

(1) Number of pages _____
(2) Date of repair _____
(3) Initials of the Referencer _____

MADRAS RECORD OFFICE

Government of Madras

Public Works DEPARTMENT

G.O. No.	1329	(Ry)	Press
B.P. No.			Mis.
Dated	26-5-	1876	

Not to be folded or roughly handled

*Proceedings of the Madras Government, Public Works Department,
26th May 1876.*

Read the following papers:—

No. 479. Endorsement of the Secretary to Government, Military Department, dated Ootacamund, 10th August 1875, No. 3,843.

From Colonel T. GILLILAN, Controller of Military Accounts, to Colonel A. C. SILVER, Secretary to Government, Military Department, dated Fort St. George, 7th August 1875, B.

I HAVE the honor to forward, for the consideration and orders of Government, the correspondence as per margin, relating to the rates chargeable to Government on account of the families of soldiers travelling by the Great Southern of India Railway at the public expense.

2. The Agent, Southern of India Railway, contends that neither the terms of the contract nor any regulations provide for the families of officers and soldiers being allowed to travel at reduced fares.

3. It is true that the contract does not treat on the point referred to, except perhaps constructively under the general term "Troops," but, as remarked by the Quartermaster-General, it appears clearly to have been the intention of Government, in defining exactly the accommodation to which families are entitled, to secure for them the same privileges as for officers and soldiers when travelling on duty.

4. Such an arrangement has, it is observed, been accepted by all other Railway Companies in India, the deeds of contract executed by them being precisely similar to that of the Great Southern of India Railway Company, and it would therefore seem not only undesirable on financial grounds, but highly inexpedient to permit for the latter a different course of action.

From Lieutenant-Colonel J. W. RIDEOUT, Officiating Examiner of Commissariat Accounts, to Colonel T. GILLILAN, Controller of Military Accounts, dated Fort St. George, 9th December 1874, No. 2,978.

I HAVE the honor to bring to your notice that some doubt exists as to the rates chargeable to Government on account of the families of soldiers travelling by rail at the public expense, the views of the authorities connected with the Madras and Great Southern of India Railways being apparently at variance on the subject.

2. Under paragraph 15 of the Transport Regulations, Part II, the families of British soldiers are entitled to second-class accommodation, and are placed apparently on the same footing and recognized as Government servants, in common with the other classes named in the paragraph.

3. Under paragraph 19, both of the contract made by Government with the Madras, and of that made with the Great Southern of India Railway, all classes amenable to the Mutiny Act,

*Proceedings of the Madras Government, Public Works Department,
26th May 1876.*

and all artizans travelling on the business of Government, are entitled to rail accommodation of the class superior to that for which payment is claimed, "all other persons" being conveyed at the lowest fares.

4. It will be observed that no allusion is made in the latter case to the class of carriage, nor is there anything to show that superior accommodation to that for which the rail ordinarily charges should be found for others than those for whom special provision is made.

5. It is true that, under Regulation, soldiers' families travel second-class, and that, according to the contract, all Government servants not included among those specially mentioned, are entitled to be conveyed at third-class fares, but there is nothing in the contract binding the Railways to carry such persons in a better class of carriage than that for which they can claim payment, consequently though bound by agreement to charge third-class fares and no more, presumably the agreement was made on the presumption that no more than third-class accommodation would be required.

6. The Madras Railway admits the right of soldiers' families to the privileges conceded to the soldiers themselves, but the Great Southern of India Railway objects to the reduced charge on the ground given in the letter* from the Agent, copy of which is annexed.

* No. 1,603/862, dated 30th March 1874.

7. Reference, it will be observed, is made in that letter to paragraph 148 of the Transport Regulations, Clause III of which had apparently been quoted as an inferential authority for the reduced rate; as the above rule, however, is simply a provision for the repayment of fares to officers and warrant officers without Government warrants, travelling under circumstances entitling them to free conveyance, the omission of classes to whom the paragraph could not possibly apply cannot be considered by inference to mean any exception in their favor.

8. Conformably with what is admitted in the Madras Railway, objection has been taken by this office to the difference between second and third class fares charged for soldiers' families on the Great Southern of India line, but will be held in abeyance pending the result of this reference.

From W. S. BETTS, Esq., Agent, Great Southern of India Railway, to Lieutenant-Colonel R. Q. MAINWARING, Sub-Assistant Commissary-General, Trichinopoly, dated Negapatam, 30th March 1874, No. 1,603/862.

I HAVE referred to the paragraphs quoted in the letter which accompanied your No. 1,691 of the 27th instant.

2. Paragraph 15 specifies the class of accommodation to be provided for the several ranks, but it does not say the families of officers and men are to pay a fare lower than the fare of the class in which they travel. On this Railway the families of officers and men have always paid the fare of the class in which they travelled.

3. Paragraph 148 "does not apply to any class of Government servants other than those specified above"—commissioned or warrant officers travelling on duty—"nor is it applicable to the wives and families of commissioned or warrant officers."

4. I am not aware that any paragraph rules that families are to be conveyed at a lower fare than the fare of the carriage used; but if you can quote such a ruling I will at once refund the item under correspondence.

No. 2,303.

FORWARDED to the Quartermaster-General for favor of opinion.

(Signed)

T. GILLILAN, Colonel,
Controller of Military Accounts.

11th December 1874.

*Proceedings of the Madras Government, Public Works Department,
26th May 1876.*

Docket from the Quartermaster-General, to the Controller of Military Accounts, dated Fort St. George, 15th December 1874, No. 8,529.

Has the honor to return the enclosures of his docket, No. 2,303 of the 11th instant, and would request a reference to orders of Government as per margin. The former order contains the ruling of Government both as regards the

O.G., No. 433, Military Department, 1st February 1866.
" " 657, Public Works Dept., 26th " "

provision of second-class carriages for the families of European troops, and the rates of payment with reference to paragraph 19 of the contract with the Madras Railway Company, and if, as it is believed, the contracts with the two Railways are identical, the ruling of Government on the above points must be equally applicable to the South of India Railway.

2. Ever since Railways have been open, and when granting passages, no distinction has been made in the description of carriage provided for the soldier and his family.

(By order,)

(Signed) A. HOWLETT, Brigadier-General,
Quartermaster-General.

RETURNED to the Controller of Military Accounts, as requested in his label, No. 2,340, dated 17th December 1874.

(Signed) J. W. RIDEOUT, Lieut.-Col.,
Offg. Examiner of Comr. Accounts.

13th January 1875.

From Surgeon-Major J. MURRAY, M.D., for Officiating Examiner of Commissariat Accounts, to Colonel T. GILLILAN, Controller of Military Accounts, dated Fort St. George, 17th July 1875, No. 1,245.

ADVERTING to this office letter* to your address, of the 9th December 1874, I have the honor to inform you that on receipt of the accompaniments of your docket No. 2,340 of the 17th

* No. 2,978.

idem, I addressed the Agent of the Great Southern of India Railway, inviting his attention to paragraphs 6 and 7 of the letter† from the Consulting Engineer for Railways to the Secretary to Government, Public Works Department, No. 5, dated 6th January 1866. His reply‡ is enclosed for instructions.

† Recorded in Proceedings of Government, Public Works Department, No. 269, of the 24th January 1866.

‡ No. 2,036 of the 19th June 1875. (To be returned.)

2. The tenor of paragraph 28 of the contract published in the Fort St. George Gazette of the 9th February 1875, quoted by the Agent of the Great Southern, is the same as that of paragraph 19 of the contract, dated 13th August 1858, referred to in paragraph 3 of this office letter under notice, and the construction Mr. Betts puts upon it coincides with the opinion expressed* by this office, viz., that there is nothing in the contracts binding the Railway to carry the families of soldiers in a better class of carriage than that for which they can claim payment. The question decided by Government in their Proceedings, No. 269,† appears to be whether

* Letter to Controller, No. 2,978, of the 9th December 1874, paragraph 5.

† Public Works Department, dated 24th January 1866.

the provisions of the contract, so far as the conveyance of troops and followers is concerned, applied to night as well as day trains, as pointed out by the Agent of the Great Southern Company.

From W. S. BETTS, Esq., Agent, South India Railway, to the Examiner of Commissariat Accounts, Fort St. George, dated Negapatam, 19th June 1875, No. 2,036.

The question which Government appears to have been called upon to decide in the papers (herewith returned) sent to me with your letter No. 3,550, of the 15th of February last, was

*Proceedings of the Madras Government, Public Works Department,
26th May 1876.*

whether the provisions of the contract, so far as the conveyance of troops and followers is concerned applied to night as well as to day trains.

2. Clause 28 of this Company's contract specifically states who are to travel in first-class carriages at second-class fares, and who in second-class carriages at the lowest fares. Provision being made under the latter head for "troops and men belonging to the Police force and European artizans and Officers' servants."

3. If it be contended that the wives and children of soldiers are also to have similar provision made for them, the Police Department may next contend that the wives and families of policemen are entitled to a similar privilege. And it might go on further still by a claim being preferred for the wives and families of European artizans and Officers' servants.

4. I regret that your letter, through being mislaid, has remained till now unanswered.

No. 931.

REFERRED to the Quartermaster-General, with previous correspondence, for any further observations he may wish to offer.

(Signed) T. GILLILAN, Colonel,
Controller of Military Accounts.

21st July 1875.

From Brigadier-General A. HOWLETT, C.B., Quartermaster-General, to Colonel T. GILLILAN, Controller of Military Accounts, dated Ootacamund, 29th July 1875, No. 228—4,734.

IN returning the correspondence received with your No. 931, dated 21st instant, I have the honor, by order, to state that paragraph 15, Transport Regulations, Part II, clearly lays down that families of European Commissioned and first-class Warrant Officers are to be provided with seats in first-class carriages, and the families of British soldiers in second-class carriages.

2. The question, then, is only whether, when provided with certain accommodation under the orders of Government, any higher rate should be charged for the families than for the husbands and fathers. The contract does not, as you point out, solve this question, but it appears to this office that it was the intention of Government, in defining exactly the accommodation to which families are entitled, to secure the same privileges with reference to charges for families as for officers and soldiers.

3. However, the question is one purely of account, on which this department only ventures an opinion, as you have forwarded the correspondence for its observations.

4. It is not known to this department that demands for higher rates of fare for families than for officers and soldiers have been made by other Railway Companies, and it is believed that, with the exception of the South Indian Railway, other Companies in India act as the Madras Railway Company does in the matter of these charges.

REFERRED to the Public Works Department (Railway).

(By order),

(Signed) A. C. SILVER, Colonel,
Secretary to Government, M.D.

No. 374.

REFERRED to the Consulting Engineer for Railways for remarks.

OOTACAMUND,
11th August 1875.

(Signed) J. O. HASTED, Major, R.E.,
Offg. Joint Secretary to Government, P.W.D.

*Proceedings of the Madras Government, Public Works Department,
26th May 1876.*

No. 479-A. From Lieutenant-Colonel J. H. M. SHAW-STEWART, R.E., Consulting Engineer for Railways, to Major-General G. W. WALKER, R.E., Secretary to Government, Public Works Department, dated Madras, 28th April 1876, No. 210.

WITH reference to endorsement No. 374, dated 11th August 1875, upon letter from the Controller of Military Accounts, submitting for orders correspondence relating to the rates chargeable to Government on account of the families of soldiers travelling by the South Indian Railway at the public expense, I have the honor to state that the Agent of that Company, after referring the matter to the Board of Directors, stated that they had agreed to conform to the practice (with respect to the conveyance of the families of officers and soldiers) to that in force on the Madras Railway.

2. The practice on the Madras Railway, as explained by the Agent, is to furnish the families of European officers with first-class accommodation, and the wives and children of European soldiers with second-class accommodation when travelling on the Company's line.

Also the families of native troops are conveyed in third-class carriages and charged at the third-class rates. If they present themselves in batches of 50 and upwards they are charged at a reduced rate of 2 pies per mile, and any number less than 50 have the option of paying for 50 fares and travelling at the 2 pies rate in third-class vehicles.

No special provision is made for artizans, but the families of European and native artizans would be charged at the same rates and allowed to travel in the same class of vehicles as the wives and children of European and native soldiers when travelling at the Government expense.

3. In paragraph 6 of letter No. 2,978, dated 9th December 1874, to the Controller of Military Accounts, the Examiner of Commissariat Accounts states that the Madras Railway admits the right of soldiers' families to the privilege conceded to the soldiers themselves; but this appears to have arisen from a misapprehension of the rules, and the enclosed letter from the Agent of the Madras Railway explains that the Traffic Manager has been instructed to charge in future second-class fares for such accommodation.

No. 420, dated 21st April 1876.

4. There is no direct ruling which binds the Railway Companies in this Presidency to carry the families of soldiers in a better class than that for which they can claim payment. It appears, however, that the practice obtaining on the railways in other parts of India is different to that on the Madras and the South Indian Railways, and I suggest that the matter be referred for the orders of the Government of India with the view to secure uniformity of practice on all lines.

5. The original papers which accompanied your endorsement are herewith returned.

From R. B. ELWIN, Esq., Agent and Manager of the Madras Railway Company, to Lieutenant-Colonel J. H. M. SHAW-STEWART, R.E., Consulting Engineer for Railways, dated Madras, 21st April 1876, No. 420.

IN reply to your letter of the 10th instant, No. 380, I have the honor to inform you that it came to my knowledge in September 1875 that the families of British troops when conveyed

Proceedings of the Madras Government, Public Works Department,
26th May 1876.

at Government expense were being charged for at third-class fares for second-class accommodation, and I then instructed the Traffic Manager to charge in future second-class fares for such accommodation, as that course appeared to me to be correct.

2. The only ruling bearing upon the subject that I am aware of is contained in paragraph 15 of the "Transport Regulation, Part II," under which we have always charged first-class fares for the first-class accommodation provided for the families of officers, and it therefore was inconsistent to charge third-class fares for the second-class accommodation provided for the families of troops.

No. 480. ORDER THEREON, 26th May 1876, No. 1,329.

RAILWAY, No. 45-A.

HIS GRACE the Governor in Council observes that the contracts appear to contain no provision obligatory on the Railway Companies to afford to families of soldiers a higher class of accommodation than that for which payment is made, and that therefore Railway Companies are entitled to charge in accordance with the class of carriage used.

(True Extract.)

Colonel,
Offg. Under Secy. to Govt., P.W.D.

1875 Sept
No

No 374

Referred to the
Consulting Engineer
for Railways for
remarks.

Genl. to Govt. of Madras
Milit. Dept.

Date 10 Aug 75
Recd. 10 Aug 75
No 3843

For action Major R.E.
offg. Jt. Secy to Govt.
P.W. Dept.

Referring letter from
Cont. of Military Acct.
Submitting for orders wr.
- response relating to
the rules chargeable to Govt.
on account of the families
of soldiers travelling by
the G. S. I. Railway
at the public expense.
Referred

Noted
11th August 1875

18 Aug
C.L.

12479

18th Sept 75

2978

Office of Examiner of Comt: Accounts.
Fort Saint George 9 December 1874.

From The Examiner of Comt: Accounts.

To The Controller of Military Accounts
Fort Saint George.

Sir,

I have the honor to bring to your notice, that some doubt exists as to the rates chargeable to Government on account of the families of soldiers, travelling by Rail, at the Public Expense, the views of the authorities connected with the Madras and Great Southern of India Railways, being apparently at variance on the subject.

2 Under Para 15 of the Transport Regulations, Part II, the families of British Soldiers are entitled to Second Class accommodation, and are placed apparently on the same footing and recognised as Government servants, in common with

the other Classes named in the Paragraph.

3 Under Para 19, both of the Contract made by Government with the Madras and of that made with the Great Southern of India Railway, all classes amenable to the Mutiny Act, and all artisans travelling on the business of Government, are entitled to Rail accommodation of the Class superior to that for which payment is claimed, "all other persons" being conveyed at the lowest fares.

4 It will be observed that no allusion is made in the latter case to the class of carriage, nor is there anything to show that superior accommodation to that for which the Rail ordinarily charges, should be found for others than those for whom special provision is made.

5 It is true that under Regulation, soldiers' families travel Second Class, and that according to the Contract, all Government servants not included among those specially mentioned, are entitled to be conveyed

at 3rd Class fares, but there is nothing in the Contract binding the Railways to carry such persons in a better class of carriage than that for which they can claim payments, consequently, though bound by agreement to charge 3rd Class fares and no more, presumably the agreement was made on the presumption that no more than 3rd Class accommodation would be required.

6 The Madras Railway admits the right of soldiers' families to the privileges conceded to the soldiers themselves, but the Great Southern of India Railway objects to the reduced charge, on the ground given in the letter from the Agent, copy of which is annexed.

7 Reference, it will be observed, is made in that letter to Para 14 D of the Transport Regulations, Clause III of which had apparently been quoted as an inferential authority for the reduced rate; as the above rule however, is simply a provision for the repayment of fares to Officers and Warrant Officers without Government Warrants, travelling under

circumstances entitling them to free conveyance, the omission of classes to whom the Para could not possibly apply, cannot be considered by inference to mean any exception in their favor.

8 Conformably with what is admitted in the Madras Railway, objection has been taken by this Office, to the difference between 2^d and 3^d Class fares charged for Soldiers' families on the Great Southern of India Line, but will be held in abeyance pending the result of this reference.

I have the honor to be,

Sir,

Your most Obedt. Servt.

Wm. A. St. Col.
Offg. Secy of Commr. Accounts.

Great Southern of India Railway;
Agents' Office
Nagapatam 30th March 1874.

$$8 \frac{0}{4} \frac{1603}{862}$$

From The Agent,
Great Southern of India Railway,
To The Deputy Assistant Commissary General
Trichinopoly.

Sir, I have referred to the paragraphs quoted in the letter which accompanied your No 1691 of the 27th instant. Paragraph 15 specifies the class of accommodation to be provided for the several ranks, but it does not say the families of officers & men are to pay a fare lower than the fare of the class in which they travel. On this railway, the families of officers and men have always paid the fare of the class in which they travelled. It would not apply to any class of Government

Paragraph 148 "does not apply, to any class of Government
"Servants other than those specified above - commissioned or warrant
"officers travelling on duty - "nor is it applicable to the wives and
"families of commissioned or Warrant officers".
I am, that any paragraph rules that families

I am not aware that any paragraph rules that families are to be conveyed at a lower fare than the fare of the baggage used; but if you can quote such a ruling, I will at once re- fund the sum under Correspondence.

*I have the honor ^{very}
Signed/ William Betts, Agent.*

(True copy)
Signed, R. 2. Mainwaring, Lt. Colonel. S. A. b. Genl.
(True copy)

Wm. A. L. Colonel.
Off: Examiner of Commt. Accounts.

EdB

~~No 2303.~~

P. 3100/46

Yours,
Wm.

The Court: Decd:

The Court: Judge: Doctor:

St. St. George.

2970
228

Dec 1874

Re:

৫৫

W. W. W. W. W.

Spurio to notice

Controlled by Auto

Richd. D.

11th December 1874.

that some doubt exists
as to the rates chargeable
to Govt on account of
the families of Detachments
travelling by Rail at the
Public Expence,

John, returned

c
c
t
a
r
r
g
o
o
o
o
e
o
t
t

666

P. N. 3100/46
2

are identical, the ruling of Government on the above points must be equally applicable to the Southern of India Railway.

2. Ever since Railways have been open and when granting passages no distinction has been made in the description of Carriage provided for the Soldier and his family.

(By order)
J. H. L. Brig. Genl.
Quartermaster General.

P. N. 3100/46
3

No 1245

Office of Examiner of Comt: Accounts.
Fort Saint George, 17th July 1873.

From, The Examiner of Comt: Accounts.
To The Controller of Military Accounts.
Fort Saint George.

Sir,

Adverting to this Office letter^(a)
to your address of the 9th Dec: 1874, I
have the honor to inform you that, on
receipt of the accompaniments of your
Docket No: 2340 of the 14th Idem, I ad-
dressed the Agent of the Great Southern
of India Railway, inviting his attention^(b)

^(b) Recorded in P. G. PWD to Paras 6 and 7 of the letter from
No 269 of the
24th Jan: 1866. No 23439-17/66

Quartermaster Genl's Office,
Fort Saint George, 15th Dec: 1874

No. 8529 2303
From

Quartermaster General
To

The Controller of
Military Accounts

Has the honor to
return the enclosures of his docket
No 2303 of the 11th Instant
and would request a reference
to Orders of Government as per
margin. The former Order
contains the ruling of Government
both as regards the provision of
2nd Class Carriages for the families
of European Troops, and the
rates of payment with reference
to para 19 of the Contract with
the Madras Railway Company,
and if as it is believed the
Contracts with the two Railways

6158
Returned to the Controller
of Military Accounts as requir-
ed in his Label No 2340
dd 17 Decem: 1874.

W. M. M. M. M.
Controller of Military Accounts
13 January 1875.

Cl. No 439 C.M.D. 1 Feb: 1866.
Cl. No 457 C.M.D. 26 Feb: 1866.

the Consulting Engineer for Railways
to the Secretary to Government P.W.D.
No. 5 dated 6th January 1866, his reply
is enclosed for instructions.

(c)
No. 2036 of the
19th June 1875.
(to be returned)

2 The tenor of Para 20 of
the Contract published in the Fort
Saint George ^{Gazette} of the 9th February
1875, quoted by the Agent of the
Great Southern, is the same as that
of Para 19 of the Contract dated
13th August 1858, referred to in Para
3 of this Office letter under notice,
and the construction Mr. Betts puts
upon it, coincides with the opinion
(d) expressed by this Office, viz: that
there is nothing in the Contracts

(d)
Letter to Controller
No. 2978 of the
9th Dec. 1874
Para 5.

binding the Railway to carry the
families of soldiers in a better class
of carriage, than that for which they
can claim payment. The question
decided by Government in their Pro-

(e)
PWD D. 24 Jan 1866. - See also No. 269, appears to be,
whether the provisions of the Con-
tract, so far as the conveyance
of troops and followers is concern-
ed, applied to night as well as
day trains, as pointed out by the
Agent of the Great Southern Co.

I have the honor to be,
Sir,

Your most obedt. servt.
J. M. M. M. M. M.

Burgess Major.
for offg. Exr. Comt. Accounts.

South Indian
GREAT SOUTHERN OF INDIA RAILWAY.
AGENT'S OFFICE,
NEGAPATAM, 19 June 1875

No. 2036
From

THE AGENT,
South Indian
Great Southern of India Railway,

To
The Examiner of Commisariat Accounts
Fort St George.
Madras

SIR,

The question which Government appears to have been called upon to decide in the papers (herewith returned) sent to me with your letter N. 3550 of the 15th of February last, was whether the provisions of the Contract, so far as the conveyance of troops and followers is concerned, applied to night as well as to day trains.

Clause 28 of this Company's Contract specifically states who are to travel in 1st class carriages at second class fares, and who in second class carriages at the lowest fares. Provision being made under the latter head for troops and men belonging to the Police, freed and European artisans and Officers servants.

It is contended that the wives and children of soldiers are also to have similar provision made for them, the Police Department may well contend, that the wives and families of policemen are entitled to a similar privilege. And it might go on further still by a claim being preferred for the wives and families of European Artizans and Officers servants. I regret that your letter, through being mislaid

Enc. 1. N. 931.

P. N. 3100/76

From
The Hon. Com. Secy.

To
The Com. Secy. Secy.

St. St. George.

No. 1245

Dtd 17th July 1875.

Recd

not with previous notice
handover, for any further
observations to pass with

to office

William Clark

William Clark

William Clark

William Clark

William Clark

Forwarded for instructions

the reply of the Agent and

S. J. Bailey regarding con-

veyance of the families of

soldiers in a better class of

carriage than that for which they can claim payment.

File No. 2209/76/18

has remained till now unanswered.

I have the honor to be,

Sir,

Your Most Obedt Servt

William B. A.

Agent

P. N. 3100/76

Aug 14 1875

Letter to the Council 25/8/75

June 1875

James O'Connell
Agent South Africa
Nagasaki

July 121

QUARTERMASTER-GENERAL'S OFFICE,
Head Quarters, Ootacamund,

29th July

1875.

No. 228.

4734

From

BRIGADIER-GENERAL A. HOWLETT, C.B.,
Quartermaster-General,

To

THE Controller of
Military Accounts

SIR,

In returning the correspondence received with your V. G. 1 dated 21st Instant, I have the honor, by order, to state that para 15, Transport Regulations, Part II. clearly lays down that families of European Commissioned and 1st Class Warrant Officers are to be provided with seats in 1st Class Carriages and the families of British Soldiers in 2^d Class Carriages.

2. The question then is only whether when provided with certain accommodation under the orders of Government any higher rate should be charged for the families than for the husbands and fathers. The Contract does not, as you point out, solve this question, but it appears to this Office that it was the intention of Government in defining exactly the accommodation to which families are entitled.

entitled to secure the same privileges with reference
to charges for families as for Officers and Soldiers.

3. However the question is one purely
of account, on which this Department only ventures
an opinion as you have forwarded the correspondence
for its observations.

4. It is not known to this Department
that demands for higher rates of fare for families
than for Officers and Soldiers, have been made
by other Railway Companies and it is believed
that with the exception of the South Indian Railway
other Companies in India act as the Madras
Railway Company does in the matter of these
charges.

I have the honor to be,

Sir,

Your obedient servant

Wm. Pitt Rivers
Quartermaster General

J. P.

No. 420

MADRAS RAILWAY.

AGENT AND MANAGER'S OFFICE.

Madras, 21st April 1876.

From

A. D. Elwin Esqre.
Agent and Manager of the M. R. Co.

To

Col. H. H. Shaw Stewart, R. E.
Consulting Engineer for Railways.

Sir,

In reply to your letter of the 10th instant at 380, I have the honour to inform you that it came to my knowledge in September 1875 that the families of British troops when conveyed at Government expense were being charged for at 3rd class fares for 2nd class accommodation, and I then instructed the Traffic Manager to charge in future 2nd class fares for such accommodation, as that course appeared to me to be correct.

The only ruling bearing upon the subject that I am aware of is contained in paragraph 15 of the "Transport Regulation Part II", under which we have always charged first class fares for the first class accommodation provided for the families of officers, and it therefore was inconsistent to charge 3rd class fares

P. 4. 3180/76

1876

From

M. D. Elwin Esqre.
Agent and Manager of the M. R. Co.

Col. H. H. Shaw Stewart, R. E.

Dated 29 July 1875

Madras

Return with a letter
containing correspondence

regarding conveyance
of the families of British
troops when conveyed at
Government expense
that they are charged
for at 3rd class fares
for 2nd class accommodation

for the 2^d class accommodation provided
for the families of troops.

I have the honour to be,
Sir,

Your most obedient servant,

Wm. H. Brown

Agent and Manager.

OFFICE OF CONTROLLER OF MILITARY ACCOUNTS,
Fort Saint George, 7 August - 1875.

From  B
The Controller of Military Accounts,
To
The Secretary to Government,
Military Department.
Cotacaimund.

Sir,

I have the honor to forward for
the consideration and Orders of Government,
the correspondence as per
margin relating to the rates
chargeable to Government on
account of the families of
soldiers travelling by the
Great Southern of India
Railway at the public ex-
-pense.

2. The Agent Southern of
India Railway, contends that neither the
terms of the Contract nor any regulations
provide for the families of Officers and
Soldiers being allowed to travel at re-
duced fare.

3. It is true that the Contract
does not treat on the point referred to,
except perhaps constructively under the
general term "Troops", but as remarked
by

P. N. 3100/76

MADRAS RAILWAY.

From

The Agent and Manager.

To

The Consulting Engineer

for Railways.

Date 21st April 1876
Recd. 22. J. L.

No. 4720.

During the Commission
under notice families
of British troops are
charged the same
fare as the class by
which they travel.

12
27
By the Quarter Master General it appears
clearly to have been the intention of Govern-
ment, in defining exactly the accom-
modation to which families are entitled
to secure for them the same privileges
as for Officers and Soldiers when travel-
ling on duty.

4. Such an arrangement has
it is observed, been accepted by all other
Railway Companies in India, the deeds
of Contract executed by them being pre-
cisely similar to that of the Great
Southern of India Company, and it
would therefore seem not only unde-
sirable on financial grounds but
highly inexpedient to permit for the
latter a different course of action.

I have the honor to be,
Sir,

Your obedient servant.

J. Wilson Esq.
Contn. of Military Accounts.

RAILWAY DEPARTMENT.

CONSULTING ENGINEER'S OFFICE,
Madras, 28th April 1876.

No. 210.

From
LIEUT.-COLONEL J. H. M. SHAW-STEWART, R.E.,
Consulting Engineer for Railways,

To
MAJOR-GENERAL G. W. WALKER, R.E.,
Secretary to Government,
Public Works Department,
Fort Saint George.

SIR,

With reference to en-
-dorsement No 374 dated 11th August
1875, upon letter from the Controller
of Military Accounts, submitting
for orders correspondence relating
to the rates chargeable to Govern-
-ment on account of the families
of soldiers travelling by the South
Indian Railway at the public ex-
-pense, I have the honour to
state that the Agent of that
Company, after referring the
matter to the Board of Directors
stated that they had agreed to
confirm the practice (with respect
to

To be returned, with reply.

Private - Railway.

No 3843. Reference to the Public Works

Department (Railway).

10th August 1875.

To the Public Works Department (Railway).

To
The Controller of Military Accounts,
The Secretary to Government,

Military Department,
Cantonment.

Dated 17th August 1875.

Enclosures, 6.
Endorsement.

Reference to
orders correspondence
relating to the rates
chargeable to Govern-
-ment on account of the families
of soldiers travelling by
the S. I. R. Railway at
the public expense.

Reference.

to the conveyance of the families of Officers and Soldiers, to that in force on the Madras Railway.

2. The practice on the Madras Railway, as explained by the Agent, is to furnish the families of European Officers with first class accommodation, and the wives and children of European soldiers with second class accommodation, when travelling on the Company's line.

Also the families of Native Troops are conveyed in 3rd class carriages and charged at the 3rd class rates. If they present themselves in batches of 50 or upwards they are charged at a reduced rate of 2 pice per mile, and any number less than 50 have the option of paying for 50 fares and travelling at the 2 pice rate in 3rd class vehicles.

No special provision is made for artisans, but the families

families of European and native artisans would be charged at the same rates and allowed to travel in the same class of vehicles as the wives and children of European and Native Soldiers when travelling at the Government expense.

3. In paragraph 6 of letter No 2978 dated 9th December 1874 to the Controller of Military Accounts, the Examiner of Comptrol Accounts states that the Madras Railway admits the right of soldiers' families to the privilege conceded to the soldiers themselves; but this appears to have arisen from a misapprehension of the rules, and the enclosed letter from the Agent of the Madras Railway explains that the Traffic Manager has been instructed to charge in future second class fares for such accommodation. There is no direct ruling which binds the Railway Companies in this Presidency to carry

N^o 420 dated 21st April 1876.

carry the families of soldiers in
a better class than that for which
they can claim payment. It
appears, however, that the practice
obtaining on the railways in other
parts of India is different to
that on the Madras and the
South Indian Railways, and I
suggest that the matter be referred
for the Orders of the Government
of India, with the view to se-
cure uniformity of practice, on all
lines.

5 The original papers
which accompanied your endorse-
ment are herewith returned.

I have the honour to be

Sir

Your most obedient servant

Mantworth *Lieut. Col. R. B.*

Genl. Engineer for Railways.

Q. W. 1876 No. 210
RAILWAY DEPARTMENT.

From

The Consulting Engineer
for Railways,

To

The Secretary to Government,
P. W. Department,
Fort Saint George.

Dated

28th

Received

28th

1876

Encl: 8

No. 210.

Submitting for

order of expenditure

relating to the rules

chargeable to Govt

on the part of the families

of soldiers and families

of the 1st Regt at the

public expense

CASES.

No.

of 187

P. 4, 1876 Department
M. WORKS FORM No. 3.

Current No. 3100

From

The Comd^g Eng^r for Railway

No. 210

Dated 28th April

Recd. 1st May

1876

Subject:—

Submitting for Orders
correspondence relating to the rates
chargeable to Govt as account
of the families of soldiers travelling
by the South Indian Railway
at the Public expense

ENCLOSURES. 8-✓

From

to

Orders and Proceedings in file.

Depart- ment.	No.	Date.	ENDORSEMENTS.		
			Depart- ment.	No.	Dated.
M. W.	269	24/1/76			

CASES.

No.

of 187

"

"

"

From

"

"

"

"

"

"

"

479a

8/8/76 Otda 26/5/76
76 Otda 23/8/76
76 Otda 11.5.76

43-5-76

Public Works Department. ent.

PROCEEDINGS of the MADRAS GOVERNMENT.

UNDER date the

READ the following:—

From
The Military Dept. (H.C. No. 3843 d/10th Augt. 1875) 375)
" Comd^g Eng^r for Ryds: (—" 210—" 28th April 1876) 375)

Ordered that the
papers be referred for
the orders of the Govt
of India.

(H.C. No. 41

To The Secy to the Govt of India
Public Works Dept.

Sir, I am directed to
forward the accompanying
correspondence in the subject
of the rates chargeable to
Govt

I do not see why the
papers should be referred
to the Govt. The rates
are absolutely fixed by
contract. I should say that
the Comd^g Eng^r for Ryds
Military Dept.

For

Cur

Govt for the families of
Soldiers travelling by second
class carriages on the
Railways of this Presidency.
It would appear that in
other parts of India 2nd
Class accommodation is
conceded at 3rd Class
fares, and this practice
was in force on the Madras
Railway till September
1875 when the Govt
issued instructions for
the recovery of fares cor-
responding to the class
of carriage occupied.
On the South Indian
Railway no reduction has
ever been made; but on
the subject being referred
for the orders of the
Board of Directors they
instructed their Agent to
conform

conform to the practice in
force on the Madras
Railway. I am to
refer the matter for
orders of the Govt of
India.

X² 10/10

No 1329 20
Public Works Department.

PROCEEDINGS of the MADRAS GOVERNMENT.

Under date the 26 May 1876
Read the following:—

From

The Military Department (H. L. No 3843 of 10th Aug 1875)
" Comd^g Engrs for Railways (a— 210— 25th April 1876)

His Grace the Governor
in Council observes that the
contracts appear to contain
no provision obligatory on
the Railway Companies
to afford, to families of
soldiers, a higher class
of accommodation than
that for which payment
is made; and that there-
fore Railway Companies
are entitled to charge in
accordance with the class
of carriage used.

Comd^g Engrs for Rys.
Military Dept.

Decd 9/10/76

C.M.M.

3/10
17/10/76

3/10/1876

Gobt. of 1876 Madras.
PUBLIC WORKS.

To

The Com^o Eng^o for A. H.

Dated

Issued

Recd

Encl.

G. O. 26th May 1876 No. 1824

Nos. 479-480

Rates chargeable to Govt. for the
families of Soldiers travelling by
Rail

Passing orders in
correspondence in the
case of the ~~rates chargeable~~
~~to Govt. for the families~~
~~of Soldiers travelling by~~
~~second class Carriages~~
~~on the Railways~~
~~in the Province~~