1. Number of pages. 8
2 Date of repair. 8/7/37
3 Initials of Reference. 37
4

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MADRAS RECORD OFFICE.

Government of Madras.

Public Works **DEPARTMENT.**

Cons. 26-5-57

G.O. No. 981 Press Mis.

31-32

Dated 22-5- 1857

Not to be folded or roughly handled

No. 31. Read the following letter from Colonel C. E. FABER, Chief Engineer; to H. FORBES, Esq., Acting Secretary to Government, dated 8th May 1857, No. 188.

SIR,

It is with much concern that I have to report to you the commission of a very aggravated and unprovoked assault by Private Lofus, Sub Overseer in the D. P. W., upon the person of Assistant Overseer Lovejoy when the former was in a state of great excitement produced by drinking, though there is nothing on record to show that it had been excessive.

2. I do myself the honor to report that on these particulars being made known to me, I immediately directed Private Loftus to be suspended from his employment and to be placed under arrest, for which latter purpose I have applied for the assistance of the Town Major.

3. The evidence contained in the accompanying original correspondence (to be obligingly returned) appears to me sufficient to fully establish Private Loftus' unfitness for further employment in the D. P. W., and I beg leave to recommend his immediate dismissal and remand to his Regiment.

I. Letter from District Engineer Chingleput.
II. do. from Captain Heathorn.
III. do. from Assistant Overseer Lovejoy.
IV. Statement by do. do.
V. do. by do. Catchpole.

4. He was under orders for Malabar at the time when the offence was committed, and it is only too evident that notwithstanding the severity of the late warning, Private Loftus can only be restrained within proper bounds by the bonds of Military discipline.

Letter from Lieutenant A. S. MOBERLY, District Engineer of Chingleput; to Colonel C. E. FABER, Chief Engineer, dated Guindy 8th May 1857.

SIR,

I have the honor to forward the accompanying letter from Captain Heathorn who at my request made an investigation of the charge brought by Assistant Overseer Lovejoy against Sub Overseer Loftus as detailed in his letter of the 3rd Instant, I also have the honor to attach a statement made by Mr. Lovejoy in writing as I did not wish to detain him, he having been ordered to Malabar, and a statement signed by Assistant Overseer Catchpole: after a full consideration of the papers, I beg to state that I concur with Captain Heathorn in thinking Sub Overseer Loftus' statements as undeserving of the slightest weight.

Letter from Captain J. L. HEATHORN, Executive Engineer; to Lieutenant A. S. MOBERLY, District Engineer of Chingleput, dated Camp Mount, 7th May 1857, No. 14.

SIR,

I do myself the honor to report the result of the investigation made by me at your request into the conduct of Sub Overseer Loftus.

On my first making known to Sub Overseer Loftus the charge preferred against him by Mr. Lovejoy, his reply was " It is false, Mr. Lovejoy was drunk and not myself."

Mr. Lovejoy's statement appears worthy of every credence. He says Mr. Loftus came to his quarters about 8 o'clock at night being introduced by Sub Conductor Ewans, and quarrelled in consequence of Lovejoy objecting to his proposed arrangements to go to the Western Coast by steam. He attempted to strike him with a candlestick, and afterwards with a walking stick, Mr. Lovejoy sent for assistance to the Cutwall, in the meantime Mr. Loftus went away, and Mr. Lovejoy reported the circumstance to the District Engineer in the morning.

Sub Conductor Ewans states, that he met Mr. Loftus at the Canteen, that he drank a bottle of Beer and a glass of Brandy, but was not drunk. This witness was called at defendant's request.

Defendant afterwards acknowledges that Mr. Lovejoy was not drunk. Altogether, Mr. Loftus' statements throughout are equivocating and undeserving of the slightest weight in his favor.

Letter from Mr. LOVEJOY, Assistant Overseer; to Lieutenant A. S. MOBERLY, the District Engineer of Chingleput, dated 3rd May 1857.

SIR,

I am exceedingly sorry at being compelled to represent the conduct of a person of the name of Loftus belonging to Department Public Works who called at my residence on Saturday evening under the influence of liquor, and behaved in a very unbecoming manner, I sent for the Cutwall with a view of having him placed in custody, but unfortunately he left before the arrival of the Constable, I therefore request Sir you will kindly represent his conduct to the Chief Engineer.

Statement of the behaviour of Mr. Loftus on the night of the 2nd May 1857.

1. About 5 minutes before 8 P. M., on the 2nd May 1857, Mr. Loftus, Sub Overseer D. P. W., called to see me at my Brother-in-law's house, Mr. Catchpole, he being a perfect stranger to Mr. Catchpole and myself.

2. I saw upon Mr. Loftus' arrival he had been drinking, therefore was very cautious regarding saying anything that might ruffle his temper.

3. Mr. Loftus said, I hear you are ordered to proceed to the Malabar Coast, I answered in the affirmative, he then said I am also going there to have independent charge at the Cannanore Ghaut, he then said, you had better come with me to the Chief Engineer and apply to be sent round by a Steam vessel, to which I answered I did not for a moment think such a thing would be granted, he then in a very abrupt manner said, do you wish to insult me, I answered no, I should be very sorry to do so.

4. Mr. Loftus then took the shade from the table and said if you insult me I will dash this shade into your face, and would have done so if Mrs. Catchpole, my Sister-in-law, had not have persuaded him to put it down, I then asked Mr. Loftus to leave the house as my Brother-in-law was very sick and wished to go sleep (I at this time sent for a Constable with the view of having him taken from the house) to which he answered, do you know I am an Irishman and will make you repent not taking my advice, he also said I shall be a Civil Engineer shortly and will laugh at you, I then said, you are mistaken for I would never allow a person to laugh at me, he then raised his stick and attempted to strike me on the head but I received the blow on my wrist as I raised my arm to protect my head. Mr. Loftus then ran towards me and a scuffle took place, I called for my servants and ordered them to put Mr. Loftus out of the house.

5. Mr. Loftus finding himself forcibly put out of the house made use of very bad language towards me, and said he should make a complaint against me to the Chief Engineer, he then left the place.

Camp Saint Thomas' Mount,
6th May 1857.

(Signed) G. LOVEJOY,
Assistant Overseer, D. P. W.

I hereby certify on my word and honor, that I saw Mr. Loftus on Saturday evening at my house, and from his conversation and manner in which he came reeling out of the house to the verandah, I am fully convinced he was labouring much under the effects of liquor, but not being near enough to him, I could not swear that he was drunk.

Saint Thomas' Mount,
6th May 1857.

(Signed) E. CATCHPOLE,
Assistant Overseer, D. P. W.

No. 32. ORDER THEREON, No. 981; dated 22nd May 1857.

Under the circumstances brought to the notice of Government in the foregoing letter, the Right Honorable the Governor in Council directs that Private W. Loftus, Sub Overseer, be dismissed from the Department of P. W. and remanded to his Regiment.

2. Ordered that the above letter and its enclosures be communicated to the Military Department.

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

Central Office of Public Works.
Fort Saint George 8th May 1857.

No 188.

From

The Chief Engineer

To

The Secretary to Government &c &c

Sir

It is with much concern that I have to report to you the commission of a very aggravated and unprovoked assault by Private Loftus, Sub Overseer in the D.P.W. upon the person of Assistant Overseer Lovejoy when the former was in a state of great excitement produced by drinking, though there is nothing on record to show that it had been excessive.

2 I do myself the honor to report that on these particulars being made known

known to me, I immediately directed Private Loftus to be suspended from his employment and to be placed under arrest, for which latter purpose I have applied for the assistance of the Town Major.

3. The evidence contained in the accompanying original correspondence (to be obligingly returned) appears to me sufficient to fully establish Private Loftus' unfitness for further employment in the Dock Yard, and I beg leave to recommend his immediate dismissal and remand to his Regiment.

4. He was under orders for Malabar at the time when the offence was committed, and it is only too evident that notwithstanding the severity of the late warning, Private Loftus can only be restrained within

I Letter from Dr Engr. Chamberlain
II. do from Capt. Scratchley
III do from Asst Commissary Surgeon
IV do from Capt. [illegible]
V [illegible]

within proper bounds, by the bonds of military discipline.

I have the honor to be
Sir
Your most obedient servt

Central Office of D.Y.
Dock Yard St George 8th May 1857

W. E. Parker Colonel
Chief Engineer

To
The Secretary to Govt. D.Y.

Pub: Works 1857 Dept
Dft to Govr 26 May.
No. 937

From

The Chief Engineer

The Secy to Govt. of B.W.

Dated 8th May 1857
Rec'd 8th " "
5 Enclos: Re 188

Forwards in original evidence of a case of wanton and aggravated assault committed by Private Loftus when under the influence of drink & in reporting that he has suspended him recommends his summary removal from the Regiment

No 981 With an order 23rd May

No 31 & 32.

C13 1 May 1857

No. 981

Under the circumstances brought to the notice of Government in the foregoing letter, the Right Honorable the Governor in Council directs that Private M. Loftus, Sub Overseer be dismissed from the Department of P.W. and remanded to his Regiment.

Ordered that the above letter and its enclosures be communicated to the Military Department.

Fort St. George
22nd May 1857

9 Copies to Sub Asst Engr with 5 Encls Dft 225
3 " Mily Dept "