government which involves the prohibition of grazing in an excessive proportion of the Forest reserves near railways, and if the position is as stated in the question, it is no doubt due chiefly to the operation of the ordinary rule that blocks which have just been felled over should be closed to grazing for a few years.

It would obviously be against public interests to throw open such blocks to grazing before the re-growth was old enough to hold its own against cattle, and the Government sees no reason to call for a statement in the form suggested.

The Hon'ble C. VIJAYARAGHAVACHARIAR :—

XII. Is it a fact that the Government order of 1890, directing, in the case of agricultural cattle, the levy of grazing fees at half the rates sanctioned for cattle of other kind, has been recently modified and that a uniform rate, amounting to three-fourths of the full rate originally sanctioned, has been substituted? If so, under what circumstances? Will the Government be pleased to consider the desirability of restoring the old order relating to agricultural cattle?

Is it a fact that, notwithstanding this recent order of Government, grazing fees are still charged in some districts at the old full rates for all cattle and not at three-fourths, and, if so, in what districts and under what circumstances?

The Hon'ble Mr. Grose :—

XII. It is a fact that in 1895 the Government resolved to adopt uniform rates of grazing fees in modification of the orders issued in 1890 directing the levy of differential rates which had been given effect to in a few districts only. The rates adopted are ordinarily three-fourths of the maxima prescribed in 1890, which it may be mentioned were practically identical with the fees which in another province the Government of India described as "almost nominal."

The decision of Government was arrived at after prolonged consideration and reference to all Collectors, and the reasons for it will be found in G.O., No. 553, dated 14th August 1895, which was laid on the Editors' table. Having regard to the results of past experience, the Government is not prepared to revive the distinction which it was previously attempted to draw between privileged and unprivileged cattle. When the order prescribing uniform rates was passed, it was stated that the new scale need not be introduced into districts such as Kistna and Cuddapah, where the maximum fee was already being charged and collected without difficulty. The Board reports that full rates had also been charged in Trichinopoly and Tanjore, and that with respect to foreign cattle only full rates are now charged in South Arcot and double rates in the Nilgiris. The rate in Cuddapah was reduced to the three-fourth rate last year on the recommendation of the Conservator supported by the Collector and the Board of Revenue.

The Hon'ble C. VIJAYARAGHAVACHARIAR :—

XIII. In regard to the concession, allowed to the ryots, of cutting wood for agricultural implements free of charge from the "unclassified" trees in unreserved forest lands, will the Government be pleased to abolish the distinction between "classified" and "unclassified" trees, in so far as unreserved lands are concerned, in view of the fact that the ryot is hardly able to distinguish the one kind from the other, that the distinction varies from time to time, and wood sufficient in quantity and suitable for agricultural implements are not always and everywhere to be had from the "unclassified" trees in unreserved lands?

The Hon'ble Mr. Grose :—

XIII. The Government considers that, in the true interests of the people, it is necessary to place some restriction on the felling of valuable trees on unreserved lands. The list of classified trees in a district is necessarily a somewhat long one, but the number to be found in any one village is rarely large, and as they are valuable trees they are ordinarily well known to the ryots. Though the distinction does vary from time to time as stated in the question, changes are very rarely made. A revision of the lists necessitated by the concession alluded to in the question is now under the consideration of Government, and when the revised lists have been published it is improbable that any material change will be made for many years to come.

It is no doubt the case that a sufficient quantity of wood suitable for agricultural implements cannot invariably be procured from the unclassified trees in unreserved land, but if the policy suggested were adopted, there would soon be no wood of the kind in any but the most sparsely populated tracts. On a recent occasion the Board of Revenue, in the desire to promote the public convenience, declined without further experience to place the Babul tree on the classified list in one district and the result was that, within fifteen days after the Board's decision was made known, 55,000 Babul trees had been removed by the villagers of one taluk alone.

The Hon'ble C. VIJAYARAGHAVACHARIAR :—

XIV. Is the Government aware of the extreme hardship to which agricultural ryots and others are frequently subjected in prosecutions under the Madras Forest Act for being in possession of "forest produce", in consequence of the vast majority of the magistracy feeling themselves bound under, what they consider, authoritative interpretations of section 56 of the Act as to presumptions, calling upon the accused persons at the very outset of the case to prove their innocence when absolutely no proof has been adduced that the "forest produce" they are in possession of has been "found in or brought from a forest" within the meaning of the Act?

In view of this hardship, and in view of the fact that such a use of the section exposes the rural population to frequent extortions, will the Government be pleased to have the section repealed?

If, for purposes of revenue, the Government deems the retention in the Act of some such provision necessary, will the Government be pleased to have the Act amended so that proceedings may be taken under it solely with a view to recover "forest produce" when such a presumption might be applied, while criminal prosecutions for forest offences might be conducted upon principles applicable to criminal trials generally?

In view of the fact that the provisions of section 56 are merely enabling, will the Government point out to the magistracy, in the meanwhile, the undesirability of acting on it—at least in cases punishable with imprisonment?

The Hon'ble Mr. Grose :—

XIV. The Government is not in possession of any information tending to show that agricultural ryots and others are subjected to extreme hardship in consequence of the use of section 56 of the Forest Act. It cannot be held that the prosecution is bound to prove that the produce, in respect of which the charge is laid, was actually being brought from a forest. In its Proceedings, No. 167, dated 28th March 1895, which were communicated to all Collectors, the Board of Revenue directed, with reference to the institution of prosecutions in Forest cases, that the presumption against the accused raised by the provisions of section 56 of the Forest Act should not be taken advantage of in any case in which there was room for reasonable doubt, and Government has no reason to believe that these instructions are not generally attended to.

The Government thinks that there is no good ground to alter section 56 of the Forest Act. When any person is found in possession of forest produce and his possession is questioned, the effect of the section is to apply by express enactment the general doctrine of law that it is incumbent on a man to prove those facts which are especially within his knowledge. The section is necessary obviously for the protection of forest revenue and produce.

The provisions of the section do not appear to be "merely enabling" and the Government is not prepared to issue instructions to the magistracy in the sense suggested in the question. Such instructions would be illegal.

The Hon'ble C. VIJAYARAGHAVACHARIAR :—

XV. Will the Government be pleased to state—

(a) How many hours Mr. R. A. Nelson, Principal of the Law College, Madras, is, according to his contract, bound to devote for delivering lectures in the college—(1) in the week, (2) during the spring term, (3) during the autumn term, respectively?

(b) Whether during the years 1895 and 1896 he delivered lectures in the classes for the full contract time, and if not, what are the reasons?

(c) Whether, if the Government has no information on the subject, it will call for it and place the papers on the table?

The Hon'ble Dr. Duncan :—

XV. (a), (b), (c). In the agreement entered into by Mr. Nelson with the Secretary of State, no reference is made to the number of lectures to be delivered by him either in the week or in the term.

The Hon'ble C. VIJAYARAGHAVACHARIAR :—

XVI. (a) Whether it is a fact that natives of India are not allowed to compete for appointments in the Military Assistant Surgeons branch of the Indian Sub-ordinate Medical Department, Madras Command, and if so, on what grounds are they excluded?

Is it a fact that the higher commissioned ranks are open to them?

(b) What educational qualifications are required of candidates for the above appointments?

(c) Is it a fact that the regulations made by the Government require the Hospital Assistant (Military) pupils to pass the compulsory subjects of the Upper Secondary examination or the Matriculation examination and that the candidates for the higher branch of the service, namely, the Military Assistant Surgeons, who should be Europeans or Eurasians, need not be passed men? If so, what is the reason of this distinction? Will it abolish this distinction? Will the Government be pleased to consider the desirability of admitting Indians to the latter appointments?

The Hon'ble Mr. Price :—

XVI. (a) The question asked in (a) by the Hon'ble Member refers to matters not within the control of the Governor in Council and therefore cannot be answered.

(b) The Hon'ble Member is referred to the *Fort St. George Gazette* dated 9th February 1897.

(c) The answer to the first part of the question is "yes". The educational qualifications required of hospital assistant pupils are prescribed by this Government which sees no reason to modify them. As the remainder of the question relating to Assistant Surgeons refers to a matter not within the control of the Governor in Council it cannot be answered.

The Hon'ble C. VIJAYARAGHAVACHARIAR :—

XVII. Will the Government be pleased to consider the desirability of placing the Indian Assistants to the Professors of the Madras Medical College on a better footing with regard to pay and status?

The Hon'ble Mr. Grose :—

XVII. The Government does not know what is wanted. It has recently ruled that Assistant Professorships in the College shall be held for a term of three years only. The Assistants in the Medical College are as well off as Assistants in Arts and other Colleges entrusted with similar duties.

The Hon'ble C. VIJAYARAGHAVACHARIAR :—

XVIII. How many Civil Surgeons' places are there in this Presidency? Has any such ever been permanently held by an uncovenanted civil officer?

Will the Government be pleased to consider the desirability of permanently reserving the Civil Surgeons' places to the officers of the Uncovenanted Medical Service?

The Hon'ble Mr. Bliss :—

XVIII. There are ten Civil Surgeoncies including the additional Medical officer for six months in every year at Ootacamund. One of these is, and for some time past has been, permanently held by an Uncovenanted Civil Medical officer.

The question of appointing officers of the Uncovenanted Medical Service permanently to certain of the Civil Surgeoncies is under correspondence with the Government of India.

The Hon'ble C. VIJAYARAGHAVACHARIAR :—

XIX. (a) Is it a fact that in 1894 the Government impressed upon the Surgeon-General with the Government of Madras that the improvement and increase of "indigenous medical men" called for immediate attention?

(b) Did the Surgeon-General accordingly address the Government on the subject by his letter, dated 13th October 1894, No. 541?

(c) Has the Government considered his letter, and if so, what steps has it taken to give effect to the recommendations of the Surgeon-General made in the letter? Will it please place on the table the Government Order passed on this letter?

The Hon'ble Mr. Bliss :—

XIX. (a) Yes.

(b) Yes.

(c) The matter is under consideration and will be disposed of with other extensive schemes for the reorganisation of the Medical Department which are before Government.

The Hon'ble MUHAMMAD SHARIF KHAN BAHADUR :—

XX. (a) Is not Malabar the largest Muhammadan populated district in the Presidency, and the population of Muhammadans to Hindus about half?

(b) Considering these facts, will the Government be pleased to state the circumstances under which all the high offices in the district have for years past been filled by persons of other communities than Muhammadans?

The Hon'ble Mr. Price :—

XX. (a) The Hon'ble Member is referred to the Census Report.

(b) If the Hon'ble Member will put the question again, stating what the facts to which he makes allusion are and what he means exactly by high offices, it will be replied to.

The Hon'ble MUHAMMAD SHARIF KHAN BAHADUR :—

XXI. (a) Will the Government be pleased to place on the table G.O., No. 243, Marine, dated 8th April 1896—subject 'light houses'?

(b) Has the Government sanctioned a scheme framed by Mr. F. W. Ashpitel, Executive Engineer, Light House Division, and the President of the Eurasian and Anglo-Indian Association excluding all natives from holding higher appointments in Light House establishments and reserving them for Eurasians and Anglo-Indians?

The Hon'ble Colonel Campbell :—

XXI. (a) The order in question has already been placed at the disposal of the Press [*vide Fort St. George Gazette* of the 28th July 1896, Part I, page 905]. The number is 245 and not 243.

(b) G.O., No. 245, Marine, dated 8th April 1896, referred to in the preceding answer, contains the orders of Government on the scheme in question. There is nothing in those orders to bar the employment of duly qualified natives.

The Hon'ble MUHAMMAD SHARIF KHAN BAHADUR :—

XXII. Considering that the work of some of the District Munsifs' Courts in the Presidency has abnormally increased, does the Government or High Court contemplate making a proper distribution of work for these Courts? If so, when is it likely to come on?

The Hon'ble Mr. Bliss :—

XXII. The Government is not contemplating any such redistribution, nor, so far as the Government is aware, is the High Court.

The Hon'ble MUHAMMAD SHARIF KHAN BAHADUR :—

XXIII. (a) Is it true that at the last matriculation examination not a single candidate from the Government Madrasa secured a pass?

(b) Is it true that the results of the Madrasa were invariably unsatisfactory during Mr. Bower's incumbency?

(c) Is it also true that its results were always satisfactory at the time when the late Mr. Joyes was the headmaster 20 years ago?

(d) If, as the Government said at the last meeting, the bad results of the Madrasa were due to the apathy of the students, how is it that many Muhammadan students have passed out from other institutions and also from the Madrasa under Mr. Joyes' tuition?

The Hon'ble Dr. Duncan :—

XXIII. (a) It is true that none of the pupils of the Madrasa passed the last matriculation examination.

(b) If the Hon'ble Member would consult the University calendars and the reports of the Syndicate, he would be able to see for himself that it is not true that the results of the Madrasa were invariably unsatisfactory during Mr. Bower's incumbency. Mr. Bower was Headmaster from about the middle of 1890 to the middle of 1896. He may be held responsible for the results of 1891 to 1895 inclusive. During these years ten pupils passed the matriculation examination. During the five years from 1886 to 1890 also only ten passed that examination. During the same period Harris School passed twenty-five. The poor results obtained since 1892 when the matriculation bye-laws were revised are noteworthy in both the Madrasa and the Harris Schools. The standard of English was then raised and a minimum was prescribed in Physics and Chemistry.

(c) During the ten years ending with 1872, 35 passed the matriculation from the Madrasa. The standard of the matriculation examination was lower then than it is now and its scope narrower. A comparison between the results of the Madrasa 25 years ago and the results now is of little value, unless all the changed circumstances are taken into account.

(d) The uniformly unfavourable results obtained by the Madrasa and the Harris School during the ten years ending with 1895 are mainly due to the causes specified in the answer to the Hon'ble Member at the last meeting of the Council. The fact that they did slightly better when the examination was narrower in its scope and lower in its standard does not disprove the statement.

The Hon'ble MUHAMMAD SHARIF KHAN BAHADUR :—

XXIV. (a) Is the pay of the Sanskrit Professor of the Presidency College Rs. 500?

(b) Cannot the pay and status of the Arabic and Persian munshi, who now only draws Rs. 80, be improved?

The Hon'ble Dr. Duncan :—

XXIV. (a) Yes.

(b) The appointments of Sanskrit Professor and Arabic and Persian munshi do not admit of comparison. The former is also Professor of Comparative Philology and is not a mere Sanskrit Pandit. The status and pay of the Persian and Arabic munshi can be compared only with those of the Tamil, Telugu, Malayalam, Canarese, and Sanskrit pandits. If the pay were to be regulated at all by the number of students, that of the Arabic and Persian munshi is comparatively too high.

The Hon'ble MUHAMMAD SHARIF KHAN BAHADUR :—

XXV. (a) Were the appointments and promotions of Police Inspectors confined to districts before, each district having a local staff of its own?

(b) Is the service now made general, and if so, what are the reasons for the change?

(c) Will it not be desirable to adopt a similar procedure as regards Tahsildars and Deputy Tahsildars for the same reasons?

The Hon'ble Mr. Price :—

XXV. (a) Yes.

(b) Yes; the change was introduced as it was considered that it would conduce to the efficiency of the Police force.

(c) No. The proposal for a general grading of all the Tahsildars in the Presidency was carefully considered by Government in 1892 and abandoned.

The Hon'ble MUHAMMAD SHARIF KHAN BAHADUR :—

XXVI. Will the Government be pleased to transfer the Court of the Chief Presidency Magistrate to Black Town as the work there is of a more important and complicated nature than in Egmore, the former being the business centre of mercantile and naval firms and of various influential communities?

The Hon'ble Mr. Bliss :—

XXVI. The Government has no present intention of transferring the Chief Presidency Magistrate's Court to Black Town.

The Hon'ble MUHAMMAD SHARIF KHAN BAHADUR :—

XXVII. (a) Has the attention of the Government been drawn to a correspondence reported in the *Muhammadan*, dated 28th December 1896, under the heading "Our Sub-Collector and his heroic deeds," and are the facts stated therein true?

(b) Is it a fact that Mr. A. Chunder Dutt, the Sub-Collector of Coimbatore, struck his Muhammadan head clerk in the face, because the latter unwittingly touched his hand while handing over some official papers? If so, what notice was taken of such conduct by the District Collector when the matter was reported to him?

The Hon'ble Mr. Bliss :—

XXVII. (a) The Government has now perused the letter referred to; it is not aware whether the statements there made are true.

(b) The Government has no information on the subject, but if any one has any complaint to make, he can do so to Mr. Dutt's official superiors.

The Hon'ble MUHAMMAD SHARIF KHAN BAHADUR :—

XXVIII. With reference to a letter from a correspondent in Vellore published in the *Muhammadan Advocate of India* of January 1897, will the Government be pleased to state under what circumstances the mosque in the Vellore Fort has been closed against Muhammadans and used as a store-room, and whether it could not now be made available for its legitimate use?

The Hon'ble Colonel Campbell :—

XXVIII. Inquiry will be made into the truth of the circumstances alleged and if the Hon'ble Member will be good enough to repeat his question at the next meeting of Council it will be answered.

The Hon'ble MUHAMMAD SHARIF KHAN BAHADUR :—

XXIX. Bearing in view the information elicited at the last meeting of the council regarding the appointments of Vernacular Translators to Government, will the Government be pleased to confer the Hindustani Translatorship on a qualified Muhammadan, seeing that all other similar appointments are held by native gentlemen?

The Hon'ble Mr. Price :—

XXIX. The post of Hindustani Translator to Government is not vacant; when it becomes so the claims of all candidates for it will be considered.

The Hon'ble MUHAMMAD SHARIF KHAN BAHADUR :—

XXX. (a) Will the Government be pleased to state what necessity exists for the office of the Paymaster, Carnatic Stipends, being maintained separately at much expense to Government instead of being amalgamated with the Accountant-General's or Collector's office, Madras?

(b) Is the Government aware that for a long time past this office has been in unfavourable evidence before the public as regards the conduct of some of its subordinates which resulted in police enquiries being held?

(c) If, in the opinion of the Government, the office must continue separately as heretofore, will the Government be pleased so to reorganize the establishment as to remove the cause for present grievance in the community and further to nominate an officer as Paymaster who can depend on his own judgment and see things for himself?

The Hon'ble Mr. Price :—

XXX. (a) The duties of the Paymaster, Carnatic Stipends, some of which are of a very special character, are not such that they could be performed by either the Accountant-General or the Collector of Madras.

(b) The Government is not aware of anything such as alleged in the question. Two inquiries have been held by the Police into the conduct of members of the office of the Paymaster. The first of these was in 1890 on the complaint of the Paymaster himself and Government then took due notice of the conduct of those with whom fault could be found. The second occasion was in 1894 when one Ahmed Muhideen Khan Bahadur preferred a series of charges against the Manager of the office who was honourably acquitted and who subsequently prosecuted A. Muhideen Khan Bahadur to conviction for defamation.

(c) The Government considers any further re-organization of the establishment of the Paymaster at the present time unnecessary. The question of the selection of an officer to fill the office of Paymaster is under the consideration of the Governor in Council.

The Hon'ble MUHAMMAD SHARIF KHAN BAHADUR :—

XXXI. (a) Has the Government sanctioned the acquisition of land for a hostel for the Kumbakonam College?

(b) If so, will the Government be pleased to state the circumstances which necessitated the land being obtained under the Act instead of by private transaction?

(c) Considering that the construction of a building for the Madrasa has been delayed for the past five or six years for want of a site, cannot a similar procedure be adopted under the Act to secure a proper site for it?

The Hon'ble Mr. Grose :—

XXXI. (a) Yes.

(b) The land is trust property and in order to perfect the title it was deemed desirable to acquire the land under the Land Acquisition Act.

(c) The question is still under the consideration of Government, but there are financial difficulties.

The Hon'ble MUHAMMAD SHARIF KHAN BAHADUR :—

XXXII. (a) Has the Educational department experienced any difficulty in getting a sufficient number of students for the Agricultural and Teachers' Colleges?

(b) Considering that these institutions are at present located in an outlying place, will the Government be pleased to remove them to a central quarter in Madras so as to be easily accessible to the large head-quarter population?

(c) Cannot agricultural experiments be usefully made in the People's Park, seeing that it is in the heart of the town and daily resorted to by a large number of visitors?

(d) Will there be any objection to make agriculture an optional subject for the B.A. degree and amalgamate the Agricultural College with the Presidency College?

The Hon'ble Dr. Duncan :—

XXXII. (a) There is no difficulty in getting a sufficient number of students for the Agricultural College, except that the two scholarships set apart for Muhammadans are seldom appropriated. As for the Teachers' College, the number of applicants is far in excess of the number that can be admitted—sometimes twice as many.

(b) No. The Teachers' College was formerly situated in Madras and was removed to Saidapet for reasons which at that time were deemed sufficient. The prosperous condition of the institution since its removal to Saidapet has fully justified the step. Three training schools—branches of the Teachers' College—are maintained by Government within the municipality of Madras. The Teachers' College is an institution established for the training of teachers from all parts of the Presidency, except the Ceded Districts and the Northern Circars, and not for the special benefit of teachers at the head-quarters of Government.

The Government is not prepared to take the retrograde step of removing the College of Agriculture to Madras, the most important or practical part of the work of the college could not be carried on there for want of a farm.

(c) The People's Park is not a suitable locality in which to conduct agricultural experiments; nor is it the property of Government.

(d) With regard to the first part of the question the Hon'ble Member should address the Registrar of the University. The second part has already been answered in the negative.

The Hon'ble C. JAMBULINGAM MUDALIYAR :—

XXXVIII. In view to the great hardship caused by the unfavourable season to the people of the Deccan and the Northern districts, will the Government be pleased to order all facilities to be afforded by the Forest-officers to people seeking forest produce, utilizable as human food, in forest reserves, as required in rule No. 141, Chapter X of the Madras Famine Code?

The Hon'ble Mr. Stokes :—

XXXVIII. As section 141 of the Famine Code contains a specific direction to District Forest-officers, who are the Collectors' Assistants, and as Government has some time ago ordered that simple trespass on a forest reserve should not be considered an offence, it is not likely that any difficulties have been thrown in the way of persons seeking food in a forest reserve. No case calling for the issue of special orders with reference to the section has as yet come under notice.

The Hon'ble C. JAMBULINGAM MUDALIYAR :—

XXXIX. Will the Government be pleased to grant dry remissions in all cases of total failure of crops, and in cases where the yield has admittedly been middling or poor, in consideration of the general distress in the affected districts?

The Hon'ble Mr. Stokes :—

XXXIX. Under Standing Order No. 23 of the Board of Revenue, the granting of dry remissions is a matter of which the Board of Revenue can dispose. The Board of Revenue has called for, and in some cases received, reports, and will deal with the matter. Certain papers on the subject were placed at the disposal of the Hon'ble Member at the meeting of this Council held on the 9th of February 1897. The matter will be dealt with on the lines laid down in B.P., No. 94, dated 3rd February 1897, of which a copy will be furnished to the Hon'ble Member.

The Hon'ble C. JAMBULINGAM MUDALIYAR :—

XL. (a) Will the Government be pleased to state if orders have been issued by the Government or the Board of Revenue to make a fieldwar inspection in the affected tracts, to ascertain the extent of failure of crops therein?

(b) Will the Government be pleased to state in what districts of the affected area a complete fieldwar inspection has already been made, and in what district such steps have not been undertaken?

(c) Will the Government be pleased to grant remissions tractwar instead of fieldwar in districts where fieldwar azmaish has not been already made, in view to the facts that the superior officers of the Revenue Department, such as Tahsildars and Divisional-officers, have from time to time ascertained the condition of crops from general inspections during their tours and that it is generally impossible to undertake such inspection now?

The Hon'ble Mr. Grose :—

XL. (a) Yes. The following order was issued on 6th November 1896 :—

"(1) In view of the extremely unfavourable character of the season, Collectors of the Deccan districts are requested to consider whether in any part or parts of their districts it is advisable to postpone the collection of the revenue demand this year or even to remit any portion of the dry assessment. Early arrangements should be made for careful and detailed inspection of the affected tracts under section 18 of the Famine Code and proposals for remissions or postponement of revenue, based on the personal inspection of superior officers, should be drawn up. The conditions prescribed in paragraph 4 of Standing Order No. 23 should be borne in mind in framing proposals for dry remissions,

"(2) In all cases in which the grant of remissions may be considered necessary the Collectors are authorized to suspend the collection of the December kist in anticipation of the orders of the Board."

(b) The Government is not able to state that a complete *fieldwar* inspection has already been made in any district, but *tractwar* inspection is being made, or has been made, in all districts. As in all years, the azmaish of wet crops will be made *fieldwar*.

(c) Remissions will be granted according to the usual rules. Wet fields will, as usual, be dealt with individually; dry fields, as usual, by tracts. Collectors of affected districts have already been called on to submit proposals for remission on dry lands according to the usual method, i.e., *tractwar*.

The Hon'ble C. JAMBULINGAM MUDALIYAR :—

XLI. (a) Whether it is a fact that no allowance is made for vegetables, butter-milk, and oil in the rations allowed to children of relief-workers fed at relief-kitchens?

(b) Whether, according to medical opinion, such provision is necessary for maintaining the children in proper health?

(c) If so, will the Government be pleased to issue necessary orders on the subject?

The Hon'ble Mr. Stokes :—

XLI. (a) The Hon'ble Member is referred to sections 122 to 125 of the Famine Code.

(b) The diet allowed in the Famine Code for children in kitchens has been fixed in consultation with the medical authorities.

(c) The Government does not consider it necessary to issue any orders on the subject.

The Hon'ble C. JAMBULINGAM MUDALIYAR :—

XLII. Will the Government be pleased to pass orders to open and so locate relief works in the different districts of the affected tracts, as to afford labour to people, without being compelled to travel a longer distance than three miles at the utmost from their homes?

The Hon'ble Mr. Stokes :—

XLII. As a rule, and wherever practicable, relief works will be located at or near the homes of the labourers. But a hard-and-fast rule of the kind suggested is likely to give rise to considerable practical difficulty. To meet the case of labourers who have to come to the works from a distance, the Government has directed that shelter should be provided at or near the works and that, where this has not been done, the distance which the labourers have to walk to and from the works should be allowed for on a suitable time scale and thus form part of the day's task; a walk of $2\frac{1}{2}$ miles being taken as the equivalent of an hour's work.

The Hon'ble C. JAMBULINGAM MUDALIYAR :—

XLIII. (a) In what districts of the affected area, and to what extent, have the Government brought into operation the measures for the grant of gratuitous relief to the destitute poor who are unable to work, provided for in chapter VI of the Madras Famine Code?

(b) Will the Government be pleased to state when it intends to start such measures in affected districts where they have not yet been introduced?

The Hon'ble Mr. Stokes :—

XLIII. (a) Kitchens for feeding dependants of labourers have been opened on all works in the affected districts. Destitute poor have been fed in parts of Ganjam and Vizagapatam, and the entertainment of Circle Inspectors and the introduction of gratuitous village-relief was sanctioned last February in certain affected tracts of Bellary and Kurnool. As to the extent to which gratuitous relief has been afforded, the Hon'ble Member is referred to the weekly season reports.

(b) The Government has already ordered the introduction of this form of relief in all portions of affected tracts.

The Hon'ble C. JAMBULINGAM MUDALIYAR :—

XLIV. (a) Will the Government be pleased to state if any, and if so, how many, Local Fund primary schools have been closed in each of the Deccan districts during the years 1895 and 1896, and to what extent the allotments for result grants have been curtailed in the said districts in the said years.

(b) Has not the utmost margin of Local Fund revenues available for expenditure on primary education, consistently with the demands of other services, been reached in the said districts.

(c) In view to the great need and vast scope that exist in the backward districts of the Deccan to extend primary education, will the Government be pleased to order the payment of grants for the 3rd standard from Provincial revenues, thereby releasing the funds available from Local Fund revenues, for development of primary education up to the 2nd standard only.

The Hon'ble Mr. Bliss :—

XLIV. (a) The information required by the Hon'ble Member can be obtained from the Local Fund administration reports and budgets of the districts referred to. Reports and budgets have been placed on the Editors' table.

(b) This is a matter of opinion. There is no fixed proportion of local fund revenue laid down by Government as assignable for primary education.

(c) Government has already given substantial relief to local funds by provincializing the board training schools; and it cannot afford the expenditure necessary to give effect to the Hon'ble Member's suggestion.

The Hon'ble K. KALYANASUNDARAM AIYAR :—

XLV. (a) Is it true that Government has sanctioned a rule made by the Madras Law College to the effect that students desirous of attending lectures on subjects prescribed for the F.L. Examination will be admitted to the Law College only after they pass the English and Science branches of the B.A. Degree Examination?

(b) Is not such a rule inconsistent with bye-law No. 173 of the University which permits such students to attend the above lectures for two terms prior to passing the B.A. Examination?

(c) Will the Government be pleased under the circumstances to cancel the Law College rule referred to in part (a) of this question?

The Hon'ble Mr. Grose :—

XLV. (a) Yes.

(b) The rule is not considered inconsistent with the bye-law.

(c) Clause (c) therefore requires no answer.

The Hon'ble K. KALYANASUNDARAM AIYAR :—

XLVI. (a) Has the attention of Government been drawn to the proceedings of the Senate meeting held on the 25th March 1897 (published in the *Hindu* newspaper of the 26th idem) and to the following remarks said to have been made by the Vice-Chancellor and by the Principal (Mr. Nelson) of the Law College subsequent to the rejection by the Senate of certain proposals of the Hon'ble Mr. Justice Shephard in respect of the F.L. and the B.L. examinations?—

"The Vice-Chancellor—I hope that Mr. Nelson would stick to his rules."

"Mr. Nelson—I would take care that every student took four years and two months before going up for the (B.L.) examination."

(b) Will Government be pleased to take steps to prevent effect being given to the threat conveyed in Mr. Nelson's remark?

(c) Will Government be further pleased to direct the Principal and the Council of the Law College to frame rules in such a manner as to enable a student, subject to the restrictions imposed by the Senate's bye-laws, to finish his attendance at the Law College within three years from the date of his joining it?

The Hon'ble Mr. Grose :—

XLVI. (a) No.

(b) This portion of the question requires no answer.

(c) No. The rules of the Law College do not prevent a student from finishing his attendance at the Law College within 3 years from the date of his joining it.

The Hon'ble K. KALYANASUNDARAM AIYAR :—

XLVII. (a) Will Government be pleased to state whether there is any objection to the publication of the lectures delivered by the Professors and Lecturers of the Law College to the students of that college?

(b) If there is none, will Government be pleased to direct their periodical publication?

The Hon'ble Mr. Grose :—

XLVII. (a) and (b) The answer to both questions is "No".

The Hon'ble P. RANGAYYA NAYUDU :—

XLVIII. Will the Government be pleased to state whether it is a fact that the Accountant-General of Madras compels all Municipalities and District Boards to get all printing works done in the Lawrence Asylum Press, Madras? If so, why?

The Hon'ble Mr. Price :—

XLVIII. For reasons of uniformity and economy, the Government decided in 1891 that the forms of municipal accounts should be printed in some central press under the Accountant-General's supervision and supplied to all Municipal Councils on indent. The selection of the press to be employed for the purpose was left to the discretion of the Accountant-General who chose for the Municipal work the Lawrence Asylum Press as giving the most satisfactory terms. And in 1894 similar arrangements were ordered to be made as regards the forms of accounts required by the Local Boards. The contract for the Local Fund work has however not yet been concluded and the District Boards will for another year continue their present local arrangements.

The Hon'ble P. RANGAYYA NAYUDU :—

XLIX. Will the Government be pleased to state the total increase in the expenditure on the salaries of educational officers consequent on the reorganization now being introduced into that department, and also how much of this increase is due to the changes in the European Educational service and how much of it is due to the changes in the Native service? Will the Government be pleased to state the highest salary which a Native of India would get under the new scheme and how much he would have got under the old scheme?

The Hon'ble Mr. Grose :—

XLIX. The ultimate financial effect of the reorganization of the Educational services is a decrease of Rs. 3,356-10-8 a month in the European service and an increase of Rs. 3,093-5-4 in the Provincial service, or in the cases of the two services together a decrease of Rupees 263-5-4 a month.

The highest salary which a native of India will get under the new scheme is Rs. 700 a month; under the old scheme he might have risen to Rs. 1,000, provided he succeeded in getting promotion to the first class of the graded service, but no such case ever occurred.

The Hon'ble P. RANGAYYA NAYUDU :—

L. Will the Government be pleased to state what proportion of the grant annually disbursed by Government on account of education is being appropriated for the institutions under Christian Missionary management; and will the Government be pleased to state the figures for the last five years showing the sums appropriated to Missionary and Non-Missionary institutions?

The Hon'ble Mr. Grose :—

L. The returns prescribed by the Government of India do not require expenditure on mission and non-mission institutions to be distinguished, and particulars are not, therefore, available to show the expenditure on institutions under mission and non-mission management. Government is not prepared to order that such returns should be prepared. Schools are aided impartially in accordance with the needs of the locality and the efficiency of the institutions concerned, quite irrespective of the religious creed of their managers. It is a fundamental principle of the Grant-in-Aid Code that aid is given for educational purposes solely.

The Hon'ble P. RANGAYYA NAYUDU :—

LI. Will the Government be pleased to state under what circumstances Mr. R. A. Nelson, the Principal of the Law College, is allowed to practise as a Barrister while receiving his salary as Principal; and whether this concession to him is not opposed to the reasons for which a Barrister from England was appointed Principal?

LII. Is the rule that "the Principal shall devote his whole time to the work of the College, and shall be debarred from pursuing his profession as a Barrister except in consulting or chamber practice" still in force? If not, under what circumstance was it modified or abrogated?

The Hon'ble Mr. Grose :—

LI and LII. On his re-engagement in May last the condition referred to in question LII was modified, and Mr. Nelson was permitted to practice in the Courts in Madras City on the understanding that such practice should not in any way interfere with his performance of his duties as Principal, and that if at any time it should appear to His Excellency in Council that the privilege does so interfere, it should be competent to the Government to withdraw the privilege and require him to restrict himself to chamber practice.

The answer to the latter part of question LI is "No".

The Hon'ble P. RANGAYYA NAYUDU :—

LIII. Is it a fact that Mr. Nelson does not adhere to the rule of the Law College that "the Principal shall devote not less than eight hours a week to lectures and not less than seven hours a week to holding of classes" and that he works only five hours a week? If so, will the Government be pleased to state whether Mr. Nelson does so with its sanction?

The Hon'ble Mr. Grose :—

LIII. Mr. Nelson represented that he was unable to devote to lectures and classes the full time laid down in the rules, owing, among other things, to want of accommodation. The Government is aware of the circumstance, and the subject will receive consideration as soon as the College enters on the occupation of the new buildings.

The Hon'ble P. RANGAYYA NAYUDU :—

LIV. Will the Government be pleased to obtain information as to how many years it was the practice in the Law class and in the Law College to admit students who had applied for admission to the B.L. class as soon as their B.A. examination was over and before the results were published? Is the same practice continued now in the Law College? If not, when was it discontinued and did the Principal obtain the previous sanction of Government for so changing the practice?

The Hon'ble Dr. Duncan :—

LIV. Previously to 1889, when the Law course was a two years' course, students who had appeared for the B.A. examination were admitted before the results of that examination were known. If they failed in the examination the fee was refunded and they left the law class. After the extension in January 1889 of the course to three years, two of which must be after passing the examination for the degree of B.A., candidates for the B.A. degree examination continued to be admitted before the B.A. results were published; and if they failed to pass the complete examination they were allowed the option of either leaving the College and claiming a refund of the fee, or of continuing in the College, running the risk of failing again at the B.A. examination and thus losing the whole of the first year's attendance at the Law College. Experience showed that this arrangement did not work well and led to the neglect of their law studies by the students during the first year of their course. Opportunity was, therefore, taken by the department and Government of the revision of the College rules in 1895 to require that candidates for admission to the College shall have passed at least in the English and Science divisions of the B.A. degree examination. The preparation for the Second Language division of the B.A. examination was not considered to be so detrimental to their law studies as preparation for the other two divisions. From January 1896 admissions have been regulated according to this rule.

The Hon'ble P. RANGAYYA NAYUDU :—

LV. Will the Government be pleased to state whether it has vetoed up to date any resolution passed by the Senate of the Madras University? Is it true that the Government has deferred final disposal of the resolution, recently passed at a meeting of the Senate, cancelling the compulsory attendance of students failing in B.A. examination in a college for a further period of two terms and submitted by the Senate for the approval of Government, till the Senate should dispose of the question of the affiliated Colleges to the University?

Will the Government be pleased to state whether it has fixed any time within which the Senate should report upon this latter question? If it has not done so, will it be pleased to fix the period within which the report should be submitted?

The Hon'ble Mr. Grose :—

LV. The answer to the questions in the first paragraph is "Yes" and that to the questions in the second paragraph is "No".

(4) *Acts assented to by His Excellency the Governor.*

The Secretary reports that the Bill to amend the Madras Hereditary Village Offices Act, 1895, and the Bill to amend the Madras District Municipalities Act IV of 1884, which were passed into law at the Council meeting of 9th February last, received the assent of His Excellency the Governor on the 13th February and 8th March 1897, respectively.

(5) *Acts assented to by His Excellency the Governor-General.*

His Excellency the PRESIDENT announces the assent of His Excellency the Viceroy and Governor-General to the Act to amend the Madras Hereditary Village Offices Act, 1895.

(6) *Petitions, &c.*

The Secretary reports the receipt of the following papers on the subject of the Bill further to amend Madras Act No. VIII of 1865:—

- (1) Petition from certain tenants and mirasidars of Chingleput district;
- (2) From the President Madras Landholders' Association;
- (3) From the Jagirdar of Arni;
- (4) Telegram from the Valloor Zamindar, Kistna district;
- (5) From K. Krishna Row, Manager, Devarakota Zamindari, Kistna district;
- (6) From the Secretary, Library and Reading-room, Tirupati;
- (7) Telegram from Sri Raja Rangayya Appa Row Bahadur of Nuzvid;
- (8) From M.R.Ry. P. Subramaniya Aiyar on behalf of the Valloor Zamindar and Raja Rangayya Appa Row Bahadur of Nuzvid;

and lays them on the table.

The Secretary also lays on the table copies of the Board's Proceedings promised in the answer to Question XLVII at the meeting of the Council held on the 9th February last.

(7) *Bill to amend the Religious Endowments Act XX of 1863.*

The Hon'ble K. KALYANASUNDARAM AIYAR has given notice that he will introduce the above Bill, leave to introduce which was granted to him at the meeting of the Council held on 26th February 1896.

(8) *Madras Survey Bill.*

The Hon'ble Mr. J. GROSE, C.I.E., presents the report of the Select Committee on the Bill to amend the law relating to survey and the settlement of boundary disputes, and moves that the Bill and the report be taken into consideration at once in view of its being passed into law.

The following amendments will be moved in the above Bill:—

The Hon'ble K. KALYANASUNDARAM AIYAR:—

"After section 7 of the Bill as amended by the Select Committee to insert, as section 7-A, section 8 of the original Bill."

The Hon'ble Mr. H. P. HODGSON:—

1. That section 8 of the original draft Bill as submitted to the Select Committee be retained and inserted between sections 6 and 7 of the Bill as amended by the Select Committee.

2. That in section 14 of the Bill as amended by the Select Committee the words "and except in respect of such areas as may be notified by Government from time to time in the *Fort St. George Gazette*" be inserted after the words "in this behalf" in the third line of the section.

The Hon'ble Mr. J. GROSE:—

That the following proviso be added to section 14:—

"Provided that the Local Government may from time to time exempt, by a notification, any local area from the operation of the former part of this section, and cancel such notification."

(9) *Bill further to amend Madras Act No. VIII of 1865.*

The Hon'ble V. BHASHYAM AIYANGAR, C.I.E., Diwan Bahadur, presents the report of the Select Committee on the above Bill and moves that the Bill and the report be taken into consideration at once in view of its being passed into law.

The Hon'ble Mr. Crole will move that the consideration of the report and of the Bill as amended be adjourned, that the Bill be re-committed, and that the following members be added to the Select Committee:—

The Hon'ble Mr. Bliss.

The Hon'ble Mr. Sturrock.

The Hon'ble P. Rajaratna Mudaliyar.

The following amendments will be moved under Rule 49 of the Council Rules:—

The Hon'ble Mr. BLISS:—

Section 5.

After the words "the distrainer shall", to strike out the words "be bound to", and to insert "receive the payment, and shall".

Between the words "or" and "release", to strike out the word "to", and to insert "shall".

To strike out the words "when the amount so tendered is received".

The Hon'ble Mr. CROLE:—

That the following new section be inserted after section 5 of the Bill:—

"38-A. A tenant of any landholder mentioned in section 3 shall be presumed to have a right of occupancy and a saleable interest in his holding, until the contrary is proved."

Also that the following be added to section 39 of Act VIII of 1865:—

"Provided that a patta or notice, sent through the Post office, for which the special fee for acknowledgment has been paid, shall be considered to be duly served if it be sent on a post-card or transmitted open with the address inscribed on the back."

The Hon'ble Mr. BLISS:—

Section 7.

To omit clause 1 of section 7.

To omit from clause 2, section 7, the words: "and the words 'or order' shall also be inserted after the word 'judgment' and in the last paragraph of the section, for the word 'judgment' the words 'judgment and order' shall be substituted".

The Hon'ble Mr. CROLE:—

In section 72, Act VIII of 1865, after the word "Collector", to add "and in case of any appeal a certified copy of the appellate court's judgment", and, after the word "person", to add "and the rent shall be taken to become due from the date of the last of such judgments for the purpose of calculating the period of limitation in any suit or proceeding for the recovery of rent, notwithstanding that, according to the contract between the parties or according to custom, the rent might have been payable prior to such date."

G. S. FORBES,

Secretary to the Council.

Government of Fort St. George.
LEGISLATIVE DEPARTMENT.

NOTICES

FOR THE

MEETING OF THE COUNCIL

On Friday, the 9th day of April 1897.

Given for copying 13/4/97
W. copied 14/4 } 189.
W. examined 15/4
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MAIN G.O., No.
189

DATED

MENT No.

ENCLOSURES TO C. No.

ORDER OF GOVERNMENT

ORDER OF GOVERNMENT.

STATEMENT WITH DITTO.

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