Revenue Department

Minutes of Consultations

26th Jan 1835

Packets 1 – 3

Serial no 76 & 77 / 22 Jan

பாதுகாப்பு பிரிவு–1

செப்பனிடுபவர் பெயர்

செப்பனிடுவதற்காக எடுத்துக் கொள்ளப்பட்ட நாள்

சரிபார்க்கும் முதல் மு.நி.பா.எ. கையொப்பம்

சரிபார்க்கும் 2–ம் மு.நி.பா.எ. கையொப்பம்

ஆராய்ச்சி உதவியாளர் கையொப்பம்

(2)

Fort Saint George, Revenue Consultation of 26th January 1858.

No. 1. Read the following Extract from the Proceedings of the Board of Revenue; dated 24th November 1857, No. 4129.

Read the following letters.

Ganjam, 27th June in Consultation 9th July 1857.
Vizagapatam, 10th in Consultation 19th August 1857.
Rajahmundry, 9th in Consultation 17th July 1857.
Masulipatam, 13th in Consultation 19th June 1857.
Guntoor, 2d in Consultation 10th June 1857.
Nellore, 18th in Consultation 24th June 1857.
Cuddapah, 19th in Consultation 25th June 1857.
Bellary, 1st in Consultation 7th July 1857.
Kurnool, 16th in Consultation 23d June 1857. 24th Sept. in Consultation 23d Nov. 1857.
Chingleput, 10th in Consultation 11th June 1857.
North Arcot 25th Sept. in Consultation 23d Nov. 1857.
South Arcot 3d in Consultation 10th June 1857.
Tanjore, 13th in Consultation 7th July 1857.
Trichinopoly, 3d in Consultation 16th June 1857.
Madura, 12th in Consultation 18th June 1857.
Tinnevelly, 4th in Consultation 11th June 1857.
Coimbatore, 2d in Consultation 9th July 1857.
Salem, 30th June in Consultation 4th July 1857.
Canara, 17th in Consultation 26th August 1857.
Malabar, 9th June in Consultation 7th July 1857.

Resolved that the foregoing letters be submitted to Government, with reference to Extract Minutes Consultation dated 28th April last, No. 384, Revenue Department.

1. These communications relate to the bill introduced by Mr. Grant, regarding the impressment of carriage and supplies for Troops. The bill itself is confined to Bengal but it is understood to be the desire of the Supreme Government to extend it substantially to Madras also, and in submitting the matter for the consideration of Government the Legislative Member for this Presidency requested information as to the existing practice in regard to the provision of supplies for Troops and travellers, and as to whether there was any material improvement in this respect since Sir T. Munro minuted on the subject in 1821.

2. The Board will first deal with the provision of supplies for travellers. At the public bungalow one or more pensioned sepoys are employed who procure the necessary supplies on payment, and act rather as private servants than public officials. The general opinion is that travellers could not otherwise procure supplies. In Nellore, the Acting Collector reports that his Sub-Collector "Mr. Minchin, refrains from employing the talook authorities, and has in consequence very considerable trouble to obtain supplies even for his own table;" and the district Engineer likewise declares that notwithstanding "good and prompt payment, they have the greatest possible difficulty while moving about the district in procuring the commonest supplies." Government are aware that numerous complaints on this score have been received from the officers of the Department Public Works. It seems to the Board that if the authorities of a district experience such difficulty, a passing traveller would fare badly if all assistance were withdrawn. Travellers it may be remarked are not always accompanied by private servants, and where they are, their servants are necessarily strangers. No distinction however could be drawn between those who travel with and without their own servants, and the former class would be put to considerable hardship. The Collector of Rajahmundry entertains a different opinion, and there are no doubt places in that and other Districts where supplies would be brought to a bungalow, but this is by no means the case generally, and a rule cannot be framed on mere exceptional instances. The Board are therefore of opinion that the bungalow sepoys should be allowed as hitherto to cater for travellers, as the regular servants employed at the larger bungalows when furnished will have to do hereafter.

3. The tables of prices hung up in Public bungalows have been declared unobjectionable, but it must be distinctly understood that they are merely guides to prevent gross imposition on strangers travelling, and that shopkeepers are not compelled to adhere to them. Their utility under such a restriction is of course very limited indeed, but even if it were desirable, a Magistrate cannot legally determine the price of supplies, and, in Chingleput, as Government will perceive from para. 5 of the Collector's report, a Peon was cast in damages for paying only the Nerrick price of a sheep procured for a gentleman at a bungalow. From the reports now before them the Board think it necessary that travellers and the servants at Bungalows should be specially informed of the intention of these Nerricknamahs, and that the lists should be revised by Collectors at short intervals.

Extract Minutes Consultation 27th June 1857, No. 660.

Note.– The Board find it difficult to reconcile para. 6 of the Collector's report with the preceding para.

4. The Board propose a continuance of the present system, because while extremely convenient to Travellers it need involve no hardship or injustice towards the people.

5. At the same time, if Government desire it, other arrangements might be effected without difficulty. The advance of a small sum in each District would admit of a small store of firewood, rice, &c., as well as a few fowls and sheep being kept at each building in charge of the servants and the payments of travellers would gradually replace the amount. Milk would be almost the only article required from the Bazaar, as travellers could supply themselves with bread, &c., at the large towns they pass through. The Board however scarcely think this measure necessary, and suggest it only as a means of still meeting the necessities of travellers, and yet removing the appearance of constant interference for this purpose on the part of Government servants.

6. The Board will now touch on the provision of supplies for Troops marching.

7. The system in these cases is for the Collector on learning of the intended march of Troops to issue instructions to his Tahsildars and Heads of Police who depute some of their subordinates to collect the necessary supplies at the different halting places. In some large villages all that is requisite is to give notice of the approach of troops, but generally it is necessary to collect the supplies. Advances for such purchases are made, though not universally, and it would seem in some districts to be the practice even when an advance is made to require the attendance of the owners.

8. The general opinion seems to be that troops could not procure supplies at every place on their line of march without the interposition of the Civil Authorities, and the difficulty which travellers experience in providing for their limited wants shows the opinion to be well founded. The Acting Collector of Ganjam for instance states that the Zemindar of Bobily will not allow fowls to be killed for food in his Estate, and that the detachments at Kimedy make frequent complaints of the difficulty of getting the villagers to sell provisions.

9. The hardship in the case of Troops is of course greater than in that of travellers as larger quantities of supplies are required, and the bazaars are often more distant. Instances of oppression also occur not unfrequently, but the reports before them are the Board think favorable in this respect all circumstances considered.

10. A remedy however for much of the existing evils is afforded by a more close adherence to the system sanctioned by Government of making advances for the supplies required. In every case where the number of troops is larger than the ordinary bazaars can supply, or where the bazaars are distant from the line of march, supplies should be purchased and conveyed to the halting places at Government expense, the owners receiving payment when the purchase is made and not being required to quit their residences. The supplies should on the arrival of the Troops or their advanced guard be made over at once to some officer of the corps whose duty it should be to arrange for their distribution and payment, the Magistrate's subordinates having simply to provide the articles previously indented for. Articles not bought by the Regiment might be made over to the Magistrate for re-sale by auction, and the loss (which, the experience of some Districts already shows will be but trifling) borne by Government, on this point the letters from the Collectors of Bellary and Coimbatore may be referred to.

11. In those Districts, as for instance Bellary and Salem, where articles are thus purchased for Troops, complaints of oppression and injustice are few, and if the subsequent distribution of supplies so procured is left to the Regimental authorities, the Magistrate officers would be deprived of the excuse (now occasionally offered for exactions) that they cannot recover the prices of articles from the Troops and their followers. The latter plan moreover would put a stop to such practices as are mentioned by the Acting Collector of Nellore in para. 4 of his report, and the Board think would generally be a great improvement.

12. From the reports now submitted and their own knowledge of the country, the Board are satisfied that Troops marching could not be left entirely to their own resources, and they would prefer following the present system with its admitted evils to incurring the hazard of leaving any room for licence on the part of the Troops.

13. The Board however see no reason why supplies should not be procured by the Commissariat Department, if Government think such a measure desirable. The march of Troops is generally notified in sufficient time to admit of arrangements being made, and the Commissariat might by means of their own servants or contractors obtain all requisite supplies, not at every village of course but at particular places, the supplies required at the intermediate stages being conveyed with the Troops to the next depôt, or the Magistrate might thus collect supplies and store them at specified places, the Regimental authorities there receiving and carrying them on. The Board think this plan of having small depôts at convenient stages though involving some additional expense in carriage would when once understood obviate almost all the evils of the present system, for it is at the petty villages along the line of march that the people really suffer. In the large villages and towns the bazaars are better supplied and the people more acquainted with their rights and readier to maintain them.

14. The Board think there can be no doubt that in regard to supplying both Troops and travellers with provisions there is a general improvement of late years and certainly since the time of Sir T. Munro (1821). At the same time in some of the modes suggested they consider that still further improvement may be effected.

15. The great evil however is the demand for carriage and its impressment of necessity under the present system.

16. The measure as the Legislative Member has pointed out is illegal, the Magistrates have the power to regulate the rate of hire but not to press carriage. In Coimbatore as the accompanying correspondence will show, two suits have lately been successfully instituted against a Government officer for pressing carriage, and if the example is followed elsewhere, the result, the Board apprehend, must be the same.

From Collector 29th December 1856, in Cons. 16th January 1857.
Pro. to Collector 16th January 1857.
From do. 25th May in Cons. 23rd November 1857.

17. On this ground alone the present practice must be changed, and the Board think the papers now laid before Government will satisfy them that the change should not be in the direction of legalizing impressment. The Board would in particular draw attention to the reports of the Officiating Agent at Kurnool, Captain Russell, of the Sub-Collector of North Arcot, Mr. Sullivan, and of the Collector of Canara.

18. The demand for carriage of course falls more heavily on some Districts than on others. Thus in Trichinopoly, from November to April last more than 1,100 carts have been supplied by the Magistrate. In Masulipatam, nearly 1,000 were called for in a limited period. The mere number of carts impressed does not however show the whole injustice of the system. In Malabar and Canara for instance, the number required is not large but there are fewer comparatively in those Districts, and those seized have often brought produce from Dharwar and Mysore and instead of returning thither or even in transit are necessarily impressed.

19. Again, the bandies and bullocks are often taken when required by the owners for agricultural purposes, and their return is uncertain as shown in the instance cited by the Joint Magistrate of North Arcot where a bandy man pressed to accompany the 34th Regiment to Dacca did not get back to Vellore for nearly six years. In other cases, the driver dies or deserts on the march, the cart and bullocks are taken on and ultimately sold, to the loss of the owner as has occurred in Canara. In Captain Russell's report it will be seen that in one instance in Kurnool,

the owner was made out a debtor to the Regiment and his cart and bullocks were sold to liquidate the sum due.

20. The rate of pay seems generally though not always, higher than the current rate for employment in the District. Batta is not always paid for detention or for being brought a distance (though allowed by Rule 21, B. C. O. B, page 393 Volume I) and return hire or any compensation for being brought a distance, or left at a distant station to find a return cargo or proceed empty seems unknown. In all these respects improvement seems easy. The hire, considering that the carts are impressed often to the great inconvenience of the owners, and march at a certain rate under all circumstances and with loads not regulated by the driver, should, the Board think, always exceed by a certain fixed per centage the ordinary District rate at the time of engagement. Batta should be paid as the Rules prescribe for detention from the day of impressment, and some allowance, should be made for return hire (as well as for proceeding to the Regiment) at all events when the carts are taken long distances. These charges necessarily enhance the amount to be paid for transport, but would, it is presumed, be borne by Government.

21. The Board do not see that in this, Government would after all be doing more than is strictly equitable, and much might so be done to obviate the undoubted hardships of the present system. It will be seen from the accompanying reports that the demand for carriage is increasing, and that carts are often taken lengthened distances and perhaps again impressed of necessity for another corps. For this, the Board see no remedy, as the exigencies of the service of course will not permit of Regiments being delayed in their march.

22. The proposed Act will be advantageous to cart owners in so far as it secures them a higher rate of remuneration, but in other respects its operation will be of little service, for carts will still have to be impressed largely in this Presidency.

23. The result of Section VII. will be that double hire and double price will be the only rate at which carriage and supplies will be procurable, for of course, the owners of both will wait to be impressed, rather than accept less. Again, the "first halting place without the jurisdiction" of the impressing Civil Officer may be a petty hamlet, and the Collector would have to impress relief of carriage there, or the Regiment must pay treble hire until fresh carriage is procured.

24. Again, considering that many disputes must occur, Section VIII. will not only impose much labour on the Civil authorities but cause delay and expense to the Troops marching, pending the adjudication of differences.

25. The Board would also submit for consideration whether this repeated impressment in every district a Regiment passes through would not in reality be as great an evil as that sought to be remedied, and whether the provision for relief, could be carried out in Native states, as for instance Hyderabad, Nagpore, and even Mysore.

26. The Board do not see the necessity of having recourse to a Legislative enactment for all that the proposed Act will effect, nor do they regard it as the proper remedy.

27. The illegality and evils of the present system being admitted, the Board think the proper course to pursue is to supply each Regiment with a fixed number of Carts and Bullocks as part of its Military equipment, leaving all excess to be engaged by private agreement or contract. This would of course involve direct expense to the State, but against this would have to be balanced the hardship to the people of the present system, the indirect loss to Government which is involved in the losses now incurred by agriculturists and traders and the additional expenditure which the new Act will cause. The latter cannot be estimated by the Board, but they would point out that even with this to pay, Government may after all be unable to move a Regiment with promptitude. The retention of public cattle would have this advantage that the greater charge would be accompanied by greater efficiency. The extra charge moreover would not be so great as at first sight appear, for improved carts and superior cattle would enable a Regiment to move with less carriage than is now requisite, and the smaller number of followers would lesson the risk of disease on the march. In the intervals between marches the establishment might be employed in conveying materials for repairs and Public works in the neighbourhood of the station as well as in keeping the latter clean.

28. The proposed concentration of Troops appears to the Board a further argument in favor of this plan. Even now Districts of large size are wholly destitute of effective Troops and the necessity of having the means of moving the latter without delay seems self-evident.

29. This however is a Military consideration, and the Board think they have done their duty in suggesting the only effectual remedy to a system admitted to be illegal and manifestly oppressive and unjust to the people, and in briefly pointing out the advantages which so far as they are competent to form an opinion on a subject of a Military as much as if not more than of a civil nature, will compensate Government, for the additional expenditure involved.

30. The Board request the orders of Government on the letters of the Agent at Kurnool.

31. They have informed the Collector of Cuddapah that the system mentioned in para. 8 of his letter is altogether objectionable and must be discontinued, any sums in hand being restored to the payers.

32. The Board propose abstaining from issuing any instructions on the other Reports until in possession of the views of Government.

33. They take this opportunity of submitting for the orders of Government a reference from the Acting Collector of Masulipatam, as to the manner in which he is to carry out the instructions conveyed in Extract Minutes Consultation, 23rd May 1857, No. 491, R. D.

From Acting Collector, 8th June, in Consultation 23rd November 1857.

34. As the law now stands a Magistrate can regulate the hire of a cart but not impress it. Under the above Extract Minutes Consultation however the Magistrate is to impress but leave the hire to be settled by private agreement. Mr. Knox points out that his interference is practically useless, but the Board do not see how this can be remedied under present circumstances.

(A true Extract.)

(Signed) J. D. SIM, *Acting Secretary.*

From Cuddapah 9th, in Consultation 23rd November 1857.

P. S.—Since the above was drafted, the Board have received from the Collector of Cuddapah a reply* to their letter of the 27th October 1857.

In Consultation 25th June 1857.

The terms in which the practice was referred to by Mr. Murray in para 8 of his letter dated 19th June led the Board to conclude that it was recognized by the authorities. The custom serves to illustrate the hardship of the present system of pressing carriage for Troops for which the Board have suggested in the above Proceedings what seems to them the only effectual remedy.

(Signed) J. D. SIM, *Acting Secretary.*

No. 2. ORDER THEREON, No. 76; dated 20th January 1858.

1. With a letter dated 21st February 1857, the Legislative Member for this Presidency transmitted a bill, introduced by Mr. Grant, to amend the law regarding the provision of carriage and supplies to troops and travellers, and to punish unlawful impressment; and requested the opinion of Government on the expediency of extending the bill to this Presidency. Mr. Eliott's letter, and its enclosures, were referred to the Military Department for consideration; and a Minute by His Excellency the Commander in Chief, with a memorandum by the Quarter Master General of the Army, received in reply, were forwarded to Mr. Eliott with a letter dated 28th April 1857, with an intimation that, under the circumstances represented, it would not be expedient to extend Mr. Grant's bill to this Presidency. On the same date, the Board of Revenue were requested, with reference to the concluding para. of Mr. Eliott's letter of 21st February, to ascertain and report the actual practice of the Civil officers in the Districts, in regard to the provision of supplies to troops and travellers, and whether there had been any material improvement in this respect since Sir T. Munro wrote his Minute upon the subject in 1821. With this

requisition the Board comply in their Proceedings above recorded, and submit, with their opinion, the reports received from the different Collectors on the question.

2. The Board first advert to the provision of supplies to travellers. They state that this is done by means of pensioned Sepoys, employed at the public bungalows, who procure supplies on payment, acting rather as private servants than as public officers. They observe that the general opinion is that travellers could not otherwise procure supplies; and in illustration of this remark, they instance the experience of the Sub-Collector of Nellore, who refrains from employing the talook authorities, and has in consequence considerable trouble in obtaining supplies for even his own table. This difficulty, they add, is also experienced by the District Engineer, "notwithstanding good and prompt payment," and by the officers in the Department of Public Works generally, as attested by the numerous complaints made by them on the subject. The conclusion therefore to which the Board come is, that "the bungalow Sepoys should be allowed as hitherto to cater for travellers, as the regular servants employed at the larger bungalows, when furnished, will have to do hereafter." The Government concur with the Board that no change is requisite in the present system of supplying travellers. They see no objection to the bungalow Sepoys procuring supplies as hitherto, nor do they anticipate any to the performance of this duty by the servants who may hereafter be appointed. These persons are vested with no authority, and act merely as servants; generally, indeed, themselves keeping and supplying whatever the traveller needs.

3. In para. 3 the Board advert to the Nerricks, or lists of prices, hung up in public bungalows; and with a view to prevent misconception regarding their use and object, they propose specially to inform travellers and bungalow servants, that shopkeepers are not obliged to adhere to the prices specified in the lists. The Board are correct in remarking that these Nerricks are not to be regarded as authoritatively binding, but are to be considered merely as guides by which travellers may avoid imposition. At the same time, it appears to Government that it would be inexpedient to issue a special notice to the effect proposed by the Board, as it would gain immediate publicity, and would suggest to every one to charge wholly irrespectively of the Nerricks, which would lose the little practical value which they at present have.

4. With the view of meeting the necessities of travellers, and at the same time obviating even the appearance of interference on the part of Government servants, though not as a measure which they consider necessary, the Board suggest (para. 5) that a small sum should be advanced in each District, in view to a supply of rice, as well as a few sheep and fowls, being purchased and kept at each bungalow, in charge of the servants, for resale to travellers. The plan here proposed would be so liable to abuse that the Government cannot think its adoption desirable.

5. Having stated their views on the existing practice of providing supplies to travellers, the Board, in paras. 6 to 29, next advert to the system which obtains in regard to the provision of supplies to troops, and the impressment of carriage for them. With regard to the provisions of supplies, the Board state that the general opinion is that troops could not procure what they need, without the intervention of the Civil authorities; and they refer to the difficulty experienced by travellers, in providing for their limited wants, as a proof of the correctness of this opinion. At the same time, they think that the evils and inconveniences experienced under the present system might to a great extent be obviated, by the adoption of the suggestions which they offer on the subject. As regards the impressment of carriage, the Board are of opinion that a change in the present system is desirable, but they think that that change should not be made by legalizing impressment; and they proceed to point out a course by which many of the hardships now experienced by the owners of carts and cattle may be removed. The observations and suggestions of the Board, as conveyed in paras. 6 to 29, will be communicated to the Military Department for consideration; in the mean time a copy of their report, and of its enclosures, together with a transcript of these proceedings, will be forwarded to Mr. Eliott, with reference to the correspondence noted in the margin, and with an intimation that, in the Board's* opinion, there has been a decided improvement in the system of supplying troops and travellers, since Sir T. Munro wrote his Minute in 1821, and that still further improvement may be effected, by the adoption of the suggestions which they have offered on the subject.

From Mr. Eliott 21st February 1857 para. 11.
To do. 28th April „ „ 5.
* *Para. 14.*

From Offg. Agent at Kurnool to the Board of Revenue, 16th June 1857.
To Agent at Kurnool 31st July 1857.
From do. 24th September 1857.

6. A copy of para. 30 of the Board's Proceedings, and of the correspondence with the Officiating Agent at Kurnool noted in the margin, will likewise be referred to the Military Department.

7. With reference to para. 33 of their proceedings, the Board will inform the Acting Collector of Masulipatam that, as directed in Extract from the Minutes of Consultation of the 23rd May last, his interference will be limited simply to the provision of carriage for troops, and that any difference that may arise as to the rates of hire to be paid, must be left to be settled between the sepoys and owners of carts and cattle.

(Signed) H. FORBES,
Acting Secretary to Government.

Ordered in consequence that the following letter be despatched.

No. 3. From H. FORBES, Esq., Acting Secretary to the Government of Fort Saint George; to the Honorable D. ELIOTT, Esq., Member of the Legislative Council of India for the Madras Presidency; dated 20th January 1858, No. 77.

SIR,

From Honorable D. Eliott, Esq., 21st Feb. 1857, P. 11.
To do. 28th April „ 5.

With reference to the correspondence noted in the margin, I am directed by the Right Honorable the Governor in Council, to forward to you the accompanying communication, with its enclosures, from the Board of Revenue, relative to the practice which obtains in the Districts of this Presidency, in regard to the provision of supplies to troops and travellers, together with an Extract from the Minutes Consultation of this date.

2. You will observe from para. 14 of the Board's Proceedings that, in their opinion, a decided improvement has taken place in the system of providing supplies to troops and travellers, since Sir T. Munro wrote his Minute in 1821, and that the Board anticipate still further improvement, if the suggestions they have offered on the subject should be carried into effect.

A

Revenue Board Office,
Fort St George,
27th October, 1824.

No.

From,

J. D. Sim Esqr.

Acting Secretary to the
Board of Revenue.

To,

M. Murray Esqr.

Collector of Cuddapah.

Sir,

I am directed to request that the practice mentioned in para 8 of your letter dated 19th June last (No 65) of allowing parties whose Carts &c are required for the public service to purchase exemption by a money payment be immediately discontinued, and all sums now in hand derived from this source returned to the payers.

2. The Board must express their surprise that a proceeding so manifestly objectionable should have received your sanction, and they request that you will report without delay how much has been thus received during the last 3 years

and

and how the sums have been disposed of. You will also mention when the practice commenced. You will be careful to make the repayments under such precautions as will ensure their reaching the proper parties.

3. The Board desire me to request an early reply.

I have the honor to be &c
(signed) J. D. Lee.
Actg Secretary

Rev. Wm Ellis,
Fort St George,
3rd Oct 1839.

(A true Copy)
J. D. Lee
Actg Secretary.

(2) D. Wells.

Enclosure.
In Proceedings from the Board
of Revenue to the Govt
Fort St George
Sec'y to Government
Revenue Establishment
Dated 24th November 1857
No 4129

Copy of Letter from the Collector of Cuddapah
dated 27th October 1857.
Rd 2nd January 1858
No 10

8 Revenue Department.

No 4129

Extract from the Proceedings of the Board of Revenue, dated 24th November 1857.

Read the following letters.

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Vizagapatam	10th do	Cons 19th August 1857
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Malabar	14th	In Cons 26th August 1857
	9th June	in Cons 9th July 1857

Resolved that the foregoing letters be submitted to Government with reference to Extract Minutes of Consultation dated 28th April last No 3894 R.C.

These communications relate to the Bill introduced by Mr Grant regarding the impressment of Carriage and Supplies for troops. The Bill itself is confined to Bengal but it is understood to be the desire of the Supreme Government to extend it substantially to Madras also. and in submitting the matter for the consideration of Government the Legislative Member

Member for this Presidency requested information as to the existing practice in regard to the provision of supplies for Troops and Travellers and as to whether there was any material improvement in this respect since Sir T. Munro minuted on the subject in 1821.

2. The Board will first deal with the provision of supplies for Travellers at the public Bungalow one or more favoured Peons are employed who procure the necessary supplies on payment and act rather as private Servants than public officials. The general opinion is that Travellers could not otherwise procure supplies. In Bellary the Acting Collector reports that his full Collector Mr. Hinchin, refrains from employing the Talliar authorities and has in consequence very considerable trouble to obtain supplies even for his own table, and the District Engineer Bellary declares that notwithstanding good and prompt payment they have the greatest possible difficulty in late moving about the district in procuring the commonest supplies. Government are aware that numerous complaints on this score have been received from the Officers of the Department Public Works. It seems to the Board that if the Collectors of a District experience such difficulty in having Traveller would hardly find any assistance were withdrawn. Travellers it may be remarked are not always accompanied by private Servants,

and

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and where they are, their Servants are necessarily strangers. No distinction however could be drawn between those who travel with and without their own Servants and the former class would be put to considerable hardship. The Collector of Rajahmundry entertains a different opinion and there are no doubt places in that and other Districts where supplies would be sought for a Bungalow but this is by no means the case generally, and a rule cannot be framed on mere exceptional instances. The Board are therefore of opinion that the Bungalow Peons should be allowed as hitherto to cater for Travellers, as the regular Servants employed at the larger Bungalows when furnished will have to do hereafter.

3. The Tables of Prices hung up in Public Bungalows have been declared unobjectionable but it must be distinctly understood that they are merely guides to prevent gross imposition on Strangers travelling, and that shopkeepers are not compelled to adhere to them. Their utility under such a restriction is of course very limited indeed, but even if it were desirable

Est. Min. Con. 27th June 1857. No. 66a

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a Magistrate cannot legally determine the price of Supplies and, in Chingleput, as Government call perceive from para 5 of the Collectors report - a fine was cast in damages for paying only the Merrick price of a sheep procured for a gentleman at a Bungalow - From the reports now before them the Board think it necessary that travellers and the servants at Bungalows should be specially informed of the intention of these Merrichnamahs and that the lists should be renewed by Collectors at short intervals -

Note. The Board find it difficult to reconcile para 6 of the Collectors report with the preceding para.

4. The Board propose a continuance of the present system, because while it is strongly convenient to Travellers it need involve no hardship or injustice towards the people.

5. At the same time, if Government deem it, other arrangements might be effected without difficulty - The advance of a small sum in each District would admit of a small store of firewood rice &c as well as a few fowls and sheep being kept at each Bungalow in charge of the Servants and the payments of Travellers would gradually replace the amount.

amount. Milk would be almost the only article required from the Bazaar, as Travellers could supply themselves with Bread &c at the large Towns they pass through - The Board however scarcely think this measure necessary and suggest it only as a means of still more meeting the necessities of travellers and yet removing the appearance of constraint in the Service for this purpose on the part of Government Servants.

6. The Board will now touch on the Provision of Supplies for Troops marching.

7. The system in these cases is for the Collector on learning of the intended march of Troops to issue instructions to his Tahsildars and Heads of Police who depute some of their Subordinates to collect the necessary supplies at the different halting places - In some large Villages all that is requisite is to give notice of the approach of troops, but generally it is necessary to collect the supplies - Advances for such purchases are made, though not universally - and it would seem in some Districts to be the practice even when an advance is made

to

to require the attendance of the owners.

8. The general opinion seems to be that Troops should not procure supplies at every place on their line of march without the intervention of the Cutcherry authorities, and the difficulty which Travellers experience in providing for their limited wants shows the opinion to be well founded. The acting Collector of Darjeem for instance states that the Zemindar of Cubbity will not allow Coolies to be settled for Food in his Estate, and that the detachments at Kennedy make frequent complaints of the difficulty of getting the villagers to sell provisions.

9. The hardship in the case of Troops is of course greater than in that of Individuals as larger quantities of supplies are required, and the harassment is often more distant. Instances of oppression also occur unfrequently, but the reports before them are the Board think favorable in this respect all circumstances considered.

10. Already however in which of the existing rules is effected by a more close adherence to the system sanctioned by Government of making advances for the supplies

(11)

required. In every case where the number of troops is larger than the ordinary bazaar can supply, or where the bazaars are distant from the line of march, supplies should be purchased and conveyed to the halting place at Government expence, the owners receiving payment when the purchase is made and not being required to quit their residences. The supplies should on the arrival of the Troops or their advanced guard be made over at once to some Officer of the Corps whose duty it should be to arrange for their distribution and payment, the Magistrates subordinates having simply to provide the articles previously indented for, articles not brought by the Regiment might be made over to the Magistrate for resale by auction and the loss (which the experience of some Districts already shows will be but trifling) borne by Government in this point the letter from the Collectors of Bellary and Coimbatore may be referred to.

11. In those districts as for instance Bellary and Salem where few articles are there purchased for Troops, complaints of oppression and exaction on the one and of the payment and distribution of subsistence

do

(12)

such a measure desirable. The
march of troops is generally notified
in sufficient time to admit of arrange-
ments being made, and the Commissariat
might by means of their own servants
or Contractors obtain all requisite
supplies, not at every village of course
but at particular places, the supplies
required at the intermediate stages
being conveyed with the troops to the
next depôt. In the Magistrate might
thus collect supplies and store them
at specified places, the Regimental
authorities then receiving and carry-
ing them on. The Board think that
plan of having small depôts at
convenient stages though involving some
additional expence in carriage would
when once understood obviate almost

all

to proceed it left to the Regimental authorities
the Magistrate officers would be deprived
of the means (now occasionally offered for
extortion) that they cannot receive the prices
of articles from the troops and their followers.
The latter plan moreover would put
an stop to such practices as are mentioned by the Meeting of Collectors of Rents
in para 8 of their report and the Board
think would generally be a great im-
provement.

12. From the reports now
submitted and their own knowledge of
the country the Board are satisfied
that troops marching could not be left
entirely to their own resources and they
would prefer to carry the Regiment
together with the admitted evils that
carrying the Magazine of Grain would
for Europe or the part of the troops.

The Board however see
no reason why the supplies should not
be procured by the Commissariat Dep.
for that Department. They think
such

all the evils of the present system &c.
It is at the petty villages along the
line of march that the people really
suffer. At the large villages and
towns the bazaars are better supplied
and the people more acquainted with
their rights and readier to maintain them.

11. The Board think there
can be no doubt that in regard to sup-
plying both Troops and Travellers with
provisions there is a general improvement
of late years and certainly since the
time of Sir T. Munro (1821) at the same
time or time of the modes suggested they
consider that still further improvement
may be effected.

12. The great evil however is the
demand for carriage and the impressment of
it. The measure as the Legislative
Member has pointed out is illegal, the Magis-
trate have the power to regulate the rate
of hire but not to press Carriage. In Coimbatore
as the accompanying correspondence will

shew

From Collector 25th Jan
to Govt 16th January
Govt to Collr 16th January
From do 26th do to Govt

(13)

shew two suits have lately been successfully
instituted against a Government Officer for press-
-ing carriage and if the example is followed
elsewhere the result, the Board apprehend, must
be the same.

13. On this ground alone the pre-
-sent practice must be changed and the Board
think the papers now laid before Government
will satisfy them that the change should not
be in the direction of legalizing impressment.
The Board would in particular draw attention
to the reports of the Officiating Agent at Pun-
-nool Captain Russell, of the Sub Collector of
North Arcot Mr Sullivan, and of the Collector
of Canara.

18. The demand for carriage of course
falls more heavily on some Districts than
on others. Thus in Tinnevelly from Novem-
-ber to April last more than 100 carts have
been supplied by the Magistrate. In Masuli-
-patam nearly 1000 were called for in a limit-
-ed period. The mere number of carts im-
-pressed does not however shew the whole
injustice of the system. In Malabar and
Canara for instance the number required

is not large but there are fewer comparatively in those Districts and those seized have often brought produce from Dharwar and Mysore and instead of returning thither or even in transit are necessarily impressed.

19. Again the bandies and bullocks are often taken when required by the owners for agricultural purposes. and their return is uncertain as shown in the instance cited by the Joint Magistrate of North Arcot where a bandy man pressed to accompany the 34th Regiment to Dacca did not get back to Vellore for nearly six years. In other cases the driver dies or deserts on the march the cart and bullocks are taken on and ultimately sold, to the loss of the owner as has occurred in Canara. In Captain Russells report it will be seen that in one instance in Rumnad the owner was made out a debtor to the Regiment and his cart and bullocks were sold to liquidate the sum due.

20. The rate of pay seems generally though not always higher than the current rate for employment in the District. Batta is not always paid for detention or for being brought

(14)

brought a distance (though allowed by Rule 21. B. C. O. B. Page 393 Volume 1) and return hire or any compensation for being brought a distance or left at a distant station to find a return cargo or proceed empty seems unknown. In all these respects improvement seems easy. The hire considering that the carts are impressed often to the great inconvenience of the owners and march at a certain rate under all circumstances and with loads not regulated by the driver. Should the Board think, always exceed by a certain fixed percentage the ordinary District rate at the time of engagement. Batta should be paid as the Rules prescribe for detention from the day of impressment, and some allowance should be made for return hire (as well as for proceeding to the Regiment) at all events when the carts are taken long distances. These charges necessarily enhance the amount to be paid for transport, but would, it is presumed, be borne by Government.

21. The Board do not see that in this Government would after all be doing more than is strictly equitable and much might

might so be done to obviate the undoubted hardships of the present system. It will be seen from the accompanying reports that the demand for carriage is increasing and that carts are often taken lengthened distances and perhaps again impressed of necessity for another corps. For this the Board see no remedy, as the exigencies of the service of course will not permit of Regiments being delayed in their march.

22. The proposed Act will be advantageous to cart owners in so far as it secures them a higher rate of remuneration but in other respects its operation will be of little service. for carts will still have to be impressed largely in this Presidency.

23. The result of Section VII will be that double hire and double price will be the only rate at which carriage and supplies will be procurable, for of course the owners of both will wait to be impressed rather than accept less. Again the "first halting place without the jurisdiction" of the impressing Civil Officer may be a petty hamlet. and the Collector would

have

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have to impress relief of carriage there or the Regiment must pay treble hire until such carriage is procured.

24. Again considering that many disputes must occur Section VIII will not only impose much labour on the Civil authorities but cause delay and expense to the Troops marching, pending the adjudication of differences.

25. The Board would also submit for consideration whether this repeated impressment in every district a Regiment passes through would not in reality be as great an evil as that sought to be remedied and whether the provision for relief, could be carried out in Native states as for instance Jydinbad, Nagpore, and even Mysore.

26 The Board do not see the necessity of having recourse to a Legislative enactment for all that the proposed Act will effect; nor do they regard it as the proper remedy.

27. The illegality and evils of the present system being admitted, the Board think the proper course to pursue is to supply each Regiment with a fixed number

of

of Carts and Bullocks as part of its Milita-
-tary equipment, leaving all excess to be en-
-gaged by private agreement or contract. This
would of course involve direct expense to the
state but against this would have to be ba-
-lanced the hardship to the people of the
present system. the indirect loss to Govern-
-ment which is involved in the losses now
incurred by agriculturists and traders and
the additional expenditure which the new
Act will cause. The latter cannot be estimated
by the Board but they would point out that
even with this to pray, Government may
after all be unable to move a Regiment
with promptitude. The retention of public
cattle would have this advantage that the
greater charge would be accompanied by
greater efficiency. The extra charge more-
-over would not be so great as at first sight
appear, for improved carts and superior cattle
would enable a Regiment to move with less
carriage than is now requisite, and the
smaller number of followers would lessen
the risk of disease on the march. In the
intervals between Marches the establishment
might

might be employed in conveying materials for
repairs and Public works in the neighbourhood
of the Station as well as in keeping the latter
clean.

28. The proposed concentration of Troops
appears to the Board a further argument in
favor of this plan. Even now Districts of large
size are wholly destitute of effective Troops and
the necessity of having the means of moving
the latter without delay seems self evident.

29 This however is a Military con-
-sideration and the Board think they have
done their duty in suggesting the only effectual
remedy to a system admitted to be illegal and
manifestly oppressive and unjust to the people,
and in briefly pointing out the advantages
which so far as they are competent to form
an opinion on a subject of a Military as
much as if not more than of a Civil nature,
will compensate Government for the additional
expenditure involved.

30. The Board request the orders
of Government on the letters of the Agent
at Kumool.

31. They have informed the
Collector

Collector of Cuddapah that the system men-
tioned in Para 8 of his letter is altogether ob-
jectionable and must be discontinued, any
sums in hand being restored to the payers.

32. The Board propose abstain-
ing from issuing any instructions on the
other Reports until in possession of the
views of Government.

33. They take this opportunity of
submitting for the orders of Government a
reference from the Acting Collector of Masu-
lipatam as to the manner in which he is
to carry out the instructions conveyed in
Extract Minutes Consultation 25. May 1857.
No 291. R.D.

From Sd/ W.S. 8th June in
cons 23d November 1857.

34. As the law now stands a
Magistrate can regulate the hire of a cart
but not impress it. Under the above Extract
Minutes Consultation however the Magis-
trate is to impress but leave the hire to be
settled by private agreement. Mr Knox points
out that his interference is practically use-
less, but the Board do not see how this can
be remedied under present circumstances.

To. H. Forbes Esq.
Sy Secretary to Govt
Revenue Department.

(True Extract)
J. A. Sim
Sy Secretary.

R.D. 10

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(17)

P.S.— Since the above was drafted the
Board have received from the Collector of Cud-
dapah a reply to their letter of the 27th October 1857.

From Cuddapah 9th in cons 23d November 1857.

The terms in which the practice
was referred to by Mr Murray in para 8 of
his letter dated 19th June led the Board to con-
clude that it was recognized by the authorities.
The custom serves to illustrate the hardship
of the present system of pressing carriage for
troops for which the Board have suggested in
the above Proceedings what seems to them the
only effectual remedy.

In Cons: 25th June 1857

Sd/ J. A. Sim
Sy Secretary.

(True Extract)

B. D.

Revenue 1858 Depart.
Dup. to Covs 26th Jany/58.

Covs: 28 April/57 Nos 40 to 42
" 26 May " " 26-27
" 30 Sept " " 43-44

10-3-93

No 1440

Extract from the Proceedings of the Board of Revenue.

Dated 24th
Recd 26th November 1857

28 Enclosures

No 4129

Copy to the Hble Mr Elliott with 28 Agl Govts & Copy of letter from Govt. of Pondicherry of 25 May/57.

do Bombay Desp. 25 Jany/58 with Copies of letters from & to the Agent in Travancore.

No 76. 20th Jan 7/58.

Reporting on the subject of the provision of Supplies for Troops and Travellers and as regards the impressment of Carriage for the former.

No 1.

C17 1 Dec No 14 Jany/58

R. D. 15

No 76. (19)

Extract from the Minutes of Consultation under date the 20th ~~January~~ December 1857.

Read the following Extract from the Proceedings of the Board of Revenue.

Dated 24th November 1857 No 4129

Recd 26th November 1857

With a letter dated 21st February 1857, the Legislative Member for this Presidency transmitted a bill, introduced by Mr Grant, to amend the law regarding the provision of carriage and supplies to troops and travellers, and to punish unlawful impressment; and requested the opinion of Government on the expediency of extending the bill to this Presidency. Mr Elliotts letter, and its enclosures, were referred to the Military Department for consideration, and a Minute by

by His Excellency the Commander in Chief, with a memorandum by the Quarter Master General of the Army, received in reply, were forwarded to Mr Elliott with a letter dated 28th April 1857, with an intimation that, under the circumstances represented, it would not be expedient to extend Mr Grants bill to this Presidency. On the same date, the Board of Revenue were requested, with reference to the concluding para of Mr Elliott's letter of 21st February, to ascertain and report the actual practice of the Civil Officers in the Districts, in regard to the provision of Supplies to troops and travellers, and whether there had been any material improvement in this respect since Sir T. Munro wrote his Minute upon the subject in 1821. With this requisition the Board comply in

59

in their Proceedings above recorded, and submit, with their opinion, the reports received from the different Collectors on the subject.

2 The Board first advert to the provision of supplies to travellers. They state that this is done by means of pensioned Peons employed at the Public Bungalows, who procure supplies on payment, acting rather as private Servants than as public officers. They observe that the general opinion is that travellers could not otherwise procure supplies, and in illustration of this remark, they instance the experience of the Sub Collector of Nellore, who refrains from employing the Talooki authorities, and has in consequence considerable trouble in obtaining supplies

supplies for even his own table. This difficulty, they add, is also experienced by the District Engineer, "notwithstanding good and prompt payment", and by the Officers in the Department of Public Works generally, as attested by the numerous complaints made by them on the subject. The conclusion therefore to which the Board come is, that "the Bungalow Servants should be allowed as hitherto to cater for travellers, as the regular servants employed at the larger bungalows, when furnished, will have to do hereafter". The Government concur with the Board that no change is requisite in the present System of Supplying travellers. They see no objection to the Bungalow Servants procuring supplies as hitherto, nor do they

(N)

they anticipate any to the performance of this duty by the Servants who may hereafter be appointed. These persons are vested with no authority, and act merely as servants, generally indeed themselves keeping and supplying whatever the traveller needs.

3 In para 3 the Board advert to the Nerricks, or lists of prices, hung up in Public Bungalows; and with a view to prevent misconception regarding them more explicit they propose specially to inform travellers and Bungalow Servants that the Nerricks do not oblige to adhere to the prices specified in the lists. The Board are correct in remarking that these Nerricks are not to be regarded as authoritatively binding; but are to be considered merely

merely as guides by which travellers may avoid imposition. At the same time, it appears to Government that it would be inexpedient to issue a special notice to the effect proposed by the Board, as it would gain immediate publicity, and would suggest to every one to change wholly irrespectively of the Servants, what would lose the little practical value which they at present have.

With the view of meeting the necessities of travellers and at the same time obviating even the appearance of interference on the part of Government Servants, though not as recommended which they consider necessary, the Board suggest (para 5) that a small sum should be allowed in each District in view to a supply of ghee, as well as a few sheep and fowls, being purchased and kept at each bungalow in charge

charge of the servants, for sale to travellers. The plan thus proposed would ~~not be open~~ to be liable to abuse But the Govt to Government be entitled to consent Reject it, adoption ~~The~~ ~~not~~ ~~that~~ ~~out~~ ~~of~~ detectable would, in most cases be entertained or sold by the servants, under pretence that the first had been damaged, and the second and third had died.

Having stated their views on the existing practice in providing supplies to travellers the Board, in para 6 to 9 of their letter, revert to the system which obtains in regard to the provision of supplies to troops, and the improvement of ~~carriage~~ for them. With regard to the provision of supplies the Board state that the general opinion is that troops could not procure what they need without the intervention of the local authorities,

authorities; and they refer to the difficulty experienced by travellers, in providing for their limited wants, as a proof of the correctness of this opinion. At the same time, they think that the evils and inconveniences experienced under the present system might be in great estent be obviated, by the adoption of the suggestions which they offer on the subject. As regards the improvement of carriage, the Board are of opinion that a change in the present system is desirable, but they think that that change should not be made by legalizing improvement; and they proceed to point out a course by which many of the hardships now experienced by the owners of carts and cattle may be removed. The observations and suggestions of the Board,

as conveyed in paras 6 to 29, will be communicated to the Military Department for consideration; in the meantime a copy of their report, and of its enclosures, together with a transcript of these proceedings, will be forwarded to Mr Elliott, with reference to the correspondence noted in the margin, and with an intimation that, in the Board's opinion, there has been a decided improvement in the system of supplying troops and travellers, since Sir T. Munro wrote his minute in 1824, and that still further improvement may be effected by the adoption of the suggestions which they have offered on the subject.

A copy of para 30 of the Board's Proceedings, and

From Mr Elliott 21st Feby /57 para 11
Do Do 28th April " 5.

+ /0 ans 11,

Cont'd (33) 5

From Offg Agent at Kurnool to the Board of Revenue, 16th June 1857.
To Agent at Kurnool 31st July 1857.
From do. ——— 24th Sept. 1857.

(24)

and of the correspondence with the Officiating Agent at Kurnool noted in the margin, will likewise be referred to the Military Department.

With reference to para 22 of their proceedings the Board will inform the Acting Collector of Cuddapah that, as directed in Letter to Govt the Minutes of Consultation of the 23rd ult May last, this letter will be limited simply to the provision of carriages for troops, and that any differences that may arise as to the rates of hire to be paid, must be left to be settled between the Troops and owners of carts and cattle.

2d Copies to the Bd of Rev. Desp. 21st
4 — Brity Desp. with the Papers ref to
Do — to Hon. Dr Elliot

13/6/58

Revenue 1858 Deptt.
Dto to Cons 26th January.

No 76.

Extract Mins of Cons:
Dy 20th Jany: 58.

From the Coll.r of Guntoor Dept 8th July 58
No 304 in 6
Exd Rev: 13th Rev: 28th June 58
Ch. 1026 in 27 July
Ext. Judy. Deptt 22d Feby 58. No. 305
in Cons. 27th April 58
No. 474-8.

On the subject of the provision of supplies for troops and travellers, and as regards the imprisonment of carriage for the former.

No 1423

Rec.d 17th Dec.r Rd 4th Janry 58

3 Copies
Dispd 28
Gentleman

(25)

From A. Forbes Esqr
Secy to Govt
17th January 58

No. 77.

To D. Eliott, Esqre
Member of the Legislative Council
of India for the affairs of Presidency

Sir,

From Hon.ble D. Eliott Esqre 21st Feby 57 Par. 5
to ——— d. ——— 28th April ——

With reference to the correspondence noted in the margin, I am directed by the Right Honorable the Governor in Council to forward to you the accompanying communication, with its enclosures, from the Board of Revenue, relative to the practice which obtains in the Districts of this Presidency, in regard to the provision of supplies for troops and travellers, together with an Extract from the Minutes of Consultation of this date.

You will observe from para 4 of the Board's proceedings

proceedings that, in their opinion, a decided improvement has taken place in the system of providing supplies to troops and travellers, since Sir T. Munro wrote his minute in 1821, and that the Board anticipate still further improvement, if the suggestions they have offered on the subject should be carried into effect.

Fort St. Geo. 20 January 185

15/5/1947

Revenue 1858 Dept.
Dt. to Covt. 26th January.

No. 77.

To the Member of the Legis-
lative Council of India
for the Madras Presidency.
Dt 22d January 1858.

Forwarding certain cor-
respondence from the Board of
Revenue relative to the practice
which obtains in the Districts
of this Presidency, in regard to the
provision of supplies to troops
and travellers.

No. 3.

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