M.R.O. 1—39,000—16-10-29.

MADRAS RECORD OFFICE.

Government of Madras.

Revenue DEPARTMENT.

G.O. No. 2292 Press ~~His.~~

471-72.

Dated 31-8- 19 18.68.

Not to be folded or roughly handled

Proceedings of the Madras Government, Revenue Department,
31*st August* 1868.

No. 471. Read the following Proceedings of the Madras Government in the Public Department:—

Passing orders on Proceedings Revenue Department, regarding the propriety of a legislative enactment to prevent the destruction of elephants. } (Here enter 24th August 1868, No. 1,035.)

No. 472. ORDER THEREON, 31st August 1868, No. 2,292.

Miscellaneous.

Ordered to be recorded.

(True Extract.)

(Signed) H. SEWELL,
Acting Under Secretary to Government.

Exd. F. R. Bantleman.

(3). Zemindars and other proprietors would retain the right to shoot the male elephant on their waste lands without the license of Government.

(4). The right to shoot elephants trespassing on cultivated lands and on the high roads would remain as at present common to all.

(5). Persons shooting on waste lands and others would be exonerated from the penalties attached to the destruction of an elephant when it could be proved that the Act was committed in self-defence.

(6). The same exoneration would be extended to those who should destroy on waste land an elephant found on cultivated land and pursued from thence.

6. In addition to these legal provisions it will, in the opinion of Government, be desirable to offer rewards to persons belonging to the Forest Department and others, who may give such information of the illicit destruction of elephants as may lead to the conviction of the offenders.

7. A stipulated price should also be paid for every elephant caught or trapped on private lands and brought in alive and uninjured to any Officer of the Revenue, Police, or Commissariat Department.

8. Rewards for the destruction of elephants will no longer be given, except in cases where it may be necessary for the protection of life or property to offer specific rewards for elephants known to be dangerous or notoriously infesting and destroying cultivation.

9. These Proceedings will be submitted to the Government of India, who will be requested to determine whether legislation on this subject shall be imperial or local.

10. The attention of the Board of Revenue will be called to paragraph 8 of these Proceedings, with a view to their issuing the necessary instructions to the Collectors of the Districts for the discontinuance of rewards for killing elephants.

(True Extract).

Chief Secretary.

To the Legislative Department.
„ Revenue do.
„ Board of Revenue.

Proceedings of the Madras Government, Public Department,
24th August 1868.

Read again papers recorded in the Proceedings of 20th February 1863, Nos. 144—147.

No. 188. Read also the following Proceedings of Government in the Revenue Department.

Communicating a letter from the Government of India requesting to be informed of the conclusions that may be arrived at as to the propriety of Legislative enactments to prevent the destruction of elephants. } (Dated 2nd May 1863, No. 1214.)

No. 189. ORDER THEREON, 24th August 1868, No. 1035.

In the letter from the Home Department, dated 4th April 1863, the Government of India requested to be informed of the conclusions at which the Madras Government have arrived as to the propriety of legislating to prevent the destruction of elephants. Reports on this question have been furnished by Messrs. Grant, Logan, and Arbuthnott.

2. Mr. Grant is in favor of legislation, except as regards elephants found on private lands, or destroying crops or being troublesome to travellers.

3. Mr. Logan, whose letter is very full and suggestive, shows that wild elephants are incompatible with the extension of the railway roads and the spread of cultivation, and he would not prohibit the destruction of elephants wherever the country is being opened up. He would reserve certain suitable tracts of country unfitted for cultivation in which elephants may increase and multiply, and in which their own instincts would teach them to remain. He specially mentions the upper valley of the Vigay river in the Madura District, where there is dense jungle and an abundance of water. This tract could be easily guarded, and is very convenient for Kraal operations. He considers that the Government, by withholding rewards for the destruction of elephants and keeping a moderate number of watchers, could effectually preserve this tract without special legislation.

4. Mr. Arbuthnott suggests the portion of a Government Forest in the Periakolum Taluq, called the Peria Mullay, as an elephant preserve. Mr. Arbuthnott would legislate to the extent of prohibiting the destruction of female elephants in all forests on Government land, except when destroyed for the protection of life or crops.

5. After a careful consideration of these recommendations, the Government are of opinion that legislation is required for the preservation of elephants, which are threatened with extinction by the concurrent causes of sport and cultivation, and that the following provisions should be made in any enactment having this object in view:—

(1). On all waste or forest land the property of Government, of Zemindars, or others, the destruction of [illegible] female elephant should be prohibited, under a penalty of from 10 to 500 Rupees fine, and imprisonment not exceeding one month in default of payment.

(2). The destruction of the male elephant should be prohibited on all waste or forest lands, the property of Government, under the same penalty, except by persons holding a license to shoot the male elephant from the Collector of the District.

Revenue 1868 Sept.
Pro. of Govt. for Augt.
No. 2801.

Proceedings of the
Govt. Public
Dept.

Dated 24th Augt.
Received 28th 1868.
No. 1035.

Passing orders on
Pro. Rev. Dept. Regarding
the propriety of a
legislative enactment
to prevent the destruction
of elephants.
No. 2292.

Recorded.

Read 1-472

31st August 1868