

11/9/03

*marine*  
Public Works (1899) Department.

G.O., No. 824 *marine*

DATED *2nd* Sept 1899.

[Despatch Abstract.]

Army clothing stores landed per S.S. "Mauro" in  
a damaged condition.

Letter from the Govt of India, fully deft, stating  
that the authority to write off certain — rests  
with the Govt of India & not with the Govt  
of Madras, recorded

BACK PAPERS.

FURTHER PAPERS.

| G.O. | No. | Department. | Date. | G.O. | No. | Department. | Date. |
|------|-----|-------------|-------|------|-----|-------------|-------|
|      |     |             |       |      |     |             |       |

Marine (1899) Department.

CURRENT No. 1120.

Order 20824 Mar 9 2-9-99

Recorded

From The Govt of India  
Military Dept

No. 22227

**Dated** 21<sup>st</sup> August 1898.

Received 29. 8. 28

*Enclosures* one { Plans - last }  
                                { altered one }

*Spare copies*

SUBJECT.

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Army clothing stores landed  
for S.S. "Manoxe" in a  
damaged condition -  
stating that the authority  
to write off certain -  
parts with the Govt of  
India and not with the  
Govt of Madras.

BACK PAPERS.

## FURTHER PAPERS

Losses  
Clothing

*It is requested that the above heading, with number and date of this communication, may be quoted in any subsequent correspondence on this subject.*

No. 1078 *F.*

GOVERNMENT OF INDIA.

MILITARY DEPARTMENT.

Simla, the 10<sup>th</sup> May 1899.

To

THE COMMISSARY GENERAL-IN-CHIEF.

SIR,

losses }  
turned }

SIR,

I am directed to acknowledge receipt of your memorandum N<sup>o</sup> 2261-B, dated 26<sup>th</sup> April 1899, forwarding correspondence connected with a claim against the Agents of the B. I. S. N. Company and the Landing Contractor, Madras, on account of certain stores, valued at Rs 4725-60, which were consigned to the Army Clothing Department, Madras, by the Director General of Stores, India office, and which were landed per S.S. "Manora" in a damaged condition.

The papers transmitted show that the Presidency Post Office and the Government Solicitor, Madras, are of opinion that no claim can lie against the owners of the ship.

ship or the Landing Contractor who appear to have taken every precaution within their power to protect the stores, and you accordingly recommend that in view of this opinion, sanction be accorded to the write-off of the loss, and the disposal of the damaged stores to the best advantage.

2. In reply I am to say that, under the circumstances explained the Government of India are pleased to accede to your recommendation.

I am, &c.

(sd) J. A. Harrison

Asst. Secy. to the Govt. of India.

Copy of the foregoing forwarded to:-  
The Controller of Military Accounts, Madras Command, with reference to his memo. No. 8926, dated 13<sup>th</sup> March 1899 to the address of the Commissary General in Chief.  
The Accountant General, Milly. Deptt.

By order,

(sd) J. A. Harrison

Asst. Secy. to the Govt. of India.

Losses  
Clothing

It is requested that the above heading, with number and date of this communication, may be quoted in any subsequent correspondence on this subject.

No. 2222 J

GOVERNMENT OF INDIA.

MILITARY DEPARTMENT.

Simla, the 21<sup>st</sup> August 1899

To

THE SECRETARY TO THE GOVERNMENT OF MADRAS,

MARINE DEPARTMENT.

SIR,

It has been brought to the notice of the Government of India that the Government of Madras in their Resolution No. 333-Marine, dated the 18th April 1899, sanctioned the write off of certain clothing stores which were consigned to the Superintendent of Army Clothing, Madras, by the Director General of Stores, London, and landed per S.S. "Manora" in a damaged condition.

2. With reference thereto I am to invite attention to the orders in clause 149, India Army Circulars, 1889, in which the administration of the Army Clothing Department, Madras, was transferred from the Government of Madras to the Government of India; and to say, for the information of His Excellency the Governor in Council, that with reference to the orders cited the authority to order a write-off in such cases rests with <sup>the</sup> Government of India and not with the Government of Madras.

3. I am to add that in the present case the loss was investigated by the Military authorities under the rules applicable, and the case was disposed of under the orders passed in Military Department No. 1078-F, dated the 10th May 1899.

I am,  
Sir,

Your most obedient servant,

*Minley*

Dy. Secy. to the Govt. of India.

It is submitted that  
it is not quite accurate to  
say that the Madras govt.  
"sanctioned the work off  
of certain clothing stores",  
and thus exceeded its powers.  
What the Madras govt.  
actually did was to enquire  
into the matter and  
form an opinion thereon  
as to the non-liability of  
the ship and of the  
landing Contractor -  
matters legitimately within  
their province -

The resulting liability  
of govt. was merely a  
matter of inference, the  
correctness of which was  
the Govt. of India has  
admitted by according  
"sanction" to the writ  
off of the loss" - vide  
letter to the Commisary  
General in Chief sent  
as an enclosure.

The late order in the  
Marine Dept is moreover  
in accordance with  
precedent, which has  
not hitherto been q/  
vide fo. 293. Man. d/8

& "106 - u -  
and numerous other