

(1) Number of pages _____

(2) Date of repair _____

(3) Initials of the Referencer *A*

MADRAS RECORD OFFICE.

Government of Madras.

Finance DEPARTMENT.

G.O. No.	<i>196.</i>	Press
<i>8-9.</i>		~~Mis.~~
Dated	<i>2-5-</i>	<i>18 67.</i>

*8-9**6/7*Not to be folded or roughly handled

Proceedings of the Madras Government, Financial Department,

2nd May 1867.

No. 8. Read the following Proceedings of Government in the Public Works Department, dated 29th April 1867, No. 1257.

Communicating copy of letter from Agent and Manager, Madras Irrigation and Canal Company, forwarding a Power of Attorney authorizing him to represent the Company in India. } (Vide Proceedings, Public Works Department, dated 29th April 1867, Nos. 518—520.)

No. 9.

ORDER THEREON, 2nd May 1867, No. 196.

To be recorded.

(Signed) A. J. ARBUTHNOT,
Chief Secretary.

Erst. F. R. Bantleman

3

*Proceedings of the Madras Government, Public Works Department,
29th April 1867.*

No. 518. Read the following letter from the Consulting Engineer for Irrigation and Canal Company, to the Secretary to Government, Department Public Works, dated Madras, 25th March 1867, No. 143:—

1 Power of Attorney.
1 Letter in original from Agent.

I have the honour to forward, for the information of Government, a letter No. 483 of the 22nd instant, from the Agent and Manager, Madras Irrigation and Canal Company, transmitting a fresh

* Original enclosed.

Power of Attorney* in supersession of the one printed with Proceedings Madras in the *Official Gazette* of the 30th idem, No. 1,833.

From the Agent and Manager Madras Irrigation and Canal Company, to the Consulting Engineer for Irrigation and Canal Company, dated Madras, 22nd March 1867, No. 483.

1. I have the honour to forward a new Power of Attorney, authorizing me to represent the Madras Irrigation Company in India, and in the event of my death or absence delegating the same powers to Mr. Badham.

2. The former Power of Attorney contained, in addition to mine, the names of Colonel Cotton and Mr. Brunton. Both these gentlemen have left India, and it therefore became necessary to supply their place. At the same time I felt it of great importance that the person authorized to replace the Agent should be some person on the spot, and acquainted with Agent's duties, and the Company's business.

3. Moreover, during both the hot seasons which have passed, I suffered very severely from my confinement to Madras, and anticipating the necessity of seeking change of air occasionally during subsequent hot seasons, even if only for the sake of maintaining my usefulness to the Company, I suggested to the Board that their deed of delegation should provide for such occasional absences.

4. The Power which I now transmit to you for registration is so framed as to authorize Mr. Badham at any time to take my place, and exercise my functions, in the event of my finding temporary absence to be necessary, without my being obliged to have recourse to further formalities. I apprehend that under the Power which I now transmit, the Government will recognize the presence of "*the Agent*" at Madras, so long as either Mr. Badham or myself shall be discharging the duties attached to that office.

5. I shall feel obliged by your returning this document to me as soon as it is registered.

TO ALL TO WHOM THESE PRESENTS SHALL COME, I THOMAS GABRIEL Lord Mayor of the City of London Do hereby certify that on the Day of the Date hereof, personally came and appeared before me JOHN OBLEIN the Declarant named in the Declaration hereunto annexed and by Solemn Declaration which the said Declarant then made before me in due form of Law, did solemnly and sincerely declare to be true the several matters and things mentioned and contained in the said annexed Declaration.

2. In faith and testimony whereof I the said Lord Mayor have hereunto signed my name and caused the Seal of the Office of Mayoralty of the said City of London to be hereunto put and affixed and the Power of Attorney marked "A" mentioned and referred to in and by the said Declaration to be hereunto also annexed. Dated in London the twenty-sixth day of January in the year of Our Lord one thousand eight hundred and sixty-seven.

(Signed) THOS. GABRIEL,
Mayor.

(„) R. J. PAWLEY,
Deputy Registrar.

Act to...

*Proceedings of the Madras Government, Public Works Department,
29th April 1867.*

I JOHN OBLEIN of No. 21 Cannan Street in the City of London Clerk to Mr. JOHN MACK-RELL of the same place Solicitor do solemnly and sincerely declare that I was present on the twenty-sixth day of January one thousand eight hundred and sixty-seven and did see the corporate seal of the Madras Irrigation and Canal Company affixed to the Power of Attorney hereunto annexed marked with the Letter "A" and the said seal was so affixed in the presence of John Westwood the Secretary of the said Company And I further say that the signature "John Westwood" written and signed at the foot of the said Power of Attorney as a witness to the affixing of the said seal is of the proper handwriting of the said John Westwood And I make this solemn Declaration conscientiously believing the same to be true and by virtue of the provisions of an Act made and passed in the sixth year of the Reign of His late Majesty King William the Fourth entitled "An Act to repeal an Act of the present Session of Parliament entitled "an Act for the more effectual abolition of oaths and affirmations taken and made in various departments of the State and to substitute Declarations in lieu hereof and for the more entire suppression of voluntary and extra Judicial oaths and affidavits and to make other provisions for the abolition of unnecessary oaths."

Declared at the Mansion House in the City of London }
this 26th day of January 1867 Before me }

(Signed) JNO OBLEIN.

(Signed) THOS. GABRIEL,
Lord Mayor.

POWER OF ATTORNEY.

TO ALL TO WHOM THESE PRESENTS SHALL COME THE MADRAS IRRIGATION AND CANAL COMPANY (herein after called the "Company") SEND GREETING: WHEREAS the Company was incorporated by an Act of Parliament made and passed in the twenty-first year of the reign of Her Majesty Queen Victoria Cap. 8 and by that Act and by an Act made and passed in the twenty-sixth and twenty-seventh years of Her Majesty Cap. 181 the Company were empowered to construct maintain work and manage within the Presidency of Madras and the neighbouring Territories or places known by the names or designations following (that is to say) Berar Mysore Nagpore Orissa and the South Mahratta Country in the East Indies or any or either of them works for the irrigation of land combined wherever practicable with Navigable Canals and Navigable Canals where irrigation is not required—to render navigable and improve the navigation of any Rivers and Waters and to afford additional means of transport and water supply within such Presidency and Territories or either of them—to construct maintain work and manage Mills and other buildings upon or contiguous to such Canals Waters Rivers and Works and to let or lease the same or any of them—to plant cultivate work up and sell Timber and other productions of the soil contiguous as aforesaid—to acquire and work mines of coal iron and other minerals and to manufacture the produce thereof—to erect and carry on and work furnaces forges melting-houses gas works and other works for furthering the objects of the Company and to sell and dispose of the produce thereof—to take or levy tolls on such Works and on rivers Waters and Tramways—to convey Passengers Animals Vehicles Merchandise and all other goods upon all or any of such Canals or Waters or upon any Rivers or Canals in any way connected therewith or upon such Tramways to hire and purchase Steam and other boats and vessels and engines and carriages—to use and let the same on hire on such Canals Waters and Rivers and Tramways—to construct improve maintain and manage works for the supply of water to any persons for mills manufactories irrigation domestic or other purposes within the said Presidency of Madras and the said Territories—to obtain all such powers to enter into all such Contracts and to do all such acts matters or things as were or might be expedient for or incidental necessary or conducive to the attainment and carrying out of such purposes or objects or any or either of them either by the Company alone or jointly with any other Company or in conjunction with the Secretary of State in Council or the Supreme or any of the Local or Native Governments of India or any Body or Bodies Politic or Corporate or any person or persons AND WHEREAS the Company have entered into a Contract bearing date the

5

*Proceedings of the Madras Government, Public Works Department,
29th April 1867.*

third day of June one thousand eight hundred and sixty-three with the Secretary of State in Council for the execution of certain Works in India with the co-operation and assistance of the Secretary of State in Council and the Local Government of Madras AND WHEREAS the Company have entered into a supplementary Contract bearing date the second day of October one thousand eight hundred and sixty-six, with the Secretary of State in Council with reference to the said works AND WHEREAS the Company appointed an Engineer in Chief of the Company in India to survey plan and carry into execution the works referred to in the said Contracts AND WHEREAS it being necessary that the Company should appoint a Manager in India and delegate to him certain of the powers and authorities hereinafter contained they appointed as such Manager Francis Hartwell Henslowe of Madras aforesaid Esquire and by a certain Power of Attorney the Company under their common seal appointed and confirmed him as such Manager and delegated to him the powers and authorities therein contained AND WHEREAS it being necessary that certain further powers and authorities should be given and granted to the said Francis Hartwell Henslowe and in the event of his absence or inability to act then to Charles Adrian Badham and John Herbert Latham respectively the Company have determined to make and execute these presents NOW KNOW YE that the Company have revoked and do hereby revoke the said Power of Attorney so granted as aforesaid and have declared and do hereby declare that for the future the same shall cease to have any operation AND ALSO KNOW YE that the said Madras Irrigation and Canal Company Have deputed authorized constituted appointed and confirmed and by these presents Do make depute authorize constitute appoint and confirm the said Francis Hartwell Henslowe the true and lawful Attorney for and in the name and on behalf of the Company To enter into all such contracts and engagements—to make all such purchases and arrangements—to receive all such sum and sums of money—to draw or endorse or negotiate collectively and at one time or separately and at separate times such bills or notes and particularly all and every or any of the promissory or other note or notes bill or bills or other security or securities of or issued by or on behalf of the Secretary of State in Council or the Government of India or any of the Local or Presidential Governments of India—to sign and give all such papers writings documents and receipts including receipts for such bills or notes and particularly all and every or any such promissory or other note or notes bill or bills or other security or securities of or issued by or on behalf of the Secretary of State in Council or the Government of India or any of the Local or Presidential Governments in India and the monies thereby respectively secured or made payable and the Interest due or payable in respect of the same respectively And to make

This is the Power of Attorney marked A. referred to in the declaration of John Oblein made this 26th day of January 1867.

Before me
(Signed) THOS. GABRIEL, Lord Mayor.

do and execute all such acts matters and things as it may in the judgment of the said Francis Hartwell Henslowe be necessary or expedient to enter into make receive sign draw endorse negotiate give do or execute to carry out effect or bring into operation for or on behalf of the Company all or any or either of such of the purposes or objects aforesaid as and in such manner and to such extent only as the Company shall from time to time by writing under the hand of their Secretary for the time being authorize or direct to be carried out effected or brought into operation Provided nevertheless that the said Francis Hartwell Henslowe shall not under any circumstances be at liberty to incur any expense—to enter into any contract or engagement—to make any purchase or arrangement or to make do or execute any act matter or thing whatsoever for or on behalf of the Company without first obtaining from time to time from the Secretary of State in Council the Government of India or any of the Local Governments in that Country all and every such assent approval or sanction thereto as it may be necessary expedient or proper for the Company to obtain or have under or in reference to the aforesaid Contracts or to any other Contract or Contracts which for the time being may be existing between the Company and the Secretary of State in Council or the said Government of India or Local Governments AND WHEREAS the Company being desirous also of appointing other Managers in India to act in the matters aforesaid in the events hereinafter mentioned have also appointed as such Manager as last mentioned the said Charles Adrian Badham and he has accepted such appointment NOW ALSO KNOW YE that the Madras Irrigation and Canal Company Have made

*Proceedings of the Madras Government, Public Works Department,
29th April 1867.*

deputed authorized constituted appointed and confirmed And by these presents Do make depute authorize constitute appoint and confirm the said Charles Adrian Badham the true and lawful Attorney for and in the name and on behalf of the Company if and in case and as often as the said Francis Hartwell Henslowe shall at any time or times be absent from the place wherein the Head Office of the Company in India shall for the time being be situate and shall in writing request the said Charles Adrian Badham to act as such Attorney or if and in case and as often as he the said Francis Hartwell Henslowe shall at any time or times be incapable to act in the matters aforesaid by reason of illness or any other cause whatsoever (but during such absence or absences or incapacity only) or in the event and immediately upon the death of the said Francis Hartwell Henslowe—To enter into all such contracts and engagements—to make all such purchases and arrangements—to receive all such sum and sums of money—to draw or endorse or negotiate all such bills or notes and particularly all and every or any of the Promissory or other note or notes or bill or bills or other security or securities of or issued by or on behalf of the Secretary of State in Council or Government of India or any of the Local or Presidential Governments in India—To sign and give all such papers documents writings and receipts including receipts for such bills or notes and particularly all and every or any such promissory or other note or notes or bill or bills or other security or securities of or issued by or on behalf of the Secretary of State in Council or the Government of India or any of the Local or Presidential Governments in India and the monies thereby respectively secured or made payable and the Interest due or payable in respect of the same respectively And to make do and execute all such acts matters and things as it may in the judgment of the said Charles Adrian Badham be necessary or expedient to enter into make receive sign draw endorse negotiate give do or execute to carry out effect or bring into operation for or on behalf of the Company all or any or either of such of the purposes or objects aforesaid as and in such manner and to such extent only as the Company shall from time to time by writing under the hand of their Secretary for the time being authorize or direct to be carried out effected or brought into operation PROVIDED NEVERTHELESS that the said Charles Adrian Badham shall not under any circumstances be at liberty to incur any expense to enter into any contract or engagement to make any purchase or arrangement or to make do or execute any act matter or thing whatsoever for or on behalf of the Company without first obtaining from time to time from the Secretary of State in Council or the Government of India or the said Local Governments all and every such assent approval or sanction thereto as it may be necessary expedient or proper for the Company to obtain or have under or in reference to the aforesaid Contracts or any other Contract or Contracts which for the time being may be existing between the Company and the Secretary of State in Council or the said Government of India or Local Governments AND WHEREAS the Company being desirous also of appointing a third Manager in India to act in the matters aforesaid in the events hereinafter mentioned have also appointed as such Manager as last mentioned the said John Herbert Latham and he has accepted such appointment Now further know ye that the said Madras Irrigation and Canal Company Have made deputed authorized constituted appointed and confirmed And by these presents Do make depute authorize constitute appoint and confirm the said John Herbert Latham the true and lawful Attorney for and in the name and on behalf of the Company if and in case and as often as both the said Francis Hartwell Henslowe and Charles Adrian Badham shall at any time or times be absent from the place wherein the Head Office of the Company in India shall for the time being be situate and the said Francis Hartwell Henslowe shall in writing request the said John Herbert Latham to act as such Attorney or if and in case and as often as both of them the said Francis Hartwell Henslowe and Charles Adrian Badham shall at any time or times be incapable to act in the matters aforesaid by reason of illness or any other cause whatsoever (but during such absence or absences or incapacity only) or in the event of and immediately upon the death of the survivor of them the said Francis Hartwell Henslowe and Charles Adrian Badham—To enter into all such contracts and engagements—to make all such purchases and arrangements—to receive all such sum and sums of money—to draw endorse and negotiate all such bills or notes and particularly all and every or any of the promissory or other note or notes or bill or bills or other security or securities of or issued by or on behalf of the Secretary of State in Council or Government of India or any of the Local

*Proceedings of the Madras Government, Public Works Department,
29th April 1867.*

or Presidential Governments in India—to sign and give all such papers documents writings and receipts including receipts for such bills or notes and particularly all and every or any such Promissory or other note or notes or bill or bills or other security or securities of or issued by or on behalf of the Secretary of State in Council or the Government of India or any of the Local or Presidential Governments in India and the monies thereby respectively secured or made payable and the Interest due or payable in respect of the same respectively And to make do and execute all such acts matters and things as it may in the judgment of the said John Herbert Latham be necessary or expedient to enter into make receive sign draw endorse negotiate give do or execute to carry out effect or bring into operation for and on behalf of the Company all or any or either of such of the purposes and objects aforesaid as and in such manner and to such extent only as the Company shall from time to time by writing under the hand of their Secretary for the time being authorize or direct to be carried out effected or brought into operation PROVIDED NEVERTHELESS that the said John Herbert Latham shall not under any circumstances be at liberty to incur any expense to enter into any contract or engagement—to make any purchase or arrangement or to make do or execute any act matter or thing whatsoever for or on behalf of the Company without first obtaining from time to time from the Secretary of State in Council or the Government of India or the said Local Governments all and every such assent approval or sanction thereto as it may be necessary expedient or proper for the Company to obtain or have under or in reference to the aforesaid Contracts or any other Contract or Contracts which for the time being may be existing between the Company and the Secretary of State in Council or the said Government of India or Local Governments IN WITNESS whereof the Company have caused their Corporate Seal to be affixed the twenty-sixth day of January in the year of Our Lord one thousand eight hundred and sixty-seven.

The Corporate Seal of the said Madras Irrigation and
Canal Company was affixed in the presence of }

(Signed) JOHN WESTWOOD,
Secretary.

No. 519. From the Acting Government Solicitor, Madras.
(Here enter 12th April 1867, No. 229.)

No. 520. ORDER THEREON, 29th April 1867, No. 1,257.

ESTABLISHMENT, No. 55.

1. Communicated to the Financial Department.

2. The Consulting Engineer will forward to the Secretary and Treasurer of the Bank of Madras the original Power of Attorney submitted with his letter above recorded.

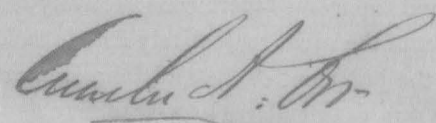
3. It will be pointed out to Captain Mullins, for communication to the Company's Manager, that the Power of Attorney contains no authority to the Agents thereby appointed, either to sue on behalf of the Company, or to represent and appear for the Company and defend it in suits which may be brought against it in this country, and that such omission may prove inconvenient to the Company hereafter in the event of its being obliged either to institute or defend suits here.

4. The Government also notice that, under the Power of Attorney, the authority of the Agents to do any of the acts therein mentioned on behalf of the Company is to be exercised only to such extent and in such manner as the Company shall from time to time by writing under its Secretary's hand authorize or direct, and that it will, therefore, be necessary to ascertain, on each occasion on which any of the Agents thereby appointed are about to sign any document or do any act on behalf of the Company under the Power of Attorney, whether such Agent has

Proceedings of the Madras Government, Public Works Department,
29th April 1867.

received the written direction of the Company for the specific act, a proceeding which may occasion delay and inconvenience.

(True Extract.)



Colonel, R. E.,
Secretary to Government.

To the Financial Department.

„ Accountant General.

„ Consulting Engineer for Irrigation and Canal Company,

With original Power of Attorney.

„ Manager for do. do.

„ Secretary and Treasurer of the Bank of Madras, with G. O. No. 1,833 of 1865.

„ Government Solicitor.

Exd. S. T. Augustin.

This 20 June 65 20-21

list of 7 heavy

4
Francis 1863 Sept

Prosser & Co. New York.

Good Mr. West.
Dec 1257

2/29/46
By Henry

FN 423

6219.5

Inventory copy of letter from
Agent & Manager, London
Eastern Dispensation of Naval
Company from acting Attorney of
Attorney authorizing him to
represent the Company in
the U.S.
2nd May 1887 No. 190-
Recorded.