

MADRAS RECORD OFFICE.

Government of Madras.

Revenue DEPARTMENT.

G.O. No.	933	Press ~~Mis.~~
	369	
Dated	31-5-1948	

Not to be folded or roughly handled

*Proceedings of the Madras Government, Revenue Department,
31st May 1864.*

The following papers are ordered to be recorded, dated 31st May 1864, No. 933:—

Despatch from the Secretary of State for India, dated 9th April 1864, No. 17.

Acknowledging receipt of certain letters from this Government, the contents of which do not call for any present remark.

Proceedings of the Board of Revenue, dated 21st April 1864.

Submitting for information Memorandum from the Acting Collector of Madras, forwarding Statement showing the commission paid to each of the Stamp Vendors stationed in different parts of the town of Madras in each month of 1863.

Proceedings of the Board of Revenue, dated 23rd April 1864, No. 2,454.

Submitting letter from the Collector of Tinnevely, forwarding a copy of the Decree passed by the Civil Court in Appeal Suit No. 340 of 1862 regarding a certain Inám in the Sattoor Talook of the District.

Proceedings of the Madras Government in the Public Works Department, dated 27th April 1864, No. 1,206.

Passing orders on the letters of the Superintending Engineer, 4th Division, replying to certain observations made by the late Acting Collector of North Arcot in his report upon the operations of the Public Works Department during the year 1862-63.

Proceedings of the Board of Revenue, dated 29th April 1864, No. 2,593.

Requesting the Collector to submit a fuller explanation of the discrepancy noticed by Government in respect of a certain Yeomiah, and submitting certain explanation to Government on the subject.

From the Collector of Bellary, dated 3rd May 1864, No. 12.

Reporting the death of first Class Deputy Collector Srinivasa Rau.

Proceedings of the Madras Government in the Public Department, dated 9th May 1864, No. 525.

Communicating a Resolution of the Supreme Government, issuing instructions how to address all correspondence to the Governor General during his tour to Simla.

Proceedings of the Board of Revenue, dated 10th May 1864, No. 2,818.

Submitting for information letter from the Collector of Salem, forwarding copy of the Decree passed by the Civil Court in Appeal Suit No. 84 of 1863.

Proceedings of the Madras Government in the Public Department, dated 10th May 1864, No. 531.

Communicating a Resolution of Government of India, directing that all communications, from the Subordinate Governments shall, as a rule, be addressed to the Officiating Under Secretary to that Government in the Home Department at the Presidency; duplicates being at the same time forwarded to the Home Secretary at Simlah.

Proceedings of the Madras Government in the Public Department, dated 10th May 1864, No. 526.

Cancelling the Order which directed that the cost of Wafer Stamps supplied from the Government Press shall be charged for in the Contingent Bills of the Departments.

Proceedings of the Madras Government in the Public Department, dated 10th May 1864, No. 534.

Communicating a Resolution of Government of India, regarding Casual Leave to Uncovered servants.

Proceedings of the Madras Government, Revenue Department,
31st May 1864.

- Proceedings of the Board of Revenue, dated 18th May 1864, No. 3,045.
Submitting for information letter from the Collector of the Kistna District, reporting that the Abkarry Farm of the entire District from Fusly 1274 to Fusly 1278 was put up to auction and sold for Rupees 1,46,500.
- Proceedings of the Madras Government in the Public Works Department, dated 18th May 1864, No. 1,447.
Directing that the repairs to Andiputty Pass in Madura, be kept under the supervision of the Collector as suggested by that Officer.
- From the Secretary to the Board of Revenue, dated 18th May 1864, 3,041.
Submitting Statement of Refunds of Duty sanctioned by the Board of Revenue from 1st May 1863 to 30th April 1864.
- Proceedings of the Madras Government in the Military Department, dated 18th May 1864, No. 1,786.
Communicating to the Commander-in-Chief the G. O., Revenue Department, on the subject of exempting from Stamp Duty the Baptismal Certificates issued for the children of pensioned Soldiers.
- Proceedings of the Madras Government in the Public Works Department, dated 20th May 1864, No. 1,479.
Requesting the Accountant General to place at the disposal of the Board of Revenue certain amount sanctioned by Government of India on account of Public Bungalows and Native Choultries.
- Proceedings of the Board of Revenue, dated 20th May 1864, No. 3,103.
Forwarding Statement of the Refunds of Fines sanctioned by the Board of Revenue with reference to E. M. C., dated 31st March 1859, No. 440, Revenue Department.
- Proceedings of the Madras Government in the Military Department, dated 25th May 1864, No. 1,766.
Communicating to the Department Public Works a letter from the Assistant Quarter Master General, Mysore Division, informing that stone of good quality is not procurable near the Cannanore Fort.
- Proceedings of the Madras Government in the Public Department, dated 26th May 1864, No. 596.
Communicating a Circular letter from the Assistant Secretary to the Government of India in the Foreign Department, requesting that as there is neither an Officiating Secretary nor a President in Council at Calcutta, this Government will send all their letters to the Secretary at Simla, merely furnishing him with duplicates of them for record in the Presidency Office.
- Proceedings of the Madras Government in the Military Department, dated 27th May 1864, No. 1,797.
Communicating to the Sanitary Commission a letter from the Principal Inspector General Medical Department, forwarding copy of Dr. Loimer's Cholera Report.

Revenue Department

No. 166
Proceedings of the Board of Revenue.
dated 21st April 1864.

Read the following

No. 166
Official Memorandum

As requested in the Sub Secretary Mr. Dalrymple's Official Memo: No. 282 of the 7th Instant, the Acting Collector of Madras has the honor to annex hereunder, a Statement showing the Commission paid to each of the Stamp Vendors, stationed in different parts of the Town of Madras, in each month of 1863.

Months	Tami Mudali stationed at the Deputy Collector's Office		Kistnayer stationed at the Sea Customs Office		Thiruvappal station in the Palai street		Dannusami Pillai stationed at Periyasattu		Total	
January 1863	49	23	62	19	56	143	-	-	168	23
February	57	15	61	911	57	75	-	-	177	-4
March	49	710	55	107	49	610	-	-	154	93
April	57	4	53	8	45	46	-	-	155	121
May	52	25	56	3	56	95	-	-	164	121
June	38	11	58	148	52	-	8	9	158	28
July	47	126	60	1211	49	106	12	52	170	91
August	50	83	57	128	53	141	5	4	167	7
September	30	16	52	103	50	311	3	88	136	64
October	47	156	69	22	54	1411	2	101	174	108
November	45	119	58	38	51	54	2	3	157	77
December	32	63	70	3	51	151	3	1310	158	62
Total of the year for each Vendor	558	147	716	910	629	103	38	39	1943	65

Madras Collector's Office,
On file with
Thiruvallur, 16th April 1864.

(Signed) Geo. Danbury
Acting Collector

To the Secretary to the Board of Revenue.
Submitted

Submitted for the information of Govern-
ment with reference to para 9 of their Proceed-
ings dated 1st March 1864 No 367.

(A True Copy & Extract)

Auditor
Secretary

To,

J. D. Sim Esq^r,

Secretary to Government

Revenue Department

Fort St George

C. M. M. M.

By M. M. M. M.

In the Civil Court of Tinnevely³
 Suit No. 268 of 1861
 In the Court of the Sudr Amin
 of Tinnevely
 Plaintiff Versus. Defendants
 Syed Emamooddeen
 Saib alias Shasail
 of Tinnevely.
 1 J. Silver Esquire
 Collector of Tinnevely
 2 Baghem Beebee
 of Rosilpatty in
 latter Taluk
 3 Beemal of Trichinopoly
 and
 4 Razooden of Do.

Appeal Suit No. 340 of 1862
 In the Civil Court of Tinnevely
 Present W. Hodgson Esq. A Civil Judge.
 1st Defendants Appellants. Versus. Plaintiff Respondents.
 J. Silver Esq. the collector
 Vakeels
 V. Sohasberry Rajoo
 and Ramienar
 Emamooddeen Saib
 alias Shasail
 Vakeel
 Syed Mahomed Shouse
 Saib.

J. Silver Esq. the collector of
 Tinnevely, the 1st Defendant above
 named appeals to the Civil Court

No. 1 Murch/84 no. 8-9.

Revenue
 Office of Tinnevely
 17. 11. 1861.

Proceedings of the
 Board of Revenue

Order 21 of 1861
 Order 21 of 1861
 Order 22 of 1861

W. J.

Submitting for information

Memorandum the Chief Collector
 of Chavara forwarding state-

ment showing the Commission

paid to each of the said

Deputies stationed in different

parts of the town of Chavara

in each month of 1863.

RECORDED.

2nd No. 369

31st May 1862

of Tinnevely, against the decree of the Sudr Amin dated the 24th July 1862, for the following reasons, viz:

1st That the original Judgment is illegal.

2^d That it is incumbent on the Court in passing judgment to conform to the terms of the grant, without reference to any previous opinion that may have been entertained by the Revenue authorities as to the precise nature of the Inam in question.

3^d That the exhibit A on which Plaintiff relies shows that the Inam was granted for subsistence and if so regarded by the lower Court in its judgment.

4th That the construction put upon such exhibit from its heading viz that the Inam was granted for the "service of the mosque" is erroneous and

and untenable.

5th That the Board of Revenue in para X of their Proceedings of the 7th May 1862 have ruled that the Inam in question falls under Regulation IV of 1831 & that Government have by their Proceedings of the 20th May 1862 concurred in the views expressed by the Board.

6th That the 1st Defendant the collector is not concluded by any opinion submitted to the Board of Revenue regarding the character of the Inam in question, as without the sanction and authority of Government and the Board of Revenue effect could not be given to it.

7th That the Inam rules alluded to in the original judgment are alone applicable to cases adjudicable by Commissioner and similar Revenue

Revenue authorities.

8th That the lower Court having decided that the case was within its jurisdiction under Regulation VIII of 1817 refused the time applied for to allow of a reference to the Board of Revenue and proceeded to judgment 6 days before the receipt of the final orders of the Board upon such reference.

2. The decree of the lower Court is reversed with costs, original and appeal against the Plaintiff.

2. ரெவின்யூ டிபன்டண்ட்ஸ் அபீலாண்ட்ஸ் கோர்ட்டு
பிரதமக் கோர்ட்டு அபீலாண்ட்ஸ் கோர்ட்டு
நஷ்டம் ரூபாய் 150-0-0.

(1 st Defendants) Appellants Costs.	
Vahels fee on Rupees 2468.3.1	123. 6. 4.
3 Rolls for appeal Memorandum	101.
Batta on service of notice	1. 8.
2 Rolls for copy of the original decree	1. 8.
Copyists hire for Copying do	1.
5 Rolls for documents	2. 8.
Hire for writing do	15.

Original Costs 130. 6. 4.

To be paid to Appellant by Respondent
(Plaintiffs) Respondents Costs. 361. 7. 0

Vahels fee as above 123. 6. 4.

1 Roll for Vakalatnamah 8.

Original Costs 230. 1. 4.

To be borne by Respondent 353. 15. 0

திருத்தினைப் பற்றி வருவது கீழ்க்கண்ட
கட்டுமானம் நிகழ்த்து கட்டுத்த முடிந்த பின்னர்
அத்துக்கு ஏற்புடைய அளவுக்கு அளிக்கப்பட
வந்திருக்கின்றன. இவற்றை நடைமுறை
படிப்படியாக அளிக்கப்பட்டு வருவது
பற்றி உறுதிப்படுத்தப்பட்டுள்ளது.

Pronounced in open Court this
10th day of February 1864.

Signed W. Hodgson
Acting Civil Judge.
(True Copy)

A. Chinn
Collector

Camp. A.P.

6

Appeal suit No 310 of 1862
In the Civil Court of Tinnevely
Present. W. Hodgson Esq. Acting Civil Judge
J. Silver Esq. the Collector 1st Defendant
of Tinnevely Appellant
Versus

Syed Emamooddeen Saib alias Plaintiff
Tha Saib Respondent

The Plaintiff sues under Regulation VIII of 1817 to recover possession of four seed Cottahs, 2 Mercals and 5 1/2 measures of Punjab and 2 1/2 chains of Punjab Inam lands alleged to have been granted as Inam under exhibits A and B for service in a mosque, but attached in 1857 by the 1st Defendant, the Collector, in consequence of the service not having been continued, and also for the recovery of Rupees 233-3-7 (two hundred and thirty three rupees

1864 Dec 25
Enclosure in a letter
from the Collector
of Tinnevely dated 25
March 1864 No 127

At 1867 10 Dec 25

Copy of the
Deeds of the Civil
Court with appeal
No 310 of 1862

rupees three annas and seven pice)
being the mesue profits accruing there-
from during fusties 1266 to 1269, and
now in deposit with the 1st Defendant.

2 The 1st Defendant contends
that under Regulation IV of 1831, the
present suit is not cognizable by
a Civil Court in as much as the
Inam in dispute was a "personal
grant for subsistence," and that
consequently section 11, Regulation VIII
of 1817 is inapplicable to this case
as this latter Regulation applies
only to service Inams.

3 The Defendants 2 to 4, allowed
judgment to go by default.

4 The lower Court found for the
Plaintiff as sued for, and adjudged
the Defendants to pay the Plaintiff's
costs, grounding its decision mainly
on the provisions of Regulation VIII

of 1817 which it held applicable
to this suit as the Inam claimed
was clearly a "service Inam" and
had been so dealt with by the
Revenue authorities on various occa-
sions.

5 The 1st Defendant the collector
appeals on the grounds set forth
in the appeal decree.

6 The points for decision in this
case are.

1st Whether the Plaintiff's claim
is barred by the statute of limitation
as contended by the Government
Dahel on behalf of the 1st Defendant
during the second hearing in this
appeal.

2nd Whether the lower Court had
jurisdiction in the original suit. that
is, whether the Inam in suit is a
"service Inam" and as such cognizable
by the civil courts, or of the class of
Inams.

Inams termed personal grants which are excluded from the jurisdiction of the Civil Courts by Clause 1 Section II Regulation IV of 1831 without the previous sanction and endorsement of Government for their admission.

3. If this suit was, neither barred by the Statute of limitation, nor improperly subjected to the jurisdiction of the Civil Courts, the question then is whether the Plaintiff is legally entitled to the Inam claimed.

1st point. Statute of limitation is applicable to this case.

7 Exhibit F, which is an arzee addressed by the Tahsildar of Sattur Taluk to the Collector of Tinnevely dated 31st August 1840, shows Plaintiff to have been in enjoyment of the Inam up to that year. It appears from his Plaint in this suit and

8 and from exhibit G, (his petition in forma pauperis in May 1851 to the Principal Sudd Amin) that Plaintiff proceeded to Madras in 1841 having made over the disputed Inam lands, and certain Revenue documents relating thereto to his maternal uncle, Hooneer Saib, husband of the 2^d and 3^d Defendants, and returned to Tinnevely in 1848, when he demanded restitution of the lands and documents which was refused by Hooneer Saib. Upon which Plaintiff presented his pauper petition (No 6) for the recovery of the lands &c &c above referred to. On the 12th September 1851 an order was passed on this pauper petition by the Principal Sudd Amin directing the applicant (Plaintiff) to obtain and produce an endorsement of Government authorizing him to bring his suit as required by Clause 1 Section

Section II Regulation IV of 1831. The Plaintiff accordingly applied to Government and by its endorsement dated 6th May 1862 was referred to the Collector and informed that instructions had been sent on the subject through the Board of Revenue to that officer. Subsequently a correspondence extending over nearly 8 years, was carried on in the matter of the Plaintiff's petition between the Collector, the Board of Revenue and the Government which resulted in a final endorsement on the 3rd September 1859 on the subject to the effect that the Inam was gifted in 1857; that the last holder died in 1858; and that the Plaintiff's claim would be adjudicated upon by the Inam Commissioner. The Plaintiff further petitioned the Collector in September and December 1860 and was in both cases referred to the endorsement passed on his petition in 1859. In May

9
May 1861 he filed the present suit.
8 The argument upon which the 1st Defendant, by his Vakeel at first relied as to the operation of the Statute of limitation was, that, whereas — enjoyment of the Inam by the Plaintiff is only proved to 1837 by F. his suit, or pauper petition for its admission rather, in 1851 was already barred. But upon a further inspection of this document the Vakeel was led to withdraw from this position, and to admit possession and enjoyment by the Plaintiff up to 1840. Between 1840 and 1851 being but eleven years, it follows that the statute of limitation does not operate, even if the fact of adverse possession commencing eight years later (1848) be overlooked in determining when the Plaintiff's cause of action arose. This however is the only date from which the statute can be held to

to run; and if that date is accepted
and fixed, it is clear that the
Plaintiffs suit, actually first filed
in 1861, would ordinarily be barred,
as the interval is 13 years. But there
are other considerations arising out of
the facts of this case, which I think
should have their weight in coming
to any decision on this point. Though
the Plaintiffs cause of action arose
in 1848 this suit was not filed till
1861 but what was the reason of this?
Clearly, that in 1851 he was directed
to obtain an endorsement from Govern-
ment to give him a locus standi
in our Courts under the provisions
of a Regulation which excludes from
their jurisdiction Inams characterized
as "Personal grants" as distinguished
from "Service Inams" which are
cognizable by the ordinary Courts
of the country. Now it was essential,
and

(and usually would have happened)
that the Court receiving a petition
such as the Plaintiffs should have
held some preliminary enquiry
as to the nature of the tenure describe
in it as a "Service Inam", and then
proceeded to satisfy itself as far
as possible as to the correctness or
the reverse of such description. —
The then Principal Subor Amin does
not appear, from any thing on the
record, to have taken any such
measures. The petitioner, without
any reasons being assigned as it would
seem, was directed to produce such
an endorsement as is required in
the case of purely "Personal Grants"
and though he accepted this alterna-
tion he was, for a series of years, kept
at bay by the Offices of the Collector
Board of Revenue and by the Govern-
ment, the proper channels of
authorization

authorization so that he was never able to get the required certificate. The petitioner (Plaintiff) had sought to bring his suit in 1851 for his mother's and his aunt's respective $\frac{1}{6}$ shares of the Inam. That is 3 years after the date of adverse possession by the Defendants in 1848. He was referred to the collector by an endorsement of Government on the 6th May 1852, for a final order on the subject of his petition. But the Government had in their Proceedings of the 26th April 1852, in disposing of the petitioner's application for a certificate, declined to "authorize any proceedings which might result in a further subdivision of the Inam" and had directed the Board of Revenue to instruct the collector, to continue the present shares to the parties in possession, assigning as their

their reason that such subdivision would defeat the object of the grant as by it the Inam would be "converted from a service Inam into a mere personal grant."

9 Thus the collector by his letter to the Board dated 19th March 1852, the Board of Revenue by their proceedings of the 1st April 1852 No 120 and the Government by minutes of Consultation already quoted (Exhibit I) had declared the Inam in respect of which the petitioner wished in 1851 to file a suit, to fall under Regulation VIII of 1817; that is, that it was an endowment or Inam for "service in a durgah or mosque" consequently it was not necessary that the petition should have an endorsement from Government to enable him to prosecute his suit in respect of the shares.

the service Inam to which he considered himself entitled. It is quite clear however that, from the date of his application for this certificate upon the requisition of the Principal Sudd Amin (on wholly insufficient grounds if not without any grounds at all), the Petitioner was never once informed by the Collector of the decision of Government upon his case in 1852 and that it was not till 3 September 1859 (Exhibit 2) that he had any intimation from the Collector that his certificate would not be granted. This communication even was not a direct announcement of this fact; it simply stated that the Inam had been granted one year previously. If it had been explicit and had pointed out that, so far back as 28th April 1852, the Government had ruled that the Inam was not "a personal grant"

grant" but a service endowment, the petitioner (Plaintiff) would have presented such an endorsement to the Principal Sudd Amin and with this before him, that Officer would have been bound to admit the suit on his file as a claim falling within the provisions of clause I Section II Regulation VIII of 1817, and could no longer have excluded the petitioner upon the pretext upon which he put him out of Court, viz, requiring him to produce a certificate upon advancing his claim to a share of a "personal grant" of the nature specified in Regulation IV of 1831. I think therefore that, while the cause of action arose in 1848 and the Plaintiff did not bring his present suit till 1861, when his plaint was at once admitted by the Pirofty Sudd Amin under Regulation VIII of 1817, that is, as a claim for a "service Inam", the

the interval between 12th May 1851 (the date of his pauper petition) and 3rd September 1859 (the date of the collector's final endorsement) there was no such laches on the Plaintiff's part as could in equity be pressed against him in fixing the period from which the statute of limitation should run. Having decided that it must be held to commence to operate in 1848, (The date of adverse possession) and be enforceable to 1851, (date of pauper petition) and again from 1859, (date of collector's final endorsement) to 1861, or about 6 (date of present plaint) years in all. I have only to declare that the Plaintiff's suit is not barred by lapse of time on either of the grounds stated by the 1st Defendant's plea.

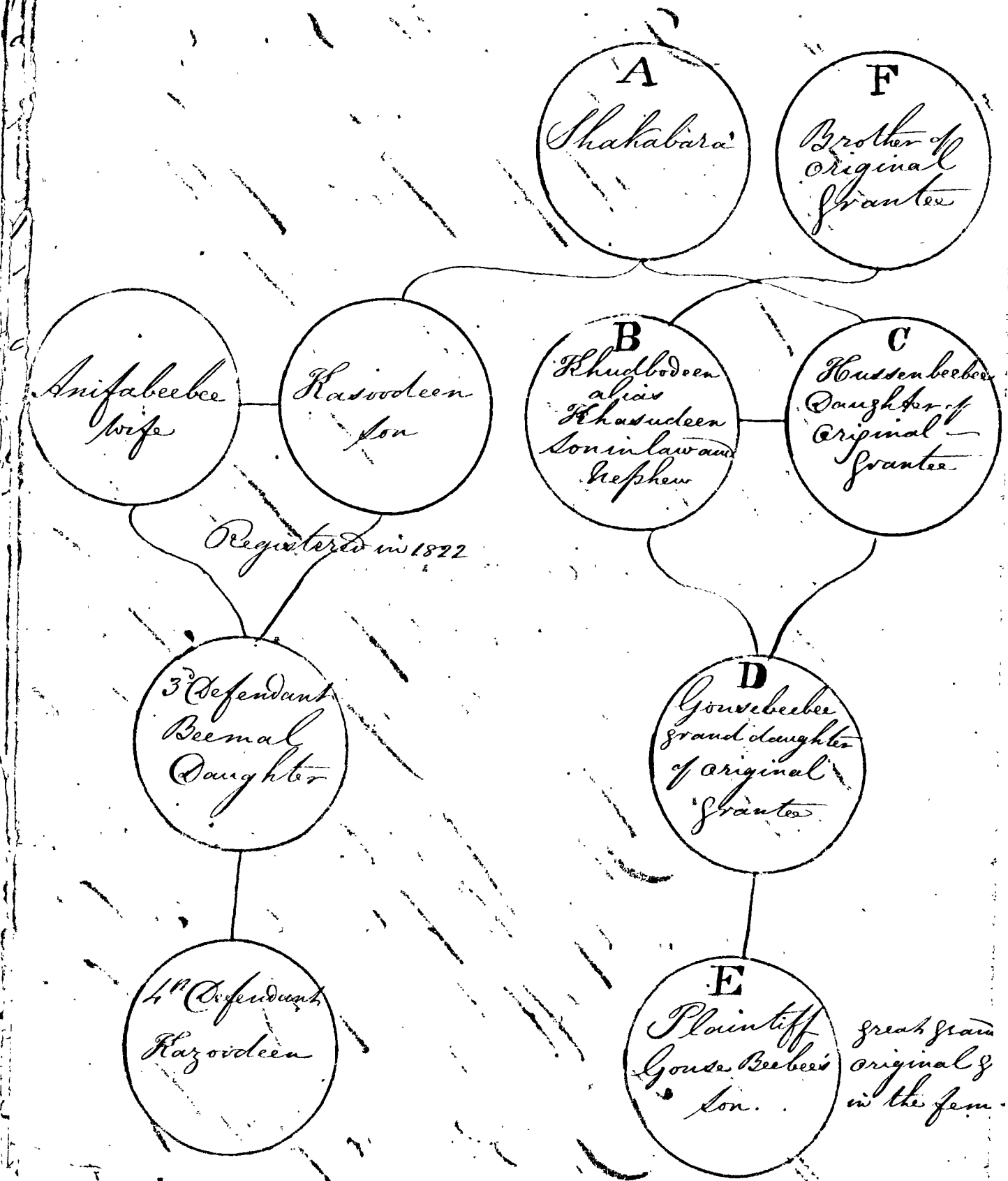
The 2nd point whether the Inam was a "Personal grant for subsistence" or a "Service Inam".

So

10 To far as the Lower Court's jurisdiction was concerned and for all the purposes of this suit I quite concur in its opinion in regarding this Inam as a Service Inam and not a personal grant, but, for the reasons assigned below, it will be seen that it will be immaterial to pass a special judgment on this issue in order to dispose of.

The 3rd point - which is now narrowed by the plaint to whether the Plaintiff has any legal claim to the "Service Inam" sued for.

11 In Para 20 of the Lower Court's decision, awarding this Inam to the Plaintiff, the Plaintiff's title to succession is held to rest upon the fact that he is the direct lineal male offspring of the original grantee thus.



12 The Plaintiff's descent is here shown to be in the female line. Khudbodeen alias Kasooddeen husband of Hussen Beebee, is admitted by the Plaintiff at the hearing to be the son-in-law and nephew of the original grantee

grantee and this is also proved by the Genealogical tree since filed by him (Exhibit T) whereas the lower Court has viewed this Khudbodeen alias Kasooddeen as the son of Shakabara the original grantee. Now this same T also proves that the original grantee's son was Kalifa Kasooddeen and, at the hearing the Plaintiff admitted this and gave the name and style of this son in full as "Kauze Kalendar Kalifa Kasooddeen" who was also registered in 1822 (vide exhibit G) as the then Inamdar and son of Shakabara. The Hibba nama (Exhibit 8) further shows this same "Kasooddeen son of Shakabara" to be his father's successor in the Inam with some slight modifications as to the class of lands to be held in confirmation of the original

original grant to the original grantee.

13 It is therefore clear that the Plaintiff in claiming through his maternal grand mother Susan Beebe, the daughter of the original grantee Shababara can have no title to this Inam which, as a "service Inam" is not subdivisible among collaterals as in the case of a mere "personal grant" or subsistence *yeomiah* but must descend to the heirs male of the original grantee, in direct succession of whom I have shown the Plaintiff not to be one.

4 For these reasons the decree of the lower Court is reversed with costs original and appeal against the Plaintiff.

Pronounced in open Court
this 10th day of February
1864

1864.

15

(Signed) W. Hodgson
Acting Civil Judge.
(True Copy)

J. L. L.
Collector

Comp^d A.P.

No. 1,586.

PROCEEDINGS OF THE BOARD OF REVENUE, dated 15th March 1864.

Read the following letter from the Collector of Tinnevely, dated Trichendoor, 13th February 1864, No. 63:—

1. With reference to the Proceedings of the Board of Revenue dated 29th August 1862, No. 5,753, communicating the Order of Government, approving of the Appeal Memorandum submitted by me to be presented in the Civil Court against the decree in Original Suit No. 258 of 1861, on the file of the late Moofy Sudder Amin's Court of Tinnevely, regarding a certain Inam in the Sattoor Taluk of this District, I have the honor to report, that the Civil Court passed a decree on the 10th instant reversing the original Decree, and directing the Plaintiff (Respondent) to bear the costs of the Suit.

2. A copy of the appeal decree will be forwarded to the Board at an early date.

Ordered to be recorded, the copy of the appeal decree when received will be submitted for the information of Government.

(A true Copy and Extract.)

(Signed) W. HUDLESTON,
Secretary.

To J. Silver, Esq., Collector of Tinnevely.

Exd. J. Wright.

Rev-1095/64

Recd 10/10/64

No. 2,454.

PROCEEDINGS OF THE BOARD OF REVENUE, dated 23rd April 1864.

Read the following letter from the Collector of Tinnevely, dated 30th March 1864, No. 127:—

Referring to my letter of the 13th ultimo, No. 63, and to the Proceedings of the Board of Revenue dated the 15th instant, No. 1,586, I have the honor to forward a copy of the Decree passed by the Civil Court in Appeal Suit No. 340 of 1862, regarding a certain Inam in the Sattoor Taluk of this District.

ENCLOSURE No. 1.—Decree.

Ordered to be submitted for the information of Government with reference to Government Order, No. 1,831, dated 23rd August 1862.

(A true Copy and Extract.)



Sub-Secretary.

To J. D. Sim, Esq., Secretary to Government, R. D.,
with enclosure and copy of Board's Proceedings dated 15th March 1864, No. 1,586.

Copy to J. Silver, Esq., Collector of Tinnevely.

Exd. J. Wright.

Recd 1094/64.

1864. Department.

No.

PROCEEDINGS OF THE BOARD OF REVENUE.

Dated 15th March 1864.

No. 1,586.

Recording letter from the Collector of Tinnevely, reporting that the Civil Court reversed the Decree in Original Suit No. 258 of 1861, on the file of the late Moofly Sudder Amins' Court of Tinnevely regarding a certain Inam in the Sattur Taluk.

106

*Proceedings of the Madras Government, Public Works Department,
27th April 1864.*

No. 636. Read the following letter from Colonel A. J. M. BOILEAU, R. E., Superintending Engineer, 4th Division, to Colonel C. A. ORR, R. E., Secretary to Government, Public Works Department, dated Madras, 23rd January 1864, No. 4,672:—

SIR,

1 The Statement referred to in paragraphs 1 and 2 of G. O. No. 2,708, dated 18th September 1863, was only received by me on the 14th instant in G. O. No. 104, dated 12th January 1864. It will take a long time to check, and report on each item brought forward by the Collector. A list of a few such works was however handed to me sometime ago by the Collector, and it is being looked into. I apprehend however, that eventually when each case has been sifted, I shall have no difficulty in proving to Government that *the money allotted for repairs* during the year 1862-63 was laid out to the best advantage, and that I shall be able satisfactorily to account for no practical notice "being taken of requisitions to repair certain works represented to be in a dilapidated condition," for the apparently "insufficient attention paid to the minor irrigation works," for the "want of repair to the Dasabandam tanks," for what the Board term the apparent "sad neglect of the irrigation repairs," and to show that, *so far as we had the means afforded to us*, the Ryots were "fairly dealt with."

2. The Kallakatūr and Kottapalli tank sluices, adverted to in paragraph 3, it is my intention to visit ere long, when, if there is any thing further to note than the subjoined information, which has been furnished by the Range Officer, I will duly report it. The Collector, I observe, adduces the Kallakatūr sluice as an instance of a work "estimated and reported to have been executed by the Department Public Works, while it is in the same state in which it previously was, if not worse," but it will be seen in the sequel, that this does not at all apply to the sluice in question.

Paragraph 9. * * * * * I shall refer to one case here for the Board's information. An Estimate Rupees 340 was sanctioned for the construction of a sluice to the Kallakatūr tank in Palamanaur Taluq. In the Progress Report for February last, the work is stated to have been commenced, while in the report of the following month a remark is made to this effect, viz., "will be completed in April," on referring to the Progress Report for April, however, I find that the work is exhibited as commenced.

3. The case as put by the Collector in the latter clause of paragraph 9 of his letter No. 134, dated 14th July 1863, certainly sounds oddly, but admits of an easy explanation, and one which Mr. Fraser might have satisfied himself of in a few minutes if he had sent over to the Range Officer whose head quarters are at the same station as his own. The fact is that the work was being carried out in March, and was very nearly completed in April, when Sub-Engineer Chedambara Moodelly, then in charge of the Range, on visiting it, discovered that the Contractor had given only half a foot depth of foundation instead of 1½ as it ought to have been; this and other defects which he noticed, including the badness of the materials induced him to order the removal of the whole of the work done, and to re-commence it on another site where the ground was hard, making use of the few good materials he could find on the first sluice. The work was begun again in April, and was therefore entered in the Progress Report as "commenced." It would have been no doubt more satisfactory had the work "*re-commenced*" been entered, or if some explanation had been given in the column of Remarks in the Progress Report to the above purport.

3. The new sluice was finally completed in September 1863 at a cost of Rupees 125-12-5. Enquiries will be made as to who the Contractor was, and whether the work was visited, before Chedambara Moodelly saw it, by any of the Range Subordinates.

4. As regards the Kotapalli sluice the Collector is quite right, *and so is the Progress Report*. The fact is, that after the work was sanctioned, Mr. Dopping ordered the work to be constructed of flat stones in lieu of brick; he also reduced greatly the length of the sluice, and rocky soil was found to build upon. These circumstances all tended to reduce the expenditure, the total of which in fact was only Rupees 39-1-0, and yet the work was really completed! I do not say that the framer of the Estimate ought not to have found all this out beforehand, but at any rate it was better late than never, and a saving of 136 Rupees was the result.

No 28 Aug 5/62 No 388-389

PROCEEDINGS OF THE BOARD OF REVENUE,

No. 1094-

Dec 1861. Department

Range Officer Chavay

Dated 23rd April 1864.

Revised 27th

No. 2,454.

Submitting letter from the Collector of Tinnevely forwarding a copy of the Decree passed by the Civil Court in Appeal Suit No 340 of 1862 regarding a certain Inam in the Sathoor Taluk of the District.

J. W. No 369.

Dec 1861. 31st Aug 5/62 1862. J. W. No 369.

2 *Proceedings of the Madras Government, Public Works Department,*
27th April 1864.

5. My report on the Trepaty and Calastry road, called for in paragraph 3 of the Proceedings of Government under notice, will be found in a separate communication, No. 4673 of this day's date.

6. As regards paragraph 4, I would only observe that I cannot gather from Mr. Fraser's letter what works he alludes to at the beginning of paragraph 12 of his letter, the Estimates of which had not been sent to him, but I believe it will be found that they were details of large projects which had already received the countersignature of one Collector.

From Colonel A. J. M. BOILEAU, R. E., Superintending Engineer, 4th Division, to Colonel C. A. ORR, R. E., Secretary to Government, Public Works Department, dated Madras, 23rd January 1864, No. 4,673:—

SIR,

1 Letter dated 16th November 1863, with Statement.

14. I beg to refer to the state of the road from Tripati to Calastry. An Estimate for this road, amounting to Rupees 15,660, was sanctioned in May 1861 by Government. The amount of the Estimate has been spent and 5,000 more, and yet Mr. Dopping in his letter marginally noted, states that it is in disgraceful order, positively unsafe in fact. The road is not more than 30 miles long, so that I feel sure there must have been a great waste of money here. I have declined to expend Local Funds on this and other purely Zemindary roads. It would not be just to the Road Fund paying community in other parts of the District to do so.

2. The Acting Collector is so far right in saying that much of the road is in very bad order, and I freely admit that through the ignorance of Sub-Engineer Chedumbra Moodelly, who formed several miles of the line of loose shingle laid over with a thin coating of gravel, much of the money has been really wasted, and I think that it should be severely visited upon the Sub-Engineer by heavy fine or otherwise.

3. The argument, however, used by Mr. Fraser is not I think a just one. There was waste, it is true, but had the sum been well applied, had 20,000 Rupees been laid out by the best road-maker in the world, it would not have sufficed to make even only 23½ (not 30 as he says) miles of road on loamy soil like that between Tripati and Calastry. At the end it must still have been said there were parts in bad order, and the conditions being the same, Mr. Fraser would still have said "there must have been a great waste of money."

4. The first grant for this road appears to have been made in 1860-61 when 1,000 Rupees was laid out in opening it up and clearing it, from a sum of 5,000 Rupees allotted out of Local Funds for the whole distance from Naidopett to Kirkambadi, of which 3,000 Rupees was spent between Naidopett and Calastry, and 2,000 between Calastry and Kirkambadi, half of which went towards clearing the line between Seeteerampett and Kirkambadi, and only the other half, as above stated, on the road now under report.

5. The Estimate Rupees 15,660 was based, as so many Estimates are, upon that wrong system of being made as low as possible with the hope of getting sanction; and for 18 miles out of the 24 no provision whatever was made for metalling. No wonder that in heavy rains they become impassable! The late District Engineer (Mr. Dopping, I believe,) then visited the line and ordered the worst parts to be repaired for which and other improvements an Estimate of Rupees 22,200 was submitted, but I do not find that it was ever sanctioned. Meanwhile, the Sub-Engineer got on with the metalling of 1½ miles between Tripati and Tripati Station, and about 3 miles between the latter and Calastry, expending for the purpose 5,427 Rupees out of the 1

Rs.	
1,000	
15,660	
5,427	
Total ...	22,087

per cent. Income Tax Fund issued to him by the District Engineer. The works were then stopped, that is early in 1863, and from that time to this nothing has been done. Thus there would appear to have been expended on the road altogether Rupees 22,087.

Proceedings of the Madras Government, Public Works Department, 3
27th April 1864.

6. Subjoined is the state of the road as I found it when riding over it on the 12th and 13th instant.

1st Mile. Fair dry weather road. Metalled into the town of Tripati. Several drains built.

2nd Mile. Bad order. No metalling.

3rd Mile. Very bad order. 400 yards gravelled.

4th Mile. Road generally in bad order. Soil loamy and treacherous. In the middle of this mile 6 inches shingle have been laid capped with 3 inches gravel for 160 yards. In part much cut up. Shingle of course rising to surface.

5th Mile. 275 yards metalled, this portion having been re-made at side of old road. Rest of road of loam and mud, in very bad condition.

6th Mile. At east end, near Railway Station, metalled or said to be, that is, shingle laid with gravel over it. Shingle of course working up to surface.

7th Mile. Gravelled and in good order up to large stream. Eastward not gravelled, but much shingle collected; fortunately not thrown on some gravel brought.

8th Mile. No metalling, no gravelling, good fair weather road. Loam foundation and so infamous in wet weather. Sandy, however, in eastern portion. Shingle collected.

9th Mile. As before. Much sand in east part. Shingle collected. Crossed a large stream, the Rilla Vunka, which would cost an enormous sum to bridge, but over which perhaps by and bye a cause-way may be laid.

10th Mile. About 1,100 yards raised half a yard through paddy fields. A few drains built. Gravel collected. Material brought from a long distance.

11th Mile. Merely side drains cut, but no gravel, &c., collected. Soil loam and sand. Road in bad order.

12th Mile. No gravel, but some round stones collected. Soil better than before. Laterite being mixed with it. Good fair weather bandy track.

13th Mile. Good fair weather bandy track. Road raised. Shingle collected one. Drain built.

14th Mile. Made with laterite gravel. Part in the village of Yairpett in excellent order, other parts much rutted. Shingle placed under gravel cropped up. Road evidently not tamped and watered. There are only three or four months in a year in these parts where water is easily procurable. This is the proper season for road-making here as there is much water in the tanks.

15th Mile. In excellent condition. Laterite jelly as substratum and laterite gravel above. Quarry in the bed of tank.

16th Mile. In fair order. Gravel collected. Round stones in part cropping up.

17th Mile. In bad order. Soil loamy. Loose stones risen to surface.

18th Mile. No:quite so bad as last mile, but stony and much cut up.

19th Mile. Western half as before. Eastern half in fair order under Cheroorsullopully tank. Laterite collected two-thirds of this mile metalled.

20th Mile. Partly unmetalled. Laterite collected. Rest laterite gravel laid on. In good order.

21st Mile. Road embanked. Part covered with shingle and originally slightly covered with gravel, but all washed off and shingle now on surface. The whole dreadfully cut up. A vile bit of road. East part merely of earth. Laterite heaps collected. At this point the carts take a short cut to the town while the road makes for the north part of town en route to Naidopett.

22nd Mile. Plain embankment on earth. No gravel or metal. Shingle collected.

23rd Mile. Part covered with shingle. The other part is a good fair weather road.

7. A more critical analysis of the road will be found in the accompanying statement drawn out by Captain Chrystie, Executive Engineer, who inspected the road at my request. That Officer's report is also enclosed. He gives credit for 19,000 Rupees worth of work done,

No.—dated 16th November 1863.

4 *Proceedings of the Madras Government, Public Works Department,*
27th April 1864.

against 22,000 said to be expended; but considering that his measurements were taken more than two years after much of the work was done, I would not press, as he suggests, the Sub-Engineer to account for the remaining 3,000 Rupees.

8. Captain Chrystie sums up his opinion of the road in the following words: "I am of opinion that out of the twenty-three miles of road only one mile (the 14th) is even in fair order, and that several of the others are nearly impassable. This is undoubtedly in a great measure due to the road never having been completed, and also to the completed portions having been left uncared for during the past six months, although it is well known that newly constructed roads (especially where embanked) require much careful attention for the first two or three years, but it is also due to the circumstance already mentioned that shingle instead of broken jelly has been used for the lower part of the metalling. This shingle consists of water-worn sand-stone pebbles, on an average 3" cube, but many much larger, and is altogether a description of material which ought never to be used for road-making, when other materials are, as on this road, procurable within moderate distances."

9. The approximate Estimate, Rupees 40,850, which has been sent in by the Sub-Engineer for completing the road, has been returned to him for revision, and will be submitted for sanction, when again received, out of Imperial Funds, as the line in question is a Railway feeder.

No. 637. From Colonel A. J. M. BOILEAU, R. E., Superintending Engineer, 4th Division, to Colonel C. A. ORR, R. E., Secretary to Government, Public Works Department, dated Madras, 6th April 1864, No. 6,086 :—

1 Letter from Captain Prendergast, dated 23rd September 1863.

1 Do. do. Mr. Dopping, dated 1st October 1863.

1 Do. do. Captain Rogers, " 9th " "

1 Memorandum from Captain Vertue.

1 Letter from Executive Agent Chittoor, dated 12th March 1864.

1 List.

the points adverted to in paragraphs 1 and 2, and on the Acting Collector's letter No. 134, dated 14th July 1863, embodied in the Proceedings, and with reference also to the Order of Government No. 104, dated 12th January 1864.

Paragraph 4. NEW IRRIGATION WORKS.—Of Rupees 90,950 expended during the year on new works of irrigation, Rupees 18,628-8-4 were spent on the Mahindravadi Channel, Rupees 8,918 on the Palar Anicut bridge and head sluice, and Rupees 5,153-10-11 on the parapet walls, &c., to Mahindravadi, Kavaripak and Doosy head sluice. The remainder was expended on Anicut projects of Poini and other works.

ful working out of the Anicut schemes, and of his showing how much energy was being concentrated upon them, and that hence other parts of the District could not receive that full attention which under other circumstances they would have obtained.

Paragraph 9. The Inams belonging to certain Dasabandam tanks, which have been neglected by the Inamdars, were in due form attached, and the Engineer was requested to provide for their repair. These are likewise unattended to. Some Tahsildars brought to my notice that certain works estimated and reported to have been executed by Department Public Works are in the same state in which they previously were, if not worse. I shall refer to one case here for the Board's information. An Estimate amounting to Rupees 340 was sanctioned for the construction of a sluice to the Kallekatūr tank, in Palmanair Taluq. In the Progress Report for February last, the work is stated to have been commenced, while in the report of the following month a remark is made to this effect, viz., "will be completed in April." On referring to the Progress Report for April, however, I find that the work is exhibited as commenced.

SIR,

1. Paragraph 3 of the Proceedings of Government No. 2,708, dated 18th September 1863, was replied to in my letters Nos. 4,672 4,702, dated the 23rd January 1864. It

remains for me to make a few observations on the points adverted to in paragraphs 1 and 2, and on the Acting Collector's letter No. 134, dated 14th July 1863, embodied in the Proceedings, and with reference also to the Order of Government No. 104, dated 12th January 1864.

2. In paragraph 4 of his letter No. 134 the Acting Collector very summarily disposes of the large sum allotted for new works of irrigation; here, had there been the disposition to do so, there was an excellent opportunity for Mr. Fraser to dilate upon the gradual, use-

3. Of 57,000 Rupees spent, and well spent too, on the Anicut projects he has only to observe that the "sum was expended," but when in paragraphs 9 and 10 he comes to deal with two insignificant sluices, he dives into Progress Reports, of consecutive months, he traces the works throughout, gives two whole paragraphs to them, and after all is shown to have misconceived the whole matter, as pointed out in my letter above referred to.

Proceedings of the Madras Government, Public Works Department, 5
27th April 1864.

Paragraph 10. An Estimate of Rupees 175 for constructing a sluice to Kottapalli tank in Palmanair Taluq was sanctioned. Up to April last only Rupees 39-1-10 are spent, and yet the work is reported as completed.

No. 4,673, dated 23rd January 1864.

Paragraph 5. REPAIR OF IRRIGATION WORKS.—The increase of Rupees 18,122 incurred under this head calls for no remarks.

that the increase of Rupees 18,122 under the head of Repairs to Irrigation Works calls for "no remarks." I differ from him entirely. I think it was due to Government to acknowledge the benefit of the further grant, and to this Department to say that in the main the funds had been disbursed to the best advantage, and in almost every instance in immediate concert with the Revenue Department; and on these grounds to press for annual increased allowances.

5. The fact is that the increase of expenditure on repairs in 1862-63 over that of the previous year amounted to nearly one-half of the entire outlay for repairs in 1861-62. That on new works was nearly four-fifths of the entire outlay on that class of works in the previous year. The increase of expenditure on irrigation (new and old) is more than the total on new works alone in 1861-62, and the disbursements on new works alone in 1862-63 is about the same as that for new and repairs together in the previous year. It will thus be seen that while the expenditure on new works had nearly doubled, the outlay on repairs had increased by nearly one-half.

Paragraph 6. I may here remark that of 1,49,702 Rupees expended on Irrigation Works more than half the sum, viz., Rupees 82,637, was spent on the Wallajah Range, while there was no outlay in the Chendragherry Range.

6. The 6th paragraph of the Acting Collector's letter calls for a few remarks, and I cannot do better than quote from a letter of Captain H. L. Prendergast (late District Engineer) on the subject.

"The great outlay in the Wallajah Range is attributable to its being the Nunja Taluq of the District, and it naturally requires much more than others (except the Arcot Taluq which is of the same nature though not so much attended to). The Tahsildar of Wallajah Taluq is a most energetic man in the way of representing the wants of irrigation repairs. The Collector (Mr. Robinson) and I have more than once discussed this point of the Wallajah Range having so much money expended upon it, and the question came to this: Is it not as well to take up a rich Taluq and put its tanks into good order generally, in fact to maintain a good revenue, rather than disburse the money over all the Taluqs with comparatively little benefit to any one? The Chendragherry Range does not require outlay on irrigation repairs over a great part of it; there are hardly any tanks, the crops are raised by channels, and the country is dotted all over with wells. Almost all the old large bunds were breached years ago. I visited several with Mr. Robinson; but to put them in repair would involve expensive projects. The channels from the river Soornamooku get much choked with the sand, but the clearance of them is considered the duty of the village people themselves."

7. On the same point Mr. Dopping writes (for I considered it advisable to ascertain what all the recent District Engineers had to say in reply to the Acting Collector): "Mr. Fraser should have mentioned that more than one-half of the Chendragherry Range is Zemindari, and the remainder by no means an irrigation Taluq." Captain Vertue brings forward the fact that in the year under consideration, Government laid great stress on the pushing forward of the Anicut projects, and that the District Engineer was obliged to concentrate on them all the forces he could assemble; labor and superintendence were accordingly drawn from all parts of the District, and the Officer of the Chendragherry Range was withdrawn from his post to survey the Karakal (a part of the Poiny) project. So that under all these circumstances, with which Mr. Fraser might have easily acquainted himself, there appears to have been good reason for Chendragherry not having received its share of attention in the year in question, and the matter should not have been, in justice, adduced as a reflection on the local Officers of the Public Works Department.

Paragraph 7. The District Engineer was requested to estimate for the repair of certain works in it, reported to be in a dilapidated condition, but I regret to find no notice has been taken of this requisition.

8. I cannot answer paragraph 7 better than to give an extract of the dates of the Collector's and Acting Collectors' requisitions, and of those of the orders sent out on them by

6 *Proceedings of the Madras Government, Public Works Department,*
27th April 1864.

the District Engineers. What particular requisition Mr. Fraser refers to, I cannot tell. The reason for the apparent neglect of Chendragherry has already been shown, but at any rate by the accompanying list it will be seen that the Officers of the District, ordinarily took immediate action on hearing from the Collector of the wants of it and all the other Ranges.

"The Estimates of some of the important works were not sent to me for countersignature."

9. The only Estimates so far as I can ascertain which were not sent to the Collector for countersignature were details of the Palar and Poiney general projects, which had been signed to by Mr. Whittingham, and two of the late District Engineers report that this course of procedure, as regards such Estimates, was authorized by the Chief Engineer.

10. If some Estimates were not sent to the Acting Collector, I find that most were, and by a letter from Mr. Dopping, No. 329, dated 9th June 1862, to Mr. Fraser, it would appear that many were detained by him and Mr. Robinson for an inordinate period: "Fifty Estimates," he writes, "sent for countersignature between 17th December 1860 and the 29th April 1862 had never been returned!"

11. The detention of Estimates thus long did not argue much care for the early execution of the works.

12. The Acting Collector might, had he so willed, have ascertained by the Progress Reports, what works were proceeding without his concurrence, and have checked such at once, and this I think would have been a preferable course to reserving such matters to bring up as a complaint against the Department in his Annual Report.

13. I do not wish to justify any *discourteous* inattention to requisitions, but I believe that nothing of the kind can be shown. It is certain that requisitions were attended to, and Estimates were framed up to the full limit Rupees 58,752 sanctioned for Irrigation Repairs during the year, and, practically, I cannot see what more was needed.

Paragraph 8. Upon the whole I consider that the minor irrigation works, viz., tanks and spring channels of this District are not sufficiently attended to.

14. As regards paragraph 8 what more I ask, could the Department do than spend the whole of the funds placed at their disposal for the year on such items as were brought to their notice, the expenditure in 99 cases out of 100 being made in concert with the Collector?

15. Had Mr. Fraser said "the minor new works in bad repair are so numerous (embracing nearly 800 distinct items), that the sum Rupees 58,752 meted out to the Department Public Works for expenditure is obviously insufficient to meet them all, but the Department endeavours to lay it out to the best advantage," he would have spoken fairly; but no, it is remarkable that throughout this report the Acting Collector never once makes allusion to the fact that the Department was working with limited means, he would seem to assume that our funds were boundless, and that a Ryot had only to point out that his tank needed repair, and it must be at once attended to, and if not, the implication of neglect is allowed to fall on this Department.

16. I find that the District Engineers laid themselves out to ascertain the requirements of the people, and to meet them as far as possible. Captain Prendergast writes: "In 1860 (I think) general attention was called to the irrigation works out of repair, and Tahsildars were desired to furnish a list of such in their Taluqs; preliminary lists were sent to me in the first instance of a few works in each, and Estimates were made, but a great number were never taken up. There are such a number of small tanks about the District which have not been repaired for many years (some in the golden rule of the Collectors!) that the funds given for repairs are altogether inadequate for a general putting-in-order." In the same strain wrote Mr. Dopping to the Acting Collector, requesting him "to direct all Monigars to report to the Range Officers the state of repair of their tanks, &c., and to intimate that they had done so if they found no Estimate made *within one month*," and if, after all, every requirement was not at one time considered, it was not, I say, attributable to lack of attention to the needs of the people, but simply that straitened means necessitated

No. 416, 20th June 1862.

Proceedings of the Madras Government, Public Works Department, 7
27th April 1864.

that priority should be given to some projects over others, and on this, I think, Mr. Fraser instead of being silent, should have laid some stress. The spring channels I would observe, in passing, are as a rule, I believe, cleared by the people for themselves.

Paragraph 8. (Continued). During the recent Jamabandi I had on several cases to remit Nunjah waste, no repairs having been for many years executed to the tanks which failed to hold the little water that was available in a bad season like the past.

17. The remissions for Nunjah waste are a necessary consequence resulting from the state of things I have dwelt upon above. In paragraph 8, marginally quoted, the Acting

Collector unhesitatingly places these deficiencies upon the shoulders of the Public Works Department, but when pressed on the point he condemns himself, while he confesses in paragraph 4 of his letter No. 241, dated 28th November 1863, that he "had no means of ascertaining what was due to absence of repairs and what to badness of season!" that "no care was taken to note the loss under each cause separately!" "there was no necessity to make the distinction, as the Ryots were entitled to indulgence in any case!" "Many of the tanks," he adds, "were utterly incapable of retaining anything like an adequate supply," and that appears to have sufficed with Mr. Fraser to lay the state of *all* upon the Public Works Department! Is this just?

18. It is satisfactory, however, to observe that the Acting Collector in his Statement A (enclosed in his letter No. 241, dated 28th November 1863) forwarded in illustration of his former report, adduces remissions to the amount of only 2,400 Rupees, as having been made in four important Taluqs, and altogether it is true that he says it embraces only *some* of the tanks and channels, yet it is presumed that they must be the principal ones. On analysing that sum of 2,400 Rupees, I find it distributed amongst forty works, among which fourteen have remissions under ten Rupees, three above 10 and under 20 Rupees, seventeen are above 20 and under 60 Rupees, and the remaining six are 75, 108, 143, 214, 246 and 860 Rupees, but the revenue not being stated, I cannot say what proportion the remission bears to it.

19. Explanation has been called for each of these works, but only one has yet been received which is enclosed. I shall endeavour to see the principal works referred to by the Collector myself.

20. Paragraphs 9 and 10 of the letter under notice were replied to in my letter No. 4,673, dated 23rd January 1864. I would only here observe that the accusation being general, thus "certain Dasabandam tanks," "Engineer requested to provide," (dates not given), "some Tahsildars" (Taluq not stated), "certain works," (only one case adduced which has been already

replied to by me), it is impossible for me to trace out the cases referred to by the Acting Collector.

21. The logic of Mr. Fraser's 11th paragraph, I confess, passes my comprehension: "Under these circumstances," viz., 1st, that the whole of the funds allotted by Government were laid out by the Revenue and Public Works local Officers in a manner that was conceived to be

Paragraph 11. Under these circumstances it is clear that the Ryots have not been fairly dealt with. Of the complaints which they had to make to me during the Jamabandi a great portion related to the repair of tanks.

for the best advantage. 2ndly, that Rupees 91,000 were spent on new irrigation works against only Rupees 51,000, and 59,000 Rupees on repairs against 41,000 Rupees in the previous year. 3rdly, that for good reasons a concentration of that large expenditure took place in particular Taluqs whereby the Ryots of those Taluqs must have benefited exceedingly; the Ryots, says Mr. Fraser, have been unfairly dealt with. Unfairly by whom? No doubt the cry of Aniyayam sounded loudly in the Collector's ears at the Jamabandi, and he has transferred it to his report, but I think he should say: *who* has dealt unfairly with the people? Is it the Government who allotted us our full share of the funds held at their disposal? Or is it the Local Revenue and Engineer Officers who, as a rule, disbursed the funds in concert in a manner they deemed most conducive to the interests of the people. If the money was sanctioned and (unless with good cause) not spent, or if available funds were badly laid out or wasted (will Mr. Fraser venture to assert this?) then there might be some ground for the assertion of want of fair dealing with the people, but as the matter stands in Mr. Fraser's Report, I must say I think the charge 'not proved.'

22. Paragraph 16 admits that only 791 out of 3,817 tanks, &c., are out of repair. That, if correct, looks hopeful. Suppose we take 80 up in a year, we shall have them all in order in 10 years, but meanwhile we shall have the same cry of 'unfairness' arising from those who are not of the annual elect 80. I asked the Collector a few days ago if he would give me a receipt for the 3,026 tanks stated by Mr. Fraser to be in repair, but he did not seem to see the matter quite on the same light as I did, and declined!

Paragraph 16. The number of Government tanks and channels out of repair is nearly a fourth of the aggregate number of the whole District.

Paragraph 13. I think the metal used in repairing the Trunk Roads is not broken sufficiently small. In many cases unbroken stone of small size is used, but it does not pack well. The surface of these roads is frequently so rough from pointed stones projecting above the general surface that they are unsafe for a horse to trot over. They stand traffic well, but should be smoother.

23. As paragraph 13 refers to roads I notice it here out of its proper place. It is the only thing in the report that I concur with Mr. Fraser in.

My experience of many of the roads in the District leads me to admit that great ignorance prevails as regards the principle on which a road should be made.

The observations of the Acting Collector on this head are perfectly just. I could point out more errors that are committed than he has done, and I could also add that many of the roads do not "stand traffic well."

I am doing my best to establish correct principles of road-making.

24. Paragraph 14 was replied to in my letter No. 4,673, dated 23rd January 1864. The Sub-Engineer therein recommended for a fine is since deceased.

25. I conclude by entering herein the independent expressions of opinion given by the Officers lately connected with the North Arcot District on reading the Acting Collector's report.

Captain Prendergast writes: "I think the report is altogether very unfair; the Acting Collector shows no signs of having co-operated with the District Engineer, and finds fault "without making any allowances for explanations."

Mr. Dopping says: "I do hope that the enquiry now set on foot by Government will be thoroughly carried out, as I am sure it will result in showing that there was on the whole a much more satisfactory state of progress than that implied by Mr. Fraser, and as I am confident that full value was received for the expenditure during my time."

Captain Vertue notes as follows: "I have in vain looked in Mr. Fraser's report for a word of praise or commendation or notice of the difficulties and disadvantages with which we had to contend, I am free to confess that I have never found a Collector more ready to co-operate with and render us every assistance than Mr. Fraser, I am therefore the more surprised at the tone of depreciation that characterizes his report throughout."

Captain Rogers writes: "One point in the Collector's report is however sufficiently manifest, that only those works which were open to animadversion have at all been commented on," and again, "A document which purports to be a general report on the Public Works, and which is so palpably one sided can hardly be looked upon as giving a fair view of the subject."

26. With the explanation above set forth before them, I feel confident that Government will not allow themselves to be misled as to the real state of progress of Public Works in North Arcot by the document under consideration, for they cannot but observe that the report marks a prejudice, and that the desire to find fault is manifest throughout. Any real good done (and it is quite impossible to believe that with the large expenditure some such, perhaps by chance, was effected) is studiously kept back, while any comparatively trifling matter supposed to tell against the Department is brought prominently forward!

27. I am sorry to see such a production emanating from the Collector of a District, for I am confident it will do no good; far from it, I believe it will tend to engender the same fault-finding tone in the subordinate members of the Department, and lead to a spirit of animosity, never very difficult to kindle, between the two Departments.

We could have borne to have had our failings fairly exposed, had they been set side by side with our successes, and had all been exhibited in a temperate and unprejudiced manner, but it is far otherwise with the report under notice.

23. As respects paragraph 17 of Mr. Fraser's letter, I have to observe that the correct amount of expenditure under all heads in the North Arcot District during the year 1862-63 appears from the District amounts now in this Office to have been Rupees 2,10,351-2-3 instead of Rupees 2,10,336 as given by Mr. Fraser.

Paragraph 17. In conclusion, I beg to state that I cannot vouch for the accuracy of the figures given in the report showing the expenditure. They have been taken from the Progress Reports for April. The expenditure exhibited in the reports of each month under the head of "in this month" should when tallied, be equal to the amount entered in the report for April in the column headed "up to this month." This is not the case however, as there is a difference of Rupees 1,761-11-4.

I have not been able to ascertain in what manner the difference to which Mr. Fraser refers has arisen, the totals of the Range and District Monthly Progress Reports agree with the aggregate amount entered in the report for April 1863 and in the Annual Progress Report, and the only reason that I can give for the difference to which Mr. Fraser alludes is, that it is possible omissions may have been made to deduct "recoveries on expenditure" in the copies of Range Progress Reports sent to him from the District Engineer's Office.

No. 638. ORDER THEREON, 27th April 1864, No. 1,206.

1. In these letters the Superintending Engineer, 4th Division, replies to certain observations made by the late Acting Collector of North Arcot, in his report upon the operations of the Public Works Department during the year 1862-63.

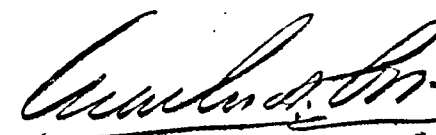
2. From the explanation furnished by Colonel Boileau, the Governor in Council is of opinion that the expenditure upon Public Works in North Arcot, during 1862-63 and previous years, was, upon the whole, judiciously incurred; and that the District Engineers evinced great anxiety that the funds at their disposal for the repair of irrigation works should be laid out to the best advantage.

3. In his letter* of the 6th instant, paragraphs 9 to 12, the Superintending Engineer explains why certain Estimates for irrigation works were not sent to the Collector for countersignature; but it should be clearly understood that all Estimates for works of this nature require the signature of the Collector. This is plainly laid down in Chapter XI, paragraph 12 of the Code. Upon the other hand, it seems that great delay was caused in many cases by the detention of Estimates in the Collector's Office for an inordinate period.

* No. 6,086.

4. The report upon the road between Trepaty and Calastry is unsatisfactory. The work seems to have been characterized by want of skill and by carelessness, and Colonel Boileau recommends that Sub-Engineer Chedumbra Moodeliar, under whom it was carried out, should be severely punished. However, since the report was written, he has died. The Government rely on the Superintending Engineer and his subordinate Officers using their best exertions to establish throughout the District sound principles of road-making.

(True Extract.)



Colonel, R. E.,

Secretary to Government.

To the Superintending Engineer, 4th Division.
,, Revenue Department.
,, Revenue Board.

Exd. S. T. Augustin.

Bellary Collectors Office
Remandray 3rd May 1864
M

No. 12

From

A. Hathaway Esq^{re}
Collector of Bellary

The Honble A. J. Arbuthnot
Chief Secretary to Government
Madras

1 With much regret, I have the honor
to report for the information of Government
the death of 1st Class Deputy Collector
Srinivas a Rao, which took place at Gutter
on the night ~~of the 25th~~ of the 25th April last,
after an attack of apoplexy, accompanied
by paralysis.

2 I take this opportunity of bringing
to the notice of Government this order
(A. 25), passed on the 7th January of this year
with reference to my Treasury Deputy Collector
Mr. Blake, whom I would like to see
promoted to higher grade, when a fair
opportunity offers.

3 Should the Government, on this, or on
a future occasion, see fit to promote him,
I trust he may be continued as Treasury
Deputy Collector in this District; as Bellary
being the Head Quarter of the Ceded District

No. 12 April 64 N 194-19

Recd 2 1864. Department
Secy of Govt for Madras

No. 1163.
PROCEEDINGS OF THE BOARD OF REVENUE,

Dated 29th April 1864.
English Secretary
29th 4th

No. 2,593.

Kapoor

Since 1864

Requesting the Collector to submit a fuller ex-
planation of the discrepancy noticed by Govern-
ment in respect of a certain Yeomiah, and sub-
mitting certain explanation to Government on
the subject.

RECORDED.

25 9 33

31st May 1864

1864-1

11/1/84

[illegible]

Exd. J. Tulloch.

24 facsims

Appeal suit no 84 of 1863 from the decision of the Principal Sudder Amin of Salem in original suit no 2 of 1856.

In the Civil Court of Salem
Present J. H. Cherry Esquire

In the Court of } In the appellate
first instance } Court.

Humnagar Plaintiff Appellant
Vakeel Meerachi Soondrum Pillai

1. Comarasami Moodeli
 2. Ganapathi Moodeli
 3. Soondra Moodeli
 4. Comara gounden guardian of Kalasa gounden
 5. Collector of Salem
- Government vakeel Kasasier.
- } Defendants - Respondents

Grounds of appeal

1. The 1st to 5th Defendants in the suit have admitted his claim which has been further proved by his witnesses.
2. It is also shown by the Agent accounts and the Collector's Record keeper examined as a witness on the part of the Court that the disputed

Recd 1864. O/M/H
No. of Govt. for entry 12151

Proceedings of the
Sudder Court in
the Public O/M/H

Dated 9-4-39 May
Received 10-7-1864

No. 525.

Communicating to

Resolutions of the Sudder
Court of Salem and the
Sudder Court of Salem
to the Government of
Madras.

File No. 933.

RECORDED

3101-1864-1865
1864-1865

File 1869.

disputed lands belonged to 1st & 5th
Defendants who gave it him (Plff)

3 The Sub Court after inspecting
the disputed spot has given a decree
in his favor.

4 The Collector who appealed
from the above decision did not
state to which of the many villages
the land in question belonged
and which of the Curmums from
this point. He merely claimed it
as his own land in which he
dug a well.

5 The Collector has sunk the
well with the understanding that
the Mutadars are to irrigate from
the same. This well is still held
upon the same conditions.

6 Plaintiff holds a puttah for
the other portion of the land ex-
clusively of that upon which
the well is situated and he
has therefore claimed and got

a decree for the same.

7 The appeal which the 5th Dept.
made from the above decree was
remanded to the lower Court for
investigation. The points furnish-
ed to him subsequently have been
already proved by him and he
therefore requested the lower Court
to pass a decree upon the proofs
already adduced and stated that
the witnesses who gave the above
evidence were dead. The lower
Court instead of taking this
Statement into consideration
has dismissed the suit under
Section 148 of the Code of Criminal
Procedure.

Decree

The Civil Judge confirms the lower
Court's decision and rejects the
appeal with all costs.

Costs incurred by the Appellant in Appeal
Value of stamp paper - 2- - -
pleaders fees - 4- 10
Batta for summon's peon. 4- 12- 4

Brought forward 7-11-10

Costs incurred by the 5th Respondent
in appeal.

Pleaders' fees ————— " - 4 - 10
Total Rs ————— " 4 - 10
7 - 5 - 8

Costs to be paid by appellant to the
5th Respondent Rupees " 4 - "

Decree sealed and signed on the
11th February 1864 -

Term for special appeal expires
on the 10th May 1864 -

(Signed) J. M. Cherry
Civil Judge.

No process of execution will be
issued to enforce this decree un-
less some proceedings shall have
been taken to keep the same
in force within three years next
preceding the application for
such execution.

(Signed) J. M. Cherry
Civil Judge

True copy

D. H. Buttworth
Collector

No. 2,818.

PROCEEDINGS OF THE BOARD OF REVENUE, dated 10th May 1864.

Read the following letter from the Collector of Salem, dated 18th April 1864, No. 67:—

With reference to the Board's Proceedings dated the 19th September 1863, No. 5,946, I have the honor to forward for the information of the Board copy of the Decree passed by the Civil Court in Appeal Suit No. 84 of 1863, confirming the Principal Sudder Amin's Court decision (No. 2 of 1856) on the grounds therein set forth.

ENCLOSURE No. 1.

Appeal Suit No. 84 of 1863 from the Decree of the Principal Sudder Amin of Salem in Original Suit No. 2 of 1856.

In the Civil Court of Salem.

Present J. W. CHERRY, Esq.

Judgment.

1. This Suit is instituted to cancel an order issued by the 5th Defendant prohibiting the Plaintiff from interfering with certain Malguzary garden lands producing annually a landlord's share of Rupees 6, and which were leased to him (Plaintiff) by the Defendants one to four.

2. The Defendants one to four allege that the contested land is not the same which was leased to Plaintiff; consequently the Plaintiff is not entitled to it.

3. The 5th Defendant put in an answer stating that the land in dispute is not the land called "Chandaraman Thottam," and that it would be an encroachment on the rights of the public and the Government if Plaintiff were to occupy it.

The lower Court dismissed the Suit with costs agreeably to Section 143 of the Civil Procedure Act.

Plaintiff Appeals.

The Plaintiff having failed to produce evidence in support of the points referred for the decision of lower Court.

This Court can only confirm the lower Court's decision in dismissing his claim. The appeal is rejected with all costs.

SALEM, 11th February 1864.

(Signed) J. W. CHERRY, Civil Judge.

(True Copy.)

(Signed) D. ARBUTHNOTT, Collector.

ENCLOSURE No. 2.

ABSTRACT.—Copy of the Decree of the Civil Court of Salem in Appeal Suit No. 84 of 1863.

1. Ordered to be submitted for the information of Government in continuation of the Board's Proceedings, No. 5,946, dated 19th September 1863.

2. The Government will perceive that the Civil Judge has confirmed the lower Court's decision against the Plaintiff and Appellant, and rejected the Appeal with all costs.

(True Copies and Extract.)

[Signature]

Secretary.

To J. D. Sim, Esq., Secretary to Government, R. D., with one enclosure.
Copy to Honorable D. Arbuthnott, Collector of Salem.

Exd. J. Wright.

*in a letter from
the Collector of
Salem dated 10th
April 1864 No. 67
Rev. 1264/64.
G.O. No. 932 of 21 Aug 1864
Copy of the Decree
of the Civil Court
of Salem in Appeal
Suit No. 84 of 1863.
L. No. 2157 of 1864.*

Proceedings of the Madras Government, Public Department.

10th May 1864.

No. 38. Read the following Extract from the Proceedings of the Right Honorable the Governor General of India in Council, in the Home Department, under date the 14th April 1864, No. 2773.

Read again the Notification of this date, appointing the place of Meeting of the Council of the Governor General at Simla, from the 1st May next until further orders.

RESOLUTION.

With reference to the above-mentioned Notification, the Governor General in Council, is pleased to resolve that the business of the Government of India in the Home Department shall be conducted in the following manner:

2. All communications, from the authorities noted on the margin, intended for the Home Department, shall be addressed to the Secretary at Simla, duplicates thereof being forwarded to the office at the Presidency.

3. All communications from the Governments of Madras and Bengal, the Governor of the Straits Settlement, the Chief Commissioner of British Burmah, the High Court at Calcutta, the Director General of the Post Office of India, the Director General of Telegraphs in India, the Master Attendant at Calcutta, the Inspector General of Police in India, the Superintendent of the Geological Survey of India, and the Board of Examiners at Calcutta, shall, as a rule, be addressed to the Officiating Under Secretary to the Government of India in the Home Department at the Presidency, duplicates being at the same time forwarded to the Home Secretary at Simla. It is only in urgent cases that communications from any of these authorities should be addressed direct to the Home Secretary.

Ordered, that a copy of this Resolution be forwarded to the Government of Madras for information and guidance.

(True Extract.)

(Signed) J. W. S. WYLLIE,

Under Secy. to the Govt. of India.

No. 39.

ORDER THEREON, 10th May 1864, No. 531. Communicated to the several Departments of the Secretariat for information and guidance.

(True Extract.)

C. J. Chatterjee
Chief Secretary.

To the Revenue Department.

- " Public Works do.
- " Military do.
- " Judicial do.
- " Financial do.
- " Political do.
- " Railway do.
- " Educational do.
- " Ecclesiastical do.
- " Marine do.
- " Legislative do.

Edw. T. O'Connor.

Re: 3rd July 1863 No. 37. 38

Rev. 1864. Department
Office of the Secretary to the Govt. of India.

PROCEEDINGS OF THE BOARD OF REVENUE,
No. 1264.

Dated 10th May 1864.
J. W. S. WYLLIE
Under Secy. to the Govt. of India.

No. 2818.

Submitting for information letter from the Collector of Salem forwarding copy of the Decree passed by the Civil Court in Appeal Suit No. 84 of 1863.

RECORDED.

22-9-38

8 inches 369

3rd July 1864. 252

Proceedings of the Madras Government, Public Department,
10th May 1864.

No. 29. Proceedings of Government, dated 10th May 1864, No. 526.

That part of the Order in this Department under date the 20th ultimo, No. 461, which directs that the cost of wafer stamps supplied from the Government Press shall be charged for, in the contingent bills of the departments, is cancelled; no cash payment being necessary.

(True Extract.)

[Handwritten signature]
Chief Secretary.

To the Military Department.
" Revenue do.
" Public Works do.

Exd. J. Tulloch.

no spare copies

Proceedings of the
Madras Government
Public Department

Dated 10th 3rd May
Received 12th 3rd 1864.

Rs. 531-

Recommendation of
the Government of
Madras Government
Public Department
to the Government
of the Madras
Government, dated
10th May 1864, No. 526,
which directs that the
cost of wafer stamps
supplied from the
Government Press
shall be charged for,
in the contingent bills
of the departments,
is cancelled; no cash
payment being necessary.

RECORDED

3108-1864
1864

quic No 369

Memorandum-

The absence of any limit to the casual leave appears to have made the attendance of the subordinates in the office less regular, the Secretary therefore directs that a limit of fifteen days in the year be observed for that leave in future.

14th July 1859.

J. H. Sandison
Secretary to Govt.

30 April/1859 No 11-471.

Recd 1864. D. H. H. H.
Secy of Govt. for the
N. B. 1859.

Proceedings of the
Public Works in the
Public Works.

Dated 10th 3rd May
Received 13th 3rd May
1864.
No. 526.

Cancelled the order
which directed that the
order of the Board be
given to the Government
Office to be changed from the
Cabinet and the order to be
cancelled.

No. 933.

10th 1859.

31st 1859
1864

No. 5869.

EXTRACT from the Proceedings of the Government of India, in the Financial Department, d. 30th November 1863.

Read again the under-mentioned Resolutions passed in this Department regarding Casual Leave to Uncovenanted Servants :—

No. 2520, dated the 12th June 1857.

" 1558, " " 19th March 1858.

" 2585, " " 30th April 1858.

" 5670, " " 28th September 1858.

Read an Extract from the Military Department, No. 749, dated the 31st October, forwarding for opinion a letter, with enclosures, from the Military Finance Department, enquiring, with reference to the new Absentee Rules for the Uncovenanted Service, whether Casual Leave can still be granted and allowed to count as service qualifying for pension.

RESOLUTION.

The Hon'ble the President in Council observes that the new Absentee Rules do not allude to Casual Leave, because it affects only the internal discipline of an Office or Department. This leave should be granted by the head of an Office under any discretion which may be allowed him by his own Government, and conformably with the general considerations contained in the orders of 28th September 1858, above quoted.

Ordered, that a copy of the above be forwarded to the Military Department.

(A true Extract)

E. H. LUSHINGTON,

Secretary to the Government of India.

[Exd. H. D. Bysack.]

(a true Copy)

E. H. Lushington

A true Copy: to the Govt of India

Exd. H. D. Bysack
Nov 27 1863

35

125186100
920



2

62

Read the following letter from the Collector of the Kistna District, dated Masulipatam, 2nd May 1864, No. 66 :—

1. Submitted for the information of Government.
2. The Board observe that the Abkarry revenue of the District in last Fasil was Rupees 1,02,357.

✓ Kunoctor

To J. D. Sim, Esq., Secretary to Government, R. D.
Copy to G. Thornhill, Esq., Collector of the Kistna District.

Exd. J. Wright.

24-3-71
14.6.94. Paul

Proceedings of the
Indiana Division
the Public Works.

Ms. 534r

8-933.

31st - May
1864

37

*Proceedings of the Madras Government, Public Works Department,
18th May 1864.*

No. 419. Read the following letter from V. H. LEVINGE, Esq., Collector of Madura, to Colonel C. A. ORR, R. E., Secretary to Government, Public Works Department, dated Madura, 29th April 1864, No. 404:—

SIR,

1. From the Proceedings of the Board of Revenue No. 1,558, dated the 14th March 1864, passed upon the Order of Government No. 43, dated the 7th January 1864, the Government will have learned that I have acted according to rule in carrying on the repairs to the Andiputty pass.

2. I beg to explain that when the Estimate for repairing the pass from the proceeds of the toll collections was made, it was agreed upon by me and Captain Payne, the then District Engineer, that I was to get the Estimate carried out by the Sub-Magistrate of Ooslumputty.

3. At the same time Captain Payne informed me that discretion should be exercised in making any necessary alteration in the direction of the road, and in the carrying out of the Estimate by the person employed by me; accordingly, from time to time, on the report of the Sub-Magistrate and on my personal inspection of the locality, such discretionary, improving, alterations, in the direction of, and widening of the approaches and pass, plainly perceptible have been made; by doing so the road has been shortened in places, traffic facilitated, and expenditure in cost of construction saved; while the extra width I gave to the pass which was absolutely necessary has been met from the item of sundries provided in the Estimate purposely for such necessary improvements.

4. I have just returned from the pass and consider the Sub-Magistrate deserves the greatest praise for the amount of work he has done, for his economy in its execution, and for the judicious improvements he has effected.

5. For the information of Government I transcribe a letter* on the subject from Captain Payne to the Superintending Engineer, which I think will entirely bear me out:—

* Dated 14th March 1864, No. 182.

"With reference to the Collector's letter No. 211 of the 8th instant, and its five enclosures, all of which are herewith returned, I have the honor to inform you that in the Estimate of Rupees 18,500,† which was prepared by me in the month of December 1862 for the improvement of the Ooslumputty and Andiputty road, I allowed a series of average rates for different descriptions of soil, leaving it to the discretion of the executive agent to pay what in any particular case might be considered, from the locality and other circumstances, a fair remunerative rate."

† The Sub-Magistrate can carry out this Estimate for about 13,000 Rupees.

2. "When I examined the road in the months of December and January last, (vide letter No. 170, dated 20th January 1864), the Sub-Magistrate Subayer, in executive charge, pointed out several places where in carrying out the work he had effected a saving, and others in the execution of which he anticipated that the estimated rates would prove insufficient. I pointed out to the Sub-Magistrate that the excess in the one case would probably be balanced by the saving in the others. He appeared to have used his discretion carefully in the payment for work executed up to the date of my visit, and I think therefore it may be concluded that he has exercised his discretion equally well in fixing the higher rates proposed in the account furnished to the Collector, and I should recommend their being sanctioned.

3. "With reference to the alterations spoken of by the Sub-Magistrate, I consider them judicious, and modifications that might with advantage be carried into effect. They are but trifling and involve no extra expense as the Sub-Magistrate might be constructed if considered necessary, after the provisions of the present Estimate have been carried into effect."

4. "The larger masonry works proposed by the Collector might be constructed if considered necessary, after the provisions of the present Estimate have been carried into effect."

6. Whilst the work is going on satisfactorily and economically Captain Moberly writes to me to give over the execution thereof to him; if I make it over to him, he must give it to Captain Payne to carry out by means of his Taluq Overseer, whilst Captain Payne is quite willing to let me carry it out through the Sub-Magistrate with whose work Captain Payne and I are quite satisfied.

Payne
1864. Department.
Secy. of Govt. for Madras.

PROCEEDINGS OF THE BOARD OF REVENUE.
No. 1350.

Dated 18th May 1864.

By Mr. J. J. J.
22nd 23rd -

No. 3,045.

Submitting for information letter from the Collector of the Kistna District reporting that the Akkary Farm of the entire District from Fashi 1274 to Fashi 1278 was put up to auction and sold for Rupees 1,46,500. 22.9.83.

RECORDED.

3rd May 1864
J. J. J.

36

*Proceedings of the Madras Government, Public Works Department,
18th May 1864.*

7. I write this letter therefore to Government to ask for an order to Captain Moberly directing him to allow me to carry out the work through the Sub-Magistrates, who under the old system had experienced in Maramut works, who has done well and who does not spare himself in this work.

8. The Government may judge I take a great interest in getting the pass and its approaches put into good order. It was on my recommendation a toll was established on the Ghát, and I wish to give the traders using it a good road as quickly and cheaply as I can, and I know the Sub-Magistrate can work more economically than the Department Public Works.

9. The traders pay for the road and are therefore entitled to what the tolls allow us to afford them, which is a first rate road, and I therefore propose calling on Captain Moberly to request Captain Payne to revise his Estimate and to provide for a first class road and for bridges to all the streams in lieu of road dams and other economical expedients.

10. Since the imposition of the toll Rupees 9,508-0-11 have been collected, and Rupees 4,215-14-10 expended on the road. Below is a table of the traffic through the pass which has paid toll since its imposition in November 1861.

STATEMENT:

Months.	Laden ponies.	Single horses.	Laden bullocks.	Laden donkeys.	Empty carts or bandies.	Laden carts and pairs of bullocks.	Carriages of any kind with horses or bullocks.	Palanquins and man-cheels with bearers.	Camels.	Elephants.
November and December 1861 ...	120	32	324	624	636	1,592	156	1	...	...
January to December 1862 ...	1,115	315	2,410	3,718	8,827	14,699	931	12	4	5
Do. do. 1863 ...	1,745	319	3,287	11,362	16,179	35,242	1,593	2	...	...
January, February and March 1864.	357	107	782	2,773	4,828	7,649	465	1	...	...
Total...	3,337	773	6,803	18,477	30,470	59,182	3,145	16	4	5

No. 420.

ORDER THEREON, 18th May 1864, No. 1,447.

The Government are of opinion that the works in progress at the Andiputty Pass are of a nature to be more satisfactorily carried on by the local Revenue Officers than by the Department Public Works, and they direct that those works be kept under the supervision of the Collector, who will obtain from Captain Moberly such professional aid as may at any time be required.

(True Extract.)

Amulio. Br.

Colonel, B. E.,

Secretary to Government.

To the Superintending Engineer, 8th Division.

- " Board of Revenue.
- " Collector of Madura.
- " Revenue Department.
- " Controller and Auditor of Public Works Accounts.

Exd. S. T. Augustin.

7. 4/10/64 Copies

No. 3,041.

From W. HUDLESTON, Esq., Secretary to the Board of Revenue;
To J. D. SIM, Esq., Secretary to Government, R. D.

SIR,
With reference to paragraph 2 of Extract from Minutes of Consultation, dated 16th September 1858, Revenue Department, No. 1,268, I am directed to submit herewith a Statement of Refunds of Duty sanctioned by the Board of Revenue, from 1st May 1863 to 30th April 1864, amounting in the aggregate to Rupees 12,728-8-4.

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

W. Hudleston
Secretary.

REVENUE BOARD OFFICE,
Madras
18th March 1864.

Exd. R. H. Lee.

No: 19 in Aug 1864. in. 8-324

Revenue 1864. (10/11/64)
No: 19 of Aug 1864.

Proceedings of the
Board of Revenue in
the 10th April 1864.

Dated 18th 3 May
Received 20th 3 1864.

W. 1447.

13

*Proceedings of the
Board of Revenue in
the 10th April 1864.
The supervision of the Board
as suggested by the 10th April 1864.*

W. 1433.

W. 1433.

3rd May 1864.

RECORDED

STATEMENT OF REFUNDS OF DUTY SANCTIONED BY THE BOARD OF REVENUE FROM 1st May 1863 to 30th April 1864.

No.	Date.	Amount.	To whom.	Correspondence.	Grounds.
1	2nd May 1863.	RS. A. P. 239 11 9	Messrs. Vally Freres...	From Ganjam 2nd April 1863.	Duty on goods lost by wreck.
2	6th do.	45 0 0	Messrs. Binny and Co.	From Sea Customs 1st, in Cons. 2nd May 1863.	Improperly levied.
3	6th do.	25 0 0	Messrs. Gantz and Co.	From Sea Customs 30th, in Cons. 30th April "	Do.
4	8th do.	120 0 0	Messrs. Parry and Co.	From Sea Customs 5th, in Cons. 5th May "	Levied in excess.
5	23rd do.	681 1 1	Messrs. Vally Freres...	From Ganjam 11th, in Cons. 21st May "	Erroneously levied.
6	3rd June	29 0 0	Commander of the "Nourmahal."	From Sea Customs 1st, in Cons. 1st June "	Levied in excess.
7	22nd do.	0 12 0	Certain Merchant...	From Madura 12th, in Cons. 16th June "	Levied by mistake.
8	25th do.	6 8 0	Messrs. Bainbridge, Byard, Gair and Co.	From Sea Customs 24th, in Cons. 24th June "	Duty paid on goods not landed.
9	1st July	44 0 0	Messrs. Clark and Co...	From Sea Customs 29th, in Cons. 29th June "	Erroneously levied.
10	17th do.	33 0 0	Captain Middleton...	From Sea Customs 16th, in Cons. 16th July "	Port dues erroneously paid.
11	28th do.	5 0 0	Messrs. Fox and Co...	From Sea Customs 24th, in Cons. 27th July "	Erroneously levied.
12	30th do.	8 12 0	Messrs. S. Clarke and Co.	From Sea Customs 28th, in Cons. 28th July "	Erroneously levied on free goods.
13	30th do.	7 8 6	Commander of "Futlay Razac."	From Sea Customs 28th, in Cons. 28th July "	Improperly levied.
14	7th August	10 11 7	Colonel Rowlandson...	From Sea Customs 31st July, in Cons. 1st Aug. "	Levied in excess.
15	7th do.	24 0 0	Messrs. Arbuthnot and Co.	From Sea Customs 5th, in Cons. 8th Aug. "	Duty levied on goods not forthcoming.
16	15th do.	30 0 0	Mr. King...	From Tinnevely 31st July, in Cons. 8th Aug. "	Erroneously levied.
17	19th do.	55 0 0	Captain Cooper.	From Sea Customs 15th, in Cons. 15th Aug. "	Excess duty.
18	21st do.	58 14 7	Certain parties.	From Malabar 7th, in Cons. 13th Aug. "	Erroneously levied.
19	2nd October	1 3 7	Tiruvengada Chetty and Co...	From Sea Customs 28th, in Cons. 28th Sep. "	Duty over paid.
20	3rd do.	3 0 0	P. Casoo Mudali	From Sea Customs 1st, in Cons. 1st Oct. "	Duty on goods not landed.
21	10 h do.	291 2 4	Colonel Orr...	From Sea Customs 9th, in Cons. 9th Oct. "	Duty on an engine sold to Messrs. Arbuthnot and Co., and the sale afterwards cancelled.
22	16th do.	58 5 5	Messrs. Arbuthnot and Co...	From Sea Customs 15th, in Cons. 15th Oct. "	Duty paid on goods returned on account of wreck of vessel.

23	14th Nov. 1863.	50 0 0	Colonel Rowlandson.	From Sea Customs 13th, in Cons. 13th Nov. 1863.	Duty over paid.
24	25th do.	8,439 11 3	Certain parties.	From Tanjore 4th, in Cons. 11th Nov. "	Erroneously levied.
25	30th do.	20 0 0	Messrs. Arbuthnot and Co.	From Sea Customs 26th, in Cons. 27th Nov. "	Duty over paid.
26	1st December	18 0 0	Lieut. Obbard.	From Sea Customs 28th, in Cons. 30th Nov. "	Erroneously levied.
27	4th do.	1,027 8 0	Mr. Gray...	From Ganjam 1st, in Cons. 16th March "	Duty on goods lost by wreck of the vessel.
28	12th do.	52 4 11	Messrs. D'Souza, Cammiade and Co...	From do. 31st Oct. in Cons. 14th Nov. "	Duty on goods not landed.
29	23rd do.	13 4 7	Nummiah Chetty and Sons...	From Sea Customs 11th, in Cons. 12th Dec. "	Duty over paid.
30	9th January 1864.	3 0 0	Messrs. Arbuthnot and Co...	From Sea Customs 21st in Cons. 22nd Dec. "	Do.
31	18th do.	4 8 0	Certain party...	From Sea Customs 4th in Cons. 4th Jan. 1864.	Erroneously collected.
32	22nd do.	13 8 0	J. H. Blair, Esq...	From Madura 7th January 1864, No. 139.	Excess duty paid on goods found damaged and sold by auction.
33	5th February	40 0 0	Messrs. Oakes and Co.	From Sea Customs 19th January 1864, No. 297.	Erroneously levied.
34	16th do.	798 8 0	Mr. R. Gray...	From Sea Customs 29th January 1864.	Duty on goods not landed.
35	18th do.	1 1 6	Tiruvengada Chetty.	From Ganjam 3rd February "	Do.
36	9th March	12 10 5	Messrs. Bainbridge, Byard, Gairard Co.	From Sea Customs 3rd February "	Duty over paid.
37	10th do.	30 0 0	Messrs. Binny and Co.	From Sea Customs 25th February "	Erroneously levied.
38	16th do.	40 0 0	Messrs. Arbuthnot and Co...	From Sea Customs 8th March "	Excess duty paid on goods found to be damaged.
39	4th April	40 0 0	Rev. Mr. Compton...	From Sea Customs 1st April 1864.	Erroneously levied.
40	9th do.	56 10 3	Messrs. Hostein Freres.	Proc. 31st March 1864, from S. Customs 4th April 1864.	Improperly collected.
41	12th do.	67 3 2	Messrs. Walker and Co.	From Sea Customs 8th April 1864.	Duty on goods not landed.
42	22nd do.	60 0 0	Messrs. Short and Co...	From Sea Customs 19th April "	Erroneously paid.
43	29th do.	200 0 0	Messrs. Facolle and Co.	From Godavery 9th April "	Improperly levied.
Total....		12,728 8 4			

MILITARY DEPARTMENT.

PROCEEDINGS OF THE MADRAS GOVERNMENT.

Read the following papers:—

Memorandum from the Adjutant General, Fort Saint George, 26th April 1864, No. 201; to the Secretary to Government, Military Department.

With reference to G. O. G.,* dated 13th February 1863, No. 52, the Commander-in-Chief has the honor to forward for submission to Government, the within correspondence which has taken place between the Reverend Mr. Kidd, the Chaplain at Poonamallee, and the Officiating Staff Officer and Superintendent of Details, Fort Saint George, by which it will be seen, that the former has declined to sign a Baptismal Certificate for the child of a Pensioned Soldier unless it was prepared on stamped paper.

2. Although Pensioners are not expressly mentioned in the Notification above referred to, Sir Hope Grant strongly recommends that the indulgence accorded to the Effective ranks, may be extended to the Pensioned Non-Commissioned Officers and Private Soldiers.

From the Officiating Staff Officer and Superintendent of Details, Fort Saint George, 8th April 1864, No. 1344; to the Adjutant General, Fort Saint George.

* The Reverend J. Kidd, Chaplain of Poonamallee, having declined to furnish an authenticated Baptismal Certificate for the child of a Pensioned Soldier unless duly stamped, I have the honor to request you will, with reference to the Notification published in the Fort Saint George Gazette, page 140 of the 27th January 1863, submit to Government, whether Pensioned Non-Commissioned Officers and Soldiers are not equally exempt from Stamp Duty, as it appears to me, Government never could have intended to make any distinction in such cases between the Effective and Pensioned men, in their service, the latter as a class receiving less Pay than the former.

Referred to the Revenue Department.
28th April 1864.

Proceedings of the Madras Government, Revenue Department.

Read the following Proceedings of the Madras Government in the Military Department.

Referring the recommendation of the Commander-in-Chief to exempt Baptismal Certificates issued for the children of Pensioned Soldiers from Stamp Duty. } Here enter 28th April 1864.

ORDER THEREON, 18th May 1864, No. 852.

The question raised in these papers has already been referred to the Government of India in letter dated 20th June 1863, No. 1089, and their early attention will be called to it.

(True Extract.)

(Signed) C. G. MASTER,
Deputy Secy. to Govt.

ORDER, No. 1786, 26th May 1864.

Ordered that the foregoing Proceedings in the Revenue Department, be communicated to the Commander-in-Chief, (Adjutant General's Department.)

(True Extract.)

Marshall
Secretary to Government.

To the Adjutant General.

Revenue Department. }
Superintendent of Pensions, ... } for information.
Controllor of Military Accounts, }

Exd. R. Stephenson:

*20th April 1864 No. 27-28
" 30 June 1863 - 12nd May 1864.*

*Rev. 1864. Department
Secy. of Govt. for May*

No. 1353.

From the Secretary to the Board of Revenue,
To the Secretary to Government R. D.

Dated 18th May 1864.

38-

No. 3041.

Submitting statement of refunds of duty
sanctioned by the Board of Revenue from 1st
May 1863 to 30th April 1864. *21-033*

RECORDED

3rd May 1864

*Proceedings of the Madras Government, Public Works Department,
20th May 1864.*

No. 483. Read the following Proceedings of the Madras Government in the Revenue Department:—

Stating that, for 1863-64, the charges for Public Bungalows should be paid and audited by the Department Public Works, and after that period by the Board of Revenue. } (Here enter 11th May 1864, No. 810.)

No. 484. ORDER THEREON, 20th May 1864, No. 1,479.

Resolved that the Accountant General be requested to place at the disposal of the Board of Revenue the sums noted in the margin, sanctioned by the Government of India in letters dated 23rd January and 18th February 1864, Nos. 531 and 876, respectively.

(True Extract.)

Charles E. B. M.
Secretary to Government.

Colonel, R. E.,

To the Accountant General.
" Controller and Auditor of Public Works Accounts.
" Revenue Department.
" Board of Revenue.

Erd. S. T. Augustin.

15th May 1864.

3rd May 1864.

RECORDED

1864.

Commence
to the Government
Office No. 10. (Rev. 1864)
and the subject of the
former of the duty of the
Department of Public Works
issued for the Chief of the
Department of Public Works.

Revenue 1864
Proceedings of the
Madras Government
the Secretary of the
Madras Government
1864
Received 27th May 1864
1864.

16w14369.

October 20th 1863
 Received 23rd
 1863
 \$1479

The ground on which
 the monument stands is
 the property of the
 Government and is
 now in the hands of
 the War Department.
 The monument is
 now in the hands of
 the War Department.
 The monument is
 now in the hands of
 the War Department.

RECORDED.

80933

No. 3103.
PROCEEDINGS OF THE BOARD OF REVENUE, dated 20th May 1864.
STATEMENT of the Refunds of Fines sanctioned by the Board of Revenue, under the authority conveyed in Extract from Minutes of Consultation, in the Revenue Department, No. 440, dated 31st March 1859.

No.	Date.	Amount.	To whom.	Correspondence.	Grounds.
1	5th June 1863...	Rs. 3 0 0	Tahsildar of Chingleput.	From Madras 28th, in Cons. 29th May 1863.	Remitted on appeal.
2	27th August do.	455 12 0	Certain parties...	From Tanjore 18th, in Cons. 21st Aug. 1863.	Remitted by order of Collector.
3	27th do. do.	8 0 0	Serishtadar of Ongole.	From Nellore 17th, in Cons. 20th August 1863.	Excessively fined.
4	23rd Nov. do.	12 13 2	Salt Shanbogue....	From South Canara 2nd, in Cons. 9th November 1863.	Remitted on appeal.
5	25th do. do.	5 0 0	Sabapathi Moodelly.	From Madras 11th, in Cons. 12th November 1863.	Do.
6	22nd February 1864.	95 0 0	B. Gangaraz....	From Godavery 12th, in Cons. 22nd May 1863.	Remitted by Collector.
7	14th March do.	17 0 0	Certain parties	From North Arcot 3rd March 1846.	Remitted on appeal.
Total.....		596 9 2			

(A true Extract.)

Secretary.

To J. D. Sim, Esq., Secretary to Government, R. D.

Exd. J. Wright.

MILITARY DEPARTMENT.

PROCEEDINGS OF THE MADRAS GOVERNMENT.

Read the following papers:—

Memorandum from the Quarter Master General, Fort Saint George, 18th May 1864, No. 4980; to the Secretary to Government, Military Department.

Forwarded to Government, with reference to Proceedings of Government, No. 1082, dated 1st ultimo.

From Captain R. H. Bolton, for Deputy Assistant Quarter Master General, Mysore Division, Bangalore, 14th May 1864, No. 532; to the Quarter Master General, Head Quarters.

With reference to the Order of Government, marginally noted, I have the honor to state, for the information of His Excellency the Commander in-Chief, that No. 1082, 1st April 1864. having applied to the Officer Commanding Malabar and Canara for information as to whether suitable stone for building purposes could not be obtained in the vicinity of the Fort of Cannanore, he informs me that stone of good quality is not procurable near the Fort.

ORDER, No. 1766, 25th May 1864.

Communicated to Department Public Works, with reference to Proceedings of Government, No. 1082, dated 1st April 1864, and paragraph 2 of Order No. 1183, dated 8th idem. (True Extract.)

Mamillan
Deputy Secretary to Government.

To the Quarter Master General.

„ Public Works Department.

„ Revenue Department, for information.

With 10 spare copies.

Exd. T. Stubbs.

Exd. T. Stubbs/sg. to 9/1/99

Office of Quarter Master
1864. Department.

No. 1370.
PROCEEDINGS OF THE BOARD OF REVENUE.

Dated 20th May 1864.
Exd. T. Stubbs
Order 252.

No. 3103.

Forwarding statement of the Refunds of fines sanctioned by the Board of Revenue with reference to E. M. C. dated 31st March 1859 No 440 R. D.

RECORDED.

17th Nov 1864.

31st March 1864
1864

*Proceedings of the Madras Government, Public Department,
26th May 1864.*

Read the following letter from J. T. WHEELER, Esq., Assistant Secretary to Government of India; to the Secretary to Government, Fort Saint George, dated Fort William, the 4th May 1864, Circular No. 1001.

Foreign Department.
General.

With reference to the Circular from this office, dated 6th ultimo, No. 846, I have the honor to request that, as there is neither an Officiating Secretary nor a President in Council in Calcutta, you will send all your letters to the Secretary in this Department at Simla, merely furnishing me with duplicates of them for record in the Presidency Office. I am further to request that you will send all your Diaries and Abstracts of Proceedings also to Simla; duplicates of them are not required here.

ORDER THEREON, 26th May 1864, No. 596.

Communicated to the several Departments of the Secretariat.

(True Extract.)

G. J. Cunningham
Chief Secretary.

To the Revenue Department.

„ Public Works do.
„ Military do.
„ Judicial do.
„ Political do.

Exd. J. Tulloch.

No. 12. April 16th 1864
1864.

No. 2. 1864. 21st May
21st May 1864.

From of the Madras
Government to the
Chief Secretary.

Dated 25th 3rd May
Received 30th 3rd May 1864.

28-1706.

Commencing
the 25th of May
No. 25th 3rd May
General, Bangalore District
concerning the 25th of May
passed, is in the possession of
the Chief Secretary.

RECORDED.

28-933.

31st May
1864.

18th May 1864.

Statement shewing the number and per centage of Deaths from all causes and separately from Cholera among European and Native Troops for the past 22 years.

Years.	Europeans.					Natives.				
	Average strength.	Deaths from all causes.	Deaths from Cholera.	Per centage of		Average strength.	Deaths from all causes.	Deaths from Cholera.	Per centage of	
				Deaths from all causes.	Deaths from Cholera.				Deaths from all causes.	Deaths from Cholera.
1842	12,680	508	163	4.2	1.3	74,618	1,887	741	2.5	0.9
1843	12,436	610	206	4.9	1.6	73,763	1,749	905	2.3	1.2
1844	13,037	367	54	2.8	0.4	73,083	1,458	519	1.9	0.7
1845	12,548	491	124	3.9	0.9	74,861	1,544	708	2.0	0.9
1846	11,113	402	75	3.6	0.6	74,682	2,002	1,208	2.6	1.6
1847	11,429	337	22	2.9	0.1	67,950	880	78	1.2	0.1
1848	9,679	174	2	1.7	0.02	55,946	690	93	1.2	0.1
1849	9,559	245	26	2.5	0.2	50,030	610	104	1.2	0.2
1850-51	9,136	226	21	2.4	0.2	50,448	712	183	1.4	0.3
1851-52	9,119	216	15	2.3	0.1	49,851	658	202	1.3	0.4
1852-53	9,170	478	155	5.2	1.6	49,747	739	125	1.4	0.2
1853-54	8,291	324	61	3.9	0.7	47,887	944	284	1.9	0.5
1854-55	9,021	300	65	3.3	0.7	46,988	745	190	1.5	0.4
1855-56	7,599	200	11	2.6	0.1	47,938	690	59	1.4	0.1
1856-57	7,513	215	58	2.8	0.7	47,968	785	141	1.6	0.2
1857-58	9,396	385	112	4.09	1.1	47,902	1,072	177	2.2	0.3
1858-59	15,482	655	47	4.2	0.3	57,653	1,008	227	1.7	0.3
1859-60	16,921	463	99	2.7	0.5	60,750	1,047	260	1.7	0.4
9 months 1860	10,741	205	36	1.9	0.3	35,401	524	107	1.4	0.3
1861	15,121	221	43	1.4	0.2	40,315	451	69	1.1	0.1
1862	13,920	238	49	1.7	0.3	33,551	321	83	0.9	0.2
1863	12,396	201	39	1.6	0.3	30,613	295	85	0.9	0.2

ORDER, No. 1797, 27th May 1864.

Communicated to the Sanitary Commission, together with Dr. Lorimer's Report.

2. Any further Reports that may be received, from the Commander-in-Chief or Government of India, will be duly furnished to the Commission.

(True Extract.)

Marshall
Secretary to Government.

To the Prin. Insp. Genl. Medl. Dept.
 „ President Sanitary Commission, with the Report.
 „ Adjutant General.
 „ Judicial Dept., with copy of the Honorable Mr. Pycroft's note } for information.
 „ Revenue Dept., with do. — }

Exd. R. Stephenson.

Nil 10 spare Copies

47
*Note by the Secy.
 Pycroft on Page of Report of 1864.*

*Para: 7 of Dr. Cole's letter
 might, I think with advantage,
 be furnished to all Magistrates
 up Country and their attention
 drawn to it. What is done at
 Bellary might well be done
 elsewhere.*

Signed C.P.

Stall

See: *Ind. of 19th April 1864. No. 14. 1864.*

*Proceedings of the
General Committee
the British Army, 1864.*

*Vol. 1. 27th 3rd 1864/65.
Received 31st 3rd 1864/65.*

No. 1797.

*Commencing
No. 1. 27th 3rd 1864/65.
a letter from the General
Secretary, 1864/65.
a letter from the General
Secretary, 1864/65.
a letter from the General
Secretary, 1864/65.*

20th 1864.

2-933.

RECORDED.

31st 1864.