1. Number of pages. 12
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M.R.O. 1—52 400—22-11-30

MADRAS RECORD OFFICE.

Government of Madras.

Public Works DEPARTMENT.

Cons. 23-6-37

G.O. No.	Press Mis.
Dated	18

Not to be folded or roughly handled

Fort Saint George, Public Works Consultation of 23rd June 1857.

No. 110. Read the following letter from Colonel W. E. BAKER, Secretary to the Government of India; to H. FORBES, Esq., Acting Secretary to the Government, dated the 29th May 1857, No. 2670.

SIR,

Letter from Secretary to Government Fort St. George, No. 1267, dated 25th July 1856.
Letter in reply No. 4826, dated 3rd October 1856.
Consultation 3rd October 1856, Nos. 143 to 146.

With reference to the correspondence noted in the margin, I am directed to forward for the information of the Right Honorable the Governor in Council of Fort Saint George, copy of a Despatch from the Honorable the Court of Directors, No. 13, dated the 8th Ultimo, on the subject of a narrow guage low speed Railway.

Financial (Railway) Department.

No. 13 of 1857.

Our Governor General of India in Council.

1. Our Despatch in this Department No. 28 dated the 17th September last, will have informed you of our opinion upon the Proceedings of the Madras Government in connexion with their proposal to establish a different guage for the low speed Railways to that which has been fixed upon for the Trunk lines. The further discussion which has arisen out of these Proceedings relates to a subject of much importance upon which your Government and the Government of Madras have solicited our orders. The question it involves affects the relative position of the Supreme and the subordinate Governments and the general administration of public affairs.

Letter from No. 38 dated 3rd October 1856.
Transmit correspondence with the Madras Government on the question raised in consequence of a representation of the Supreme Government as to the propriety of the former Government having addressed the Court on the subject of the proposal to construct a narrow guage low speed Railway while the same was under reference to the Supreme Government.

2. It appears from a riview of the correspondence which has passed upon the subject that the whole discussion has proceeded from a misconception on the part of the Madras Government of the spirit and meaning of the communication which was addressed to them by your Government on the 30th May. The following were the expressions therein made use of. " It appears to „ the Governor General in Council to be highly inexpedient that a question which has become „ a subject of discussion and difference between the Supreme and local Governments or which „ (as in a late case connected with the institution of a Government Lithographic Establishment „ at Madras) has been referred to the Court through the Supreme Government should be made „ the subject of further communication from the local Government to the Home authorities „ without the intervention of the Governor General in Council." This exposition of the cause of procedure which should be followed by subordinate Governments, in their communications with the Home Government is construed by the Madras Government into an expression of opinion that " all communications on the part of that Government with that Honorable Court on „ subjects once referred to the Government of India is highly inexpedient," and that the subor„ dinate Governments would be " shut out" from addressing the Court direct on any but „ matters of the most common routine" thus making " the decision of the Government of India „ final without any appeal."

3. We concur in the views expressed by your Government upon the point at issue, and we think with you that the interpretation given to those views by the Madras Government was not warranted by the terms in which they were expressed.

4. It is now acknowledged by the Madras Government, that the case which gave rise to the present discussion was one which ought to have been submitted for the consideration of the Supreme Government before it was forwarded to us and we are satisfied that the former Government will not be inclined to dispute the principle so clearly laid down in your Secretary's Letter of the 3rd of October last that all new facts or arguments bearing upon a matter under reference should be transmitted to us through the channel of the intermediate authority. We are inclined therefore to believe that no important difference of opinion exists upon the subject, at all events we have no hesitation in desiring that the course which you have pointed out as the proper one

and which indeed with very rare exceptions has been the rule observed should be followed for the future and we confidently rely upon the maintenance of such a cordial understanding and co-operation for the furtherance of the public interest between the Supreme and Subordinate Governments as shall most effectually secure the harmonious and speedy despatch of all important business.

London,
8th April 1857.

We are, &c.
(Signed) W. H. SYKES,
(,,) R. D. MANGLES,
and other Directo.

(True Copy.)

W. E. BAKER, Colonel,
Secretary to the Government of India

No. 111. ORDER THEREON, No. 1222; dated 23rd June 1857.

Ordered that the foregoing letter be recorded.

(Signed) H. FORBES,
Acting Secretary to Government.

—3

N. 2670.

From

Colonel W. E. Baker,
Secretary to the Govt. of India.

To

H. Forbes, Esquire.
Acting Secretary to the Government of
Fort St. George.

Dated the 29th May 1857.

Public Works Dept. Sir,

Railway.

Letter from Secy to Govt. Fort St. George
No. 2670 d/25th July 1856.
Letter in reply No. 4826 d/3d. October 1856.
Cons. 3d. October 1856 Nos. 143 to 146.

With reference to the correspondence noted in the margin, I am directed to forward for the information of the Right Honble the Governor in Council of Fort St. George, copy of a Despatch from the Honble the Court of Directors, No. 13 dated the 8th ultimo, on the subject of a narrow guage low speed Railway.

I have the honor to be,
Sir,
Your most obedient Servant,

W. E. Baker Colonel
Secretary to the Govt. of India

Fort William,
The 29th May 1857.

Encl.

Financial (Railway) Department.

N. 13. of 1857.

Our Governor General of India in Council.

Letter from N. 38 dated 3d. Oct. 1856.

Transmit correspondence with the Madras Govt. on the question raised in consequence of a representation of the Supreme Govt. as to the propriety of the former Govt. having addressed the Court on the subject of the proposal to construct a narrow guage low Speed Railway while the same was under reference to the Supreme Government.

1. Our Despatch in this Department N. 28 dated the 17th September last will have informed you of our opinion upon the proceedings of the Madras Government in connexion with their proposal to establish a different guage for the low Speed Railways to that which has been fixed upon for the Trunk lines. The further discussion which has arisen out of these proceedings relates to a subject of much importance upon which your Government and the Government of Madras have solicited our orders. The question it involves affects the relative position of the

Madras Government, that the case which gave rise to the present discussion was one which ought to have been submitted for the consideration of the Supreme Government before it was forwarded to us (and we are satisfied that the former Government will not be inclined to dispute the principle so clearly laid down in your Secretary's Letter of the 3d of October last that all new facts or arguments bearing upon a matter under reference should be transmitted to us through the Channel of the intermediate authority. We are inclined therefore to believe that no important difference of opinion exists upon the subject. At all events, we have no hesitation in desiring that the course which you have pointed out as the proper one and which indeed with very rare exceptions has been the rule observed should be followed for the future: and we confidently rely upon the maintenance of such a cordial understanding and co-operation for the furtherance of the public interests between the Supreme and Subordinate Governments as shall most effectually secure the harmonious and speedy despatch of all important business.

We are, &c.

(Sd) W. H. Sykes,
(") R. D Mangles,
and other Directors.

London,
8th April 1857.

(True Copy)

Sd Walter Calmel
Secretary to the Govt of India

P.W.1205/57

Com: 29th July /56 No: 58459
" 4th Nov" " 1237/124
" 16th Dec" " 1317/132

Public Works 1857 Dep.t
Com.d 23d June.
No 1208
From the Secy to the
Government of India
Dated 29th May } 1857
Rec.d 13th June }
1 Enclosure No 267R

No 1222
Recorded
Fort St. George 23d June/57

Forwarding Copy of
a Despatch from the
Hon.ble Court, dated 8th
April 1857, No 13, on the
subject of a Narrow
Gauge Low Speed
Railway —
Recorded

No 110 + 111

17 June — 120