M.R.O. 14—5,450—22-10-26.

MADRAS RECORD OFFICE.

Government of Madras.

Revenue DEPARTMENT.

G.O. No. 724 Press ~~Mis.~~

452.453

Dated 27 — 3 — 1867.

Not to be folded or roughly handled

Proceedings of the Madras Government, Revenue Department,
27th March 1867.

No. 452. Read the following Proceedings of the Board of Revenue, dated 24th March 1866, No. 2,084.

Read the following :—

Proceedings of the Government of India, dated 31st October 1865, on the subject of the supply of carriage for troops referred for report by Government docket, 4th December 1865.

Extract from the Proceedings of His Excellency the Governor General of India in Council, in the Military Department, under date the 31st October 1865, No. 848.

Read the following correspondence regarding the supply of carriage for European and Native Troops in the Bengal Presidency.

Letter, No. 376 A., dated 13th August 1864, from the Secretary to the Government of the North-Western Provinces, with enclosures.

Letter, No. 310, dated 22nd August 1864, to the Quarter Master General.
Letter, No. 3,525, dated 19th September 1864, from do.
Letter, No. 3,526, ,, ,, ,, from do.
Telegram, No. 50 A., dated 2nd November 1864, to do.

Letter, No. 32 C. C., dated 10th November 1864, from the Deputy Quarter Master General, with annexures.

Letter, No. 1,102 A., dated 14th December 1864, from the Controller of Military Accounts.

Letter, No. 861, dated 31st October 1865, to the Quarter Master General.
Letter, No. 170, dated 4th February 1865, to the Commissary General.
Letter, No. 3,108, dated 22nd November 1864, from do.

Memorandum, No. 1,497 B., dated 6th January 1865, from the Accountant General, Military Department.

Letter, No. 1,310, dated 24th March 1865, from the Commissary General.
Letter, No. 1,811, dated 26th April 1865, from do.
Letter, No. 863, dated 31st October 1865, to do.

Resolution.—The Governor General in Council observes that the difficulties and hardships attendant on the supply of carriage to British and Native Troops on the line of march have been but partially caused by the general extension of cultivation and consequent scarcity of pasture for the cattle, and by the increased demand for carriage by land on the part of the commercial classes, and that they must be attributed mainly to insufficiency of the old rates of hire in many places, and to inattention on the part of those concerned to the regulations laid down in order to ensure a fair rate of remuneration, and to distribute the pressure on those from whom the carriage is taken as equally as possible.

2. In order to remove this pressure, so often and loudly complained of by the owners of carriage, His Excellency Sir Hugh Rose advocated the maintenance in each Province, at the public expense, of a certain proportion of carriage in proportion to the population, to be utilized locally in every possible way so as to lighten the expense. But setting aside the inapplicability of a scheme which would often cause the largest supply where it would be least wanted, the Governor General in Council is utterly averse to any attempt on the part of Government to keep up

carriage, whether of its own or hired for the movement of troops in excess of that now maintained for Military purposes. The expense of such a system would, His Excellency in Council considers, be certain, and its efficiency, if the expenditure were kept within any reasonable limits, very doubtful.

3. The required carriage having to be provided when wanted, it only remains to be considered what additional measures are necessary to provide it with as little hardship to individuals as possible.

4. Excepting for the public carriage, strictly so-called, which is provided by the Commissariat Department, carts, &c., for the conveyance of the baggage of the Troops are ordinarily supplied on indent by the Civil authorities, with whom, as with the Commissariat Officer when the carriage is supplied through that department, it rests to fix the rates of hire.

5. As a rule the Governor General in Council is of opinion that all such carriage should in future be supplied by the Commissariat, the Officers of that department making their own arrangements, if possible, and applying as heretofore to the Civil authorities for such assistance as they may find they need.

6. On the representation of the Commissary General that the supply of camels by local contractors cannot, for various reasons, be thoroughly depended upon, the Government has now sanctioned a return to the system of employing Choudrees, which obtained previous to 1861, and which has proved its efficiency on many occasions of emergency, and the Commissary General is of opinion that a similar system might be adopted in regard to the supply of carts. That Choudrees, judicially selected on account of their character and the influence they possess amongst the owners of carriage, can do much to encourage the latter to come forward willingly, in the expectation of receiving proper treatment and fair remuneration there can be no doubt, and it appears to Government that the Commissariat Department is well able to look after the interests of those who are employed, and promptly to bring to the notice of the Military authorities any case which may require their interference. Delay in making such references, and the consequent failure to check irregularities, or obtain redress for those who have suffered by them, have had much to do with the evils which it is desired to remedy.

7. The Governor General in Council accordingly approves of the Commissary General's proposal to adopt the Choudree system, by way of experiment in the first instance, for the supply of country carts, and to extend it should the trial prove successful.

8. The question of the rates of hire has next to be considered.

9. The higher rates fixed by Civil Officers during the last two or three years, in accordance with existing regulations, have been represented as pressing hardly on both Officers and Soldiers; who, as marching on the public service, are fairly entitled to consideration; whilst, on the other hand, the State is bound to see that fair rates of remuneration are given. These rates, however, might perhaps be more satisfactorily settled by the chief Civil authority in each Province than by District Officers.

10. His Excellency in Council has therefore decided that the rates of hire of all carriage furnished by the Civil authorities, and of the fees which (on a moderate scale) the Choudrees, through whose agency it is obtained should be allowed to charge, be carefully considered and fixed for each division of the Province by the

Local Government or Administration, and revised from time to time as may be necessary. Printed copies of these rates, when settled or revised, should be at once furnished to the Military Department for the information of the Government of India, to the Quarter Master General and Commissary General, and to the Officers Commanding Divisions and Districts in each Government.

11. The amount of baggage for which the State undertakes to provide carriage for the Officers and Troops, both on service and on ordinary occasions of marching of relief, is clearly laid down in the regulations, which do not appear to Government to need any revision, nor is it deemed expedient to relax the rule* which restricts the liability of Government for demurrage on carriage so supplied to the proportion laid down as service equipment. But, should the cost of the carriage on any particular occasion much exceed the usual rates, a special representation may be made to Government through His Excellency the Commander-in-Chief.

12. But no arrangements which the State can make can be expected to prove effective for the satisfactory supply of carriage, unless very stringent rules are laid down, and enforced for the proper treatment of the cattle and drivers, &c., for the prompt payment of hire, and for the regular relief of such carriage; and the Governor General in Council is convinced that to neglect in these respects is attributable much of the difficulty which has been experienced in obtaining carriage, and of the constant complaints which have been from time to time preferred.

13. His Excellency in Council, therefore, desires that the attention of all concerned may be drawn to the regulations on this subject, and that the following rules especially may be strictly observed whenever carriage is supplied by the Civil authorities:—

I. If possible not less than fifteen days' notice shall be given to the Collector of the quantity and description of carriage which will be required.

II. The Collector shall make his own arrangements with the Choudrees or Contractors, who shall be responsible for the proper quality of the carriage, and for the good conduct of the parties in charge of it. The Collector shall also arrange for the relief of the carriage at suitable distances where carriage is obtainable.

III. The Commanding Officer of the Troops will be responsible that half the hire and the fees to the Choudree, which have been fixed by the local Government, are paid in advance, and that the balance is made good on arrival at the destination of the Troops, or when the carriage is relieved. He will also be responsible that the carriage is not overladen; that the animals are not overdriven; and that the parties in charge are properly treated.

IV. If the Commanding Officer has reason to be dissatisfied with the way in which the engagement has been executed, he should complain *at once*, on arrival, at a station to the Collector who will have the case immediately enquired into in presence of both parties, and his decision shall be enforced.

V. Collectors will be responsible to Government that the engagements regarding carriage are fairly adhered to, and that, failing this, after they have ascertained the merits of the case, the matter is promptly reported to superior authority. They will also be responsible that tables shewing the rates of hire and

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* Military Regulations, Section XII., paragraph § Clause 3.

Choudree's fees, with the proper weight of loads, and the conditions regarding halting, demurrage, and the like, are made known to the Commanding Officer when the carriage is supplied.

VI. No Choudrees or Contractors should be allowed to use badges or other signs of office, or to seize carriage. They should, in the opinion of the Governor General in Council, be as much as possible the representative men of the classes who nominate them, and they should maintain their position by their own influence, added to that which they gain by the recognition of the Government authorities. The latter could fine a Choudree for misbehaviour, or, in a grave case, require the class he represented to depose him and appoint another; but the more such interference can be avoided the better.

VII. Whenever Government for its own objects requires the continuous service of the Choudree, a small monthly allowance might be granted him in addition to his regular fees; but ordinarily this will not be necessary.

VIII. Rowannahs shall in all cases be furnished to dismissed cartmen, prohibiting their seizure or molestation on their way home, and any infringement of these orders should be noticed and reported if necessary.

14. The above rules will be of course applicable *mutatis mutandis* whenever the Commissariat Officer is unable to obtain the carriage by his own arrangements, and has to apply for assistance to the Civil authorities. In such cases it will be his duty to do all he can to ensure the proper treatment, payment, and relief of the carriage, just as if he had himself supplied it.

No. 851.

Ordered that copy of the above Resolution be forwarded to the Secretary to Government, Fort Saint George, Military Department, for the information of His Excellency the Governor in Council.

(True Extract.)

(Signed) H. K BURNE, Lieutenant-Colonel,
Officiating Secretary to the Government of India.

Referred for the observations of the Commander-in-Chief, (Quarter Master General's Department,) Revenue Department, and Commissary General, with advertence to the system in force in this Presidency for the supply of carriage for Troops.

(Signed) R. HAMILTON, Colonel,
Deputy Secretary to Government.

FORT SAINT GEORGE,
20th November 1865.

To the Revenue Department.

Referred to the Board of Revenue for early report.

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

4th December 1865.

Received 5th
Entered and returned 6th } December 1865.

(Signed) W. HUDLESTON,
Secretary.

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1. The foregoing order of the Government of India has been referred to the Board of Revenue for report.

2. So far as the Board are aware, the system indicated in the Resolution of His Excellency the Governor General for supplying carriage to Troops is very much the same as that at present in force in this Presidency. Most of the rules given in paragraph 13 of the Resolution are, the Board believe, acted up to in all districts. The provision in Rule II. for the relief of carriage might be adopted with advantage, as well as the provisions of Rules V. and VIII.

3. The Board observe that the pressing of carriage for Troops—a practice which a few years ago was the subject of so much discussion in this Presidency—is not alluded to in the Resolution. The hardships of that system have been much mitigated by the Orders of Government noted in the margin. Under these Orders, which were approved by the Right Honorable the Secretary of State in his Despatch, dated 15th December 1858, Collectors were authorized to fix such rates of hire as would be remunerative to the owners of carts—taking into account the inconvenience occasioned to them by removal from their own occupations; but these exceptional rates of hire did not bear hardly upon the Sepoys, as they were charged only the market rates, and the difference was borne by Government, as provided in the Order of Government, dated 26th January 1860, No. 130. The Board would regret to see any interference with this arrangement, which, so far as they are aware, has worked satisfactorily.

Extract Minutes of Consultation, 27th April 1858, No. 533.

Enc 218/162-5

4. The Board are of opinion that all carriage should, in the first place, be applied for to the Commissariat Officer. They believe that if this Officer were permitted to employ permanent Maistries or Choudrees on fair rates of salary, he would very frequently be able to supply all the carriage needed without application to the Civil authorities. If due attention were paid to Rules II. and VIII. of the Resolution his duty would be much lightened, and still more so were he permitted, in consultation with the Collector, to fix exceptional rates of hire in the same manner as the Civil authorities.

5. If the Commissariat Officer failed to procure the necessary carriage even with these advantages, the Board would permit the Commanding Officers of Regiments to apply to the Civil authorities for so much carriage only as was absolutely needed. Under such circumstances, the Civil authorities might be authorized to press carriage—every precaution being taken to make such an arrangement as little odious as possible, by fixing exceptionally high rates of hire and detention batta, by causing a portion of the hire to be paid in advance, and the remainder immediately on completing the journey, by providing for the relief of carriage at certain fixed stations, &c.

6. The Board deem it right to remind Government that the attempt which was made in 1860 by the Commissariat Department to procure carriage *by contract* altogether failed of success (see Government Order, 24th October 1860, No. 1,945, Revenue Department).

No. 453. ORDER THEREON, 27th March 1867, No. 724.

Miscellaneous.

1. The above Proceedings of the Revenue Board will be communicated to the Military Department, with reference to the docket in that Department, dated 20th

November 1865, on the Proceedings of the Government of India relative to the system of procuring carriage for Troops.

2. The Board observe that the Government of India make no allusion to the pressing of carriage, but it appears to Government that the object of the Resolution is evidently to regulate the performance of a service which, though not provided for by any legal enactment, is absolutely necessary in the interests of the community, viz., the provision of the carriage requisite for the movement of Troops, and which may possibly entail the impressment of such carriage. The intention is to remove, as far as possible, all good grounds for complaint against a measure which is demanded by necessities of State, but from its nature can scarcely fail to be essentially unpopular.

The necessary restraint of Military camp-life, the discipline and regularity which must be enforced while marching and halting, and the liability to disease where large bodies of men are collected, are causes quite sufficient to render it so, irrespective of the risk of occasional ill-treatment and possible compulsion to proceed beyond the limits of the original engagement.

3. The general principles laid down by the Government of India are that, as a rule, all carriage shall be provided by the Commissariat Department; that application shall be made by that department to the Civil authorities only after their own efforts to make the necessary arrangement have failed; that the rates of hire, &c., to be charged shall be fixed by the local Government "for each division of the Province;" and that the Civil authorities and the Commanding Officers of the Troops for which the carriage is required shall be guided by certain prescribed rules in their relations with the cartmen.

4. The Government observe that so far as this Presidency is concerned, the subject was very carefully considered in 1858, and the rules then laid down and the existing practice are much in accordance with what the Government of India now prescribe. The Military authorities, Regimental and Commissariat, first endeavour to procure the carriage required, and it is only when they are unsuccessful in so doing, that the aid of the Collector in his capacity of Magistrate is invoked. No change seems either necessary or desirable in this respect.

5. As regards rates of hire, the rule was some years back established in this Presidency and approved by the Home Government, that to prevent the rate bearing heavily on the troops marching, the difference between the ordinary rate of hire and that at which carriage is engaged shall be borne by Government, and it was recognized as reasonable that, in consideration of the compulsory nature of the service, the cart-owners should receive more than the prevailing market rate of hire. The Supreme Government have now provided that the rates of hire of all carriage furnished by the Civil authorities and of fees to Chowdries, through whose agency it is obtained, (which class scarcely exists in this Presidency, though the Bandy Maistries resemble it in some measure,) shall "be fixed for each division of the Province by the local Government * * * and revised from time to time as found necessary."

6. It seems scarcely possible to maintain this rule. The market price c carriage varies in different localities, and fluctuates from time to time with reference to the ordinary laws of supply and demand as in the case of any other saleable commodity, and all that the Civil authorities can do is to obtain for Government the best rate procurable. Accurate information as to the prevailing rate at the time can always be obtained by the local officers, and for Government to prescribe a fixed rate could only have the effect of forcing the market rate either above or below the point at which it would naturally settle, either of which results would tend to aggravate the evils which it is desired to remove.

7. All that seems feasible in the matter is that the Civil authorities should periodically notify to the Military Department what are the prevailing market rates for carriage at the Military stations and along the lines of ordinary march in their respective districts, which should serve as a gauge of the probable expense involved in any contemplated movement of Troops.

8. As to the rules laid down in paragraph 13 of the Resolution of the Government of India, the Government observe that their general spirit is in accordance with those observed here, but in some particulars they appear open to remark.

Rule I.

Rule II.

9. As already noticed, it is in his Magisterial capacity that the Collector of a district acts in the matter, and the class of Chowdries, to whom reference is made, does not exist here, although probably at all large Military stations there are some men of more or less influence among the class of cart-owners, to whom both the Commissariat and the Civil authorities would apply for information on a requisition for carriage reaching them. The Collector and Magistrate would, however, act in the matter through his regular subordinates. The Government consider it inexpedient to do anything to encourage the growth of a class of *quasi* official middle-men, unless circumstances establish the necessity for their intervention. Their agency must certainly either raise the cost of carriage to the Troops and Government, or reduce the profits of the cart-owners.

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10. It is not in the power of the local officers of one district to arrange for the relief of the carriage beyond their own limits, and it would seldom be necessary to provide for a change within those limits. If carriage cannot be secured in one district for the whole march, the relief must be provided by the authorities of the district in which it is required, with whom the Military authorities (Commissariat) should communicate on the subject.

Rules III., IV., V.

11. The terms of the agreement with the cart-owners are of course communicated to the Commanding Officer of the Troops for which the carriage is engaged, and he should be held strictly responsible for their due observance by the Troops under his command.

12. Complaints of non-fulfilment against the cart-owners can only legally be disposed of by the Magisterial and Judicial authorities, by the former to the extent shewn in Section 490 of the Indian Penal Code. A Collector as such has no authority to decide such disputes in the manner contemplated in Rule IV. He can of course receive and transmit to Government complaints from either party, and if thought necessary he may be vested with authority to enquire and decide so far as Government could itself decide in cases of complaints made by the cartmen, but it seems

clear that in the present state of the law, no such decision could bar the action of the Courts. All that the Government can do is to empower its officers to apply a remedy when well-grounded complaints are preferred by cartmen against the Government Officers or Troops for whose service they have been engaged.

The Commanding Officer is the proper primary protector of the cartmen with the Troops under his command. If the complaint is against the cartman, the Magistrate must decide.

13. Rule VIII. is good in intention, and is in accordance with orders which have been repeatedly issued in this Presidency, but it is very questionable whether practically it is of any use, while it is difficult to ensure attention to it, and unless very carefully worked it is open to abuse.

14. The object of Government being to facilitate the movements of Troops on emergent and ordinary occasions, and to mitigate the hardship to cart-owners which can seldom if ever be altogether avoided, the Government desire that in every district in which Troops are usually moved by ordinary lines of road, and not by rail-road, or canal, or coastwise by sea, the Collector will, in communication if necessary with the Commissariat Officer in his district, and with the Commanding Officers of Troops stationed there, open and maintain a register of all cart-owners in his district, shewing their names and residences, the number of carts belonging to each, and the date and circumstances of his carts being last taken up for Troops, and every endeavour should be made to render the service when required of them as little irksome and as fairly distributed as possible. Especially should every facility be given for cartmen from one and the same village to march and camp together when taken up for Troops. Disregard of this simple precaution often entails great and unnecessary additional hardship, and particular attention should be given to it by Commanding Officers in the distribution of the carriage among the men. The allowance for demurrage when carts are collected from a distance or detained at a station, should be calculated liberally, and at a rate of hire not less than that to be paid for the actual march.

15. The terms of the engagement with the cartmen as to the point at which they are to be released from the service, and the period for which they are, on return to their own villages, to be exempted from re-engagement if possible, should be most strictly maintained. It is only by observing perfect good faith with the owners in this respect that any degree of confidence can be established.

16. It will be considered in the Military Department whether the regulations for the allowance of carriage are capable of improvement.

(True Extract.)

(Signed) W. HUDLESTON,
Secretary to Government.

To the Military Department.
,, the Board of Revenue.

Exd. S. T. Augustin.

Pro: 22nd June/65 No 480/81

13/6/28

Pro. No. 47-48
27-4-58
- 62-63
26-1-60
- 388-9
24-10-60.

Rev: 1865. Depart.
No. 3330.

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Endorsement
of ~~the~~ Military
Depart.

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Dated 20th 7bour
Received 20th 7' 1865.

No.

Referring for the observations of this Deptt, Pro: of the Govt of India, with adverttance to the system in force in this Presidency for the supply of Carriage for Troops.

Pros. 27th March /67 No 452

With order.

27 March/67 No 25

Revenue Department.

No. 726.

PROCEEDINGS *of the* MADRAS GOVERNMENT.

Under date the 27th March 1867.

Read the following Proceedings of the Board of Revenue

Reporting on system in force in Madras Presidency in regard to supply of carriage for troops.—

(Here enter 24th March 1866 No. 2084)

The above Proceedings of the Revenue Board will be communicated to the Military Department with reference to the docket in that Department dated 20th November 1865 on the Proceedings of the Government of India relative to the system of procuring carriage for troops.

The Board observe that the Govt. of India make no allusion to the pressing of carriage, but it appears to Govt. that the object of the Resolution is evidently to regulate the performance of a service which tho' not

provide

Inevitably the consisting [illegible]
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railways will render these
rules of but limited appli-
-cation in this Presidency
In a few years nearly
all troops will be
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provided for by any legal enactment, is absolutely necessary in the interests of the community viz: the provision of the carriage requisite for the movement of troops - and which may possibly entail the impressment of such carriage - The intention is to remove as far as possible all good grounds for complaint against a measure which is demanded by necessities of State - but from its nature can scarcely fail to be essentially unpopular -

The necessary restraint of military camp-life - the discipline and regularity which must be enforced while marching & halting and the liability to disease where large bodies of men are collected are causes quite sufficient to render it so, [illegible] of the mode of

occasional ill-treatment and possible compulsion to proceed beyond the limits of the original engagement -

The general principles laid down by the Gov^t of India are that as a rule all carriage shall be provided by the Commissariat department - that application shall be made by that department to the Civil authorities only after their own efforts to make the necessary arrangement have failed - that the rates of hire &c to be charged shall be fixed by the local Gov^t "for each division of the province" - and that the Civil authorities and the Commanding officers of the troops for which the carriage is required shall be guided by certain prescribed rules in their relations with the Cartmen -

The Gov^t observe that so far as this Presidency is concerned the subject was very carefully considered in 1858 the rules then laid down and the existing practise are much in accordance with what the Govt. of India now prescribe. The Military authorities, Regimental and Commisst., first endeavour to procure the carriage required and it is only when they are unsuccessful in so doing, that the aid of the Collector in his capacity of Magistrate is invoked. No change seems either necessary or desirable in this respect.

As regards rates of hire, the rule was some years back established in this Presidency & approved by the Home Govt. that to prevent the rate bearing heavily on the troops marching, the difference between the ordinary rate of hire and that at which carriage is engaged shall be borne by Govt., and it was recognised as reasonable that in consideration of the compulsory nature of the service the contractors should receive more than the prevailing market rate of hire. The Sup. Govt. had now provided

provided that the rates of hire of all carriage furnished by the Civil authorities and of fees to Chowdries through whose agency it is obtained" (which class scarcely exists in this Presidency though the Bandy Maistries resemble it in some measure) shall" be fixed for each division of the Province by the local Govt." × × × and revised from time to time as found necessary."

It seems scarcely possible to maintain this rule. The market price of carriage (varies in different localities and fluctuates from time to time, with reference to the ordinary laws of supply and deman as in the case of any other saleable commodity and all that the civil authorities can do is to obtain fo

Govt the best rate procurable - Accurate information as to the prevailing rate at the time can always be obtained by the local officers - and for Govt to prescribe a fixed rate could only have the effect of forcing the market rate either above or below the point at which it would naturally settle - either of which results would tend to aggravate the evils which it is desired to remove -

All that seems feasible in the matter is that the civil authorities should periodically notify to the Military Department what are the prevailing market rates for carriage at the Military stations and along the lines of

ordinary

ordinary march in their respective districts, which would serve as a gauge of the probable expense involved in any contemplated movement of troops -

As to the Rules laid down in para 13 of the Resolution of the Govt of India, the Govt observe that their general spirit is in accordance with those observed here - but in some particulars they appear open to remark -

Rule I.

As already ob~~served~~ served it is in his Magisterial capacity that the Collector of a district acts in the matter - and

Rule II.

the class of Chowdries to whom reference is made does not exist here - although probably at all large Military stations there are some men of more or less influence among the class of cart-owners to whom both the Commissariat and the Civil authorities would apply for information on a requisition for carriage reaching them. The Collr and magistrate would however act in the matter thro' his regular subordinates. The Govt consider it inexpedient to do any thing to encourage the growth of a class of *quasi* official middle men unless circumstances establish the necessity for their intervention. Their agency must certainly either raise the cost of carriage to the troops & Govt or reduce the profits of the cartowners.

It is not in the power of the local officers of one district to arrange for

for the relief of the carriage beyond their own limits and it would seldom be necessary to provide for a change within those limits. If carriage cannot be secured in one district for the whole march, the relief must be provided by the authorities of the district in which it is required with whom the military authorities (Commissariat) should communicate on the subject.

The terms of the

agreement with the cartowners are of course communicated to the Commanding officer of the troops for which the carriage ~~it~~ is engaged - & he should be held strictly responsible for their due observance by the troops under his command.

Complaints of non-fulfilment against the cartowners can only legally be disposed of by the Magisterial and Judicial authorities - A Collr as such [illegible]

Rules III. IV. V.

× by the former to the extent shown in Sec. 490 of the present Code

to decide such disputes in the manner contemplated in Rule IV. He can of course receive and transmit to Government complaints from either party, and if thought necessary he may be vested with authority to enquire and decide so far as Govt. could itself decide in cases of complaints made by the cartmen, but it seems clear that in the present state of the law no such decision could bar the action of the Courts. All that the Govt. can do is to empower its officers to apply a remedy when well grounded complaints are preferred by cartmen against the Govt officers or troops for whose service they have been engaged.

The Commanding officer is the proper primary protector of the cartmen with the troops under his command. If the complaint is against the cartman the Magistrate must decide.

Rule VIII. Is good in intention and is in accordance with orders which have been repeatedly issued in this Presidency - but it is very
questionable whether practically it is of any use which it is
difficult to ensure attention
unless very carefully worked
to it - and it is open to abuse.

I do not see that we want this with the existing dismissal of cart-men & if all the information is to be proved
unless most carefully worked

The object of Govt being to facilitate the movements of troops on emergent and ordinary occasions and

to mitigate the hardship to cartowners which can seldom if ever be altogether avoided, the Govt desire that
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in every District in which troops are usually moved by ordinary lines of road, & not by rail road - or canal or coast steamers, the
Collector will in communication if necessary with the Commissariat officer in his District and with the Commanding officers of troops stationed there open and maintain a register of all cartowners in his district showing their names and residences - the number of carts belonging to each - and the date and circumstances of his carts being last taken up for troops - and every endeavour should be made to render the service when required of them as little irksome and as fairly distributed

This provision does not apply to districts traversed by a railway and when troops would ordinarily be moved by rail - e.g. it would not be kept in Salem or Coimbatore distributed as possible — Especially should every facility be given for cartmen from one and the same village to march and camp together when taken up for troops — Disregard of this simple precaution often entails great and unnecessary additional hardship — and particular attention should be given to it by Commanding officers in the distribution of the carriage among the men — The allowance for demurrage when carts are collected from a distance or detained ~~distance~~ at a station should be calculated liberally and at a rate of hire not less than that to be paid for the actual march.

15 The terms of the engagement with the cartmen as to the point at which they are to be released from the service — and the period for which they are on return to their own villages to be exempted from re-engagement if possible — should be most strictly maintained — It is only by observing perfect good faith with the owners in this respect that any degree of confidence can be established.

16 It will be considered in the Military Department whether the regulations for the allowance of carriage are capable of improvement 23 ~~and whether any measures can be devised for insuring~~ the

[illegible]

the native officers and Sepoys to maintain some amount of wheeled and pack carriage themselves for their own use on the march and to have the preference for engagement on hire for the public service about the station and its immediate neighbourhood when the corps is stationary.

E. B.

7 Copies to the Military Dept Dept 28
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Revenue 1867 Despth.
Pro of Govt. for March

No. 724

Pro of the Madras Govt.
d/ 27th March/67.

Pro. in the Military Dept. 29th
April 1867 C No. 956

From Military Despt. of 6 Octr/68
C No. 7215

Passing orders with reference to the supply of Carriage for Troops.

No. 4527453