M.R.O. 14—10,000—21-4-22.

MADRAS RECORD OFFICE.

Government of Madras.

Revenue **DEPARTMENT.**

G.O. No.	1712	**Press** ~~**Mis.**~~
76-77		
Dated	19 — 12 — 1859.	

Not to be folded or roughly handled

Proceedings of the Madras Government, Revenue Department, for the month of December 1859.

No. 76. Read the following Proceedings of the Madras Government in the Financial Railway Department; dated 8th November 1859, No. 616.

Communicating for promulgation the order regarding the calling of tender for carts instead of impressment. (Vide Financial Railway Proceedings from 1st to 10th November 1859, Nos. 31 to 34.)

No. 77. ORDER THEREON, 19th December 1859, No. 1712.

Ordered that the foregoing proceedings be recorded.

(Signed) J. D. BOURDILLON,
Secretary to Government.

FINANCIAL RAILWAY DEPARTMENT.

PROCEEDINGS of the MADRAS GOVERNMENT.

Read the following Proceedings of the Board of Revenue, dated 26th October 1859, No. 4340.

Read the following letters:

From T. J. KNOX, Esq., Officiating Collector of Salem; to W. HUDLESTON, Esq., Acting Secretary to the Board of Revenue, dated Hossúr, 24th September 1859, No. 193.

In reply to your letter, dated 17th September, regarding the impressment of bandies by local authorities to the great injury of the Railway Company, I have the honor to state that, from enquiries made through Mr. Boswell, I am able confidently to report that the seizures complained of did not occur in this District.

2. I beg to annex a copy of the Engineer's letter to Mr. Boswell, which both proves my assertion and shews on what very slight information a very serious charge has been made against a public officer.

3. I beg to remark that Captain Johnston's letter, mentioned in paragraph 2 of his Observations though dated 5th August, did not reach this Office till 12th September.

From H. A. HEDERSTEDT, Esq., Engineer, District 6; to J. A. C. BOSWELL, Esq., Head Assistant Magistrate of Salem, dated Tripatore, 21st September 1859.

I have the honor to acknowledge receipt of your letter of this date calling for information with regard to a complaint made to Government in a matter of seizing bandies.

The bandies appear to have been taken from my works in the North Arcot District, though no locality was mentioned in my Inspector's letter, from an extract from which, I was led to report the circumstances. He reported to me the stoppage of works which were situated near Ambúr, and from this I infer that the seizure was made in North Arcot District. He did not state the exact date of impressment but I conclude it was about the 29th August the date of his letter to me.

I will however at once send to him for more particular details, which shall be communicated to you without delay.

From J. D. ROBINSON, Esq., Acting Collector of North Arcot; to W. HUDLESTON, Esq., Acting Secretary to the Board of Revenue, Fort Saint George, dated Chittúr, 1st October 1859.

Paragraph 1. I have the honor to acknowledge the receipt of the Proceedings of the Board of Revenue, dated 16th ultimo, No. 3676, forwarding copy of a letter from Government dated 14th idem, and of its enclosures, and requesting me to submit the full and early report called for by Government on the instances of impressment and extortion complained of by the Agent and Manager of the Madras Railway, in his letters to the Deputy Consulting Engineer for Railways, dated 3rd and 8th ultimo.

2. With his letter of the 5th ultimo, the Deputy Consulting Engineer for Railways forwarded to me the first of the Agent's letters above referred to, with a request that I would institute the necessary enquiry into the circumstances brought to notice, and put a stop to the impressment of any bullock or carts engaged in the Railway Company's service. On the 9th idem the Deputy Consulting Engineer forwarded to me the second letter from the Agent, with an intimation that he had submitted the matter for the orders of Government.

3. On the 17th ultimo, I wrote to Captain Johnston to the following effect.

"On reference to my Office records, I find that a similar complaint on the part of the Agent "and Manager was brought forward by Captain Johnston in his letter of the 9th June last, "when my predecessor submitted the matter for the consideration and orders of the Board of "Revenue. In their Proceedings of the 7th July last, No. 2665, their opinion is thus recorded."

"As impressment is resorted to only in cases of urgent and absolute necessity, the Board "do not see how a general exemption, such as Mr. Whittingham advocates, can be accorded. "It is for the Magistrate to arrange so that the evil shall produce as little inconvenience as "possible. In the case complained of, the Board consider that the carts should not have been "seized, as they were unladen merely to admit of their being repaired."

4. I informed Captain O'Connell at the same time, that my impression was, that the impressment, now complained of, was made by Mr. Sullivan's order, to meet some recent heavy demands on the District for carriage for the conveyance of Troops and Treasure; and added, that I had forwarded his letter to Mr. Grenfell, the Acting Joint Magistrate, in whose division the seizure was made, with a request that he would ascertain and report to me whether it had been made under the circumstances and for the purposes I supposed.

5. To enable me to take action on the Agent's further complaint, that the carts employed by the East Indian Iron Company at Tirnomally were impressed by some Tanah Peons and released on payment of a douceur, I requested Captain O'Connell to ascertain from him and furnish me with the names of the Peons who had so misconducted themselves, and to direct the parties from whom the bribe had been extorted to appear before the Acting Joint Magistrate at Vellore, who would be requested to investigate the matter. I have since received a letter from the Agent and Manager of the Railway, forwarding extract and copy of another from the Agent of the East Indian Iron Company at Tirnamally to his address and informing me that he had written to him to give me such further particulars as I might desire. These papers also are now with Mr. Grenfell, on receipt of whose report, I shall have the honor of again addressing you on the subject.

Resolved that the letters above recorded, be submitted for the information of Government, with reference to the Chief Secretary's letter, dated 14th September 1859, No. 512, Financial Railway Department.

In Con. 14th Septr. 1859, No. 4591.

2. The Collector of Salem confidently denies that the seizures in question occurred in his District.

3. The Acting Collector of North Arcot thinks it likely that the impressment complained of, was made for the conveyance of Troops and Treasure under the orders of Mr. Sullivan, but has called for a report on the subject from Mr. Grenfell, the Acting Joint Magistrate.

4. The second complaint, regarding the impressment of the carts employed by the East Indian Iron Company at Tirnomally, is also under investigation, and when concluded, the result of both enquiries will be submitted for the information of Government. So long as the present system of furnishing carriage for Troops is maintained, cause must arise for such complaints. The special exemption of particular persons from the general liability, would but render the pressure more severe on those not so privileged, and open a door for much petty fraud and extortion, for as *laden* carts are not pressed in any case, if those employed by the Railway or Iron Companies are to be protected by any kind of pass, whether full or empty, the owners will soon discover a means of turning to profitable account the loan of their passes when their carts are laden.

5. A requisition is served on the Magistrate for carriage for Troops, and he is obliged to meet it. The only means at his disposal is impressment, for the service is odious to the cart owners.

6. The sole remedy is for Government to do as others must—go into the open market or employ contractors; and the latter is the only course that would fully meet their requirements, and obviate the objections of excessive expense on the one hand, or those incident to the present system on the other.

(A true Extract.)

(Signed) W. HUDLESTON,
Acting Secretary.

ORDER THEREON, 8th November 1859, No. 616.

The Board of Revenue submit, in reference to the letter addressed to them by Government, under date 14th September last, No. 512, Financial Railway Department, letters from the Acting Collector of North Arcot, and Salem, on the impressment of bandies in the service of the Railway Company.

2. The Collector of Salem denies that the seizure complained of occurred in his District.

3. The letter from the Collector of North Arcot gives merely the substance of his letter to the Deputy Consulting Engineer under date the 17th September 1859, which has already been laid before Government.

4. The Honorable the Governor in Council desires that the report which has to be furnished by the Acting Sub-Collector Mr. Grenfell, as well as the result of the investigation now in progress in respect to the impressment of carts employed by the Indian Iron Company, be communicated to Government without more delay.

5. The Government entirely concur with the remarks of the Board of Revenue, so long as Magistrates have recourse to impressment to meet requisitions for carriage for Troops, the service is necessarily odious to cart owners.

6. When a Magistrate receives a requisition for carriage for Troops, he should advertise for Tenders for supplying it, and should accept the most advantageous. He should also arrange with the Commanding Officer for the discharge of the bandies at the appointed place; and, when practicable, carriage should be exchanged between Regiments marching in opposite directions. The General Order of Government No. 166 of the 27th May 1856, contains full directions to Commanding Officers on every point connected with carriage for Troops.

7. In short, *Contract* should be substituted for *Compulsion*, and the Civil and Military Authorities should see that the Contractors are properly protected. If this is done, it may be hoped that the Government service will become profitable and popular, as it is in England.

8. A copy of this Order is to be sent to the Revenue and Military Departments for promulgation to all concerned.

(True Extract.)

Chief Secretary.

To the Revenue Board.
" Revenue Department.
" Military do.

Exd. W. J. Boyton.

Revenue 1859 Despatch
Pros. of Govt 20th Decr
No 2077.

Proceedings of the
Madras Govt in the
Financial & Railway
Department
From the Secretary Commrs
Dated 8th } 22d Dec 1859 Con. No 241
Received 11th } Con. 31 Nos 75-76
Nov. 59

Rm. of the Bd of Revr No 616.
Dy. 4th Oct. 60. Cn. 2260.
Communicating
for promulgation
the order regarding
the calling of Tender
for Carts instead of
impressment.
No 1712.
Recorded
19th Decr 1859.

Copy in a Letter to Govt
of 30th January 61 No 25

12-6-99

No 76 & 77.

Cy 4th December 1815