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MADRAS RECORD OFFICE.

Government of Madras.

Public works DEPARTMENT.

G.O. No. 1881	Press Mis.
331-32	
Dated 15 6 1886	

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Q/6

*Proceedings of the Madras Government, Public Works Department,
15th June 1866.*

No. 331. Read the following Proceedings of the Madras Government in the
Judicial Department :—

Passing orders on a letter from the Government
Agent in Vizagapatam, reporting on his hill } (Here enter 7th June 1866, No. 909.)
tour, and on the administration of the Jey-
pore country during 1865.

No. 332. ORDER THEREON, 15th June 1866, No. 1,881.

CIVIL WORKS, No. 56.

Communicated to the Superin-
tending Engineer of the 1st Division.

(True Extract.)

(Signed) CHARLES A. ORR, Colonel, R. E.,
Secretary to Government.

To the Superintending Engineer, 1st Division.

Augustin.

7th June 1866.

No. 87. Read the following letter from the Agent to the Governor in Vizagapatam, to the Chief Secretary to Government, Fort Saint George; dated Vizagapatam, 9th April 1866, No. 57.

Left Station 12th December 1865.
Returned 12th March 1866.

I proceed to report on my recent Hill tour,* and on the administration of Jeypore, during the year 1865.

THE SOWRAHS.

2. In my letters marginally noted, I described the repulse of the Constabulary guard (under Captain Galbraith, and Lieutenant Gordon) sent to take up

26th December 1865.
23rd January 1866, No. 9.

the Police station in the Highlands of

the Sowrah tribe, near Gunapur, as well as the result of the operations subsequently undertaken by us to enforce that occupation. Lieutenant Gordon, who was left at the station selected, the village of Wodasaul, with 100 Constables armed with carbines, and 50 country Peons (Matchlockmen), has now come down temporarily disabled by fever and rheumatism. I must bring to prominent notice the zeal and discretion of this Officer; he has managed not only to procure the peaceable return of the Sowrahs to their villages, but has persuaded them to engage in the construction of the Police Barrack, under his own superintendence. Three active insurgents, taken prisoners at the close of the expedition, were tried by me at Gunapur on the 30th January, and sentenced to transportation for life under Section 121 of the Indian Penal Code. As the Sowrahs have now very generally made their submission, I have signified to the Police that it will not be necessary for them to make any further arrests, the man known as "Zonti Gomango" excepted, who was not only the head centre of the insurrection, but instigated the murder of the late Inspector of Police, Mir Hussain, whose ill-judged proceedings against that petty Chief first brought us into collision with these savages.

THE KHONDS.

3. I met the Jeypore Khonds at Godairy. The headmen at that time had no complaint; but shortly after I had left that side of the country, it became evident that something had occurred to exasperate them. The Khonds of one section sent round the arrow, a summons which was quickly obeyed by their neighbours, and assemblies were held at all the principal villages. The Sub-Magistrate of Gunapur visited the disaffected quarter; Captain Galbraith, who was in the vicinity, simultaneously moving up a party of Police, in case any outbreak should occur. It appeared on inquiry that Chaitan Deo (a relative of the Rajah of Jeypore) had been unduly raising the assessment on the Khond villages of his estate, and interfering with their proprietary rights. I informed Chaitan Deo that if he could not arrange matters amicably with his Khonds, it might become necessary for the Agency to take charge of his estate for him, it being impossible for us to stand by until his mismanagement of these wild people reaches that point where an agrarian outbreak is imminent. This hint had the desired effect, and the Khonds who are now quiet will learn, I hope, to appeal to our intervention instead of breaking out into atrocious acts of violence by way of taking the law into their own hands, on occasions when they feel themselves aggrieved. If we once succeed in inducing them to do this, and we shall have no more trouble with them. If it is asked why they have not yet learnt to confide in us, the

answer is that there has been no time for it; the partial operations of the late Special Agency for the suppression of human sacrifices excepted, their opportunities for becoming acquainted with us do not extend beyond the last three years. The progress that has been made must be measured with reference to this fact.

The Palatine to the Rajah.

4. On arriving at the town of Jeypore, I presented to the Rajah the Watch, Ring, and Rifle, bestowed on him by the Governor in Council in appreciation of his services in capturing some 20 ring leaders of the Hill Savanah, who engaged in the numerous attack on the late Inspector of Police and his party. On receiving these gifts, the Rajah expressed his obligations in a loyal and becoming manner. The palanquin purchased for the Dewan was then handed over to that functionary.

Schools.

5. In disposing of my last Annual Report, it appeared to the Governor in Council that the time had come for establishing schools in Jeypore, and I was directed to communicate with the Inspector of Schools in the Northern Division and the Director of Public Instruction on the subject.

The school we set on foot at the town of Jeypore, on our first entering the country three years ago, met with no success whatever, and after struggling for some time with neglect and the climate, the Master came down and shortly afterwards died. Two or three candidates have now offered themselves for the vacant place, but they are men of the lowest possible attainments; the Government, more over, have now been led to concur in the deliberately expressed opinion of the Director, "that we shall actually retard, instead of accelerating progress by 'pushing our outposts far into a semi-barbarous region.'" The proposed revival of the school at Jeypore has therefore been abandoned. I suggested, however, that a school might be placed at Ginnagar, which lies in a more accessible, if less central, part of the Jeypore Zemindari.

Director approved, and the Government have lately decided him to take the necessary steps for its establishment.

Civil Justice.

6. In calling for the establishment of schools, the Government at the same time alluded to the propriety of creating Courts of Civil Justice in the Jeypore country. "It cannot but be deemed otherwise than a very unsatisfactory state of things," they remarked, "that while branches of the Criminal law are vigorously punished, there should be no Courts for the redress of those Civil wrongs, which in all countries, and especially in uncivilized countries, crimes of violence often owe their origin."

The history of this question is as follows:—The Inspector General of Police, on the 26th January 1864, when we had been just one year in the country, reported to Government that the Police arrangements had been perfected, and that it only remained to place two or three qualified Munsiffs there, for the administration of Civil Justice, he (Mr. Robinson) being "satisfied that no country more urgently required the means of obtaining justice, between man and man, than Jeypore." This proposal being referred to me, I deprecated it as altogether inexpedient; I showed that the triumphant tone adopted by the Inspector General was hardly jus-

tified by the actual facts, and partly for the information of Government and partly for his own (for Mr. Robinson has not at any time set his foot in Jeypore) I summed up what I had already in my first Report described in detail, the salient characteristics of the country and of the wild races by whom it is tenanted.

I had the good fortune, on this occasion, to obtain the concurrence of Government in my views. "The Governor in Council defers to the arguments advanced in the 29th paragraph of Mr. Carmichael's Report, against the establishment of present of Courts of Civil Justice in the Jeypore country. It appears to be questionable, with reference to the state of things described in that report, whether the time has yet come for the establishment of such Courts. For the present, the District and village headmen should be incited to settle small disputes of a Civil nature. In such a community the disputes regarding the title to property cannot be important or numerous, and the mediation of neighbours (or Panchayets) under the supervision of the headmen is, in the opinion of the Government, the best mode of adjusting them at present."

The foregoing Order is dated the 13th September 1864, but on the 3rd June 1865, or in a period somewhat under nine months, the Government, *proprio motu*, as it would appear, and without, so far as I am aware, any further indication of the views of the original projector, the Inspector General of Police, on the subject, pronounce the absence of these same Courts "a very unsatisfactory state of things."

This rapid change in the opinion of the Government, I trust I may say without offence, has a good deal perplexed me. When I proceeded on my Hill tour in December 1864, I took the Government Order of September with me, and requested the Assistant Agent at Jeypore, Lieutenant Smith, to ascertain, through the Dewan, the number of petty suits actually referred to the arbitration of local Panchayets in the Jeypore country during the year 1865. These inquiries were made, and the result laid before me when I reached Jeypore in February last. The total number of such suits was 293, of which 20 only remained undisposed of at the end of the year.

Here then we see in actual working, the ancient primitive system of India, adjudication by Panchayets; a system which so approved itself to MUNRO, MALCOLM, and other eminent administrators, that they were in favor of its universal restoration. Without, however, entering into that question, there is no difficulty in showing that it is a system eminently suited for the sparse and rugged population of these Hills. The indigenous tribes that inhabit the mountainous belt of country between the Mahanadi and Godaveri rivers undoubtedly belong to one great family, of which the Khonds are the most prominent branch. The system of Government established amongst this semi-barbarous people is described by Macpherson, who probably knew as much about them as any British functionary before or since, to be "as purely Patriarchal as that of any people to which accurate observation has extended." There is the Patriarch of the tribe, of sub-divisions of tribes and of villages, aided and controlled by the elders of the community. The moral influence of the Patriarch and elders is found entirely sufficient in the adjustment of all differences between members of the same tribe. Where the feud affects separate

tribes, a settlement becomes more difficult. In former days, it would probably have been effected by a stand-up fight between the forces of the disputants. Now, it would be the duty of the Magistrate to intervene, to refer it to a Jury of unprejudiced persons, (who would examine the witnesses and parties under the sanction of the oaths and ordeals which find favor with the community) and to enforce their decision. But occasion for the exercise of this authority occurs so rarely that it is unnecessary to say more on the subject, except that of all possible tribunals, a regularly constituted Civil Court appears to be the most open to objection.

There is another point of view. Civil Courts, I have shown, are not wanted, the petty claims and trivial quarrels that arise being adjusted by the Panchayets, who, besides administering justice, always make a point of reconciling the parties a matter of infinite consequence in a society like Jeypore; and the tribal disputes requiring prompt and decisive action, suitable to the emergency, on the part of the Magistracy. But though Civil Courts would be inoperative in the one case and are unnecessary in the other, there remains one thing that they would be effectual for. They would enable the grasping, knavish, sordid Telugu usurer to fix his talons in the vitals of the petty Chiefs and headmen of the Hill community. With these simple gullible clients, he would soon drive a very good trade, in the course of which crops would be attached, ancient patrimonies sold over the heads of the proprietors, and the proprietors themselves thrown into Jail. A few years of a regime like this would end, as they ended amongst the Sonthals. We should have a general insurrection, accompanied with atrocities to which the late outbreak in Ganjam affords no parallel. This is my unqualified belief. I must therefore be permitted again to urge that things be allowed to remain as they are. Until the country is in a very different condition from what it is at present, it will suffice to encourage and promote the system we find, the system of Panchayets, which entirely meets the wants and requirements of the bulk of the community. Should cases of any special importance arise, the European Officers of the Agency will intervene, or the Native Magistrate will be authorized by the Agent to do so.

7. The total number of persons tried in 1865 by the six Hill Sub-Magistrates amounted to 947. The Assistant Agent tried 137 persons; the convictions before the Sub-Magistrates included 632 persons, before the Assistant Agent 88. Owing to the general scarcity, petty thefts of grain, &c., were very numerous; but the Assistant Agent's file of convictions includes, I regret to say, no less than 18 Police Officers, the majority of them guilty of taking bribes and extorting. The obsequiousness shown by Hill men in out-of-way places to the Beat Constable, and the ready credit they give to any statements of his are very remarkable. In one case a Beat Constable found that one of the villagers had been wounded by a bear. He angrily inquired why the thing had not been reported; the omission to do so was a clear offence under the Penal Code, but he was prepared to pass it over for a consideration! In another case, a discharged "Dandasi" went about circulating a report that nobody was to keep pigs; that the "gentlemen" objected to them, and that a heavy fine would be inflicted for every pig found on the premises. What shall we do then was the inquiry. The informant suggested killing the pigs then and there, and serving them up for supper. The suggestion was in each case

adopted, and the informant, who was of course asked to the feast, continued in this way to feed daily on roast pork for a considerable time, until the cheat was discovered.

Before the Court of the Governor's Agent 73 persons were arraigned.

Result.		
Murder.....	5 Cases. 28 Prisoners.	6 Hanged. 9 Transported for life. 1 Acquitted as insane. 12 Acquitted and discharged. — 28 Prisoners.
Attempt to murder.....	2 Cases. 2 Prisoners.	1 Transportation for life. 1 Imprisonment for 5 years. — 2
Culpable homicide not amounting to murder.	2 Cases. 5 Prisoners.	1 Imprisonment for 10 years. 1 do. for 5 " 1 do. for 1* " 2 Acquitted and discharged. — 5
Grievous hurt.....	1 Case. 1 Prisoner.	1 Acquitted.
Hurt to constrain to restoration of property.	1 Case.† 3 Prisoners.	1 Imprisonment for 18 months. 2 do. for 6 " — 3
Robbery with or without aggravating circumstances.	3 Cases. 4 Prisoners.	1 Transportation for life. 1 do. for 10 years. 1 Imprisonment for 7 " 1 Whipped (Juvenile). — 4
Extortion.....	2 Cases. 2 Prisoners.	1 Imprisonment for 18 months and fine (Constable). 1 Acquitted. — 2
Public servant taking illegal gratification in respect of official act.	1 Case. 1 Prisoner.	Imprisonment for 20 months (Constable).
Illegal confinement by person having authority.	1 Case. 1 Prisoner.	Imprisonment for 1 year (Constable.)
House-trespass with wrongful restraint.	1 Case. 15 Prisoners.	1 Imprisonment for 2 years (same Constable as in last case). 14 Imprisonment for 3 months. — 15

* Slew his wife and her paramour.

† A Constable and 2 Village Vetties.

House-breaking with theft... 1 Case. 1 Prisoner. Imprisonment for 9 months.
Simple burglaries are generally disposed of by the Sub-Magistrates, and Assistant Agent; this case was committed, as there was a second count of wounding, which was not sustained.

Kidnapping woman to compel marriage. 2 Cases. 0 Prisoners. 2 Imprisonment for 18 months.
3 do. for 9 "
2 do. for 6 "
2 Whipped (Juveniles).
—
9

Adultery... 2 Cases. 2 Prisoners. 1 Imprisonment for 6 months, and fine.
1 Whipped (Juvenile).
—
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ROADS AND JUNGLE CLEARING.

8. The sum of Rupees 5000, assigned at the commencement of the current official year, was distributed as follows:—

	RS.
(a.) The Sub-Magistrate of Rayagadda.....	500
(b.) The Principal Assistant.....	1,500
(c.) The Assistant Agent.....	3,000

(a.) Has been spent in smoothing down a short but very stiff ghat near the village of Rayagadda. Some years ago the Department Public Works constructed a bullock track from Parvatipur to Rayagadda; the present improvement removes the principal obstacle to traffic between the two places, by carts.

(b.) I mentioned in my last report (paragraph 2) that 102 miles of jungle paths had been cleared and smoothed in the Gulgonda Hills. The present grant has been employed in clearing about 150 additional miles, as well as in going over last year's clearings. These roads now connect all the Police stations with one another. Under the Principal Assistant's directions, this grant has been worked by the Tahsildar of Gulgonda, through the Agency of the villagers through whose limits the line passes. When there is no cultivation going on, they are glad to be so employed, in their own immediate neighbourhood.

(c.) Lieutenant Smith has employed this grant in opening out a ghat, much frequented by the Brinjaries. I went over this ghat, and was both pleased and surprised at the substantial way in which the work is executed. The operations are clearly described by the Assistant Agent, as follows:—

2. "In sending me the money, viz., Rupees 3000, you left the selection of the road I should make to me I selected the ghat between the villages of Cheptamb and Mahadaviputti, first, because it was a ghat I thought could be made with the small sum allowed me; and, secondly, because there is a very large Brinjari traffic over the ghat, which would be greatly increased by making the ghat easy of ascent and descent, and the removal of many obstacles that have hitherto impeded traffic."

3. "There is a difference of about 900 feet between the level of Cheptamb and Mahadaviputti, the latter village being on the upper plateau. The old trace passed over some very rocky ground going straight over the spurs of hills and crossing rather a considerable river called the "Tellingoni" no less than seven times. The road I have made is a little more circuitous, but crosses the river three times only and avoids several sharp pulls over the spurs of Hills. It has an average ascent of about 1 in 20, and is from 5 to 8 yards wide all the way. It is 10 miles and 70 yards in length and during its course there are 5 strong wooden bridges made, 4 drains, the banks of 11 large nullahs, and 2 small sloped down. There were 2010 yards of cutting from the slope of Hills, 1360 yards of stone wall revetment work, and 1510 yards of rocky ground, off which stone had to be dug out and removed. The whole road is well gravelled. This work has been done for about Rupees 2799-2-8. The balance of the money, Rupees 200-13-4, I have expended in repairing the road made in 1864, which required it much after the last two monsoons. Very recently the Government telegraphed to me that a further appropriation of 5000 Rupees was available. It is now near the close of the official year, but I hope something may be effected, notwithstanding. The result will be entered in the next Report.

CONTINGENT EXPENSES OF TOUR.

9. These amount to Rupees 605-7-5 for which sanction is requested. Of this sum Rupees 373-7-9 were expended in cloths and other presents to headmen, and Rupees 231-15-8 for the carriage of the Hospital tents and doolies for the sick.

No. 88. ORDER THEREON, 7th June 1866, No. 909.

The letter above recorded contains an account of the annual tour of the Agent to the Governor of Fort Saint George, and of the administration of the Jeypore country during the past year, 1865.

2. The report presents but a few points calling for remark. It is satisfactory that, after the late operations against them, the Sowrahs have peaceably returned to their homes and that an example has been made of the insurgents taken prisoners at the close of the expedition.

3. The Governor in Council notices with pleasure the testimony borne by the Agent to the zeal and discretion evinced by Lieutenant Gordon in dealing with the Sowrahs since the suppression of the outbreak. Mr. Carmichael's intimation to the Police in regard to further arrests of the Sowrahs implicated in the late insurrection is approved, as also the manner in which he has acted with reference to the signs of disaffection exhibited by the Khonds.

4. Adverting to the Agent's arguments against the establishment of Courts of Civil Justice in the Jeypore country, it seems sufficient to observe that the Government did not press for any immediate change in the mode of settlement by arbitration which they had previously decided was best suited to the existing state of things among the communities concerned. They simply desired, as they still do, that the question of the eventual establishment of regular Courts should not be lost sight of.

Proceedings, 2nd June 1866, No. 797, p. 10.

5. The operations of the Criminal Courts are satisfactory and do not call for any special remark.

Proceedings of the Madras Government, Judicial Department,
7th June 1866.

6. Turning to the important subject of communications and jungle clearing, 5000 Rupees have been most usefully expended in improving the bullock tracks opened some years ago between Parvatipur and Royaduddi, in clearing 150 additional miles of jungle paths in the Goleondah Hills, and in opening out, under the active superintendence of Lieutenant Smith, a new ghat much frequented by Brinjarics.

7. The contingent expenses of the tour amounting to Rupees (605-7-5,) six hundred and five, Annas seven, and Pice five, are sanctioned.

(True Extract.)

J. L. L.

Acting Chief Secretary.

To the Agent in Vizagapatam.

- „ Inspector General of Police
- „ Public Works Department.
- „ Accountant General.

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(continued) 5th Dec.

RE of the 7 Dec.

15th June 1866

[Signature]

Ed. J. Tulloch.

114

7th June 1866.

6. Turning to the important subject of communications and jungle clearing, 5000 Rupees have been most usefully expended in improving the bullock tracks opened some years ago between Parvatipur and Royaduddi, in clearing 150 additional miles of jungle paths in the Golcondah Hills, and in opening out, under the active superintendence of Lieutenant Smith, a new ghat much frequented by Brimmarine

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PH 18th Dept
 Pro. of Govt. for June
 1866

Pro. of the Madras Govt.
 in the Judicial Dept

Of 4" } June 1866
 Recd 13" }
 App.

Paying order
 on a letter from the
 Govt. Agent in Vizag-
 -apatnam reporting
 on his Hill tour, &
 on the administra-
 -tion of the Mysore
 country during
 1865-6

No 1881a 15 June 1866.

Exd. J. Tulloch.

Chap. 16 - 18 June

331-332

7 Dec
 1866
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