

T.N.A.

PROCEEDINGS AND
CORRESPONDENCE:
PUBLIC WORKS COMMISSION
MADRAS PRESIDENCY

MADRAS
1855

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101
PROCEEDINGS AND CORRESPONDENCE,

CONNECTED WITH THE LATE

PUBLIC WORKS COMMISSION

FOR THE

MADRAS PRESIDENCY.

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MADRAS:

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1855.

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PROCEEDINGS AND CORRESPONDENCE CON-  
NECTED WITH THE LATE PUBLIC  
WORKS COMMISSION.

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PUBLIC WORKS DEPARTMENT.

No. 484.

*Extract from the Minutes of Consultation under date the 14th No-
vember 1854.*

Read the following letter from the Members of the late Commis-
sion on Public Works.

(Here enter 12th October 1854.)

Read also the following.

Minute by the Hon'ble
Mr. Thomas.

(Here enter 25th October 1854.)

Ordered, that the foregoing letter from the late Commissioners on Public Works, together with the Minute recorded by the Hon'ble Mr. Thomas, be communicated by the next Mail to the Honorable Court with reference to their despatch of the 22d March 1854, No. 13, and that the Honorable Court be requested to give this Government early permission to print and publish these documents, together with other correspondence on the same subject, which has passed since the last Proceedings of Government were made public. The Right Honorable the Governor in Council feeling precluded from himself adopting this course without the instructions of the Honorable Court.

(Signed) H. C. MONTGOMERY,

Chief Secretary.

PUBLIC DEPARTMENT.

No. 17 of 1855.

OUR GOVERNOR IN COUNCIL,

*at Fort St. George.**Letter in the Department of Public Works, dated 22d November,*

(No. 16) 1854.

Para. 1. The Commissioners in their explanatory statement have

Transmitting an explanatory letter from the late Commissioners of Public Works, with reference to Court's Despatch, dated 22d March (No. 13) 1854, together with a Minute by Mr. Thomas thereon, and requesting permission to print and publish these papers, together with any other correspondence on the same subject, in continuation of the proceedings already made public.

carefully abstained from any topics calculated to raise discussion or revive feelings of irritation, and have confined themselves to such remarks as were necessary to support their strong denial that in their First Report they were guilty of intentional misrepresentation, or were actuated by any desire to impute blame to the Government they serve. At the same time, in terms very creditable to their candour and proper feeling, they express regret that they were betrayed in some instances into the

use of the language to which we took exception, and of the impropriety of which they are now conscious.

2. On the other hand, Mr. Thomas altogether disclaims the intention which some passages of his former Minute seemed to us to imply, of bringing a charge of wilful misrepresentation against the Commissioners: and as that was the only point on which we considered any explanation was required, we have only to declare our satisfaction with the result of the reference.

3. We see no objection to the printing and publication of the above documents, together with our Despatches and any other correspondence on the subject that may be deemed relevant, in continuation of that which has already been published, at your Presidency.

4. We shall not have occasion in our correspondence with your Government to enter on any general review of the Reports of the Commissioners of Public Works, and therefore avail ourselves of this opportunity of expressing our high sense of the zeal, ability, and intelligence, displayed by those Gentlemen in the prosecution of the task committed to them by your Government, and of the great value of the information embodied in

their Reports, and of many of the suggestions therein offered. We have communicated to the Government of India our orders on the general plan on which the Department of Public Works at your Presidency is to be reformed, and we shall look with interest for the details of the new system, in the arrangement of which we cannot doubt that you will derive much assistance from the labors of the late Commission.

We are,

• Your loving friends,

(Signed) J. OLIPHANT,

„ G. MACNAGHTEN,

„ &c. &c. &c.

LONDON: }
28th March, 1855.

PUBLIC DEPARTMENT.

No. 13 of 1854.

OUR GOVERNOR IN COUNCIL,

at Fort St. George.

Letter (Public Works Department,) dated 23rd Nov., (No. 10,) 1853.

Para. 1. In this letter you have transmitted to us a Memorial from Mr. J. D. Bourdillon and Major G. Balfour, Members of the Commission on Public Works, complaining of the manner in which they had been treated by the Governor of your Presidency.

2. These gentlemen state that having waited upon Sir Henry Pottinger at the Public Breakfast, and having put down their names for an interview, in order to present their second Report and officially to pay their respects to him, as the Head of the Government, on the breaking up of the Commission, they were informed by the Senior Aide-de-Camp that the Governor could not grant them an interview, and that he had given orders "that their names should not be on the Government House Lists."

3. The Memorialists state that they feel compelled to ascribe the treatment of which they complain, to displeasure felt at some passages, or at the general tenor, of their first report: and this impression is

verified by Sir Henry Pottinger, in a Minute which accompanies the Memorial and in which he states, "as the Head of the Government I feel that I was quite justified in the step I took, equally to protect myself from being intruded upon by persons who had so totally forgotten what was due to me in that position, and also in my private capacity to mark the sense I entertained of their conduct."

4. The* blame imputed to the Commissioners in the above Minute is stated at greater length and in far stronger terms in the Minute recorded by Sir Henry Pottinger on the First Report of the Commissioners, and on the same occasion the other Members of your Government took exception to the tone of the Commissioners' remarks on the Government of your Presidency with reference to Public Works in past years. Several instances are pointed out by Mr. Elliott, in which their statements impugning the conduct of your Government are contradicted by facts, and both he and Mr. Thomas impute to those gentlemen mis-statements, in cases where they could scarcely be ignorant of circumstances, which ought to have modified their conclusions.

5. We shall not be in a position, till we have received the 2nd Report of the Commissioners, and been put in possession of the views of the Government of India on the subject, to go into a full consideration of the substance of the Report already received, and of the Minutes recorded by your Government in connection with it, but we have nevertheless thought it right to enter on such an examination of it as would enable us to decide how far the Commissioners may have laid themselves open to these observations on the tone and spirit of their Report, as far as it regards the conduct of your Government.

6. The result is, that whilst we are entirely of opinion that it was the bounden duty of the Commissioners to bring fully before the Government of India all the facts connected with the subject of their enquiry, and the deficiencies which, in their opinion, existed in any part of the service of the department of Public Works, we think they are liable to animadversion for the tone of several parts of their Report, with reference to the conduct which on different occasions your Government thought it right to pursue. Such a course could not be necessary for a perfect elucidation of the truth, and could not but tend to produce feelings little calculated to promote the important object of a good and harmonious understanding amongst gentlemen employed in the same public service.

7. On the other hand we cannot but regret the mode which Sir Henry Pottinger thought proper to adopt for expressing his disapprobation of the conduct of the Commissioners, when they came, according to the accustomed practice, to seek an interview for the purpose of presenting their Second Report, and also the communication made to them by his orders, which we think casts unmerited discredit on Public Officers of high character and reputation.

8. With regard to the charge of wilful misstatement and misrepresentation, which seems to be implied by Mr. Thomas, we shall reserve our opinion until the Commissioners have had the opportunity of offering an explanation.

We are,

Your loving friends,

(Signed) J. OLIPHANT,

„ R. MILLS,

&c. &c. &c.

LONDON :
22d March, 1854. }

PUBLIC DEPARTMENT.

No. 202.

Extract from the Minutes of Consultation, under date the 2d May, 1854.

The Right Honorable the Governor in Council proceeds to pass Orders, on a letter in the Public Department; from the Honorable the Court of Directors, dated 22d March 1854, No. 13.

Communicate their views on the subject of the Memorial addressed to them by Mr. J. D. Bourdillon and Major G. Balfour, complaining of the manner in which they had been treated by the Right Honorable the Governor,

Ordered, that a copy of this despatch be furnished for the information of Mr. J. D. Bourdillon and Major G. Balfour, late Members of the Commission on Public Works, in reference to their Memorial, dated 8th November 1853.

H. C. MONTGOMERY,

Chief Secretary.

TO SIR H. C. MONTGOMERY, BART.,

Chief Secretary.

SIR,

I have the honor to solicit the Right Honorable the Governor in Council to allow the Public Works Commissioners to have access to the Records of Government, and to all Public Offices and Officers, with a view to collecting information for preparing the explanation referred to in the Honorable Court's Despatch, No. 13, of 22d March 1854.

I beg to state that I have had communication with Mr. Bourdillon, who concurs with me in asking for this permission, and we are confident that our colleague Major Cotton will approve of our taking this course.

I have the honor to be,

Sir,

Your most obedient servant,

G. BALFOUR, *Major.*

MADRAS :
11th May, 1854. }

PUBLIC WORKS DEPARTMENT.

No. 223.

Extract from the Minutes of Consultation under date the 17th May, 1854.

Read the following letter from Major G. Balfour.

(Here enter 11th May 1854.)

The Right Honorable the Governor in Council is desirous of affording every facility to the Commissioners, for obtaining information to enable them to prepare the explanation, referred to in the Honorable Court's late despatch.

The Governor in Council believes that the objects in view would be most readily attained by the Commissioners intimating the particular points to which they purpose to direct their attention, and he would suggest that Major Balfour state what these subjects may be, in order that the Records relating thereto may be immediately collected and placed at his disposal.

His Lordship in Council trusts the Commissioners will confine their further proceedings to such special matters as they may consider demand their explanations, and he would wish to impress on them the advantage of an early reply to the Honorable Court's observations, as it would appear from the despatch that the reform of the Department Public Works, and the consideration of their Reports are to be deferred till the receipt of these explanations.

H. C. MONTGOMERY,

Chief Secretary

FROM J. D. BOURDILLON, ESQ.

„ MAJOR F. C. COTTON,

„ „ G BALFOUR,

Members of the late Commission on Public Works.

TO SIR H. C. MONTGOMERY, BART.,

Chief Secretary to Government,

Fort St. George.

SIR,

Para. 1. We have the honour to acknowledge an Extract from the Minutes of Consultation of Government, under date 17th May 1854, No. 223, stating in answer to a letter from Major Balfour, on our joint behalf, that the Right Honorable the Governor in Council is desirous of affording us every facility in preparing our explanation, in reply to the remarks of the Members of the late Government on our first Report; but suggesting that the particular points to which we propose to direct our attention should be specified, in order that the records relating thereto might be immediately collected for our use, and expressing a hope that our further proceedings would be brief and would be submitted at an early date.

2. We beg to return our thanks to the Right Honorable the Governor in Council for his compliance with our request for access to the Government records; but we have now to state that on further consideration we have resolved to abstain from making use of the permission. Having been charged in the plainest terms, both by the Government collec-

* Letter to the Government of India, November 8th, 1853, para. 14.

† March 22d, 1854, No. 13.

tively,* and in Minutes by some of its Members, with wilful misrepresentation; and the recent despatch† of the Honorable Court appearing to invite an explanation from us, our first thought was, that it was incumbent upon us to vindicate our characters as gentlemen,

men of business, and public servants, from the heavy imputations that had been thrown upon us, by setting forth the proofs of the various statements contained in our first Report. But we could only vindicate ourselves by putting in the wrong the Government which we serve, and to which our defence must be addressed. Further, as some of the strongest charges are couched in general terms only, we should be obliged, in order to reply to them, to request that they might be stated more definitely; and we believe this could not be done without giving fresh cause of offence. At all events it would certainly cause delay, which the Government express themselves as so anxious to avoid. We have therefore determined to content ourselves with a brief explanation, comprising a concise notice of some of the most prominent and definite of the charges brought against us, with some general remarks; and having done this, to leave the subject in the hands of the Honorable Court of Directors. We would only request that if our present explanation is deemed defective or unsatisfactory in any particulars, the Government will be pleased to acquaint us with them, and to give us an opportunity of entering into a more elaborate vindication on such points. We beg to add that this letter would have been submitted at a much earlier date, but for the circumstance that we were all at widely distant stations which made conference difficult and tedious.

3. The idea appears to pervade at least two of the three Minutes recorded on our first Report, that we sought occasion to inculcate our own Government; it is proper therefore that we should meet this imputation, which is indeed embodied in words, with a simple and emphatic denial. In the discharge of the duty committed to us, we took a review of the past history and operations of the Public Works Department as regards works of irrigation, roads, and buildings, as well as of the constitution of the Department itself, the establishments, the means of training them, &c. In the several parts of this review it was our earnest endeavour to seek out the facts, and state them plainly and faithfully. And whether they seemed to us to tell for or against the various authorities concerned, and whatever those authorities were, and whether the occurrences were of remote or of recent times, we still thought it our duty to record them, so far as they appeared to illustrate the history and operations of the Department. In this review it happened naturally that more recent times received the more detailed notice, not only from the mere fact that they were more recent, but also because the Department has so much increased in importance of late years: and of necessity also the authorities of this Presidency came

chiefly under remark. But we think the Report itself furnishes ample evidence in disproof of the charge under notice.

4. We beg to cite a few passages from it, showing that we neither forbore to record instances tending to the advantage of our Government, nor shunned to impute blame to other authorities however exalted. As regards the latter, we beg to request attention to the following passages; 1st, the enumeration of the defects and shortcomings of the Public Works Department of the Board of Revenue, in paras. 22, &c.; 2d, the sketch of the early operations respecting the Roads of the country, paras. 112 to 119; 3d, the notice of the refusal of the Indian Government to sanction a necessary Road in South Arcot, para. 249; 4th, the refusal of the same authority to sanction the exploration of the Godavery, when recommended by the Government of Sir H. Pottinger, para. 439; 5th, the delay in passing into Legislative Acts at Calcutta, drafts on important subjects sent up from Madras, paras. 454 and 455, and the note to the latter para.; 6th, the refusal, by the Honorable Court, of necessary augmentation of the Engineer Corps, para. 586; 7th, the refusal of the same authority to sanction necessary increase in the Establishment of the Public Works Department, paras. 560; and 8th, the notice of the practice of sending out supernumerary Second Lieutenants of Engineers, paras. 593, &c.

5. The foregoing instances will, we hope, be admitted, as showing that we did not fail to raise our feeble voice against all which we found open to objection, in whatever quarters; and the following examples will show also that we did not avoid citing cases to the advantage of our own Government. In para. 125, we noticed the broader views which began to be acted on in respect to Roads, about the year 1845; and though stating our conclusion, in the course of that section, that the Road Department had not been judiciously constituted, yet we fully acknowledged the enlarged and liberal views which led to its formation. We noticed also the increased outlay of late years in Tinnevely and its beneficial results, in paras. 241, &c.; in South Arcot, in paras. 245, &c.; in Tanjore, paras. 252, &c. We gave a lengthened account of the gigantic works undertaken on the Godavery, paras. 257, &c.; and we recorded the recommendation of the Anicut and other works on the Kistnah by the Madras Government, para. 293. In para. 457, again, we noticed the great improvement which had been effected by means of the operations for enlarging the Paumbum passage; and in para. 461, we admitted the marked enlargement which has taken place,

of late years, in the views of our Government as respects expenditure on Public Works.

6. A reference to the passages cited in the foregoing two paragraphs will be sufficient, we think, to show that we were not actuated by the animus imputed to us; but that it was our aim to state facts as we found them, whatever authorities they concerned, and whether they seemed to draw with them praise or blame.

7. We will now briefly notice a few of the specific imputations of misrepresentation brought against us, taking first that which charges us with saying that the Government has never duly recognized the importance of Roads. This is stated by the fourth Member of Council, (Minute para. 3,) and is referred to by the President, (Minute para. 23); and it is argued that the alleged assertion is untrue. We beg to point out, in the first place, that the expression stated was not used by us. Our statement, as given by Mr. Thomas, is that "this Government has never duly recognized the importance of improving the communications of the country." But these are not our words; the real passage, in para. 18 of the Report, is as follows:—"We shall have to speak of the condition of the Roads, below; and will here only observe, that they have almost invariably been wholly neglected. This circumstance is to be attributed in part to the fact that the Civil Engineers have never had more than a very little time to give to the Roads, while without their aid the Collectors could do very little; but chiefly to the fact, that the importance of improving the communications has never been duly recognized. Hence the Board of Revenue have failed to do more than adopt some of the improvements brought before them by the local Officers, and have never attempted to form any general system of Roads; and hence expenditure on the Roads has almost always been an unwelcome subject with Government, and they have discouraged the submission of projects of improvement by the Board of Revenue, and have rejected some that have been submitted." It will be seen that this statement by no means relates to the Government only, but refers to all the authorities concerned with the charge of the Roads. It occurs in the preliminary general view of the condition and operations of the Public Works Department under the Board of Revenue; and we think it will be seen to signify, that in the times to which it refers, clearly the past rather than the present, the authorities of the Department, of all ranks, were too little alive to the importance of good Roads to the prosperity of the Country. As a consequence of this prevailing state of feeling, we noticed that both the

Board of Revenue and the Government were wanting in the encouragement of Road improvements ; and certainly we should not have been disposed to claim for the Collectors and Civil Engineers, generally of those times, a higher degree of enlightenment on the subject.

8. The same passage of Mr. Thomas' Minute (para. 3) quotes another statement as from the Report ; viz., that "the view practically acted upon by the Government, has been, that all expenditure is an evil." Here again a general statement is inaccurately applied to the Government only. The passage referred to occurs in para. 226 of the Report, and is as follows :—"Hitherto indeed though the ruling authorities have admitted in general terms the importance of promoting improvements, yet the view practically acted on has been that all expenditure is an evil ; and that it is the duty of the controlling authorities to check it, with but little reference to the valuable return to be obtained." We think it will be seen, when thus pointed out at least, that the term "Ruling Authorities" cannot properly be taken as applying to the Madras Government only ; and indeed if so intended, it would be an incorrect and ungrammatical expression. It was rather used to comprehend also all those authorities who, as partly shown in the passages quoted above in para. 4 of this letter, had been concerned in unduly restricting expenditure on Public Works in the Madras Presidency. Thus understood, the expression includes indeed the Madras Government ; but it does not apply to them in the exclusive and invidious sense supposed and imputed.

9. But there is another remark to be made, with reference both to the two expressions on which we have now been commenting, and to an observation which occurs in para. 18 of the Report, already quoted, and which is noticed by the fourth Member of Council in the same para. of his Minute. The observation referred to is that "an expenditure on the Roads has almost always been an unwelcome subject with the Government ;" and the remark which we wish to make, on all three passages, is as follows. All the three are understood by Mr. Thomas as if they applied exclusively to the time when the Report was written ; but such is very far from being the case. It will be plain on a reference to the text, that in the passages in question we were speaking of the whole past experience of the Public Works Department ; and in the earlier of the two in particular, (para. 18,) of more remote, rather than of more recent times. Thus intended and understood, we hope we may say, without offence, that the statements are strictly true ; and in proof of

this position we beg to appeal to the sketch given in the early part of section III. of the Report,* of the treatment of the Roads, by our Government and its Officers, twenty or thirty years ago. The statements there made are taken simply from the records of the Government; and we think they will be admitted fully to bear out the assertion that neither the Government nor the Board of Revenue were, in the times referred to, in any degree adequately alive to the importance of good Roads; and also that in those times any proposal of expenditure on them was most unwelcome. We specially noticed (para. 125) the change which took place in this respect about 1845, and which had indeed begun several years earlier: and though stating reasons for disapproving the constitution of the Road Department, we fully admitted the good results of the greatly increased expenditure on Roads, which began contemporaneously with the formation of that Department.

10. Another subject, on which we are alleged to have been guilty of wilful misrepresentation, is that of the Department just referred to. In the Minute recorded by the fourth Member of Council, (para. 31,) our representation of the intentions and orders of Government in constituting the Department of Trunk Roads, and of the instructions issued for its guidance, is stated to be "rather a labored perversion than a correct exposition of the facts." Upon this we will only observe that the sketch thus described was carefully abridged from the orders of Government and the despatches of the Honorable Court. Those documents being specifically cited by us, and being at hand, if Government and the higher authorities will be pleased to refer to them, it is needless to say more in this place. The Minute adds, (para. 31 as above,) that the statement that the Department has been a complete failure, is "equally incorrect." After reviewing the working of the Department at considerable length, we gave our reasons for the conclusion at which we arrived, that it had failed to fulfil the expectations entertained of it at the time of its formation; but this was stated as opinion only. Other persons, having as good or better means of information, may possibly arrive at the opposite opinion; but still it is hardly proper on that account, to charge us with an incorrect statement. There was no statement of fact at all, but merely of opinion; as such, it is certainly true, however the opinion itself may be considered erroneous.

11. A third matter, on which we were charged with wilfully misrepresenting the Government, is that of the refusal of expenditure on

Public Works. It is alleged that we charged such refusals as a fault against the Madras Government, though well aware that at various times, that Government was laid under strict limitations as to expenditure by orders from higher authority; and was also impeded by the want of agency to superintend important works. In reply to this charge we beg to say, that we believe we never mentioned an instance of expenditure refused, without stating also the reason assigned for that refusal by the Government itself. We beg to refer to the following instances. The refusal to repair the tanks of Darojee and Singaramulley, para. 278; the refusal of the Road from Berhampore to Russelcondah, para. 333; that of the Road from Coconada to Samulcottah, para. 336; that of the small sum for extending Canal navigation in Malabar, para. 370; and that of the very trifling amount asked for to preserve the harbour of Coringa, para. 430. And if we gave no reason for the refusal of the small amount solicited for the improvement of Negapatam harbour, para. 442, it is because no reason is stated by the Government itself. Again, in the matter of the indefinite postponement of a project for improving the Sewerage of the city of Madras, and supplying it with water, we gave, as the reason for the resolution of Government, the "mere ground of expense;"* while

* Article 11, in para. 537. the late President of the Council appends to his Minute on the Report, (Appendix D,) one which he recorded on that project, as a proof (para. 13) that he examined it carefully. But we had not access to the Minutes recorded by the Members of the Government,* and could only judge by the terms of the Government Resolution; and so confident do we feel of the scrupulous exactness with which we used our materials, that though we have not that Resolution to refer to now, we feel sure that if the Government will be pleased to examine it, it will be found to assign no other cause for the postponement of the project, than that which is stated by us, viz., the expense.

12. If then in every instance in which we mentioned a refusal of expenditure by the Madras Government, we gave also their own reasons for that refusal, it is hard to see how we can be charged with misrepresenting those reasons; and with reference to more general statements, wherein the Government is blamed for a habit of indisposition to expenditure on Public Works, we beg to say that we did not by any means omit to allude to the causes beyond their own

* Lest this statement should be misconstrued, we beg to observe that on several occasions shortly after the appointment of the Commission, we were allowed to see the Minutes recorded by Members of a former Government on certain questions; but similar permission having subsequently been refused in other cases, we forbore thenceforward to ask for such Minutes.

control, which have operated to limit such grants. As regards the deficiency of Engineers and of executive agency of all grades, we not only dwelt on it at length and in detail, as the great defect of the Department, though not wholly absolving the Madras Government from all responsibility for it; but we also specifically stated it as one cause of the too limited expenditure on Public Works. As to the restriction of expenditure by orders from higher authority, the limited outlay on Public Works

in this Presidency, is ascribed, "as one main cause,"* to the constant injunctions to economy, received from Bengal; and in para. 492 we advert to the subject a second time in equally strong terms. The examples already quoted in para. 4 of this letter, may also show that there was no disposition on our part to impute blame to the Local Government rather than to the Government of India, when it seemed to be due to the latter.

13. In connection with one of the instances cited above in para. 11, viz., the refusal of the small grant asked for by the local authorities, and recommended by the Board of Revenue, Department of Public Works, for completing the scheme of water-communication in Malabar, we deem it necessary to notice two specific and grave imputations by the late President of the Council; one upon the Commissioners generally, and the other on the professional character of one of our number, Major F. C. Cotton. These imputations are to be found in para. 42 of the late President's Minute; where it is asserted, 1st, that our statement respecting water communication in Malabar is "distorted and incorrect;" and 2d, that the reason for the refusal of the grant asked for, was that Major Cotton had "grossly failed" in a very important work entrusted to him. In reply to the former charge, we can only say that our statement as to the cause of the refusal was made in the very words of the order of Government. The cause there assigned, as given in para. 370 of the Report, was that the Right Honorable the Governor in Council saw "no sufficient reason for incurring the expense." As to the second charge, we are not aware what Minute was recorded on the case by the President, and the Appendix to this Minute on the Report does not contain any Minute by him on this matter, as it does on some others. But subsequent acts of His Excellency seem to show that at least he did not retain his opinion of Major Cotton's unfitness for situations of trust; for he not only nominated him a Member of the Commission on Public Works, (calling him down a distance of 400 miles for the purpose :) but he also selected him afterwards, though before the Report of the Commission had been

submitted, for the very arduous and responsible charge of carrying forward the works in the Godavery Delta. It would be out of place to enter further into the subject in this letter: but we give in a Note at the end a short Memo. on it by Major Cotton.

14. The only other charge to which we will refer, is that of having exaggerated the bad condition of the Roads of the country. In the Minute of the President the description given in the early part of Section VII., paras. 329 to 376, is asserted to be "studiously exaggerated;" and it is added that "assertions are made, to uphold that "exaggeration, which are not authorized by facts." On this we will only remark that the whole of the description thus designated consists almost solely of a careful and scrupulous abridgement of a series of official reports from the Collectors and Civil Engineers, the very words of those reports being used to a great extent; and it is difficult to conceive from what less objectionable source, or less chargeable with bias against the Government or the Government Officers, we could have drawn our materials for this part of our Report. With reference to para. 39 of the Minute, we beg to observe, though it is probably superfluous to do so, that the expression "the rest of the civilized world" was not intended to signify "other portions of India."

15. We have now noticed the most prominent and definite of the charges of misrepresentation and misstatement brought against us. For the reasons stated in the commencement of this letter, we abstain from any formal refutation of the more general charges of the same kind. One remark, however, we must make, viz., that we have observed several instances in the Minutes of the Members of Government, wherein our statements have been misapprehended, and the supposed meaning has then been severely commented on. We think it needless to recapitulate all the instances of this nature, but we will state a few. The first, which we will notice, is contained in the first few lines of para. 64 of the President's Minute. The passage of the Report which is there referred to, (the last two lines of Article 11 in para. 537,) contains neither a threat nor a warning, nor does it refer to the people of Madras at all. It is a simple remark to the effect that a sense of the importance of sanitary improvements in populous places having made such advances among all classes in our own country, it will probably not be long before it is felt and practically acted on by the authorities in India and at Madras.

16. Again, in para. 21, of the same Minute, the Commissioners

are charged with inconsistency, in expressing opinions as to the evil of employing the Civil Engineers in executive duties on the Trunk Roads, and yet recommending that the Road Department should be abolished and the Trunk Roads be placed wholly under those officers; and a similar imputation is found in para. 68 of the Honorable Mr. D. Elliott's Minute. To this we beg to say that no proposition of ours ever contemplated the employment of the Civil Engineers in executive duties of any kind; our recommendation respecting the Trunk Roads, (Report para 164, and letter to Government, November 21, 1851,) was, that the Civil Engineer should have the same control and supervision of the Trunk Roads of their Divisions, as they have of the roads at large and the works of irrigation, with executive Officers under them.

17. We will give one more instance of this kind of misapprehension of our meaning. In paras. 219, 231, and 232 of the Report, some description is given of the duties which we contemplate for the proposed new Board of Works; and the manner and order of doing them. In para. 31 of the late President's Minute, those passages are construed into virtually putting "the Government of a country out of sight, in considering plans for its control and management." But we need only remark that we were defining the duties of a proposed Board; and that the functions of control belonging to the Government did not come under consideration at all.

18. Again, in other passages of the Minutes, unfairness is imputed to us, because we did not amend our Report to suit it to all the changes made in the arrangements of the Department, while the Commission was sitting; and this even on matters only collaterally connected with our enquiries (see para. 97, of Mr. Elliott's Minute). But it should be remembered that the Report was in course of writing for a year and a half, and was several months actually going through the Press before it was presented; and the subjects of our enquiries being so multifarious, and being disposed of in succession, it could hardly be expected that we should be aware of all the Orders, (which it must be noted were not communicated to us,) passed from time to time on one or other of those subjects, on which perhaps our enquiries and our Report had been completed many months previously. Where such orders did come to our knowledge, the Report was altered in some cases, while in others the circumstance was mentioned in a foot note. But we will not undertake to maintain that such correction or note was made in every case, even when the new facts had

come to our knowledge in time; for in so extensive a subject it can hardly seem strange if some individual and trifling circumstances failed to be present to our recollection at exactly the right time. As an instance that such partial forgetfulness may occur without any unfair intention, we beg to cite para. 68 of the Honorable Mr. Elliott's Minute. The Commissioners are there charged with inconsistency in having advised that the control of the Trunk Roads should be again placed under the Board of Revenue, whose office, in the Public Works Department, had been described to be already so much overworked: but the Minute omitted to notice that we proposed, in the same letter,* that the Superintendent of Roads should be made an Assistant to the Board's Secretary in that Department, and that all his office establishment should be added to the latter office.

* Letter to Government,
November 21, 1851.

19. There is one other alleged omission, which is made matter of such grave accusation against us, that we must not pass it by. In the last part of para. 69 of the President's Minute, it is asserted, that the Commissioners were "perfectly conversant" with the fact that the Madras Government had repeatedly, during the last three years, solicited authority to found an Institution at Madras, similar to that of Roorkee, but had studiously avoided allusion to it. Upon this we can only say that the first notice we had of the project here referred to, was in this very Minute. It may perhaps be thought to reflect discredit on our want of care in searching the Government records, to have remained ignorant of such recommendations; but we may plead in defence, that considering the duties on which we were engaged, we might fairly have expected that the papers on such a subject would be communicated to us; and yet we challenge proof that this was ever done. The passage just referred to describes the institution proposed by the Government as similar to that at Roorkee; but from para. 188, of Mr. Elliott's Minute, it appears to have been only an enlargement of Major Maitland's School. Had we been aware of the proposition, we should probably have expressed our decided opinion that such an institution would not be found adequate to its object.

20. In concluding our explanations, we beg respectfully to state our opinion, that the Commissioners were placed in a false position. We cannot but think, after the experience of what has passed, that a duty was laid on us which ought not to have been imposed on any public servants. If it was desired, as it certainly was plainly directed, that the whole subject of Public Works in this Presidency should be

investigated and reported on, the duty should have been committed to persons not ordinarily subordinate to this Government; or at least, if committed to such Subordinates, their Report should not have been submitted through their own Government. In the discharge of the difficult and invidious duty laid upon us, we endeavoured to acquit ourselves faithfully and honestly, to the best of our abilities; and as a consequence we have been made the object of language never before made use of, probably, regarding gentlemen in such a position. We cannot but think that this is due in a great degree to the fact that the Commissioners were members of the services subordinate to the Madras Government, and were actually selected and nominated by that Government, though under orders from the Honorable Court.

21. The feeling that our observations on the acts of the Government were insubordinate, and mainly reprehensible on that account, is strongly manifest in many passages of the Minute of the President of the Council; and appears in some parts of that of Mr. Thomas. We would particularly cite the remarks in the former Minute on Sections X. and XI. of the Report. The scope of the enquiries and Report of the Commission was defined by the Honorable Court, when directing its formation, to be the "whole subject of the superintendence and execution of Public Works;" and in their recent Despatch of the 22d March 1854, No. 13, they expressly declare that it was our bounden duty to bring fully before *the Government of India*, all the facts connected with the subject of our enquiry, and the deficiencies which, in our opinion, existed in any part of the service of the Department of Public Works. In the course of our enquiries we examined carefully every part of the subject, including the training and providing of Officers of all grades, and the organization of the Department, regarding these as things essential to its efficiency; and we suggested such changes in all these matters as seemed to us to be required. But the late President of the Council was of opinion that in so doing we had "gone wholly beyond our proper field and sphere;" our suggestions are termed dictation, and we are stated to have intermeddled with subjects with which we had no concern, in advancing opinions on such momentous questions. Again, the Commissioners are described in para. 80, as "exhibiting low contempt towards their superiors." In these and other parts of this Minute in particular, resentment at finding the acts of Government censured by subordinates, is prominently observable; and we cannot but think that much of the irritation with which

Despatch January 30, 1850,
para. 65.

our statements have been received would have had no existence, if they had emanated from persons not members of the Madras Services.

22. We cheerfully bow to the decision of the Honorable Court, that the tone of several parts of our Report, where it refers to the conduct of the Madras Government, is open to animadversion. It would be excessive arrogance in us to dispute a judgment so pronounced by such a tribunal. We are willing to go further, and to confess that now, calmly reading over the Report, we are conscious that our statements in some passages might have been conveyed in terms sufficiently expressive, but less calculated to offend or irritate than those actually used. As regards the charges of "misrepresentation," we altogether repudiate them; we deny that we were actuated in any degree by a wish to say one word of our Government, or to add one shade of colouring to any statement respecting it, beyond what facts fully warranted; and we are still unaware of having even inadvertently fallen into such misstatements. But we now feel bound to admit that we were in some instances betrayed into the use of language which would have been better avoided: and we regret the inadvertent commission of this mistake.

23. We will now close this letter, already too long. We are far from feeling satisfied ourselves, with the performance of our work. No one can have a deeper sense than we of its imperfections, because none else has had occasion to go so deeply into the matters with which it deals. We are conscious that our investigations might have been conceived and carried on in a more masterly and comprehensive spirit, that more materials might have been collected, and that they might have been more ably used. But we are conscious also of the industry, the carefulness, and the singleness of purpose, with which our task was pursued; and we cherish the hope that imperfect as its execution was, our work may still, in some degree, further the object which encouraged us in our labours, the promotion of the physical well-being, civilization, and enlightenment of the people of this extensive and interesting country.

24. In conclusion, we beg to submit one request to the Right Honorable the Governor in Council, which we trust will meet with his favourable consideration. The Minutes of the members of the late Government, containing very heavy imputations against us, were printed; and were not only circulated to many Government functionaries, but were communicated, (whether openly and officially or otherwise we

cannot say,) to the public Press. We think that we may fairly ask at the hands of the Government, that they will be pleased to afford the same circulation and publicity to our defence, as was thus given to the charges brought against us.

We have the honor to be,

Sir,

Your most obedient servants,

J. D. BOURDILLON,

F. C. COTTON,

G. BALFOUR.

MADRAS,
12th October, 1854. }

NOTE. *Memo. by Major F. C. COTTON, referred to in para. 13, of the foregoing letter.*

I am accused of having grossly failed in the superintendence of one very important work, and of having thereby led to the delay of another work of importance, viz., the completion of a line of Coast Canal. And the reader of the Minute is led to infer that by my fault the first of these has been delayed till the present time; and the second, it may be supposed, was ordered to be carried out because I was no longer in the Division. Lastly, I am declared capable of sheltering myself under a pretence.

2. That I grossly "failed in the superintendence &c." The work in question was a Timber Apron projected by me for the better security of a Weir, built by my predecessor, at Yennamukkal, in Malabar. It was executed not by me, but by the Collector's Department; but under the immediate superintendence of an European Assistant Overseer of my Establishment, sent to my Division expressly for such duties. When a portion of the materials were collected I visited the spot in March 1849, and gave detailed instructions as to the manner in which the work was to be done; and as it was of a novel character in the country, I went to Cochin, where I procured a gang of Ship builders, and placed them under the Overseer's orders, to ensure the goodness of the carpentry. Having made these arrangements, I left my Division, on leave of absence for six weeks, and Captain Ouchterlony was appointed the Acting Civil Engineer.

3. On my return, late in April, I landed at Calicut, immediate-

ly laid a Dawk and visited Yennamukkal. I found the work very well advanced, and to all appearance, carefully done; I reported the same to the Board, and proceeded on my tour.

4. The work was completed about four or five weeks after my last visit, and when tried by the Monsoon-freshes, a portion of it failed. I proceeded to the spot, and found that the failure was caused by some of the piles, on which the whole security of the work depended, having been drawn from the bed of the river. On examination of the piles, it was discovered, that to save the labour of driving them, some had been cut short, so that they had not a hold of one foot, instead of from nine to eleven feet, as was intended and ordered by me. This must have been done before my last visit; but the piles were in a correct position, a great portion of them already planked over, and I had no reason to suppose that their length had been reduced.

5. Had I wished to exonerate myself from all responsibility, I might have left the explanation to my locum tenens, who was in charge of the work when the mischief was done; but I did not do so, because he was fully occupied on other important works, more than a hundred miles from Yennamukkal; and could no more have visited the place than I could have done, had I been in the division. And had I not, as it so chanced, landed at Calicut on my return from my leave, it would have been impossible for me to have seen the work more than once, instead of twice, while it was in progress.

6. A full account of the work and of the accident was published by authority of Government in the pamphlet on the important works executed in 1849 and 1850. The Chief Engineer (Colonel Lawe) wrote a report on the subject; and in the whole of the Minutes and Correspondence regarding it, seen by the Commissioners, or since published by order of the House of Commons, there will not be found one single word implying that I had been guilty of neglect, or that it was by any fault of mine that the accident occurred.

7. "The work has not been completed to this day;" after the accident above described, I projected an entirely new work to be constructed on a site which I considered more advantageous, and my plans were sent to the Board of Revenue in May 1850. The proposal led to a discussion with the Cochin Government, to shorten which, I suggested that Captain Horsley, of the Engineers, an Officer well known in that ter-

ritory, should meet me on the spot and report upon the project. We met in February 1851; and early in March I left my Division to take my seat in the Commission on Public Works, and never returned to it. I heard no more of my proposal until September 1853, (long after I had been put in charge of the Godavery Division,) when a private letter from Malabar contained this sentence, "at last your Chetwaye dam is sanctioned." I left that Division, as already said, in March 1851, and the project was not sanctioned till two years and half later, viz., in September 1853; from what cause I know not.

8. It is also affirmed in the Minute, that the completion of the Coast Navigation, (see Public Works Report, para. 370,) was negatived, lest it should afford me a pretence "for showing additional neglect." But it is, I think, evident that the original reasons assigned by the Government were the *true* reasons for the refusal, from the fact, that sanction was not granted on my leaving the Division, nor indeed till one year and a half after another Officer had taken charge of it. Moreover, because when permission was given to carry out my project, no allusion was made to my absence as an impediment removed.

9. It only remains for me now to notice the accusation that I could be guilty of a subterfuge; an accusation which I fearlessly leave unanswered, trusting to the character I have earned, during a service of 28 years.

F. C. COTTON.

MINUTE.

COMPANY'S LETTER TO FORT ST. GEORGE, 12TH MARCH 1854,
PUBLIC WORKS DEPARTMENT, NO. 13.

*Letter from the late Members of the Commission on Public Works,
12th October 1854.*

Draft Order on the above in circulation.

Para. 1. Although reluctant again to enter upon a consideration of the Report of the Public Works Commission, I cannot pass this Draft Order, without recording the few remarks, which the Honorable Court's Despatch and the Letter from the late Commission, seem to demand from me. I the more readily do so, as I feel assured from the ad-

mirable spirit which characterizes the present communication from the late Commissioners, that my remarks will not be misinterpreted by them.

2. It is also due to them, and I will add to myself, to point out that the Honorable Court are in error, if they have supposed, from any expressions in my Minute of the 23d August 1853, that I intended to impute to the Commissioners, for an instant, 'wilful,' that is, deliberate and intentional misrepresentation, or misstatement. If there are passages in that Minute, which justly bear this construction, I at once withdraw them, with an expression of my deep regret that they were written. I had however believed, that I had effectually guarded against such misapprehension, by using, at the very outset, language which would preclude that interpretation. I know not now, in what clearer mode I could have stated my own conviction, than in the terms employed in the second sentence of that Minute.

3. I there observed "a further examination has confirmed me in the opinion that the Report is chargeable, so far as it relates to, and pur- poses to set forth, the views and proceedings of this Government in past years, with misrepresentation *however unintentional*." I need scarcely aver, that no other idea passed through my mind: indeed it could not. My knowledge of the character, public and private, of the three Members of the Commission, and my high appreciation of the two senior Members, who were personally well known to me,* wholly shut out the supposition that any wilful misstatement could emanate from them. I almost feel assured, that they did not take this view of my Minute, and that the opposite impression only exists, because the parties are unknown, or arises, from reading the several Minutes, as expressing the common opinion of all the Members of Government, instead of the sentiments of the individual writer, with which the other Members had no concern.

4. My opinion of the Report, at the date upon which I was called upon to review it, was precisely the same at it is at this moment. I considered its data, and its statements,† in many instances untrustworthy, and that it gave, speaking of it generally and as a whole, a partial and inaccurate view of the proceedings and principles of the Government. But it did not at any time occur to me to ascribe this, to any intentional misstatement; but to the evident desire on the part of

* Mr. Bourdillon, and Major F. C. Cotton.

† "So far as it relates to, and purposes to set forth, the views and proceedings of this Government in past years."

the Commissioners, to place the paramount necessity of a large expenditure upon Public Works, in the strongest possible light; and to put therefore, in very marked contrast, the little that had been done in this Presidency, compared with its wants and requirements.

5. I may remark in illustration, that though I considered the Commissioners signally to have failed, in doing justice to the views of the Marquis of Tweeddale's Government, in declaring in the 462d para.* of their Report, that the general tone and feeling of that Government was "narrow," and that the support given to Colonel A. Cotton's noble project of the Godavery Anicut was "exceptional," the reverse being, in my mind, the legitimate conclusion from the records; yet I was satisfied, from my knowledge of the Members of the Commission, that there was no desire wilfully to misrepresent, but that these statements were made under the bias I have already noticed. The following are the records to which I specially refer, and I give the annexed extracts in support of the opinion first advanced.

MINUTE BY THE MARQUIS OF TWEEDDALE, 25th August, 1846.

1. "The papers now before the Government, with others which
"have come under consideration of late, with the further experience I
"have acquired of the working of the present system, induce me again
"to bring the subject of the Department of Public Works under the review
"of the Government, and of the Honorable Court. This Department has
"received much of my attention since my arrival, and the more I learn of its
"present state, the more I am desirous of seeing this important branch of the
"Public Service placed on an efficient footing, and a sound, well organized
"system introduced into it. I need not enlarge on the great importance
"of this Department to the public interests, as manifested in Tanjore,
"and in the recent reports of Major Cotton, on the proposed Anicut
"or Dam across the Godavery.

2. "The following remarks are made, after much inquiry and examination; having also before me the views of some of the most competent Officers of the Department.

3. "I am of opinion that an important error exists in the present system, in making this Department a subordinate branch of the Revenue Department.

* I remark, with reference to the Commissioners' present letter, that although in the body of my Minute I only gave the substance of their statements, I entered the paragraphs in full in the Appendix, where I especially noticed them "as objectionable."

4. "It is not merely the loss to the State, which now ensues, from the want of individual and direct responsibility, which renders it expedient that the Department should be raised to a more prominent position and brought into better organization and efficiency, but its peculiar province, as affecting the sources of wealth and the prosperity of the country, in providing for and regulating the irrigation, gives it so important a bearing upon the general welfare, and on the Revenues of the Presidency, that I consider its subordinate position a real evil, and detrimental to the Country.

5. "I would here direct special attention to the peculiar provision of nature with which this Presidency is favored, of which, as yet, but little and partial advantage has been taken. The great rivers of Southern India, the Godavery, the Kistnah, and the Cavery, all take their rise in the Western Coast, where the Monsoon never fails, and the great body of their waters flows through the Provinces of this Presidency to the Eastern Bay, offering certain and unlimited supplies for irrigation which, with only ordinary skill and no large amount of capital, might be applied to the fertilizing of large tracts of Country, now barren or comparatively unproductive. The certainty of the supply from the peculiar characteristic of the South Western Monsoon, which these rivers provide, would secure this Presidency against a general failure of crops, and the horrors and loss from the scarcities and famine, now so severely felt.

6. "I can scarcely estimate too highly the value of this natural provision for the wants of this Presidency, and I do not doubt that if the Department of Public Works were made fully effective, that by the judicious management, scientific distribution of the rivers of this Presidency, and by a systematic perseverance in the adoption of those artificial means of irrigation, now so partially carried out, the most important consequences would result, and I am disposed to think that if a due proportion had been maintained, in the attention paid to these sources of revenue as to its collection, the Government would now be in the receipt of a more abundant income, and what is of far greater importance, would draw it from a more thriving and a better conditioned population.

7. "It is on these grounds that I am desirous of seeing an efficient system established and brought into early operation." *Minute by the Most Noble the Marquis of Tweeddale, dated 25th August 1846, paras. 1 to 7.*

Again—*Letter to the Secretary to the Government of India,*
dated 3d January 1848, No. 3.

“It is no doubt in a great measure to be ascribed to the peculiar circumstances of this Presidency, which labors under the disadvantage of the want of navigable rivers, and of roads, and means of interior communication. The deficiencies cramp, and even preclude a development of its sources of prosperity, and forbid the increase of the revenue. They limit the products of the soil to the common grains, and other articles for home consumption alone; and whatever natural capability there may be for raising cotton, sugar, &c., or other raw produce for the British Market, this Presidency is in a great degree disabled by these disadvantages, from competing with other countries, in the markets of Europe.

20. “The remedy is plain, and is in the hands of the controlling authorities themselves. They have only to sanction, and provide efficiently for the early construction of good and permanent communications, from the inland districts, to the coast; and throughout the country.”.....“And by perfecting the works of irrigation on the Godavery, and constructing similar ones on the Kistnah, inducing at the same time the influx of British capital and its outlay in such projects as the Arcot Railway, which would indicate a desire on the part of the Government for improvement, and the Presidency will prosper. By these means, which would not require a very large annual outlay, for the progress of the works must be gradual, the country will, at an early date, advance steadily, if not rapidly; and it is not easy to understand why measures of this nature, involving comparatively so small an annual expenditure, should be postponed.”

6. The same bias, as it appeared to me, led also, I thought, to the omission, to bring prominently forward those proceedings of this Government, which exhibited the earnest and cordial support given by it, through a series of years, to the large and important projects of a Railway and Pier. The views of the Government, past and present, upon those questions, the first the most important Public Work yet designed for the good of Southern India, affording as just a test of its principles, as the refusals to sanction minor projects, upon which the Commissioners have dwelt; such refusals, as often arising from causes over which the Government had no control, as from other considerations.

7. It may also be permitted to me here to point out, what the

Commission could not have been aware of, that in the course they pursued, of commenting upon specific cases; and upon the limited data before them, attributing narrow views to the Government, they not unfrequently misstated the case, as regards individual Members. It was to this, that the passages objected to in my Minute,* often referred. I shall merely on this point advert to the two first instances, noticed by the late Commissioners, in their present letter; with the other instances I had no concern, they were passed when I was not present at the Board.† They remark in para. 11: "A third matter, on which we were charged with wilfully misrepresenting the Government, is that of the refusal of expenditure on Public Works. It is alleged that we charged such refusals as a fault against the Madras Government, though well aware that at various times that Government was laid under strict limitations as to the expenditure, by orders from higher authority; and was also impeded by the want of agency to superintend important works. In reply to this charge, we beg to say that we believe we never mentioned an instance of expenditure refused, without stating also the reason assigned for that refusal by the Government itself. We beg to refer to the following instances. The refusal to repair the Tanks of Darojee and Singanamulley, para. 278; the refusal of the Road from Berhampore to Russelcondah, para. 333; that of the Road from Coconada to Samulcottah, para. 336; that of the small sum for extending Canal navigation in Malabar, para. 370; and that of the very trifling amount asked for to preserve the harbour of Coringa, para. 430."

8. I place the Commissioners' statements, paras. 279, 280 and 333, in juxta position, with my own recorded views: and though I know that there could have been no intentional misstatement, nevertheless if I was to be considered, as was necessarily the case, as one of the Government, and sharing the responsibility of its orders, my sentiments and principles were unavoidably misrepresented.

Extract from the First Report of the Public Works Commissioners. Minute by the Honorable J. F. Thomas, Esq., dated 8th October 1851.

Para. 279. "Now on this resolution it occurs to remark, first, that on the very narrowest view of the "I can have no hesitation in concurring in the conclusion at which the Honorable Mr. Elliott has ar-

* See para. 6 of that Minute.

† Except in the case of the "Negapatam Harbour," para. 442, also referred to by the Commissioners. In this instance, I objected to the refusal, of the Government.

subject, a return of 20 per cent. annually on the amount to be expended, may be regarded as absolutely certain; being the average annual amount, actually received, during the last ten years. And the value of this fact is not affected by the consideration that the outlay is not for the formation of a new work, but for the repair of an old one; a most extraordinary natural visitation has rendered useless valuable works yielding a certain amount of revenue yearly, the repair of the injury requires a large sum, and unless it is done, the works will continue useless. It may be wished that the accident had not occurred, but having occurred it must be repaired, or the whole revenue from the works must be sacrificed. And it must not be forgotten that even the delay of a year which, at the least, this order involves, will certainly cost the Government the whole revenue of the year, viz., 20,000 Rupees; besides a loss of 55,000 Rupees to the Enam-dars and Ryots.

280. But our principal object, in noticing this order, is to point out how completely it ignores the rights of those Ryots who have a property in the land watered by these tanks. The sanction of the Government of India or of the Home Authorities may, or may not be necessary, for an outlay actually required for ordinary repairs; the estimates may or may not be exorbitant, as the Right Honorable the Governor in Council is under the impression they are; but

arrived, that these Tanks should be repaired without delay, at the cost proposed: and I should be of this opinion, were the returns, instead of being delayed for a period of seven years, prolonged much beyond that period. I recognize a marked distinction, between the cases of outlays on *new* projects: and applications for expenditure of the nature of those before the Government. In the case of a new project, no private capital is destroyed by the failure to execute the work, and no individual can be ruined, or injured, by its abandonment. But where, as in these instances, a large amount of private capital, and whole communities may be ruined by the failure to repair these great works, I should think it alike the duty and the interest of Government, to make the necessary outlay, and considering their permanent interests, as proprietors, drawing the rent of the land, even though the full returns were not made for a generation.

This expenditure is called for to avert the consequences of an extraordinary flood, of an unprecedented character. (See Civil Engineer's letter to the Board, 25th September, para. 4.) And if the people cannot at such times look to the Government, for such assistance, as shall save them from ruin, or the loss which must ensue, if they are to transfer themselves and their capital to some other locality, and quit the houses and fields which their fathers have held, the result

what we wish earnestly to call attention to, is the fact that in the consideration of the question of their repair, the question indeed whether they shall be repaired at all or allowed to lie in ruins, no account whatever is taken, of the saleable and heritable property of the Ryots, in the lands dependant on the tanks.

The lands cultivated by means of the water of these tanks comprise about 3,200 acres, and are probably owned by above 600 separate proprietors. They have for ages been irrigated by the tanks, and derive almost the whole of their value from that capability and right of irrigation; they have been inherited, through many generations, and have been purchased probably again and again, in dependence on that right. If they are now left without irrigation, they become utterly valueless, under the existing revenue settlement: and even if the assessment is readjusted to suit them as dry land, still at least three-fourths of their value will be annihilated. And yet the question of restoring the tanks is discussed, as far as appears, without any reference to these interests.

We cannot but declare that this appears to us too contracted a view. We think that in all cases of a proposed work, the views of Government should not be limited to the direct revenue return, but should comprehend, and allow some value to, the addition made to the public wealth, in the Ryots' share of the increase;

must be to destroy confidence in the Government, and to check the investment of private capital and labor, in the land under Government works of irrigation. If they could suppose that they might be left to shift for themselves, in the event of such calamitous visitations, they would not, as they now do, build substantial houses, and lay out their all on the land.

I shall add, as I have already remarked, on a note in a similar case, that I consider the Government as having virtually guaranteed these lands, under the large Tanks, to the people, and as pledged to repair them, and consequently, if they neglect to do so, compensation is due to the Ryots who have occupied the land, under this persuasion. With these views I should consider the present proposed outlay, precisely in the same light as the outlay in Tanjore or other Districts, for old works of irrigation, and order them to be executed as such, and as an expenditure necessary to maintain the revenue.

If there were cases, in which the Government might possibly find it its interest, to leave a work, like that of Singanamulley Tank, in ruins, and grant compensation to the Ryots, as there might be, this is apparently not such a case. For the Civil Engineer states that it is a work so well constructed originally, that "the Tank has cost the Government but a trifling sum for repairs, during the last fifty years," and I cannot but concur with that

and further, that in the case of existing works, the Government is in a degree morally bound to maintain them in repair, independently of, and in addition to, the consideration of the revenue; for the sake of the capital, which on the faith of their virtual engagement to do so, has been invested in the land under such works.

Report para. 333.

"Lieutenant Rundall, the 1st Assistant Civil Engineer, has lately made an estimate for a new Road from Berhampore, through Aska, to Russelcondah, to the amount of 1,42,246 Rupees, for forty five miles. The Road would form part of a main line between the Coast and Nagpore. It would pass through the most fertile part of the Ganjam District, would give the extensive sugar works established by Messrs. Binny and Co. at Aska, an uninterrupted communication with the shipping port; and would enable troops at any season to move rapidly on Goomsoor. If extended to the Westward, it would supply the long required passage through the country of the Khoonds, open a most extensive market in the Nagpore country for our salt, give a direct road from the sea to the Capital of that territory, and would raise a traffic between the interior and the coast, to the benefit of a vast population both within and beyond the Company's frontier.

The value of a free communication in this direction would be incalcula-

ble to the Officer and the Collector, "that it is much to be regretted that any delay should take place in the repair of the Tanks in the Bellary district."

Minute dated 17th May, 1852.

"The views of the Collector, as stated in para 6, and also in para. 5 of his letter,* appear to me sound, and to justify the outlay proposed. Especially as there is already a large traffic on the line, and this traffic is not, as at first supposed, limited to the dry season.

It should, I think, be borne in mind, that scarcely anything has yet been done for Ganjam. The statement submitted by the Board of Revenue shows, that only 2½ lakhs of Rupees were expended upon Public Works from A. D. 1825 to 1844, in this Collectorate.

There is also the further consideration, that this road leads directly to Russelcondah, the Military post commanding Goomsoor and the Hilly Tracts, and it is of great importance to facilitate access to that Station, as well as to the jungly and hilly portions of the Province.

Under all the circumstances, though the data now submitted to Government are imperfect, yet as the Go-

* To Assistant Civil Engineer, 23d March 1852.

ble, and in forwarding the estimate, both the Collector and the Engineer wrote most strongly to recommend it. The Government, however, considered that so expensive a road was not necessary, and ordered the estimate to be amended for a second class road ; and this term signifies a road without bridges or a surface of metal, which in the locality in question, where there is a long season of rain, would be out of use four or five months of the year."

vernment have fully acknowledged the importance of the line, I should deem it advisable, to sanction the Estimate for a first class Road, as recommended by the Board.

At the same time, the Assistant Civil Engineer, whose Estimate is clearly framed with little knowledge, should be cautioned to watch carefully over the expenditure.

Acting upon these views, I declined to be a party to the orders on which the Commission commented ; yet, I am included, as a matter of course, in their strictures, which as regards myself, were clearly a misstatement of my views.

9. I shall mention but one further point, in which I have been apparently misunderstood. The Commissioners observe :* "The Minute," (of the fourth Member of Council,) "adds that the statement that the Department has been a complete failure, is "equally incorrect." After reviewing the working of the Department "at considerable length, we gave our reasons for the conclusion at which "we arrived, that it had failed to fulfil the expectations entertained of "it at the time of its formation ; but this was stated as opinion only. "Other persons having as good or better means of information, may "possibly arrive at the opposite opinion ; but still it is hardly proper, "on that account, to charge us with an incorrect statement. There was "no statement of fact at all, but merely of opinion ; as such, it is certainly "true, however the opinion itself may be considered erroneous." I can only reply, I did not so view this sentence. I looked upon it as an allegation, or statement, upon which was founded their recommendation to abolish the Road Department. I therefore dealt with it as such, and not as a mere opinion, which might or might not be correct. I can only regret I did not see it in its true character, and that I have apparently expressed myself so incautiously. I would at the same time observe, that in para. 40 of the Minute, when closing my remarks upon the various allegations of the Commission upon the Road Depart-

* Para. 10.

ment, I specifically declared that I viewed them "as a misapprehension of the fact," and I could not therefore mean to charge them, as intentional misstatement, as would seem to be inferred.

10. I can but repeat, that if my expressions are open to such inference, that no such idea was present to my mind at any time, and that there are few things I should more regret, than to be considered by the Gentlemen who composed the Commission to have so represented them, as I believe and know them to be incapable of thus acting.

11. I shall offer, in conclusion, one remark upon the Draft Order. Having had the opportunity of seeing this explanation of the late Commission, (called for by the Honorable Court), I can have no objection to its publication with my own Minute; but it contains strictures upon the Minutes of the late President and the Honorable Mr. Elliott, and I question the propriety of the dissemination of such strictures by this Government. I should prefer, that all the papers be sent to the Honorable Court.* They would then, it is probable, together with the Court's Despatch, (which the Government here cannot publish,) become public, as the First Report of the Commission originally did, as a Parliamentary Paper. I think this a preferable course for the Government to pursue, but I pass the Draft Order as it stands.†

J. F. THOMAS.

25th October, 1854.

No. 324.

SUPERINTENDENT OF ROADS OFFICE,
CAMP SORAKOYPETT,
10th May, 1854.

FROM CAPTAIN C. C. JOHNSTON,
Superintendent of Roads.

TO SIR H. C. MONTGOMERY, BART.,
Chief Secretary to Government,
Fort St. George.

SIR,

I have the honor to submit, for the information of Government, a few observations on certain statements regarding the Road Department

* A copy of this Minute being furnished to the late Commission.

† The course here proposed by Mr. Thomas, of obtaining the order of the Honorable Court of Directors to publish the papers, was adopted.

which I find contained in the second Report of the Public Works Commission, a copy of which was furnished to me on the 14th Ultimo.

2. The first trifling error I observe, is in the Note to para. 57, in which it is stated that "the term Tunnel, as here used, is applied to "very small bridges, under a yard and a half in span; they are generally "for the passage of small irrigation channels. Road dams are small "depressions in the road paved with stone, for the passage of small and "shallow jungle streams, very near the surface of the road in elevation. "They are much less convenient than bridges, but they are also much "cheaper."

3. This is not quite the case. The term tunnel is applied to small bridges under 3 yards span, and they often consist of 3 or 4 or more vents, and provide for the passage of considerable streams. Road dams are depressions in the road, varying from 8 to 60 yards in length, for the passage of shallow, but often very large streams, they are metalled like the surface of the road, and have a retaining wall on the down stream side, but they are never *paved* with stone.

4. In para. 99. The Commissioners are mistaken in stating that "Lieutenant Forlong had charge of the new road from Arcot to Palmanair, during the greater part of its construction;" as that Officer had nothing to do with it until after the death of Captain Best in October 1851, at which time it was nearly completed.

5. In para. 102. It is stated "that after a road is completed, "there are no Maistries permanently employed on it, but after every "Monsoon all the bridges are carefully examined by a Maistry, and "all damage to the plastering or other parts is then repaired." This is not now the case, nor does it appear, from looking over the Annual Estimates, ever to have been so, as all in which an Establishment for Superintendence is entered, provide for permanent Maistries.

6. In para. 106. It is stated, "When work begins at any spot, "the executive Officer or an Overseer goes there, with a number of "known good workmen: these are set to work, and are sometimes "stimulated to exertion by promise of reward; the quantity of work "done in a day by a man, under these circumstances, is taken as a "day's work, and is fixed as the equivalent for a man's ticket at that "quarry or spot; and the same with women,"

7. This appears to me to be a very unfair proceeding, and I am not aware that it obtains in the Department, the following Rules are specially laid down, and furnished to each executive Officer, and Overseer:

* * *

"If the soil is hard, then a man cannot dig so much as 6 cubic yards, but this makes no difference in what the women can carry. The Overseers will be able to judge of the number required. To guide their judgment they should have a portion of work done under their own careful supervision, and allow accordingly, beginning by giving tasks rather in excess, for it is more easy to reduce the tasks, than to increase them."

Again, "a diligent Overseer will soon find out what the tank diggers gain daily, by taking opportunities of counting the numbers at work, and comparing those numbers with the quantity of work done. He must remember however, that people laboring for 8 hours in a day, will not do 8 times as much as they can in an hour of hard work."

8. With reference to paras. 125 to 135, regarding the Palmanair Bridge Books, selected by the Commissioners, as a specimen of the manner in which such works are conducted in the Road Department, I would premise that Assistant Overseer Smythe, who was in charge of the work up to May 1852, was a confirmed drunkard, and it is not surprising therefore, that his papers were found to be defective.

9. The Commissioners state in para. 131, in speaking of the Cash book to the 29th May 1852, "It is badly kept, and is almost entirely without dates, or other necessary particulars. The reason of this is, that Overseer Smythe, then in charge of the bridge and road, kept no accounts, and ultimately when this was found out, accountants were employed to go over his Vouchers and make up his books. This having been done, he was brought in a defaulter to the amount of Rupees 270-10-11½, but whether from embezzlement, or from his Vouchers having been lost, is not clear. The man was sentenced to make good the amount, but he died."

10. In para. 132. it is stated, in speaking of the cash book, kept from the 2d June to the 21st November, after the removal of Assistant Overseer Smythe, "This book is on the whole carefully and regularly kept by Overseer Dancrum, though some irregularities are found, which will be noticed presently &c."

Again in para. 129. in speaking of the Bridge Book to the 31st October 1852, into which all entries after the 8th May had been transcribed:

"The third book exhibits a marked improvement in fullness of information, as well as in neatness and order, but even this is defective in some points, &c."

With regard to the period of payments, referred to in the conclusion of this para., as being less frequent than they ought to be, I can only observe that at the present time, the work people employed on this Trunk road, No. 10, are at their own request paid once a month.

11. Again in para. 134, regarding the Bills, it is remarked
 " * * of the three bills, C* only has been compared with
 " the Cash book and Station book, the books for the other bills† being
 " very incomplete. Even for that bill they were less clear than those of
 " No 1 Trunk Road, and the comparison was not made without some
 " difficulty. Being made however, the bill was found to agree entirely
 " with the books, and they with each other, with the exception of a
 " few very trifling errors, most of them mere slips of the pen. The
 " bills agree exactly however with the cash book, and the materials for
 " comparing both with the station books are at hand, and in a small
 " compass. The steps also by which the bill is prepared from the Cash
 " book, though not quite so direct, as by a better arrangement of the
 " latter they might be made, are still simple and easily traceable."

12. I would observe, that the arches of the Palmanair bridge were not commenced till June 1852, and that the abutments, wing walls, and piers, were completed prior to the Monsoon of 1851, so that during the period referred to by the Commissioners, from December 1851 to May 1852, there was nothing going on beyond the preparation of materials.

13. Judging from the Commissioners' own admissions of the manner in which the books were kept, subsequent to May 1852, it appears to me that their selection of this particular work was an unfortunate one, and that they have only succeeded in showing that Assistant Overseer Smythe's books were irregularly kept for a period, during which the bridge works were not in operation.

14. I hold Lieutenant Forlong perfectly free from blame in the matter of Assistant Overseer Smythe, as that Officer's attention was con-

* Prepared after Assistant Overseer Smythe's removal.

† Kept by Assistant Overseer Smythe.

fined principally to his duties on Trunk Road No. 1, and I consider it due to him to state, that immediately he discovered any irregularity in the Assistant Overseer's books, he took the most energetic measures to rectify them, and to bring the man to account.

15. The Commissioners' remarks on "the delays in the preparation, submission, and auditing of bills," do not apply to the Road Department, the system to which they refer having been obsolete for nearly two years prior to the date of their Report, and in June 1853, I furnished to those Gentlemen two statements, one showing the bills sanctioned since October 1851, and the other, the bills then in course of preparation for submission to Government.

I have the honor to be,

Sir,

Your most obedient servant,

C. C. JOHNSTON, *Captain,*
Superintendent of Roads.

No. 255.

Resolved, that the remarks of the Superintendent of Roads, on the Report of the Public Works Commissioners, relative to that Department, be recorded and printed, with any further papers that may be selected for that purpose, connected with the Commissioners Reports.

H. C. MONTGOMERY,

Chief Secretary to Government.

FORT ST. GEORGE, }
10th June 1854. }

