1. Number of pages. 14
2. Date of repair. 18.6.37
3. Initials of Reference

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MADRAS RECORD OFFICE.

Government of Madras.

Public Works DEPARTMENT.

Cons. 7.6.57

G.O. No. 642 Press Mis.

95-96

Dated 7-6- 1857

Not to be folded or roughly handled

18.6.37

Fort Saint George, Public Works Consultation of 7th April 1857.

No. 95. Read the following letter from Colonel C. E. FABER, Chief Engineer; to H. FORBES, Esq., Acting Secretary to Government, dated 18th March 1857, No. 11046.

SIR,

1. A somewhat lengthened correspondence has lately taken place in Kurnool; in which the Governor's Agent, Captain Russell, the District Engineer Lieutenant Blagrave, and the Assistant Executive Engineer Captain Davis, have taken part; arising in the first place from the alleged habitual, and sometimes forcible, occupancy of the village Native Choultries by the latter Officer, for his own nightly accommodation, whilst travelling on Departmental duty.

2. It is as unnecessary, as it would be tedious, to epitomize by re-capitulation, the contents of the whole series of letters forming a bulky accumulation, the originals of which are of course available for reference by Government, if considered to be required.

3. So far however as the particular purpose of my own request for the early convenient orders of Government is concerned, it will be amply sufficient for me to observe, that matters had arrived at a state admitting of and requiring the disposal of the head of the Department Public Works on the 14th February last.

4. On that date accordingly, the Officer then in charge of the Central office, and in whose own Circle of duty the dissentients were situated, drew up Proceedings No. 10293, (transcript of which is now forwarded,) reviewing all the circumstances, with the Statements and counter Statements of the District, and of the Assistant Executive Engineer, and in which after fully, and entirely exonerating the former Officer of having exceeded his official powers, and of not having respected the feelings of Captain Davis, the option of withdrawing certain letters, containing expressions deemed objectionable by the Superintending Engineer Northern Circle, was offered to the Assistant Executive Engineer, whilst it was clearly pointed out to him in para. 10, that if he should decline to recall these communications, the Chief Engineer would be under the necessity "of submitting the whole correspondence for the consideration and orders of "Government."

5. Without further detailed reference therefore to any anterior Proceedings, the case at present is simply, that of a Subordinate Officer in the Department Public Works, who after using improper and disrespectful language, and being indulgently permitted to withdraw the letters which the Superintending Engineer in charge of the office considered objectionable, has now deliberately declined to do so, by his letters, No. 40, of the 18th February, and No. 46, of the 8th Instant, in a manner and for reasons, which it is for the Right Honorable the Governor in Council to pronounce a final opinion upon.

6. I beg leave to also forward the District Engineer's letter, No. 103, of the 20th February, forwarding the Extract from Proceedings of 14th Idem to Captain Davis, and of Lieutenant Blagrave's despatch, No. 132, transmitting the two letters from the Assistant Executive Engineer, in which he abstains from taking advantage of Captain Johnston's permission.

7. The subject being now before Government, I cannot anticipate any advantage from entering upon a detailed review of what has transpired on Captain Davis's part since the 14th Ultimo, and I shall limit myself therefore to the expression of an opinion, that, having regard to the absence of all technical professional qualifications, and to non acquirement of the vernaculer standard, as also to defective perception of the obedience he owes his Departmental Superior (omitting entirely the alleged practices which were the first cause of reference) Captain Davis's case will be very imperfectly met by Lieutenant Blagrave's proposal of transfer to another District.

8. It is not for me to presume to indicate what orders are called for, when a Subordinate Officer has both disregarded the authority of his local Superior, and declined to conform to the ruling of the head of the Department, when reference had been made for his decision; but I think I am at liberty respectfully to submit for the consideration of Government, what advantage the public service is likely to receive from continuing to Departmentally employ an Officer, who can neither survey, nor level, who cannot transact his buisness in the language of the country, and who having shewn himself so little amenable to authority, might seem to specially

ged his mind, and stated his
intention

require such enforcement of discipline and Subordination as would be ensured by the remand of Captain Davis to the performance of Regimental duty with the 15th Native Infantry.

P. S. Since the foregoing was transcribed, letter No. 148, of the 12th has been received from Lieutenant Blagrave, with a further communication No. 50, of the 8th both of which are also now transmitted in original.

No. 96. ORDER THEREON, No. 642; dated 7th April 1857.

With this letter, the Chief Engineer forwards portions of a correspondence between Lieutenant Blagrave the District Engineer of Kurnool, and Captain Davis the Assistant Executive Engineer, relative to a difference between those Officers; and after drawing certain conclusions unfavorable to Captain Davis, he calls on Government to take those conclusions for granted, and to act on them to the extent of removing that Officer from the Department of Public Works, without seeing the documents on which those conclusions are founded.

2. It seems hardly necessary to remind Colonel Faber that it is not possible for Government to form an impartial opinion respecting the merits of this or any other case of difference which may be submitted for their decision, unless the entire correspondence connected with the question at issue, is laid before them. The Chief Engineer is therefore requested to send up all the papers relating to the present reference.

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

For Orders. 3X

Public Works Department № 548.

From the Chief Engineer 18th March 1857.

The Chf. Engr. sends up a Petitioner's case - between a District & an Executive - in which he has come to certain conclusions - & then calls on Govt. to take those conclusions for granted - & to act on them to the extent of dismissing an officer from the P. W. Dept - without seeing

the documents on which their
conclusions are formed.

In such instances in which Govt
is induced on its own opinion
to limit the time of petitioning with
the intention of Govt of judging
for themselves of the whole case.

The Off Supt shd enquire
& if required to send up also the
documents.

W. H. Y. Sykes

No. 10293.

Extract from the Proceedings of the Chief Engineer
in the Department of Public Works,
Under date the 14th February 1837.

Read the following letter from the
District Engineer Kurnool.

(Here enter No. 44 dated 24 Janry 1837)

1st. With the foregoing letter the District
Engineer of Kurnool forwards the remainder
of the correspondence on the subject of the
Tamarapillay and Pamiem Complaints.

2d. The former case has already been
considered and for the present disposed of. the
District Engineer having been requested in
Extract from Proceedings No. 10174 dated 10th
February 1837. to give Captain Davis an op-
portunity of withdrawing his letters, Nos. 19 & 20.
dated 18th and 19th January 1837.

3d. The Pamiem Complaint now reported
for the first time, is that Captain Davis
annoyed the women bathing (or washing)
at the Tank near Pamiem.

4th. The Complaint was stated by the
Officiating Agent to the Governor at Kurnool
Captain Russell in his letter dated 5 Janry
1837. to be groundless, and on the 8th idem Capn
Davis & Lieut. in personal communication with
the District Engineer Lieutenant Blagrave
at Kodamoor admitted, that the subject
was one deserving no further notice, on the
10th idem however it appears that Captain
Davis changed his mind, and stated his

intention

intention of reftung the report.

5. In a letter No 27 dated 2nd February to the Chief Engineer Captain Davis remarks.

"Having been reluctantly led into a most vexatious and troublesome correspondence through the instrumentality of the Officiating Agent and District Engineer (at the unconscious of) having committed myself in any way)"

Again. "There are several points which I wished to comment upon. as I think that Officer had exceeded his authority in treating me his senior in the Army, at the junior in the Department in the dictatorial way he seems to do."

"referring to the District Engineer

Exception is taken to Lieut Blagrave's statement. "I positively decline to argue with you the right or the wrong of any act of mine" Captain Davis' conclusion being that he is debarred the right of defending himself, or making observations on his letters bearing on the matter in question. I certainly deny any wish to argue with Lieut Blagrave, but I appeal to you after having a long and troublesome correspondence thrust upon me by that Officer whether he is to carry it on only so long as suits his own views to do so, and no longer, however much I may be dissatisfied with the Proceedings."

In concluding his letter Captain Davis complains of his Departmental Senior appearing to consider himself his Commanding Officer likewise of not being treated in the same way as he had been by Lieut Blagrave's predecessor and of his feelings not being respected.

6. In his letter No 30 dated 3rd February

Capt

Captain Davis comments on the Magisterial acts of the Officiating Agent, respecting which it is not the province of the Officer in charge of the Central Office to take any cognizance. The Officiating Agent being responsible for such acts to his immediate Superiors by whom it is concluded all his Proceedings are reviewed.

7. After a careful consideration of the several letters which have been forwarded by the District Engineer of Khurnool the conclusions arrived at by the Acting Supg. Engr. in charge of the Central Office are.

1st That Lieut Blagrave was not in any one instance either exceeded his authority or treated Captain Davis in a manner tending to call forth the very objectionable remarks which have been quoted in these Proceedings from that Officer's letter No 27 dated 2nd February 1837.

2nd That the long and troublesome correspondence complained of by Captain Davis as having been thrust upon him by Lieut Blagrave so far from being so, has been entirely occasioned by his own want of discretion.

3d That Lieut Blagrave is fully justified in not permitting his acts as District Engineer to be questioned by Captain Davis, an Executive Officer employed under his orders, an appeal to the Head of the Department being always open to any Officer who may consider himself aggrieved.

8. The Supg. Engineer in charge of the Central Office is willing should Lieut Blagrave

Concur

concur in doing so, to give Captain Davis a further opportunity of withdrawing his two letters noticed in Extract from Proceedings No: 10174 dated 10th February 1857, together with those to the address of the Chief Engineer, and the one numbered 19. in which he questions, whether Lieut.t Blagrave was justified or not, in expressing his regret that coercion should have been used in the case of the Samarah pillar Cummun.-

9.- No further lengthened correspondence is desired, but a simple declaration of Captain Davis's intention to withdraw his letters, or otherwise, is all that is required to determine how the question at issue is to be disposed of at present, tho' probably, the Chief Engineer on his return to the Central Office may consider it expedient to avoid the chance of any further misunderstanding to remove Captain Davis to some other District.-

10.- Should Captain Davis decline to withdraw his letters, the Acting Superintending Engineer in charge will be under the necessity of submitting the whole correspondence for the consideration and orders of Government.-

/Sd/ C. C. Johnston Captain
A.g. Supg. Engr. in Orade
in ch: of the C. Office of Rds.

/A true Copy/

A.L. Fraser Colonel
Chief Engineer

Public Works Dep.

No. 642.

Extract from the Minutes of Consultation
Under date the 7th April 1857.

Read the following
letter from the Chief
Engineer.

(Here enter 18th March /1857

With this letter
the Chief Engineer for-
wards portions of a
correspondence between
Lieut.t Blagrave the
District Engineer of
Kurnool, and Captain
Davis the Assistant
Executive Engineer, re-
lative to a ~~enquiry~~
difference between
those Officers; and
after drawing certain
conclusions unfavorable
to Captain Davis, he
calls

cules on Government to
take those conclusions
for granted, and to act
on them to the extent
of removing that Officer
from the Department
of Public Works, without
seeing the documents
on which those con-
clusions are founded.

It seems hardly
necessary to remind
Colonel Tulloch that
it is not hopeless
for Government to
form an impartial
opinion respecting the
merits of this or any
other case of difference
which may be sub-
mitted for their de-
cision, unless the entire
correspondence connec-
ted with the question
at issue, is laid be-
fore them. The Chief
Engineer

Engineer is therefore re-
quested to send up all
the papers relating to
the present reference.

J. F.

2 Copies to the Chief Engr.
with 3 Dupl. Encls. Desp. 8

Public Works 1857 Dept.
Cons: 7th April
No. 642.

Extract Mins: of Bus:
Dy 7th April 57.

From the Chief Engineer
d/20th April 57 - C 4788
rec'd Cons: 19 May

Requesting the Ch:
Engr. to send up all the
papers relating to a dif-
ference between Dist.
Engr. & Asst. Executive
Engr. of Kurnool. -

No 95 & 96.

2

Bundle 24 April