

1. Number of pages 10
2. Date of repair. 23/6/57
3. Initials of Referent

M.R.O. 1-22 400-23-11-80

MADRAS RECORD OFFICE.

Government of Madras.

Public Works DEPARTMENT.

Cons. S-28-4-57

G.O. No.	749	Press Mis.
5-6		
Dated	22-4	1857.

Not to be folded or roughly handled

23/6/57

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Fort Saint George, Public Works Consultation of 23th April 1857.

No. 5. Read the following letter from H. B. HUDDLESTON, Esq., Civil Engineer; to H. FORBES, Esq., Acting Secretary to the Government of Fort Saint George, dated Masulipatam, 25th March 1857.

SIR,

In acknowledging the Minutes of Consultation under date 21st March 1857 No. 524, I beg to express myself sensible of the consideration shewn me, and I have the honor herewith to enclose a statement for the consideration of the Right Honorable the Governor in Council of what has occurred, my motive for doing so is that hitherto I have been totally unheard and I think a perusal of this statement will convince his Lordship that the Court of enquiry which I have now the honor to apply for is a matter of justice.

Copies of a correspondence Official and private between Mr. HUDDLESTON and Captain ORR.
Letter from Mr. HUDDLESTON and Captain ORR, in reply to instructions from Captain Orr, to repair the Church at Masulipatam accompanied by an Estimate for that work and written after examination of the building.

Official letter No. 1.

To Captain C. A. ORR, Civil Engineer, Kistnah Division Bezoarah.

SIR,

I do myself the honor, in acknowledging the receipt of a copy of estimate and instructions to repair Saint Mary's church Masulipatam, to inform you that I at once inspected the roof to ascertain the scaffolding and other things required to carry out your orders and then proceeded to the Arsenal to view the timber and plant of that establishment, which proved quite inadequate to the requirements of the case. I then commenced a second examination to find the exact condition of the wood and see whether or not I could scarp the beams and only remove the decayed portions. This however proved a failure and but developed the entire decay of the tie beams in question and led me to a similar examination of the other ones, as also of the Principals, King and Queen posts and struts. These I regret to state with the exception of one Principal, and a Queen post, are all decayed and require moving without delay. This however is not the extent of damage, about one half of the rafters and one third of the ceiling joists are quite gone, many of the latter crumbling under my feet whilst walking over them. There are two principal causes to be assigned for this deplorable state of affairs. Firstly. The roof has been allowed to remain in a leaky condition for some time. Thus permitting the rain to penetrate and soften the hard Redwood beams which in that state had been attacked by the white ants whose depredations had extended from them to the ceiling joists and roof timbers generally. Secondly. The roof which is peculiarly well put together has no means whatever provided for ventilation between the boarded ceiling and loft of roof causing a most intense heat and literally baking the wood to a cinder, much of which is like half burnt charcoal. This has been a very great oversight and has done much to bring about the result now reported. The present condition of the roof is such that its stability could not be guaranteed for one day, and I have the honor to request your instructions for its immediate removal to prevent serious damage to the Church in case of a sudden gale or heavy rain bringing it down. I would at the same time suggest the following plan. Removing the entire roof previously storing up the Church, and after a careful examination of the timber, select such as can again be used and then submit an estimate for the difference of money required as in its present state no accurate estimate can be formed or the extent of damage ascertained. Much of the Pewing is in a decayed state near the floor from rot and requires restoring. This could be effected out of the pieces of wood found good in the roof and of too short a length for use in the new one at the expense of the cooly only. In conclusion, I have the honor to draw your particular attention to this building as delay may be fatal to it and necessitate the construction of a new fabric.

(Signed) H. B. HUDDLESTON,
Civil Engineer.

Fort Saint George, Public Works Consultation of 23th April 1857.

Captain Orr wrote stating he had forwarded my letter to the Chief Engineer and would communicate further with me on receiving that Officer's instructions. Shortly after having received these instructions, Captain Orr wrote to me that he would come himself and with me inspect the Church and while in Bunder would stay at my house. We went to the church accompanied by Mr. Surveyor Ottmann to whom Captain Orr entirely addressed himself after the inspection with me had convinced him of the inadequacy of the first estimate. The adoption of such a course could not fail to convince me of Captain Orr's chagrin had it simply ended here but accompanied as it was by a marked and supercilious rudeness the more cutting that it was of that passive nature hardly admitting of notice, galling to me and most apparent to the two gentlemen then present the Reverend M. N. Stone the Chaplain and Lieutenant Moore the Commissariat Officer to whom I would fearlessly appeal for corroboration. On leaving the Church Captain Orr informed me that he had ordered Mr. Surveyor Ottmann to revise and alter the estimate previously sent to me and which I had reported inadequate. We then returned home. The day following Captain Orr informed me that it was his wish that I should proceed into the District. Whilst walking in my compound with Captain Orr and speaking about my proposed removal forthwith to the Delta Talooks he stated he did not see how he could act otherwise, Colonel Faber having written him to employ me there being short of Officers, and had requested that Major Snow (about to join) should be employed, out of consideration for his family at Bunder. The reasons given by me to Captain Orr for wishing to remain, were, I was so ill as to be unfit for work and then in the Doctor's hands who would certify my inability. Having been put to a very expensive march when removed from Arcot I wished to have an opportunity of selling my furniture &c. to the Regiment shortly expected and for which I should have no use in the District. My wish was the same as when I had written him stating I was anxious to take up the Delta Talooks and would be most happy as soon as my health permitted to go there. Captain Orr stated it did not rest with him and that Colonel Faber would not be content the subject was mentioned again, when I said how little we know about India before coming out and had different ideas of the way in which we should be employed, having no idea that we should have to march about, which had we known would have had a great weight on our decision in leaving England also. I had hoped to have received an appointment similar to those held by Mr. Merrill, Mr. Dopping and Mr. Moncrieff. Captain Orr turned round and in a most sneering and contemptuous way asked me what I supposed I was sent out for? and on mentioning what I believed to be the fact, viz. a stipulation made on the removal of the charter by the Queen's Government that the English system of Engineering should be introduced into India in accordance with the report of Mr. Bourdillon and others. Captain Orr without giving me time to finish my sentence commenced an attack upon English Civil Engineers and myself in particular disparaging and ridiculing the body, stating that there might be some amongst them of ability but as yet not one had been sent out to this country and that Hon'ble John repented his bargain and we had no need to flatter ourselves that we were wanted or that they would wish to retain our services, at the same time turning his face almost into mine and asking did I suppose I knew more of English Engineering than he did? and that did he not know much more of it than I did? and if I thought Hon'ble John wished to retain my valuable services, I had better tender my resignation and try him and he could assure me they would be but too glad to accept it. Captain Orr continued to get more and more excited and poured out a torrent of gibes sneers and abuse in the same strain for a quarter of an hour at least and concluded with a panegyric upon the corps to which he belonged taunting me to name their equals among English Engineers, during all this time I neither said or did any thing being struck dumb with astonishment to see and here my superior act in such a manner to one under his orders and at whose house he was nominally a guest. The language and conduct of Captain Orr went far beyond anything I had ever before had the misfortune to witness. As regarded my own qualification I considered it quite unnecessary to say any thing as he had a convincing proof in the Bunder Church roof whether I knew my business or not which proved him clearly wrong and myself right and this in my opinion had induced Captain Orr's extraordinary behaviour. After some time having recovered himself Captain Orr said I must have thought him very rude just now but when I touched upon such a subject I must expect it, he then called his bearers, wished the ladies (who were then expecting him to dinner) and myself good evening and left us all in utter astonishment.

Fort Saint George, Public Works Consultation of 28th April 1857.

Private letter No. 1.

Private letter from Mr. HUDDLESTON to Captain ORR, dated 4th November 1856.

MY DEAR CAPTAIN ORR,

I have delayed writing earlier fearing the impulse of the moment might betray me into saying anything wounding to your feelings but after a careful consideration of the circumstances and in justice to myself I feel called upon to draw your attention to the very wounding and hard expressions you made use of to me personally as well as to the other members of my profession in this country, when staying with us on Saturday last. The topic of conversation between us I feel sure you will now think did not call for such contemptuous language, more particularly considering your position as my superior and whilst honouring us with your company. Believing that a hasty impulse induced your conduct I trust you will not allow me to remain in doubt for want of an explanation or permit the existence of any feeling that could militate against a zealous discharge of my public duties.

(Signed) H. B. HUDDLESTON,
Civil Engineer.

Private letter No. 2.

Private letter from Captain CHARLES A. ORR; to Mr. H. B. HUDDLESTON, dated 7th November 1856.

MY DEAR MR. HUDDLESTON,

As before parting from you on Saturday evening I expressed my regret if any thing had fallen from me, either rude or hurtful to your feelings, in reply to the disparaging, and, considering to whom you were addressing, the very extraordinary terms in which you were pleased to speak of the professional qualifications and performances of the corps to which I belong, it seems to me that your letter of the 4th, which I received yesterday, was unnecessary, since I cannot say more than I then did, except to add that nothing that was said by either of us can make any difference in my sentiments towards you.

Private letter No. 3.

Private letter from Mr. H. B. HUDDLESTON; to Captain CHARLES A. ORR, dated 10th November 1856.

MY DEAR CAPTAIN ORR,

In acknowledging your letter received on the 8th I beg to say that having written down immediately on your leaving my house the conversation if not in the exact words certainly in a manner conveying the meaning and spirit of what was said on both sides, on reperusal of my notes and on carefully recalling all that then occurred I cannot recollect one disparaging or extraordinary term used by me with regard to yourself or the corps to which you belong, I shall therefore feel obliged if you will inform me as nearly as possible in my own words what terms you believed me to have used, if unable to recall them to your mind I will not withhold a copy of my notes for your perusal. The regret you believe you expressed at parting left me under the impression that it was a simple acknowledgment on your part of being rude without any allusion to my feelings, which had it been so I should have been sorry to have made the occurrence a subject of correspondence.

Private letter No. 4.

Captain ORR'S reply to letter No. 3, dated Bezoarah 13th November 1856.

MY DEAR MR. HUDDLESTON,

As I have said all I believe is befitting on the subject concerning which you keep up a correspondence and perhaps more than was necessary under the circumstances you must really

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excuse my declining to enter with another discussion with you regarding the correctness or otherwise of our respective recollections of the conversation referred to.

(Signed) CHARLES A. ORR,

Upon this private correspondence I abstain from further comment than that the bold avowal in it to me personally proved the inexpediency of further reply and induced my application to the Chief Engineer for removal to the Godavery Division which proved unsuccessful. The estimate Captain Orr had desired Mr. Ottmann to make eventually reached me with an official memo. from Captain Orr desiring me to carry out the work to which I replied as follows.

Official letter No. 2.

From H. B. HUDDLESTON, Esq., Civil Engineer; to CAPTAIN C. A. ORR, Civil Engineer in charge Kristnah Division Bezoarah, dated Camp Masulipatam 7th January 1857,

SIR,

In acknowledging the receipt of copies of estimate for St. Mary's Church Masulipatam and Extract Minutes of Consultation No. 2419, dated the 23rd December 1856 with your own instructions appended thereto dated Bezoarah 5th January 1857 I have the honor to inform you that for the following reasons I respectfully decline to assume charge of a work from which I have not been officially removed.

On the 24th of September 1856 I received a true copy of St. Mary's Church estimate with your instructions to carry out the same, of which I then assumed charge and having examined the Church on the 24th and 27th of the same month, reported upon its condition in letter No. 11 dated the 1st October 1856, resulting in your personally inspecting it on the 31st October for the purpose of ascertaining the exact extent of required repairs in accordance with my report up to which date all communications on the subject and arrangements regarding it had been entrusted to me.

The marked disrespect with which you treated me and my opinion during this examination in the presence of other Gentlemen led me to believe that your manner towards me either plainly shewed your disapprobation of my report, or my incompetency to judge of what was necessary, which latter was confirmed in my mind and most probably in the minds of those present, by your ordering Mr. Surveyor Ottmann to prepare the amended estimate. Having requested permission to do it myself, you refused stating you had ordered Mr. Ottmann to do so and send it through my Office when finished, Mr. Ottmann since informs me you received it direct from him. These facts together with your final request that I should at once proceed to Guntoor giving up the works entrusted to me here (to the charge of which you would appoint some one else) and concluding with your expressions of contempt for me and my profession, which became a subject of correspondence between us ending with your refusal to apologize leaves me no other course to adopt with respect to reassuming charge of a work in which I have been most unofficially treated.

In conclusion I have the honor to state that I am unable to vouch for the correctness of Mr. Surveyor Ottmann's Estimate as it did not pass through my Office and I am therefore compelled to refuse taking the responsibility of carrying it out.

This letter has been deemed grossly insubordinate. As yet I have had no hearing or opportunity of explanation and I would now beg attention to the extenuations I have to offer. In the concluding sentence of para. 1, I decline to assume charge of a work from which I have not been officially removed. My object here was not to decline carrying out a work which I was ordered to do by my superior Officer, but to insist that on our then terms all intercourse between myself and Captain Orr, should have the safeguard of official correspondence, in which courteous language is necessary. In the concluding para. of my letter I respectfully refuse to

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take the responsibility of carrying it out. Nor in this again was it my intention to commit, the insubordination of refusing to do the work. It was the responsibility of carrying it out on an inadequate estimate that I declined and in answer to this letter had I received an order to make the repairs required on the Church I would have done so, considering this order as relieving me of that very responsibility which I declined viz. That of exceeding an estimate, which in my profession I had been taught to consider a matter of great importance. But I would ask when I a Civilian find myself treated under the Articles of War, would not any Officer of two years standing have been shewn, even for insubordination, some grace on the score of inexperience? Nay, would not any Commanding Officer have given him a chance of re-considering what he considered so fatal a letter; but on the contrary my Commanding Officer taking a different and what I must think a harsher view, at once, without forbearance or advice forwards my letter to my own destruction. Had he shewn me the construction my words bore I would gladly have withdrawn the letter which gave so false an impression of my real meaning. There are many other extenuating circumstances too long to mention here and much extenuating truth which I hope and trust a rigid enquiry may be instituted to elicit.

Masulipatam,
25th March 1857. }

No. 6. ORDER THEREON, No. 749; dated 22nd April 1857.

1. With the letter above recorded, Mr. H. B. Huddleston, lately a Covenanted Civil Engineer in the service of Government, submits copies of a correspondence, partly official and partly private, between himself and Captain Orr the Engineer of the Kistnah Division, on the subject of the repairs to Saint Mary's Church at Masulipatam, and a discussion which appears to have arisen in connection with the work, and solicits that a Court of enquiry may be appointed to investigate the circumstance which led to his removal from the public service of Government.

2. The Government remark that Mr. Huddleston is mistaken in supposing that hitherto he has been totally unheard; all the papers of which he now sends copies were laid before the Government when his refusal to execute the repairs required to Saint Mary's Church was reported by the Chief Engineer; and it was with a full knowledge of all the circumstances which he now sets forth in his defence, that the Government came to the determination to remove him from the service. Mr. Huddleston's request for a Court of enquiry into his conduct is therefore wholly inadmissible.

3. In an Extract from the Minutes of Consultation dated the 21st March No. 521, the Government expressed their willingness to allow the Chief Engineer to employ Mr. Huddleston temporarily in any Subordinate capacity for which he might consider him fit, but as they now learn that Colonel Faber is not of opinion that the measure is one calculated for the good of the public service, they are unwilling to press upon him a measure to which he has strong objections.

4. Considering however that hopes of employment have been held out to Mr. Huddleston, and that in his letter of the 6th Ultimo, to the Right Honorable the Governor, he represented his entire inability to meet the expenses of a return to England, the Government resolve, as a matter of grace and favor, to allow him the sum of Rupees (1,500) one thousand and five hundred, to be paid to him by the Sub Treasurer, on his producing, duly signed and attested, an acknowledgment in the form annexed.

I Henry Bogie Huddleston, now residing at in the East Indies, lately employed in the service of the East India Company in their Madras Presidency, as a Civil Engineer, but dismissed and discharged from such service, in the month of February last, by the Right Honorable the Governor in Council of Fort Saint George, under and pursuant to the provisions and authority for that purpose contained in the Deed of Covenant bearing date the 7th of January 1835, and made between me the said Henry Bogie Huddleston of the one part and the said East India Company of the other part and which said dismissal, is evidenced by an Extract from the Minutes of Consultation of the Government of Fort Saint George under date the 18th of February 1837, and numbered 327. Do hereby ac-

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knowledge that I have this day received from the said East India Company through their Sub Treasurer at Fort Saint George aforesaid, as an act of grace and favor on the part of the said East India Company, the sum of Company's Rupees one thousand and five hundred, for the purpose of assisting me in defraying the passage of myself and my family from hence to Europe, dated this _____ day of _____ 1857.

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

7A
I Henry Bogie Middleton now residing at _____ in the East Indies, lately employed in the service of the East India Company, in their establishment of Presidency, as a Civil Engineer, but dismissed and discharged from such service, in the month of February last, by the Right Honourable the Governor in Council of Fort Saint George under an order pursuant to the provisions and authority for that purpose contained in the Decree of Council bearing date the 7th of January 1855 and made between me the said Henry Bogie Middleton of the one part and the said East India Company of the other part and in which said dismissal, is evidenced by an Extract from the Minutes of Consultation of the Government of Fort Saint George, under date the 18th of February 1857 and numbered 327. I do hereby acknowledge that I have this day received from the said East India Company through their Sub Treasurer at Fort Saint George aforesaid, as an act of grace and favor on the part of the said East India Company, the sum of _____ for the purpose of assisting me in defraying the passage of myself and my family from hence to Europe. Dated this _____ day of _____ 1857.

Public Works Dept.

No 749

Extract from the Minutes of Consultation

Under date the 22^d April 1857.

Read the following

letter from Mr. H. B. Huddleston

-dleston Civil Eng. Manipulator

(Here enter 25th March 1857)

H
B
H

H
B
H

H
B
H

With the letter

- above recorded Mr.

H. B. Huddleston, lately

a contracted Civil

Engineer in the service

of Govt, submits Office

of a correspondence,

partly official and

partly private, between

himself and Captain

Orr the Engineer of the

Stratford

1857/49/10

Public Division, on
the subject of the re-
pairs to St Mary's
Church at Maradipalam,
and a discussion
which appears to
have arisen in con-
nection with the work,
and solicits that a
Court of Enquiry may
be appointed to inves-
tigate the circumstances
which led to his re-
moval from the
Public Service of
Coast.

2. The Govt. remarks
that Mr. Huddleston
is mistaken in sup-
posing that hitherto
he has been totally
unheard

unheard - all the
papers of which he
now sends copies
were laid before
the Govt. when his
refusal to execute
the repairs required
to St. Mary's Church
was reported by the
Chief Engineer, and
it was with a full
knowledge of all
the circumstances
which he now sets
forth in his defence,
that the Govt. came
to the determination
to remove him from
the service. Mr.
Huddleston's request
for a Court of Enquiry
into

into his conduct is
therefore wholly in-
admissible.

In an Extract
from the Minutes
of Consultation dated
the 21st March 1854
the Government ex-
pressed their willing-
ness to allow the
Chief Engineer to employ
temporarily
Mr. Huddleston in
any subordinate ca-
pacity for which he
might consider him
fit; but as they now
learn
that Colonel
Tabor is not of opinion
that the measure
is one calculated
for the good of the Public
Service

Service, they are un-
willing to press upon
him a measure
to which he has
strong objections.

1. Considering
however that hopes
of employment have
been held out to
Mr. Huddleston
and that in his
letter of the 6th ultimo
to the Right Hon^{ble} the Governor,
he represented
his entire inability
to meet the expenses
of a return to
England, the Gov^t
resolve, as a matter
of grace and favor,
to allow him the
sum

sum of Rupees (1500)
One thousand five hundred,
to be paid to him

by the Sub-Treasurer,
on his producing, duly
signed and attested,
an acknowledgment
in the form annexed.

W. J.

4 Copies to the Chief Engr.
C. J. P. 23.

1 to Mr. Huddleston

1 to Mr. Leach

1 to Civil Auditor

1 to Sub-Treasurer

Edinburgh 22nd 1857
Dearest Mr. Stuart

My dear

Dearest Miss of mine,

22nd Dec 1857

P. A. 1857
D. A. 1857

Dear Mr. Stuart,

I am very glad to hear of your success in the
conduct of the inquiry into the
history of the employment of the
labouring class in the
country, and I am sure the
result of your inquiry will be
of great service to the
cause of the labouring class.
I am, dear Mr. Stuart,
very truly yours,
J. A. 1857