M.R.O. 1—33,000—16-10-29.

MADRAS RECORD OFFICE.

Government of Madras.

Revenue DEPARTMENT.

Con. 24.3.57

G.O. No. 496	Press Mis.
Dated 15-3-57	19 57

Not to be folded or roughly handled

No. 4. Read the following Extract from the Proceedings of the Chief Engineer, dated 30th January 1857, No. 9894.

Read the following letter from Major F. F. GABB, Deputy Adjutant General of the Army; to Colonel C. E. FABER, Chief Engineer, D. P. W., dated 21st January 1857, No. 326.

SIR,

The Commander in Chief having had under consideration, the case of Overseer Hanson referred to in your Proceedings, No. 8020, under date 12th November 1856, I have the honor, by order of His Excellency to observe, that from the paucity of evidence produced against the accused, there is no possibility of deciding, whether any robbery occurred or not. There is no proof, except by the statement of the Overseer, that there were actually 300 Rupees in the box, and neither the Overseer's servants, nor the village watchmen, have been produced for examination. It appears very strange, that the hasp of a box should have been wrenched, without giving any alarm, but the box not having been produced before the Court of Inquiry which assembled on the 26th Ultimo, the Court could not judge if it was. The case however looks very suspicious.

From the absence of any corroborative proof of fraudulent intention on the part of the Overseer, with regard to the accounts sent in by him, it is doubtful whether a charge could be substantiated of fraudulent misapplication of the amount overcharged, under the provisions of the 92nd article of War.

Though the Commander in Chief does not deem it desirable to bring Overseer Hanson to trial on the defective evidence which could be brought against him, he leaves it to the Chief Engineer to determine, whether the Overseer is a fit person to be returned to his situation, or whether he should be removed therefrom.

Resolved, to forward to Government with the original documents noted in the margin, (to be obligingly returned) copy of the foregoing letter, No. 326, dated 21st Instant, from the Adjutant General, communicating the opinion of His Excellency the Commander in Chief, that from the paucity of evidence produced against Assistant Overseer Hanson, there is no probability of deciding, whether any robbery occurred or not, but that the case looks very suspicious.

From the District Engineer of Bellary No. 307 27th October 1856.
From the Adjutant General, Nos. 5694 and 5697, 25th November 1856.

In expressing his regret that sufficient evidence has not been advanced, to ensure conviction against Overseer Hanson, the Chief Engineer considers the circumstances of the case are such, as to justify him in determining, that the Assistant Overseer is not a fit person to be allowed to return to his Departmental duties, and he recommends therefore, that he be remanded to the Corps of Sappers and Miners.

The District Engineer of Bellary will be again directed to report the precise amount of money alleged to be lost, when the orders of Government will be requested, as to how the same should be written off.

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

No. 5. ORDER THEREON, No. 496; dated 18th March 1857.

In Extract Minutes of Consultation, dated 4th August 1856, No. 1339, the Government requested to be furnished with the Proceedings of the local Police, and the Magistracy, regarding the alleged robbery of Overseer Hanson's cash chest, and again in the order of the 4th November, No. 2038, not only was the above request repeated, but information was called for in regard to the precise sum, shown, according to the Overseer's accounts, to have been lost, and the result of the charges brought against him. Full explanation of the contradictions between Mr. Hanson's letter to Lieutenant Babington, dated 28th September 1856, and his statement before Mr. Pelly, was also required.

2. With his Proceedings of the 12th December last, No. 8811, the Chief Engineer submitted the Police Proceedings furnished by Mr. Pelly, and with the communication above

recorded, Colonel Faber forwards a letter from the Adjutant General of the Army, expressing the opinion of His Excellency the Commander in Chief, that it is not desirable to bring the Overseer to trial on the defective evidence adduced. Colonel Faber adds, that he considers the circumstances of the case sufficient to justify him in determining that the Overseer is not a fit person to be allowed to return to his departmental duties, and recommends that he be remanded to his Corps.

3. The Right Honorable the Governor in Council observes that the information required in Minutes Consultation of 4th November is not furnished. He is not even informed of the precise charges laid against the Overseer, and no final orders can be given on the subject, till information on all the points specified is afforded. Much time has already been lost in bringing this matter to a decision, and it is hoped that all unnecessary delay in replying to this order will be avoided.

4. The Government are not informed why the case of the Overseer was brought before the Commander in Chief. If he abused his trust he did so in the Public Works Department, and the Government could dispense with his services if there were sufficient probability either of dishonesty or misbehaviour. The reference to the Commander in Chief was premature, the proper time for bringing the misconduct of the Overseer to the notice of the Military authorities would have been when he was remanded to his regiment, should Government have decided on such a course and not while the case was still under the consideration of Government. The Government direct that in future no question be submitted by the Chief Engineer to Army Head Quarters without their permission.

5. The information respecting the precise sum lost should be reported without further delay.

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

P W S 202 of 1857 - 3

The orders of Govt are requested on the proceedings of Harbour Case : - although the charges laid to the trial, it will be seen that the Govt in Council has not a favourable opinion of the case.

This is a most unpleasant affair - which ought to be settled as it

to an attempt to murder
the Overseer
the information disputed
the private Law Suit which
is pending
H
Why was the matter referred
to the Atty Gen? There is no dispute
from the parties concerned
to the D.P.W. & the Ch Engr. of
not, I conceive Labourers Guardians
Atty Gen without the Govt
& Govt Offs

Public Works Dept.

No. 496

Extract from the Minutes of Consultation
18th March 1857.
Under the
Read the following
Extract from the Proceedings
of the Chief Engineer

Here enter 31st January 1857
No. 9894

In Extract Minutes
of Consultation dated 4th
August 1856, No. 1339, the
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Regarding the alleged
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the order of the 4th November
Nº 2038, not only was the
above Request repeated,
but information was called
for in regard to the precise
sum shown, according
to the Overseer's accounts
to have been lost, and the
result of the charges brought
against him. Full ex-
planations of the contra-
dictions between Mr
Hamond's letter to Lieut.
Babington dated 28th
September 1856, and his
Statement before Mr
Kelly, were also required.

2. With his Proceedings
of the 12th December last,
Nº 8811 the Chief Engineer
submitted

submitted the Police Proceedings
furnished by Mr Kelly,
and with the commu-
-nication above recorded,
Colonel Faber forwarded
letter from the Adjutant
General of the Army,
expressing the opinion
of His Excellency the
Commander in Chief
that it is not
in his power to bring the
Overseer to trial on the
defective evidence ad-
-duced. Colonel Faber
adds that he considers
the circumstances of the
case sufficient to justify
him in determining
that the Overseer is not
a fit person to be allowed

to

to return to his Departmental duties, and recommends that he be remanded to his Corps.

The Right Honble the Governor in Council observes that the information required in Minutes of Consultation of 4th Nov. is not furnished. He is at even informed of the precise charges laid against the Overseer, and no final orders can be given on the subject, till ~~further particulars~~ information on all the points specified is afforded ~~are reported~~. Much time has already been lost in bringing this matter to a ~~final~~ decision, &

it is hoped that all unnecessary delay in replying to this order will be avoided.

4. The Govt ~~etc~~ are informed ~~etc~~ why the ~~charges~~ case of the Valleee was ~~of that nature~~ brought before the Commr in Chief - If the ~~Overseer~~ abused his trust he should do in the Public ~~be convicted or civil~~ Works Dept must the Govt cancel dispense with his services if there were sufficient probability either of dishonesty or misbehaviour. The refusal to the Engineer on ~~pecuniary~~ ~~to pay the~~ ~~to the~~ ~~Engineer~~ ~~Superintendent~~ ~~Overseer~~ ~~Superintendent~~ ~~Overseer~~ ~~Superintendent~~ ~~Overse

submitted by the Chief
Engineer to Army
Head Quarters without
their permission.

5. The information
respecting the pieces
of Cork should be
reported without fur-
-ther delay.—

[illegible]

Copies to the Chief Engr.
Lieut. Col. Brig. Estabrook
Sept. 19

6 vols 6 Jany 57 to 47-48
4 " Nov 56 ... 99-100
5 Sept ... 60-61

Public Works 1857 Dep.t
D.o to Covs 24 March.

No 496.

Extract Mins of Covs.
D.d 18th March 57.
From Chief Eng.r 23d April
57 6 No 825 in 62 Pages

Observing that no final orders can be given on the subject of rewarding Lieut. Overseer Hanson to his Comp.n until the Gov.t are informed of the specific charges laid against the Overseer & directing that in future no question be submitted by the Ch. Engr to Army Head Quarters without the permission of Govt.

No 445.

711
C.B. Selby Bathurst