1. Name
2 Date of
3. Initials of

M.R.O. 1—82 400—23-11-57

MADRAS RECORD OFFICE.

Government of Madras.

Public Works DEPARTMENT.

Con 18-8-57

G.O. No. 1601 Press Mis.

58 59

Dated 18 — 8 — 18 57

Not to be folded or roughly handled

No. 58. Read the following Circular from Colonel C. E. FABER, Chief Engineer; to H. FORBES, Esq., Acting Secretary to Government, dated 28th July 1857, No. LXXIX of 1857-58.

Official Memorandum.

1. To obviate the inconvenience to which the Officers of the D. P. W., are likely to be subjected by the resignation, without previous timely notice, of servants employed in their *Office Establishments*, the Chief Engineer has the honor to circulate the annexed form of a Penal Bond duly drawn up, by the Honorable Company's Solicitor. The Bond is in all cases to be executed *after* the person giving it has accepted employment under Government.

2. Rupees 300 may be taken as the amount of security, and 2 months as the period of notice to be entered in the Bond.

Know all Men by these presents that I now residing at in the East Indies, and employed as a in the service of the East India Company, in their Department of Public Works, for the Presidency of Fort Saint George, in the East Indies, am held, and firmly bound, unto the said East India Company in the sum of Company's Rupees to be paid to the said East India Company or to their certain Attorneys successors or assigns. For which payment well and truly to be made, I bind myself, my Heirs, Executors, Adminstrators and personal representatives firmly by these presents—Sealed with my seal, dated this day of 185

Whereas it is necessary for preventing inconvenience and loss to the said East India Company in their said Department of Public Works, for the Presidency of Fort Saint George, in the East Indies, that no person employed by or in such Department shall quit, leave, or relinquish such employ without previously giving to the said East India Company their successors or assigns Calender months notice in writing of his intention so to do. And whereas the above-named is now employed as a in the service of the said East India Company, in their said Department. And whereas for the purpose of securing the giving by the said to the said East India Company their successors or assigns, of such notice in writing, as aforesaid, he the said at the request of the said East India Company, hath agreed to enter into the above written Bond or obligation, subject to the condition hereunder written.

Now the condition of the above written obligation is such that if the said shall not quit, leave, or relinquish, the employ of the said East India Company, their successors or assigns, without giving to the said East India Company, their successors or assigns Calenlender months previous notice in writing of his intention to quit, leave, or relinquish such employ, by delivering such notice or causing the same to be delivered to the for the time being of the District within which the said shall for the time being be employed, and forwarding a duplicate of such notice by post, and as a registered letter to the Chief Engineer for the time being at Fort Saint George. Then the above written obligation shall be void and of no effect. But otherwise the same shall be and remain in full force and virtue.

Signed, Sealed and Delivered by the above-named at in the East Indies (where stamps are not in use) in the presence of

(Signed) C. E. FABER, Colonel,
Chief Engineer.

No. 59. ORDER THEREON, No. 1601; dated 18th August 1857.

With the Circular Memorandum above recorded, the Chief Engineer furnishes to the District Engineers and other Officers of the Public Works Department, a form of a Penal Bond

to be executed by servants employed in their office Establishments. The object of the Bond appears to be to prevent those servants from leaving the service without giving previous notice.

2. The rule which Colonel Faber has prescribed in the above Circular is one that has not been found necessary in any other Department of the public service, and is likely to be extremely unpopular. It would work with much hardship on the office servants of the Public Works Department, who would, if it were enforced, be prevented from looking to any other branch of the Government service for advancement, as no situation could be kept vacant for them pending the lapse of the notice which this Penal Bond requires.

3. The Right Honorable the Governor in Council therefore resolves to direct the Chief Engineer immediately to cancel the Circular alluded to, and deems it expedient to instruct Colonel Faber to obtain in future the previous approval of Government before he introduces general rules for his Department, which have not previously obtained, and are not in accordance with the principles which rule the public service in general.

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

Circular. No. LXXIX. of 1854-58.

Official Memorandum.

1. To obviate the inconvenience to which the Officers of the D. P. W. are likely to be subjected by the resignation, without previous timely notice, of servants employed in their Office Establishments, the Chief Engineer has the honor to circulate the annexed form of a Penal Bond duly drawn up, by the Honorable Company's Solicitor.— The Bond is in all cases to be executed after the person giving it has accepted employment under Government.—

2. Rupees 300 may be taken as the amount of security, and 2 Months as the period of notice to be entered in the Bond.—

Govt Litho Press of Central Office of D. P. W. Fort St. George 28th July 1857.

W. L. Faber Colonel, Chief Engineer.

To,

All District Engineers, Superintendent E. C. Canal, Civil Architect and Garrison Engineer.

5 C

Know all Men by these presents that I
now residing at
in the East Indies, and employed as a
in the service of the East India Com
-pany in their Department of Public Works for the
Presidency of Fort Saint George in the East Indies am
held and firmly bound unto the said East India
Company in the sum of Compy Rupees to be
paid to the said East India Company or to their
certain Attorneys successors or assigns. For which pay
ment well and truly to be made, I bind myself, my
heirs, Executors, Administrators and personal represen
tatives firmly by these presents. Sealed with my
seal, Dated this day of 185

Whereas it is necessary for preventing inconvenience
and loss to the said East India Company in their said
Department of Public Works for the Presidency of Fort
Saint George in the East Indies that no person employ
-ed by or in such Department shall quit, leave or relin
-quish such employ without previously giving to the said
East India Company their successors or assigns
Calendar months notice in writing of his intention so to
do. And whereas the above-named
is now employed as a
in the service of the said East
India Company in their said Department And
whereas for the purpose of securing the giving by the said
to the said East
India Company their successors or assigns of such notice in
writing as aforesaid, he the said
at the request of the said East India
Company hath agreed to enter into the above written Bond
or obligation subject to the condition hereunder written.
Now the Condition of the above written obligation is
such

Dated this 18th day of
Aug 185

Bond

Covenant Clause.

From the Chief Engineer
of Fort St George
Dated 28th July 1854.

Copy forwarded.

(6)
Covenanting Assistant

Aug 14

such that if the said
shall not quit, leave, or relinquish the employ
of the said East India Company, their successors, or assigns,
without giving to the said East India Company, their suc-
cessors or assigns Calendar months previous no-
tice in writing of his intention to quit, leave, or relinquish
such employ, by delivering such notice or causing the same
to be delivered to the
for the time being of the District within which the said
shall for the time
being be employed, and forwarding a duplicate of such notice
by post, and as a registered letter to the Chief Engineer
for the time being at Fort Saint George: Then the above
written obligation shall be void and of no effect. But
otherwise the same shall be and remain in full force
and virtue.

Signed Sealed and Delivered by the
above named
at in the East Indies
(where stamps are not in use) in the
presence of

W. E. Lutter Colonel
Chief Engineer.

9c

P. W. D.

— 1st 1601.

Extract from the Minutes of Consultations

Under date the 18th August 1859

Read the following

Circular Memo from the

Chief Engineer —

(Here enter 25th July 1859

No 79)

With the Circular

Memorandum above

recorded the Chief Engi-

neer furnishes to the Dis-

trict Engineers under

other officers of the Pub-

lic Works Department

a form of a Penal Bon-

d to be executed

by Servants employed

in

Dated

1859

To the East India Comp.ys

Draft

Bond

in their official capacities. The object of the Legislature in passing the several Acts relative to the Insane, was to provide for the safe keeping of such persons, and to prevent their doing injury to themselves or others. It was not intended to punish them for crimes committed while under the influence of insanity, but to place them in such a situation as to prevent the commission of crimes. The Act of 1842 ch. 200 sec. 2 provides that when any person charged with crime shall be found insane by the Jury trying the same, the Court shall order such person to be confined in the Penitentiary, there to remain during the pleasure of the Governor, and it shall be the duty of the Governor to cause such person to be removed to the Lunatic Asylum, when in his opinion the public safety will permit, and there to remain until discharged according to law.

2. The Act of 1842 ch. 200 sec. 3 provides that when any person charged with crime shall be found insane by the Jury trying the same, the Court shall order such person to be confined in the Penitentiary, there to remain during the pleasure of the Governor, and it shall be the duty of the Governor to cause such person to be removed to the Lunatic Asylum, when in his opinion the public safety will permit, and there to remain until discharged according to law.

3. The Act of 1842 ch. 200 sec. 4 provides that the Governor shall have power to make such rules and regulations for the government of the Lunatic Asylum as he may deem necessary, and that the Governor shall appoint a Steward, Matron, Physician and such other officers and servants as may be necessary for the proper management of the Asylum, and shall prescribe their duties, and may remove them at pleasure. The Governor shall also appoint a Board of Visitors, consisting of three persons, who shall visit the Asylum at least once in every three months, and shall report to the Governor the condition of the Asylum, and such other matters as the Governor may require. The Governor shall also appoint a Board of Commissioners, consisting of three persons, who shall visit the Asylum at least once in every three months, and shall report to the Governor the condition of the Asylum, and such other matters as the Governor may require. The Governor shall also appoint a Board of Commissioners, consisting of three persons, who shall visit the Asylum at least once in every three months, and shall report to the Governor the condition of the Asylum, and such other matters as the Governor may require.

rules

rules for his department which have not previously obtained, and are not in accordance with the principles which rule the public service in general.

[signature]

To Colonel [illegible] Chief Engr.

Public Works 1857 Deptt.
Govt 18th Augt.

No 1601.

Extract Mins: of Govt.
Dy 18th Augt. /57.

Directing the Chief Engr.
to cancel the Circular Memo-
-randum providing for a
Penal Bond being executed
by servants employed in the
Offices of the District Engrs. &c.
and instructing him to obtain
in future the previous ap-
-proval of Govt. before
he introduces general Rules
for his Department.

No 58 & 59.

C.L.C.