M.R. O. 1—32,000—16-10-29.

MADRAS RECORD OFFICE.

Government of Madras.

Judicial DEPARTMENT.

G.O. No. 1684 Press ~~Mis.~~

162-163

Dated 24-6-~~19~~ 83

12/13

Not to be folded or roughly handled

No. 164. Read the following letter from J. ROHDE, Esq., Inspector General of Jails; to A. J. ARBUTHNOT, Esq., Chief Secretary to the Government of Fort Saint George, dated Ootacamund, 30th September 1863, No. 302.

I have the honor to submit a Circular* that I have sent to Officers in charge of Jails cautioning them against all dealings on Prison's account with Messrs. Oakes & Co., consequent on their conduct in reference to a supply of timber to Mr. Phillips, Sessions Judge of Chingleput, in charge of the Jail.

* No. 125.

2. The first instance I had of Messrs. Oakes' dealings was in consequence of a conversation I had with Captain Gahagan, District Engineer of Salem, at the time he was procuring iron for the Salem Jail, he mentioned having been in treaty with Messrs. Oakes for it, and I begged him to let me see if I could not do better for him; he referred Messrs. Oakes to me, and I found they proposed sending a very inferior iron at (as far as I recollect) 42 Rupees the candy; this being much above the market rate for ordinary bar iron, I declined to purchase, and though iron was procurable of ordinary quality in the market at about 25 to 30 Rupees I purchased the supply from the Arsenal at 27 Rupees—the quality being superior. Messrs. Oakes in this instance might have had some difficulty inasmuch as no option was left to them as to size.

3. In the present transaction the price of the timber struck me as excessive, and I thought it my duty to refuse sanction to the bill, which I have already stated was incurred without authority; whether I was right in my opinion may be judged by Lieutenant Colonel Campbell's letter of the 2nd instant, (the last on the list in the appendix).

4. I have no hesitation in saying that the charge exceeded by at least one-third the price at which the timber might have been bought, and in allusion to this transaction, I would submit to Government whether it is desirable for any Department to continue dealings with Messrs. Oakes on Government account.

5. In regard to the letter, Messrs. Oakes have thought proper to address to Mr. Phillips accusing me of wilful falsehood in the comments it was my duty to make on the transaction, I believe they have rendered themselves liable to a criminal prosecution.

From A. W. PHILLIPS, Esq., Sessions Judge of Chengleput; to J. ROHDE, Esq., Inspector General of Prisons, Ootacamund, dated Chingleput, 10th August 1863, No. 314.

I have the honor to forward for your perusal, and for you to take such notice as you may consider fit of it, the enclosed letter* received from Messrs. Oakes & Co., in reply to my official handing over to them your letter of 23rd July declining to pay interest on their Bill.

* Re-printed in Circular, No. 125.

(True Copy.)

(Signed) J. ROHDE,
Inspector General of Jails.

No. 165. ORDER THEREON, 24th October 1863, No. 1,684.

The Governor in Council does not approve of the course taken by the Inspector General of Jails in the matter referred to in the foregoing letter. Such a Circular as that issued by Mr. Rohde prohibiting Officers in charge of Jails from dealing with a particular Firm should not have been issued without the sanction of Government, still less should it have been communicated to the heads of other Departments. The Circular must be re-called.

It appears to the Government that the system of procuring materials for manufactures or for other Jail purposes needs regulating. At present apparently each Officer in charge of a Jail is at liberty to procure the articles he requires in such manner as he considers most convenient, subject only to the necessity of obtaining the sanction of the Inspector General for the expenditure. There is no apparent reason why the system of calling for tenders should not be adopted by

the Jail Department as well as by other public Departments. In the case under notice if the Officer in charge of the Jail at Chingleput had been obliged by the Jail rules to invite tenders for the Teakwood he required, it would probably have been obtained at a moderate price. The Inspector General will consider the subject and submit a draft rule for the approval of Government.

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

Rxd. T. McMoctry.

CIRCULAR N°. 125.

1. The Inspector General of Jails having received from the Sessions Judge, in charge of the Jail at Chingleput, a note of Messrs. Oakes, quoted below, begs to notify to Officers in charge of Jails that no further dealings on the Prison's account with that Firm will be allowed pending the orders of Government.

2. The whole of the correspondence connected with this case will now be laid before Government.

3. The Inspector General of Jails has been drawn into this correspondence by the unauthorized purchase of timber by an Officer in charge of a Jail at a rate far exceeding the fair market value.

4. The transaction being one between the Officer in charge of a Jail and Messrs. Oakes, it was not necessary, or proper, that the Inspector General's letters, commenting on the transaction, should have gone further than the officer to whom they were addressed, who, on being warned that the charge was excessive, should have himself made due enquiry and either satisfied himself that the charge was correct, or, if otherwise, have himself resisted it.

5. In prohibiting all dealings with Messrs. Oakes on Prison's account, the Inspector General has in view not only the present transaction; he is satisfied that the interests of Government are best consulted by the course he now takes and which on his first view of the transaction he felt to be necessary.

6. The Inspector General is not aware on what ground Messrs. Oakes state that Mr. Miller was consulted by him as to the price of *teak*: Mr. Miller was asked the price of Trincomallee wood and perhaps of other woods, but his answer had, as far as the Inspector General recollects, reference, chiefly, to the price of Trincomallee wood for which Messrs. Oakes charged Rs. 2-4 the cubic foot. Reference was made to others in regard to the price of teak, charged by

Messrs. Oakes at 3 Rs. and their replies satisfied the Inspector General that this charge was excessive.

7. Messrs. Oakes' first attempt to justify the high charge for teak was, that it included the hire of carpenters for *planing*; this mis-statement has never been justified, though repeatedly referred to by the Inspector General, in his correspondence with the Sessions Judge in charge of the Jail.

8. The letter of Messrs. Oakes will be communicated to the Inspector General of Ordnance the Inspector General of Police and others having control of Departments, for information, and to all Officers in charge of Jails and gangs of prisoners, or on whom such charge temporarily devolves, for information and guidance when so in charge.

"EXCHANGE HALL, Madras"

"To, "*7th August* 1863."

A. W. PHILLIPS, ESQR."

"SIR" "*Chingleput.*"

"We have the honor to acknowledge your letter
"of the 28th July, handing us a copy of the Inspec-
"tor of Jail's letter to you, wherein he declines to
"sanction the payment of Interest on a Bill for Tim-
"ber supplied to you for reasons he assigns."

"The reasons assigned by the Inspector of Jails
"are wilfully untrue, and their untruthfulness in the
"main is within your own knowledge."

"We take this opportunity to mention also that
"the conversation (said, by the Inspector of Jails on
"a previous letter to you, to have taken place be-
"tween himself and Mr. Miller of Messrs. Simpson
"& Co. in regard to price of *Teak* Timber, (and
"which he mentions as a proof of our price being
"high,) we find on enquiry, appears, to say the least,
"an error of memory, as no conversation has ever
"occurred regarding *Teak* Timber to the certain re-
"collection of Mr. Miller."

"The simple facts *are*, that you wrote to us, to
"know at what rate we could supply certain *Teak*
"Timber of certain dimensions, in our reply we gave
"you (in the capacity as you were well aware, of
"Agents,) the rate, and in answer to this you gave
"us the order, which was executed accordingly, and
"the Bill claimed was for the rate agreed."

"We know nothing of the Inspector of Jails in
"the actual transaction, but as it appears he has to
"do with the passing of A. Cs., we can only ex-
"press our surprize that he, calling himself a Gen-
"tleman, should, after the knowledge that we exe-
"cuted the order for Timber according to a price
"agreed upon with you before supply, fabricate
"such reasons for unjustly withholding payment of
"our account for a year, and then further unjustly
"refuse to pay Interest."

"We observe the Inspector of Jails has, *in his*
"*justness*, admitted the postage charge of 3 Annas,
"we shall be glad to receive the same at your con-
"venience, the Interest will remain in abeyance.

"We have the honor to remain,"

"Sir,"

"Your most obdt, servants,"

(Signed) "OAKES & CO."

OOTACAMUND,
OFF. OF INSP. GENL. OF JAILS,
22nd August 1863.

Insp. Genl. of Jails.

To all Officers in charge of Jails. and Gangs for information and guidance.

" The Inspector General of Ordnance and Mags. the Inspector General of Police and others having control of Departments, for information:

No. 224.

CHINGLEPUT SESSION COURT,

6th December 1861.

From

A. W. PHILLIPS, ESQ.,

Sessions Judge of Chingleput.

To

J. ROHDE, ESQ.,

Insp. Genl. of Jails, Ootacamund.

SIR,

I have the honor to request your sanction to purchase the quantity of Teak, Trincomalee and vennarum wood specified in the annexed Memo. the same being required for Jail purposes during the year 1862.

I have, &c.,

(Signed) A. W. PHILLIPS,

Sessions Judge.

MEMO.

Probable quantity of wood required for Jail purposes during the year 1862.

Teakwood 20 x 2 x 2, total cubic feet		80
Trincomalee wood 17 x 1 x 1 Total cubic feet		17
Vennarum do. 8 x 1 x 1	do	8

N. B.—Unless the Teakwood is square or clean wood the wastage will be so great that the proper complement of work cannot be had from it.

CHINGLEPUT:
SESSION COURT,
6th December 1861.

(Signed) A. W. PHILLIPS,

Sessions Judge.

No. 360.

To

THE SESSIONS JUDGE,

Chingleput.

SIR,

In acknowledging your letter of the 6th instant I have the honor to request that you will inform me of the cost of the wood you propose to purchase, the purpose for which you want it and the price.

It is true that squared teak cuts to less waste than rough logs, but I may mention that if required for small scantlings large teak timber squared works to great disadvantage, one-third or more being shaken or otherwise waste. Teak shimbeams if carefully selected work to least waste and are I believe not more expensive.

I may mention that the choicest squared teak was some little time ago offered to me at 70 rupees the load of 50 cubic feet shimbeams I think were from 1/4 to 1/8 but I dont know present prices.

OOTACAMUND;
11th December 1861.

I have, &c.,

(Signed) J. ROHDE,

Insp. Genl. of Jails

CHINGLEPUT SESSIONS COURT,

25th April 1862.

To

J. ROHDE, ESQ.,

Insp. Genl. of Jails.

SIR,

With reference to your letter of the 11th December last, I have the honor to inform you that the wood I proposed to buy in my letter of the 6th Idem was required for the purpose of repairing the gravel carts, &c., the wheels of which were being daily broken and required new spokes and felloes and also to meet the exigencies of the year.

The price of teakwood is 3 rupees per cubic foot, that of Trincomallee do., rupees 2-4 and Venmarum rupees 1-14.

As the wood was much required for the use of the Jail, I requested Messrs Oakes and Co., to supply the same and their bill for the same amounting to Rupees 319-15-1 is herewith forwarded and I request you will be pleased to sanction the cost together with rupees 5-8, paid to the cart hire by the Court.

Chingleput Jail, to order of A. W. PHILLIPS. Esq.

1862							
March	8th	To amount of account rendered.....				620	11 11
April	9th	1 Teakwood Beam, 20 feet long 2 x 2 containing 80 cubic square feet at 3/ square feet.....	240	0	0		
		1 Trincomallee wood beam, 17 feet long 1 x 1 containing 17 square feet at 2/4 square feet.....	38	4	0		
		1 Venmarum beam, 8 feet long 1 x 1 feet containing 8 square feet at 1/4 square feet.....	15	0	0		
		Our commission on the above at 5 per cent.....	14	10	7		
						307	14 7
		Cash advanced 5 cart hire.....				12	0 0
		Cash paid postage.....				0	0 6
		Rupees.....				940	11 0

I have, &c.,

(Signed) A. W. PHILLIPS,

Sessions Judge.

No. 231.

To

THE SESSIONS JUDGE,

Chingleput.

SIR,

I have the honor to acknowledge your letter of the 25th instant enclosing a bill for teak and other timber.

I must request your attention to my letter of the 11th December 1861 declining to purchase till informed of the purpose for which the wood was wanted and its price and advising you of the unsuitableness of timber of the kind purchased for small work and further mentioning the prices current to the best of my information.

Before allowing such a charge as is shewn in the bill I must satisfy myself that the charge was necessary and that it is a fair charge.

Messrs. Oakes have I observe charged a commission upon the transaction and will of course be prepared to shew that the purchase was made at the rate stated.

OOTACAMUND;
30th April 1862.

I have, &c.,

(Signed) J. ROHDE,

Insp. Genl. of Jails.

No, 202.

CHINGLEPUT, *4th July* 1862.

From

W. S. WHITESIDE, ESQ.,

Acting Sessions Judge, Chingleput.

To

J. ROHDE, ESQ.,

Insp. Genl. of Jails, Ootacamund.

SIR,

With reference to your letter of the 30th April last, No. 231. I have the honor to enclose copy of a letter from Messrs. Oakes and Co., and request you will be pleased to sanction the amount of the bill forwarded with Mr. Phillip's letter of the 25th April last, being the cost of wood supplied by Messrs. Oakes and Co., viz., Rs. 319-15-1 together with bandy hire Rs. 5-8-0 and so avoid the charge of interest mentioned by Messrs. Oakes and Co., at the conclusion of their letter.

Mr. Philip's letter quoted above will, I trust, satisfy you on the necessity for incurring the charge.

CHINGLEPUT;
SESSION COURT,
4th July 1862.

I have, &c.,

(Signed) W. S. WHITESIDE,

Acting Sessions Judge.

No. 2,778,

EXCHANGE HALL,

Madras, 3d July 1862.

To

W. S. WHITESIDE, ESQ.,

Acting Sessions Judge, Chingleput,

SIR,

In answer to your letter of the 28th Ultimo, we beg to inform you that the price charged in the account for the timber supplied to the Chingleput Jail is the same as we paid for it, and includes carpentry charges for planing as well as cooly hire, &c.

We hope you will be able to remit us at an early date for having paid cash we shall be obliged to charge interest according to our terms of business.

Awaiting your early answers.

We remain,

Sir,

Your's faithfully,

(Signed) OAKES AND CO.,

(True Copy,)

(Signed) W. S. WHITESIDE,

Acting Sessions Judge.

No. 362.

To

THE SESSIONS JUDGE,

Chingleput.

SIR,

Referring to your letter of the 4th Instant enclosing Messrs. Oakes explanation of the charge for timber I have the honor to state that I dont consider it satisfactory and decline to pass the bill.

I have seen Mr. A. W. Phillips and cannot learn what Messrs. Oakes mean by saying that the bill includes carpentry charge for "planing" as well as cooly hire, &c.

I have ascertained from Mr. W. B. Wright Locomotive Superintendent Madras Railway the actual cost of Teak Timber I am pretty well aware of the cost of other timbers in the Madras Market.

Messrs. Oakes acted as Agents, they admit this by charging a commission and they cannot without fraud charge you for the timber a higher price than was actually paid for it; had they purchased the timber and subsequently incurred charges in converting it, the straight forward course would have been to charge for the timber at the price actually paid and then to have specified and charged expenses. As far as I can learn from Mr. Philips the timber was delivered in log and not converted.

I consider the transaction so questionable that I must until it is satisfactorily explained prohibit all further dealings with Messrs. Oakes on the Prison's account.

OOTACAMUND;
24th *July* 1862.

I have, &c.,
(Signed) J. ROHDE,
Insp. Genl. of Jails.

CHINGLEPUT SESSIONS COURT,
18*th November* 1862.

From
A. W. PHILLIPS, ESQ.,
Sessions Judge of Chingleput.

To
J. ROHDE, ESQ.,
Insp. Genl. of Jails.

SIR,

I beg herewith to forward copy of a letter received from Messrs. Oakes and Co. in reply to my letter (copy of which I also enclose) forwarding your's calling for an explanation.

I have, &c.,
(Signed) A. W. PHILLIPS,
Sessions Judge.

CHINGLEPUT SESSIONS COURT,
12*th November* 1862.

From
A. W. PHILLIPS, ESQ.,
Sessions Judge of Chingleput.

To
MESSRS OAKES AND CO.,
Madras.

GENTLEMEN,

In forwarding the accompanying copy of a letter from Mr. Rhode the Inspector General of Jails, I beg that you will furnish me with any further explanation you can to satisfy him about the charge of timber supplied by you to the Chingleput Jail.

I am &c.,
(Signed) A. W. PHILLIPS.
Sessions Judge.

(True copy)
(Signed) A. W. PHILLIPS.
Sessions Judge.

EXCHANGE HALL,
Madras 15th November 1862.

From
MESSRS. OAKES AND CO.,
Madras.

To
A. W. PHILLIPS ESQ.,
Sessions Judge of Chingleput.

SIR,

We are in receipt of your letter under date the 12th Instant with its accompaniment from Mr. Rohde, Inspector General of Jails to Mr. Whiteside, Acting Sessions Judge of Chingleput dated from Ootacamund so far back as 24th of July last, complaining of our charge for Teak Timber supplied to your order to the Chingleput Jail in March last, and obliquely accusing us of "fraud" in having charged more for the same, in the capacity of Agents, than what we paid for it.

In reply we have to express our indignation at the charge, and to request that you will inform Mr. Rohde that before presuming to attach a stigma to the name of persons who value, and are equally jealous of their good name with himself, he should have pursued the course usually adopted by persons pretending to the slightest feelings of Gentlemen and instituted the most searching preliminary enquiries, before presuming or daring to write in the style that he has done.

The facts of the case will be in your memory and are simply these. You required some wood for immediate use at the Chingleput Jail, and wrote us as agents, we not being Timber Merchants, to that effect; we accordingly instituted enquiries, and learnt that the value of wood, especially picked, was high, and in consequence addressed you on the 4th of March and gave you a memo: of the prices at which we could procure the several kinds of wood (copy enclosed), and on the 14th of the same month, after 9 days consideration, you wrote us, "In reply to yours of the 4th instant I beg to inform you &c. &c." as per copy enclosed; we accordingly executed your order as agents and charged you our usual commission thereon; we have long ago paid the Bill, and could we at all have anticipated the treatment we have received, we certainly should not have acted without Funds.

Mr. Rohde mentions that he has enquired of Mr. Wright of the Madras Railway regarding Teak, and that he is himself pretty well aware of the actual cost of other Timbers in the Madras Market; we do not doubt that he is, but we humbly submit that there is no parallel between the position of the Railway as a contractor for some thousands of Tons of Timber in the rough, and a private purchaser of 1 Log of picked squared and *converted* Timber, and with regard to the other Timbers supplied it does not appear to us that Mr. Rohde complains of their prices.

Mr. Rohde, as a climax, is "pleased to observe that" he considers the transaction of such a questionally nature, that he must, until it is satisfactorily explained prohibit all further dealings with Messrs. Oakes on the prison's account; In answer, we have to observe that Mr. Rohde is at perfect liberty to commit any injustice he chooses but to prevent the possibility of a counter charge of fraud, we have to request that he will be pleased to publish our reply to his accusation, we would, however poor, or under whatever circumstances, a thousand times rather forego any patronage, which we could expect from such a source than again submit to a similar insult.

In conclusion Sir we beg to inform you that from you we received the order, to you we supplied the wood, and to you we must look for payment with Interest as per our letter of the 2nd July; and with an expression of the most sincere regret at the unpleasantness caused to us both in the matter of this transaction.

We have, &c.,
(Signed) OAKES AND CO.,

(True Copy,)
(Signed) A. W. PHILLIPS,
Sessions Judge.

No. 615.

To

THE SESSIONS JUDGE.

Chingleput.

SIR,

In acknowleding your letter of the 18th Instant I have the honor to state that Messrs. Oakes letter instead of explaining the charge to which I objected have assumed a position wholly unwarranted.

The bill received as a voucher to your contingent bill was objected to and I have no hesitation in saying that the wood was over charged.

In my letter of the 11th December 1861 I pointed out the most economical course in purchasing wood for the purpose required and instanced prices for your guidance.

In your letter of the 25th April you request selection for the purchase of timber through Messrs. Oakes whose bill you forwarded at 3 Rupees a foot for Teak 2-4 for Trincomallee and 1-14 for "Venmarum" To this I objected knowing the charge to be in excess of Market rates.

On the 4th July Mr. Whiteside enclosed a copy of Messrs. Oakes letter explaining the charge and this expressly stated that the price was that paid *and included carpentry charge for planing as well as coolly hire, &c.*

I personally requested your explanation of this and was assured by you that the wood was not in any way converted or planed but was *in log.*

In my letter of the 12th July, I informed Mr. Whiteside that the charge was not explained to my satisfaction, that I have ascertained from Mr. Phillips that Messrs. Oakes statement regarding carpenters charges was not warranted, that I had Mr. Wright's authority for saying that the price charged was far in excess of that which he was supplied, that Messrs. Oakes having acted as Agents were not at liberty to charge more than the actual price paid, that had they purchased the timber and subsequently incurred charges in converting and forwarding it, as stated in their letter of the 3d July, the straight forward and business like course would be to charge 1st the actual price paid for the timber and 2dly. the charges incurred for carpenters, &c.

I considered the course pursued by Messrs. Oakes so unsatisfactory as to induce me to prohibit further dealings with the firm.

One very simple course was open to Messrs. Oakes, namely to forward to you the original bill for the timber and the detailed account of carpenter's and coolly hire employed upon it instead of this they assume that they are charged with fraud and make assertions in their defence which cannot operate one way or other in justification of the bill.

I am quite willing, if Messrs. Oakes wish it, to lay the whole question before Government with the suggestion that other Officers shall be requested to forward a list of all transactions they may have had with Messrs. Oakes on Public account for the last 6 year's for scrutiny, or to lay before the Chamber of Commerce the present transaction in detail and to withdraw the opinion I have expressed should that body pronounce the transaction justifiable and Messrs. Oakes' correspondence in explanation of it satisfactory.

I cannot avoid calling your attention to one point. Messrs. Oakes declare the price charged to you as the bonâ fide price at which the timber was purchased by them. Yet in their letter to Mr. Whiteside of the 3d July they make the, to me, irreconcilable statement that it includes carpentry charges for planing as well as coolly hire, &c.

I do not say that the Messrs. Oakes may not be justified in the charge and statements, but I must say that in the face of the evidence before me I cannot hold them to be so.

I would further add that when an Agent undertakes a commission for supplying timber, &c, the principal expects not only to have the article purchased but to have it purchased at a fair market rate indeed at the lowest rate at which it is procurable.

A reference to Mr. Miller of the firm of Simpson and Co., to Mr. Tod, to Narrainsawmy of Messrs. Waller and Co.'s to Messrs. Appacooty, will shew what were

the selling prices of Teak, Trincomalleewood and "Venmaran" at retail rates at the time referred to.

My own experience in dealing with Native timber Merchants is that there is not any great difference between wholesale and retail prices when whole logs are purchased and I have on several occasions bought picked shim beams and logs in Madras for what as far as I could learn was a fair trade price.

I have, &c.,

OOTACAMUND, 24*th November* 1862.

(Signed) J. ROHDE,

Insp. Genl. of Jails.

No. 420.

CHINGLEPUT SESSIONS COURT,

29*th November* 1862.

From

A. W. PHILLIPS, ESQ.,

Sessions Judge of Chingleput.

To

J. ROHDE, ESQ.,

Insp. Genl. of Jails.

SIR,

With reference to your letter to me on the matter of Messrs. Oakes communication and dated 24th November, I observe that you say in the 6th para that I said the wood was not in any way converted or planed but was *in log.* There appears to have been some misunderstanding about this. I understood you to mean whether it was sawn up and otherwise prepared for use, which it was *not*—it was *in a log* but roughly squared. I think it right to explain this before forwarding your letter to them or addressing them myself.

I have, &c.,

(Signed) A. W. PHILLIPS,

Sessions Judge.

No. 699.

To

THE SESSIONS JUDGE,

Chingleput.

SIR,

In referring to your letter of the 29th November, I have the honor to state that I understand Messrs. Oakes to have purchased for you partially squared timber to have subsequently excused the high price by a statement that it was enhanced by the cost of carpenters for planing it, &c., which statement is refuted by their subsequent letter asserting that the price charged to you is the actual price paid by them for the timber.

I have, &c.,

MADRAS; 6*th January* 1863.

(Signed) J. ROHDE,

Insp. Genl. of Jails.

CHINGLEPUT SESSIONS COURT,

3*d February* 1863.

From

A. W. PHILLIPS, ESQ.,

Sessions Judge of Chingleput.

To

J. ROHDE, ESQ.,

Insp. Genl. of Jails

SIR,

I have the honor to forward for your information copy of a letter from Messrs.

Oakes and Co., Madras, dated 24th January 1863, together with that of its enclosures, received in reply to mine giving cover to a copy of your letter of the 24th November last, regarding the price of Timber supplied to this Jail.

I have, &c.,

(Signed) A. W. PHILLIPS,

Sessions Judge.

———o———

EXCHANGE HALL,

Madras, 24th January 1863

To

A. W. PHILLIPS, Esq.,

Sessions Judge of Chingleput.

SIR,

We have the honor to enclose the Original Bill of the Timber Merchant attested by our Dubash who purchased the wood, and have to express our regret if we have overlooked any previous expression by you of a desire to possess the same.

We have, &c.,

(Signed) OAKES AND CO.,

(True Copy,)

(Signed) A. W. PHILLIPS,

Sessions Judge.

Messrs. OAKES and CO. *Dr.*

April.	9th	To 1 Teakwood Beam 20 feet long 2 x 2 containing 80 cubic square feet @ 3 per each foot	240	0	0
		„ 1 Trincomalee wood Beam 17 feet long 1 x 1 containing 17 square feet @ 2-4 each foot	38	4	0
		„ 1 Venmaram Beam 8 feet long 1 x 1 containing 8 square feet @ 1-14 each foot	15	0	0
		Total Rupees...	293	4	0

MADRAS;
15th April 1862.

E.E.

Contents received.

(Signed) A. SUBBARAYA CHETTY,

In Tamil,

(True copy)

(Signed) A. W. PHILLIPS,

Sessions Judge.

———o———

VIZAGAPATAM, ON CIRCUIT,

From

No. 794. *15th February* 1863.

J. ROHDE, Esq.,

Insp. Genl. of Jails.

To

A. W. PHILLIPS, Esq.,

Sessions Judge of Chingleput.

SIR,

In acknowledging your letter of the 3rd Instant, forwarding copy of Messrs Oakes letter and voucher I have the honor to request that you will inform me of the purpose

to which the timber has been applied and the source from which you propose to meet the charge as provided for in your budget.

I have, &c.,

(Signed) J. ROHDE,

Insp. Genl. of Jails.

———o———

JUDICIAL DEPARTMENT.

Proceedings of the Madras Government.

Read the following letter from J. Rohde, Esq., Inspector General of Jails; to A. J. Arbuthnot, Esq., Chief Secretary to the Government of Fort Saint George, dated Vizagapatam, on Circuit, 28th March 1863, No. 916.

I have the honor to forward a letter* from Mr. A. W. Phillips, Sessions Judge of Chingleput, submitting a Bill for timber purchased for the jail at Chingleput for sundry repairs, &c.

* Dated 3rd March 1863, No. 106.

2. The purchase of the timber was not authorized, the price charged was excessive and my first intention was to refuse payment; but Mr. Phillips having acted to the best of his knowledge and not being prepared to prove fraud on the part of those he employed I am constrained to request sanction to the Bill.

3. It will be seen that funds are available, I have not the correspondence with me

ORDER THEREON, 21ST APRIL 1863 No. 606.

Before sanctioning the charge referred to in the foregoing letter, the Governor in Council directs that the Session Judge be called upon to explain under what circumstances it was incurred without previous sanction.

(True Extract.)

(Signed) A. J. ARBUTHNOT,

Chief Secretary.

———o———

JUDICIAL DEPARTMENT.

Proceedings of the Madras Government.

Read again letter from the Inspector General of Jails, dated 28th March, and recorded in Proceedings of the 21st April 1863. Read also the following letter from A. W. Phillips, Esq., Sessions Judge of Chingleput; to A. J. Arbuthnot Esq. Chief Secretary to Government, Fort Saint George, dated Chingleput 1st May 1863, No. 186.

I have the honor to acknowledge the receipt of the order of Government No. 606, dated 21st April 1863, and, in reply, to state that the wood was so urgently required for the repair of carts, &c., for the use of the prisoners employed on the roads, that I considered I was justified under the circumstances in ordering it in anticipation of sanction.

ORDER THEREON, 15th May 1863, No. 734.

In his letter of the 28th March last, No. 916, the Inspector General of Jails alludes to a Bill having been submitted by the Session Judge of Chingleput for the timber purchased for the Jail at the Station; but this document appears to be merely a statement of the quantity purchased and expended, and that remaining in store. The Governor in Council desires that the Session Judge will furnish a statement of the cost.

(True Extract.)

(Signed) A. J. ARBUTHNOT,

Chief Secretary.

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JUDICIAL DEPARTMENT.

Proceedings of the Madras Government.

Read the following letter from A. W. Phillips, Esq. Session Judge of Chingleput; to A. J. Arbuthnot, Esq., Chief Secretary to Government, Fort Saint George, dated Chingleput 23rd May 1863, No. 217.

I have the honor to submit herewith the statement of the cost of timber purchased from Messrs. Oakes and Co. in April 1862, as required in the Proceedings of the Madras Government, dated 15th May 1863, No. 734.

ORDER THEREON, 10TH JUNE 1863 No. 902.

Sanctioned Rupees (325-7-1) three hundred and twenty-five, Annas seven and Pie one, being the cost of timber purchased for the Jail at Chingleput.

(True Extract.)

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

No. 300.

CHINGLEPUT, SESSION COURT,
14th *July* 1863.

From

A. W. PHILLIPS, Esq.,
Sessions Judge, of Chingleput,

To

J. ROHDE, Esq.,
Insp. Genl. of Jails, Ootacamund.

SIR,

I have the honor to enclose copy of a bill forwarded by Messrs. Oakes and Co, Madras, wherein they have charged Rupees 49-3-4 as interest on the amount of timber, leg leathers and Palmyra logs purchased from them, as well as annas 3 postage, no sanction having been asked in proper time by this Court for the Palmyra logs, I am prepared myself to pay Rupees 7-4-5 being interest on their amount, as the delay in paying for the other articles (timber and leg leathers) has occurred in the course of business and in consequence of your declining to pass the timber, it is but fair, I think, that interest on the amount of these items should be paid by Government. I have therefore the honor to request you will be pleased to sanction as early as possible Rupees 42-1-11 together with Rupees 81-1 (value &c, of Palmyras) applied for in my letter of the 17th June 1863, to enable me to adjust finally all accounts with Messrs. Oakes and Co.

I have, &c,

(Signed) A. W. PHILLIPS,
Sessions Judge.

MEMO.

Chingleput Court by A. W. PHILLIPS, Esquire.

1862 Apr.	9th	To 1 teakwood beam 20 feet long 2 x 2 containing 80 cubic square feet at 3 per cubic foot	240	0	0				
		„ 1 Trincomaleewood beam, 17 feet long 1 x 1 foot containing 17 square feet at 2-4 cubic ft.	38	4	0				
		„ 1 Venmarum beam, 8 feet long 1 x 1 feet containing 8 square feet at 1-14	15	0	0				
		„ Our Commission, at 5 per cent	14	10	7				
		„ Cash advanced 5 carts hire	12	0	0				
		„ „ paid postage	0	0	6	*319	15	1	* already sanctioned by Government.
July	30th	„ 50 Pairs leg leathers, at 6 annas	†18	12	0				
		„ 25 Picotas Palmyra, at 3 do	A75	0	0				
		„ Cash advanced 2 carts hire	A 4	0	0				† already paid to Messrs. Oakes and Co.
		„ „ paid postage	0	A 1	0	97	13	0	
Aug.	8th	„ 150 Pairs leg leathers, at 6 annas pair	56	4	0				
		„ Packing charges	0	4	0				
		„ Cash advanced Cooly hire	0	10	0				A. amount applied for in the Court's letter of 17th June 1863.
		„ „ paid postage	0	1	0				
						†57	3	0	
		„ „ sundry postage				0	1	6	
						475	0	7	
		Co.							
						75	15	0	
Nov.	5th	By amount of Leg leathers referred this day				399	1	7	
		To amount of A. C. rendered 29th January 1863				49	3	4	
		„ „ of Interest to 30th June 1863				0	0	6	
		„ Postage				448	5	5	
		„ amount of A. C. rendered 26th June 1863				0	1	0	
		„ Cash paid postage							
		Rupees...				448	0	5	

MADRAS,
6th *July* 1863

E. E.

(Signed) OAKES & Co.,

(True Copy,)

(Signed) A. W. PHILLIPS,
Sessions Judge.

No. 70.

From

J. ROHDE, Esq.,
Insp. Genl. of Jails.

To

A. W. PHILLIPS, Esq.,
Sessions Judge, of Chingleput.

SIR,

In acknowledging your letter of the 14th July requesting sanction to the payment of rupees 49-3-4 interest on Messrs. Oakes bill for timber together with annas 3 postage. I have the honor to state that the delay in payment of the bill was entirely due to the Messrs. Oakes themselves, they undertook a commission which they executed without due regard to the interest of their employer, the price paid was excessive and when called on for an explanation one was given which proved on enquiry incorrect. Had Messrs. Oakes charged the ordinary market rate for the timber and not complicated matters by an unfounded statement the bill might have been paid long since.

There will be no objection to your charging the Postage in your Contingent Bill.

OOTACAMUND;
OFF. OF INSP. GENL. OF JAILS.
23d *July* 1863.

I have, &c.,
(Signed) J. ROHDE,
Insp. Genl. of Jails.

No. 773.

GUN CARRIAGE MANUFACTORY,
Madras, 2d September 1863.

From
LIEUTENANT COLONEL T. H. CAMPBELL,
Offg. Supt. Gun Carriage Manufactoey.

To
THE INSPECTOR GENERAL OF JAILS,
Ootacamund.

SIR,

With reference to your letter No. 205* I have the honor to inform you that the Teakwood supplied in March 1863 to this Department by the Commissariat was at the rate of Rupees 1-14-9 4-100th per cubic foot; it was obtained from Moulmein by contracts. The price of the Trincomalee timber purchased in October 1862 in the Madras market from Saravana Mootto a Native Merchant was at 14 annas 11¼ pice per cubic foot, and tenders for the supply of the timber have been received last month from two timber Merchants at Madras, Mootheen Saib offering it at 14 annas 6 pice, and Kistniah at 13 annas 11 pice per cubic foot.

*26th August 1863.

No venteak has been received by this department.

I have the honor to be,
Sir,
Your obedient Servant,
(Signed) T. HAY CAMPBELL, LT. COL.,
Offg. Supt. Gun Carriage Manufactory.

GUN CARRIAGE MANUFACTORY,
Madras, 2d September 1863.

(True Copies.)

Inspector General of Jails.

OOTACAMUND:—*Printed at the Albion Press.*

Judicial Department.

PROCEEDINGS of the MADRAS GOVERNMENT.

Read the following letter from the Inspector General of Jails.

Recd. 30th September 1863 No. 302.

Order thereon 24th October 1863 No. 1684.

The Governor in Council does not approve of the course taken by the Inspector General of Jails in the matter referred to in the foregoing letter. Such a circular as that issued by Mr. Rohde prohibiting officers in charge of Jails from dealing with a particular Firm should not have been issued without the sanction of Government, still less should it have been communicated to the heads of other departments. The circular must be recalled.

It appears to Govt. that the system of procuring timber for manufacturing purposes is open to objection, as it presents opportunity for abuse in charge of Jail

To The Inspector General of Jails.

liberty to procure the articles he requires in such manner as he considers most convenient, subject only to the necessity of obtaining the sanction of the Inspector General for the expenditure. There is no apparent reason why the system of calling for tenders should not be adopted by the Jail Department as well as by other public Depts. In the case under notice of the officer in charge of the Jail at Chingleput had been obliged by the Jail Rules to invite tenders for the task work he required it would probably have been obtained at a moderate price. The Inspector General will consider the subject and submit a draft rule for the approval of Government.

[illegible]

To the Chief Secy. of Mills — Aug 27

c22 Ack.
#23 "

Dated

186 . Department.

No.

PROCEEDINGS OF GOVERNMENT.

Department.

PROCEEDINGS of the MADRAS GOVERNMENT.

9-7-13.

Pro: Oct.

Judicial 1863. Department.

No. 1684.

PROCEEDINGS OF GOVERNMENT.

F No. 2426 — 22 Dec. No. 1996.

Dated 24th October 1863.

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