

MADRAS RECORD OFFICE.

Government of Madras.

Revenue DEPARTMENT.

G.O. No.

1105

Press
Mis.

Dated

19th August 1857

Not to be folded or roughly handled

*Proceedings of the Madras Government, Revenue Department,
from 13th to 19th August 1859.*

No. 42. Read the following Proceedings of the Madras Government in the Judicial Department; dated 4th August 1859, No. 1028.

Enquiring whether Rule XXVIII. of the Agency Manual may be modified, as specified. } (Vide Judicial Proceedings from 30th July to 5th August 1859, No.

No. 43. ORDER THEREON, 18th August 1859, No. 1105.

Para. 5 of Board's Proceedings C. O. B. Appendix page 570. The Governor in Council is of opinion that the modification of Rule XXVIII. of the Agency Manual proposed by the Board of Revenue will be beneficial.

(Signed) J. D. BOURDILLON,
Secretary to Government.

PROCEEDINGS of the MADRAS GOVERNMENT.

Read the following papers:—

From G. S. FORBES, Esq., Collector of Ganjam; to J. D. SIM, Esq., Secretary to the Board of Revenue, Fort Saint George, dated Chetterpore, 10th November 1858, No. 202.

Para. 1. In reference to the Proceedings of the Board of Revenue, dated 29th Ultimo, No. 4077, desiring a report on the working of Act 24 of 1839, I have the honor to submit the following observations for the consideration of the Board and the Government.

2. The short period I have passed in this Collectorate renders it necessary, that I should limit my remarks to such prominent points in the working of the system introduced by Act 24 of 1839, as are apparent on so short an experience. As however, these points are of great importance to the efficient administration of the District, I am glad to have this opportunity of bringing them to the notice of Government.

3. Under the Act in question the functions of a Civil and Criminal Judge are vested in the Collector in his capacity of Agent to the Governor, and are exercised by him throughout certain Districts therein enumerated. No exceptions are made in reference to any of the classes of people thus brought under the Agent's jurisdiction and the judicial process to be followed is left to the discretion of the Court of Sudr and Foujdarry Udalut. In virtue of the rules promulgated by the Government and published at page 563 of the Appendix to the Circular Order of the Revenue Board, the forms of proceeding both in Civil and Criminal trials are the same as in the established Courts of the country, that is, they are lengthy, and from the amount of writing employed in recording evidence, they occupy a great deal of time.

4. In many cases, the litigants in the Civil Court are Merchants, residing within the limits of the Agency, but who in no other respect belong to the class, in reference to whose peculiar condition the Agency was established.

5. The result is that, though the Act in question nominally suspends the ordinary provisions of the Regulations in this District, they resume their force under the rules laid down by the Government for the administration of justice, and the Collector is simply saddled with the obligations of a Civil and Session Judge in addition to his duties as a Collector and Magistrate, but has not the power of following the more summary course of procedure, either in Civil or Criminal trials which can alone, in my opinion, render the possession of such powers a benefit to the population at large.

6. The Act places the remedy for this anomaly within the power of the local Government, and I have already drawn the attention of the Court of Foujdary Udalut to the subject, suggesting that a summary form of procedure should be sanctioned both in Civil and Criminal trials, and that litigants belonging to a class which has no claim to come before a special tribunal should be referred at the discretion of the Agent to the Chicacole Court. I am convinced, however, that these parties would themselves prefer a summary jurisdiction, and if such a change is introduced and the file lightened by the process I have suggested, it may be possible in future to keep it under.

7. As regards the provisions of Section VII, which empower the Agent under his warrant to place under restraint as State prisoners such persons as it is inexpedient for political reasons to leave at liberty—having as yet had no occasion to use this power—I can only say that I regard the knowledge of its existence as exercising a most wholesome influence on intriguers and evil disposed persons.

8. P. Soobarow, late Sub-Division Sheristadar, is the possessor of lands and houses, and is not therefore in such circumstances as would call for pension for mere maintenance.

From C. W. READE, Esq., Agent to the Governor, Vizagapatam, dated 13th May 1859, No. 386.

I do myself the honor to submit my views on the subject of the working of Act XXIV of 1839, as called for in the Board's Proceedings of the 29th October last, in conformity with the orders of Government, No. 1365 of the 9th Idem.

2. This call has originated in a Minute of the Honorable Mr. Elliot which was reviewed by the late Court of Directors. In this Minute, the corruption of the Native servants in the Northern Circars is dwelt upon and the Districts of Vizagapatam and Ganjam are represented as being even in a worse condition than the other Provinces in the Circars, and this unfavorable contrast is attributed by Mr. Elliot to the exemption of those two Districts from the control of the superintending Revenue authorities under Act XXIV of 1839.

3. I believe at the time Mr. Elliot resided here as Commissioner, he found his authority did not extend over the Agency tracts, and on more than one occasion it was opposed by the Agent, and Mr. Elliot appears to have thought that the exercise of an appellate authority, the same as in other portions of the Province, would be attended with healthy results, and thus he has been led to advocate the abolition of the Agency, and at a subsequent date he appears to have insisted that the corruption spoken of, like cause and effect, was a direct consequence of the operation of that enactment which placed the Zemindaries beyond the jurisdiction of the ordinary regulations.

4. Mr. Elliot went on to suggest remedial measures for the evils complained of, and he argued on the impossibility of an improved state of things until those measures were brought into play.

5. The late Honorable Court do not appear to have shared in Mr. Elliot's views as to the extent of corruption stated to exist, or in the measures of reformation he proposed. They contended, and I think very justly, that such wide-spread corruption was impossible where strict and vigilant supervision over the Native Officers was duly exercised by the District European authorities: and they went on to say, that apart from resort to such wholesale measures of reform, much might obviously be done by breaking up family combinations, by encouraging honest Native servants, and by resolute punishment of the guilty; and they add, as observed by Mr. Elliot, by the "minute personal supervision" of the European Officers over their Native subordinates. And the Court reasonably pointed out that if the evils brought to notice were "the effect of a Law passed expressly for the better government of these Provinces, no time should be lost in amending or repealing an Act which has so utterly failed to effect the object for which it was framed."

6. The question thus raised is a most important one—it involves considerations affecting the welfare of a people inhabiting an area of at least $\frac{1}{3}$ th of this entire Province, for I confine myself purposely to my own District.

7. It is possible that in my position my opinion will be viewed as a partial if not a prejudiced one, and it is equally possible, although I may indite it with the utmost care and candour, that it will have no weight whatever, and that the matter will be disposed of irrespective of any thing I may bring forward favoring the continuance of the Act under consideration.

8. This is not the first time the subject has been mooted. In 1847, a proposition of the kind originated with the present Zillah Judge of Chiescole and was answered by the then Agent to the Governor at the call of the Sudr Court, but what afterwards became of it I do not know. I enclose for the Board's and Government information the correspondence found on my records which very probably has not before been seen by the Government. It shows what the opinion of one of my predecessors was, and his letter sets forth facts illustrative of the working of the existing system as contrasted with that under the ordinary Courts, while financially viewed, it proves the saving there would arise to Government by the abolition of those Courts and the transfer of their jurisdiction to the management of the Agency.

9. I am prepared to concur in much that Mr. Smollett has recorded. I believe that every Zemindar in the District and no less so their people would hail with extreme regret and dissatisfaction any alteration of the present régime. I am confident that the Act is most acceptable to the community generally who come within its operation, and that any change by a return to the old state of things would be highly distasteful to every one but the Court's servants and others, who would no doubt contemplate the feast thus opened to them with no little

avidity and satisfaction. To argue in proof of this in respect of the Zemindars can hardly be requisite, since for obvious reasons any measures which excepted them from the jurisdiction of the ordinary Courts could but prove grateful, and if so, it would seem to follow that their people must necessarily share in the same sentiments and feelings.

10. There is not an individual with whom I have spoken on the subject who does not oppose the change, and I am very confident, if Government were to order a Commission on the working of the Agency, (and this perhaps would be the surest way of testing the question) the result would be highly satisfactory, and would as plainly attest the impolicy of rescinding an Act, valued by all, and which in practice I am very sure would be found fully to have answered the purposes of its original projectors, of whom the late Honorable Mr. Russell was one.

11. But if, as stated by Mr. Elliot, the corruption said to exist here and in Ganjam can with truth be traced to the working of the Act in question, I would unhesitatingly exclaim with the Court of Directors that "no time should be lost" in amending or repealing it. Who could argue or who could wish otherwise?

12. Allowing for all the prejudices which may be imputed to me in a question of the kind, it is clear that I would not allow those prejudices to blind me against facts, and it is facts which I submit are wanting in support of the corollary assumed by Mr. Elliot, for I believe his position on strict enquiry would be found wholly untenable.

13. In every part of the country where wealth abounds and where also there is any sort of Native State kept up, there will exist proportionate temptation, and there must be expected corresponding corruption, the one distinctly following the other as cause and effect and for reasons sufficiently obvious; but this corruption is no consequence of any particular revenue system or of any particular system of Judicial procedure, but it will exist in despite of both, and do what you will in the way of precautions, the result must inevitably be the same; proving that "money is power and not knowledge."

14. Of course, the causes I have mentioned may not be without their influence in undermining honesty and in fostering corruption in our Public Servants, but in my belief, it would so operate to a far greater degree in what is termed a regulation Province than in a non-regulation one, managed after the manner obtaining in the Agency tracts of Ganjam and Vizagapatam.

15. One is hampered enough even as Agent, but how much more is it so under our regular Code of Regulations which admit of nothing being done in a summary manner, and no system in the world that was ever invented has so conduced to perjury, forgery and rascality of every sort and kind as our ponderous and unsuitable machinery of Judicial administration, and my own conviction is that it would be for the advantage of all classes, if a modification of this were practicable in view to a greater assimilation with the less cumbersome and more simple system prevalent in the Agency Districts.

16. If the Government will refer to Minutes of Consultation, Nos. 706 and 1056, dated 23rd September 1840, para. 5, it will be seen that the proposal of the then Agent to transfer to his control the remaining $\frac{1}{3}$ th of the District was received favorably by the Government of the day on the grounds stated. It is true that at that time the Act had only been in operation a year, so that no opinion of value could then be formed as to its successful working, still up to the date of Mr. Elliot's Minute, the fact of that success had never been disputed, and all appear to have been agreed in opinion as to the economy and benefit accruing from this piece of Legislation.

17. I presume then, if the ostensible grounds for rescinding Act XXIV of 1839, are proved to be mythical rather than real, the question is no longer an open one.

18. I cannot of course gainsay the assertion of Mr. Elliot, that corruption is more rife here and in Ganjam than in other Districts of the Northern Circars. Mr. Elliot's experience is so much greater than my own, that he is necessarily more competent than myself to draw the contrast, and I will not dispute it, however unfavorable to the Province over which I now preside. But the fact that greater corruption has prevailed in the Northern Districts of the Presidency

than any where else, is, I think, in direct support of my position as the causes, namely, the wealth and the sort of Native State which has ever existed in the Northern Circars as compared with every other portion of the Madras Territories, and assuming it as a further fact that this wealth and this State are greater in Vizagapatam than in the other Circar Districts, it may easily be demonstrated why there should abound greater corruption in the one than in the other.

19. But while the charge of corruption can not be denied, and where or in what District it may be asked, does corruption not obtain amongst our Native Servants? with all deference I submit, that it has vastly diminished in Vizagapatam, since Mr. Elliot wrote his Minute, and I most fully concur in the sentiments of the late Honorable Court to the effect, that it is within the power of the local European authorities to do much towards putting a stop to the state of things complained of, and I hope I shall be pardoned for an apparent piece of self-laudation when I state, that since my advent to this District, my every effort has been put forth to this great end, and I have ample reason to know that my success has exceeded my expectations—the save in the Salt Department, which was the last subject to which I gave my attention, because the most difficult and intricate to grapple with; my measures though quietly and silently taken have very effectually put a stop to much that had been going on for years past unheeded and unchecked, and it is my belief, founded on what I am told by independent persons and others who are interested in the matter, that corruption and bribery in almost every Department has comparatively ceased. In some instances I have openly opposed it, in others I have done so unknown to the parties, my course of proceeding being governed by the circumstances peculiar to the individual case, and I am well assured that the result has been satisfactory. I will not say that all has been done that might be done. Left as I was on my first arrival for a whole year with but one Assistant, it was utterly out of my power to cope with such matters when my time was so occupied with those of a more immediately pressing character, nor did I then make the attempt; but if, as Collector and Agent, I had that European assistance which would relieve me of the details of Office, I would undertake in a very short time to completely uproot what may remain of corruption here or in any other District.

20. It is perhaps in the Salt Department as an ordinary means that the greatest facilities are offered for corrupt and fraudulent practices, but these having been considered in a separate Report, I will not further allude to them. I would, however observe, that the future of this District as regards the moral tone of its servants, and the continuance of corrupt practices, very greatly depends on the issue of the discoveries which have been the subject of my recent enquiry and my detailed views on which are now before the Members of the Board.

21. I am not aware that I have left untouched any point bearing on the question of the Act, regarding which I have been directed to submit my opinion.

From T. H. DAVIDSON, Esq., Register to the Court of Sudr Udalut; to P. B. SMOLLETT, Esq., Collector of Vizagapatam, dated 16th August 1847.

With reference to my letters under date the 15th March 1847, I am directed by the Judges of the Sudr Udalut to forward to you the papers noted in the margin,* and to request you will favor them with your opinion on the suggestion of the Civil and Session Judge of Chicacole "to place the civilized portion of the Vizianagrum Zemindary under the jurisdiction of the Court."

2. The Judges requested that you will communicate your sentiments on this subject with the least possible delay, and that you will return the papers at the same time.

From E. B. GLASS, Esq., Civil and Session Judge of Chicacole, to T. H. DAVIDSON, Esq., Register to the Court of Sudr Udalut, dated 30th March 1847, No. 96.

With reference to my letter of the 9th February last, No. 51, I have the honor to state that if the Judges of the Sudr and Foujdaree Udalut have found any impediments in abolishing the Principal Sudr Ameen's Court at Chicacole, I am directed to state that the Court is to be abolished.

Vizagapatam as I suggested, I beg, upon a second consideration, that they will be pleased to recommend to the Government to place the civilized portion of the Vizianagrum Zemindary under the jurisdiction of this Court, as I proposed to the late Judges in my letter of the 15th May 1844, and I am of opinion that if this takes place, it is likely to be of the greatest benefit to to Government and the community, and it also appears from para. 7 of the Sudr Court's Proceedings, dated 2nd September 1840, that the former Judges expressed their opinion that no considerations of economy, or of convenience to the public Officers of Government would justify the removal of the people from civilized countries beyond the pale of protection of the general Laws, and I would further state that when the former Zillah Court was kept at Chicacole, part of the Vizianagrum Zemindary was under the jurisdiction and part under the late Auxiliary Court at Vizagapatam, so there would be nothing unprecedented in this divided jurisdiction over the tracts in this Zemindary which I have above recommended; I also beg to send enclosed, copy of my letter of the 15th May.

From E. B. GLASS, Esq., Civil and Session Judge of Chicacole; to T. H. DAVIDSON, Esq., Register to the Court of Sudr Udalut, dated 15th May 1844, No. 194.

I have the honor to acknowledge the receipt of your letter of the 4th Instant, and to state that from September last, only six regular appeals were presented against the decisions of the Moonsiffs under this Court, viz., 2 from the decisions of the District Moonsiff of Royavarum; 3 from that of the Moonsiff of Chicacole, and 1 from the decision of the Poorshotapoor District Moonsiff.

2. The District Moonsiff of Chicacole being in the station, the parties find it much easier for them to present their appeals to the Civil Court, consequently I do not consider it just that they should be directed to proceed to Itchapoor which is 80 miles, and to Vizagapatam which is 60 miles from this place for the purpose of presenting their appeals before the Principal Sudr Ameens, when they can appeal with less trouble on the spot.

3. The District Moonsiff's Court at Teckaly is situated at the distance of 35 miles from this place and Itchapoor is situated at a distance of 45 miles from Teckaly, besides this, most of the suits filed before the District Moonsiff of Teckaly are from persons residing at Nursunnappettah, Polanky and Hoorlaum, which are only 15 or 16 miles from Chicacole—the parties wishing to make appeal would there more readily do so before this Court, than have to go to Itchapoor.

4. Besides this, on considering the subject from the state of the files before the Principal Sudr Ameens of Itchapoor and Vizagapatam, and that of this Court, I am of opinion, that by allowing the Principal Sudr Ameens the power of filing appeals from the decisions of the District Moonsiffs, the file of this Court must be diminished.

5. I further beg to state as to the jurisdiction, there is not sufficient work in this District for a Judge and two Principal Sudr Ameens and two Sudr Ameens, but were the civilized Zemindaries of Vizianagrum and Bobily brought under the Court, there is no doubt that it would both give much satisfaction to the people themselves, as well as sufficient work for the Courts as they now stand, and the appeal jurisdiction from the Moonsiffs could in that case be made over to the Principal Sudr Ameens and still have work enough for the Civil Court: but if the Judges are of opinion that the forementioned Zemindaries cannot be placed under the ordinary Courts, I would in that case recommend that the proposition I made in the 16th para of my letter dated 24th September 1840, when Officiating Judge of the late Auxiliary Court at Vizagapatam, be taken into consideration by placing the 8 Talooks therein referred to, under the ordinary Courts, when I could safely recommend to the Judges to extend to the Principal Sudr Ameens the appeal jurisdiction under the Provisions of Clause 2, Section VIII, Act VII of 1843, as suggested in para. 17 of their Proceedings of the 21st August 1843, and this arrangement would cause no more inconvenience than changing the stations of the different Moonsiffs. I trust, therefore, the Judges will be satisfied that I could not with any propriety now recommend the measure suggested and called for in their letter under reply.

From E. B. GLASS, Esq., Civil and Session Judge of Chicacole, to T. H. DAVIDSON, Esq., Register to the Court of Sudr Udalut, dated 8th June 1847, No. 71.

With reference to your letter of the 15th Ultimo, I have the honor to forward herewith, for the consideration of the Judges of the Sudr Udalut, a sketch* map shewing the present position of the Court, with reference to their respective jurisdictions, and the 8 civilized Purganahs and Talooks of the Vizianagrum Zemindary, proposed to be placed under the Court's jurisdiction which lie chiefly either between, or diverging on, the two roads through Bimlipatam and Vizianagrum from Vizagapatam to Chicacole.

From P. B. SMOLLETT, Esq., Agent to the Governor; to T. H. DAVIDSON, Esq., Register, to the Court of Sudr Udalut, dated Vizagapatam, 23rd August 1847.

I have had the honor to receive your letter of the 16th Instant with its enclosures, having reference to a proposal made by the Civil and Session Judge of Chicacole, "to place the civilized portion of the Vizianagrum Zemindary under the jurisdiction of that Court."

2. The reason assigned for this separation is a general assertion that the measure "is likely to be of the greatest benefit to the Government and the community," with allusion to an abstract opinion said to have been expressed by the Judges of the Sudr Court, that no considerations of economy or convenience to public Officers would justify the removal of the people of a civilized country beyond the pale of protection of the general Laws.

3. It might have been supposed that Mr. Glass, in apparently abandoning his original proposal of an economical arrangement for the abolition of one Principal Sudr Ameenship, and falling back upon a new proposition to annex "the civilized portion of Vizianagrum" to his own jurisdiction, would have been prepared to shew that justice was delayed or denied, and that it was therefore expedient to throw the protection of law and equity, as administered in his Court, over the oppressed people. He has produced no proof, nor even attempted to prove this, and I am at a loss to conceive what benefit the Government could hope to derive from the change.

4. I deny emphatically that such a change is either politically advisable, or is desired by any portion of the people subject to the Agent's jurisdiction.

5. I deny that Vizianagrum or any portion of this District is placed out of the pale of the general Law, or would be advantaged by being placed under the jurisdiction of the Civil and Session Judge of Chicacole.

6. I assert that Criminal and Civil justice is administered with much greater celerity and convenience to all concerned in Vizianagrum Zemindary under the arrangements of the Governor's Agent, than it could possibly be if the jurisdiction of the Chicacole Court were extended, over the Estate. The Sudr and Foujdaree Court have abundant opportunities of knowing the number of Civil and Criminal cases arising within the limits of the Agency, the manner of their disposal, and are competent to decide whether justice is needlessly or improperly delayed either in Civil or Criminal business.

7. The community have never to my knowledge expressed any desire for a change of jurisdiction. The only parties who seem to desire the change are the Court's servants and Pleaders of the Chicacole Court, who would benefit no doubt by getting some wealthy suitors under their fangs.

8. But as economy is the order of the day, I shall conclude by making a proposal which will throw all Mr. Glass' piddling propositions of reform into the shade. I beg to suggest that the three Talooks of Waddadah, Itchapoor and Poobacondah be annexed to the Agent of Ganjam's jurisdiction. I have served in that Zillah for twelve months, and can avouch that the Agent there has abundant leisure to undertake and perform the additional duties that would thus be imposed upon him.

9. In like manner, I would suggest that the tracts of this District, now under the ordinary Courts, be annexed to the Vizagapatam Agency, no increase of establishment will be wanted, and I will gladly do the additional duty.

10. This will enable Government to abolish the Session Court of Chicacole with its establishment, together with two Principal Sudr Ameen Courts, Sudr Ameens, &c., I have not the means at hand to calculate the saving, but it must be more than a lac of Rupees a year.

11. If the Sudr Court will recommend this to Government, and will, for the additional labour, obtain for me an extra allowance of three hundred Rupees a month, I will esteem it a great favor. The Government in Extract from the Minutes of Consultation of the 23rd September 1840, para. 5, approved of a similar suggestion made by Mr. Arbuthnot on the 22nd June of the same year.

12. The original papers that accompanied your letter are herewith returned.
(True Copies.) (Signed) C. W. READE,
Agent to the Governor.

Ordered that the foregoing letters be submitted for the information of the Honorable the Governor in Council, with reference to Extract Minutes Consultation, dated 9th October 1858, R. D., No. 1365.
In Consultation, 29th October 1858, No. 4593.

2. The Government were desirous of obtaining the reports of these Officers on the working of Act XXIV of 1839, with the views of the Board as to the necessity of amending or repealing that law. The Agent in Ganjam from having recently joined the District, glances only at the subject in the communication above recorded, but the information submitted with that from the Agent in Vizagapatam, will probably be deemed sufficient for the purpose for which it was required.

3. The object of Act XXIV of 1839, was to provide for a more speedy as well as a less vexatious and a less irritating administration of justice than that furnished by the ordinary Courts of the country, which were found to be unsuited to the habits and feelings of the people. The Collectors of Ganjam and Vizagapatam were accordingly vested, as Agents to the Governor, with the powers, civil and criminal, of the ordinary Court, to be exercised within certain specified tracts, and to be subject to such rules as might be prescribed by the Governor in Council. The Agent in Ganjam notices prominently the forms of proceeding which have been laid down for the guidance of the Agent's Court, and observes that as they are the same as in the established Courts, a great deal of time is taken up, and the benefit intended to be conferred by the change, is lost. The possession of the powers in question to be of real service to the population at large, must be accompanied, Mr. Forbes observes, by a simple and summary form of procedure, by which alone the vast amount of business, which comes into the Agent's hands, can be kept down. Mr. Forbes thinks that the power conferred by Section VII of the Act, of placing under restraint as State prisoners, such persons as cannot with safety be allowed to remain at large, exercises a most wholesome influence on evil disposed persons.

4. Mr. Reade, the Agent in Vizagapatam, states that the Act is most acceptable to the community, who would view any return to the former system with regret and dissatisfaction. Mr. Read submits copy of a letter bearing on this subject, addressed in 1847 by Mr. Smollett, his predecessor, to the Register of the Sudr Adawlut, from which it will be seen that that Officer was also of opinion that criminal and civil justice was administered with greater celerity and convenience to all concerned under the arrangements of the Governor's Agent, than it could possibly be under the ordinary Court of the District. Mr. Smollett was further of opinion that the remaining portions of Ganjam and Vizagapatam should be placed under the operation of the Act.

5. The Board are of opinion, that the Act has been attended with decided benefit to the people, and that the purposes contemplated by it will be more fully realized by the adoption of less lengthy forms of proceeding as noticed by Mr. Forbes. It is also open to consideration whether Rule XXVIII of the Agency Manual, may not with advantage be modified, by requiring all petitions against the proceedings of the Agent in his revenue capacity to be submitted to the Board.

C. O. B. Appendix, page 570.

ted to the Board of Revenue in the first instance, instead of to Government as is now required by the rule in question.

6. In regard to the question whether the non-regulation form of administration leads to greater corruption in the Public Servant, it will be seen that Mr. Reade entirely dissents from the view that such is its tendency, and that he is of opinion that *cæteris paribus* the temptations to dishonesty are greater in a Regulation Province. Much must depend on the character of the responsible Head of the District in whatever form its administration may be conducted, but effective supervision being secured, the Board are inclined to agree with Mr. Reade in his view that corruption is more easily detected and brought to punishment in an Agency District than in what is termed a Regulation Province. Mr. Reade, indeed goes so far as to assert that bribery and corruption in the District, as at present administered, has comparatively ceased, and that with sufficient subordinate European aid may be effectually kept down.

Para. 20.
To Vizagapatam, 24th June 1859.
To " 27th "

7. Mr. Reade notices specially the frauds in the Salt Department. Mr. Reade's report on this subject has been received and disposed of.

Mr. Reade was very successful in exposing these frauds, which, the Board would here briefly observe, grew out of the system of receiving Salt into Store by the heaped instead of the struck mercial, a system which seems to have been tacitly allowed in the District, notwithstanding the repeated orders of the Board on the subject.

8. The Board abstain from any allusion to the principle of Act XXIV of 1839, by which the entire powers, Criminal and Civil, of the Ordinary Courts were vested in the administrative heads of the two Districts named, as this point was fully considered before the Act was passed. The Board do not perceive that the necessity which then existed for this law has in any degree diminished.

(True Extract.)

(Signed) J. D. SIM,
Secretary.

ORDER THEREON, 4th August 1859, No. 1048.

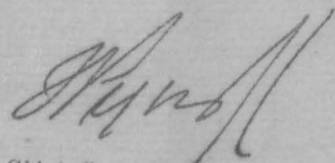
Resolved that the above recorded Proceedings of the Board of Revenue, together with its annexures, be referred to the Sudder and Foujdaree Udalut, and the opinions of the Judges be requested as to the means to be taken for the adoption in the Agency Courts of a more simple and summary form of procedure. It would seem that the Agent in Ganjam has already been in communication with the Sudder on the subject.

2. The Judges are also requested to state concisely, what effect the new Civil Code procedure will have in simplifying and shortening the Judicial processes now in force in the Agencies.

3. It is to be noticed that a more summary mode of proceeding in the disposal of cases, falling within the jurisdiction of a Magistrate, or a Subordinate Judge, has already been authorized for the Agency Tracts, by the Rules drafted by the Foujdaree Udalut, and approved by Government 6th May last.

4. Para. 5 of the Board's Proceedings will be communicated to the Revenue Department.

(True Extracts.)


Chief Secretary.

To the Court of Sudder and Foujdaree Udalut.
,, Board of Revenue.
,, Revenue Department.

Exd. F. Cartledge.

Revenue 1859 Depo
Pro: of Govt 19th Aug.

No 11437

Proceedings of the Madras
Govt in the Judicial

Dated 4th August 1859
No 6

Pro of the Madras Govt in
the Judicial Dept^y 8/30 Sep
1859. C No. 1632 in Cms.

No 1105

Enquiring whether
Rule XXVIII of the Agency
Manual may be modified,
as specified.

No 1105 = 18th August 59

M

Revenue 1859 Depo
Pro: of Govt 19th Aug.

Proceedings of the Madras
Govt in the Judicial

Dated 4th August 1859
No 6

Pro of the Madras Govt in
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