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MADRAS RECORD OFFICE.

Government of Madras.

Public Works DEPARTMENT.

Cons. 14-7-57

G.O. No. 1363 Press Mis.

7273 Dated 13 — 7 — 1857

Not to be folded or roughly handled

No. 72. Read the following letter from Colonel C. E. FABER, Chief Engineer; to H. FORBES, Esq., Acting Secretary to Government, dated 6th July 1857, No. 1815.

SIR,

In the orders of Government No. 1282 of the 2nd Instant, His Lordship in Council has deeply pained me by recording that my failure to arrest Lieutenant Haig's unauthorized enterprize at Doomgoodiem and my delay in officially communicating the prohibition of Government as "most culpable."

2. The Head of an office is unquestionably responsible for all sins of omission and commission committed therein.

3. I cannot therefore presume to state that I am blameless in the matter of a deferred transmission of the disallowance of Government dated the 9th April last.

4. But in the painful task of allotting the public displeasure of Government, I find it difficult or impossible to believe that no line is to be drawn between personal neglect of duty and the accidental oversight of one of the humblest official subordinates.

5. Feeling therefore that language of severity has been used towards me which could not have been exceeded, had I wilfully disregarded the orders of Government in this particular case, or had habitually confided to others the carrying them into effect, I now beg leave to relate exactly what my conduct has been, in order that if His Lordship in Council should think me entitled to some milder measure of reproof, the language of rebuke that now stands against me on the records of Government may be re-considered.

6. The Extract Minutes Consultation No. 673 of the 9th April 1857, disapproving of the construction of Lieutenant Haig's submersible locks was delivered on the 11th Idem, being the Saturday before Easter, and therefore during the usual Easter tide recess.

7. On that same day, I entered the following order in my own hand writing.

Resolved that a copy of Extract Minutes Consultation No. 673 of the 9th April 1857, be forwarded to the Collector of Rajahmundry and to Lieutenant Haig District Engineer of Guntoor employed on the Upper Godavery for his information and guidance.

Resolved that the 4th para. of the foregoing order be circulated to all District Engineers for communication to the Officers of the D. P. W.

8. No sooner had I completed this disposal, than in consideration of the office being closed on that day and of Sunday intervening together with Easter Monday and Tuesday the 13th and 14th April, I intimated demi-officially to Lieutenant Haig under cover to Captain Rundall (for I had supposed the grant of leave to Europe and America likely to cause Lieutenant Haig's prompt return to the Delta) that the Government had disallowed all acts at Doomgoodiem undertaken on his own authority.

9. Unless therefore His Lordship in Council be of opinion that the duty of the Head of the office extends in the case of each letter, to seeing that his drafts are fair copied, that they are signed by the Officer whose function it is to authenticate them, and that they are duly despatched to the Post office (and if he does personally attend to these minutiæ, it can only be at the expense of far more important occupations) unless I say I was guilty of neglect in not ascertaining that the usual steps were taken, though there could be no reason for special doubt, I seek in vain to discover such misconduct on my own part as should deserve the terms in which my proceedings have been stigmatized.

10. All that I wish to respectfully set forth is simply, that having done every thing appertaining to my official position, which a faithful and zealous servant of Government possibly could do, to give effect, with precision and punctuality to the orders with which I had been honored, I cannot but regard it as signally unfortunate that if I had been personally as remiss and careless as I have shewn myself to have been prompt and full of unusual precaution, I could not have received a weightier or more severe measure of censure.

11. In conclusion I owe it to myself to observe, that so far from defending Lieutenant Haig's conduct, I have myself held it up to the severe displeasure of Government. I much regret

that my opinion respecting the tendency of the prolonged silence of the Government of India should be disapproved; but whilst reviewing the representations of Lieutenant Haig, I was not at liberty to express dissent from conclusions which I was constrained to confess seemed to me only natural under such circumstances. Assent seems to be not unfrequently delayed, but prohibition is commonly communicated with great expedition, wherefore to that extent but no further, did I concur with Lieutenant Haig; and if the communications of the Central office with that Officer were produced, I have to assure you that there would be no room found for incurring want of support to Government.

No. 73. ORDER THEREON, No. 1313; dated 13th July 1857.

The Right Honorable the Governor in Council has given every consideration to all that the Chief Engineer has urged in the letter above recorded, and is unable to remove from Colonel Faber, any part of the censure conveyed in the Extract from the Minutes of Consultation of the 2nd Instant, No. 1282.

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

Central Office of Public Works
Fort Saint George 6th July 1857.

N. 1815

From
The Chief Engineer

To
The Secretary to Govt. P.W.

Sir

In the orders of Government No 1282 of the 2d instant His Lordship in Council has deeply pained me by recording that my failure to arrest Lieut Haig's unauthorized enterprize at Doomgoodem and my delay in officially communicating the prohibition of Government as "most culpable."

2. The Head of an Office is unquestionably responsible for all sins of omission and commission committed therein.

3. I cannot therefore presume to state that I am blameless in the matter of a deferred transmission of the disallowance of Government dated the 9 April last.

4. But in the painful task of allotting the public displeasure of Government, I find it difficult or impossible to believe that no line is to be drawn between personals

personal neglect of duty and the accidental oversight of one of the humblest official subordinates—

5. Feeling therefore that language of severity has been used towards me which could not have been exceeded, had I wilfully disregarded the orders of Govt in this particular case, or had habitually confided to others the carrying them into effect, I now beg leave to relate exactly what my conduct has been, in order that if His Lordship in Council should think me entitled to some milder measure of reproof, the language of rebuke that now stands against me on the records of Govt may be reconsidered—

6. The C. M. C No 673 of the 9 April 57 disapproving of the construction of Lt Haig's submersible locks was delivered on the 11th idem, being the Saturday before Easter, & therefore during the usual Easter tide recess—

7. On that same day, I entered the following order in my own hand-writing,

Resolved

Resolved that a copy of Cons. No 673 of the 9th April 57 be forwarded to the Collector of Rajahmundry & to Lt Haig dist Engr employed on the Upper Godavery for his information and guidance—

Resolved that the 4th Para of the foregoing order be circulated to all district Engrs for communication to the Officers of the D.W.—

8. No sooner had I completed this disposal, than in consideration of the Office being closed on that day & of Sunday intervening together with Easter Monday and Tuesday the 13th & 14th April, I intimated demi-officially to Lieut Haig under cover to Captain Rundall (for I had supposed his grant of leave to Europe & America likely to cause Lieut Haig's prompt return to the Delta) that the Govt had disallowed all acts of Doongaordiem undertaken on his own authority.

9. Until therefore His Lordship in Council be of opinion that the duty of the Head of the Office extends in the case of each letter, to seeing that his drafts are fair copied, that they are signed by the Officer whose function it is to authenticate them

them, and that they are duly despatched to the Post office (and if he does personally attend to these minutia, it can only be at the expense of far more important occupations / unless I say I was guilty of neglect in not ascertaining that the usual steps were taken, though there could be no reason for special doubt, I seek in vain to discover such misconduct on my own part as should deserve the terms in which my proceedings have been stigmatized.—

10 All that I wish to respectfully set forth is simply, that having done every thing appertaining to my official position, which a faithful & zealous servant of Govt possibly could do, to give effect, with precision and punctuality to the orders with which I had been honored, I cannot but regard it as equally unfortunate that if I had been personally as remiss and careless as I have shewn myself to have been prompt and full of unusual precaution, I could not have received a weightier or more severe measure of censure.—

11 In conclusion I owe it to myself to observe, that so far from depending Lieut Haig's conduct, I have myself held it up to the severe displeasure of Govt— I much regret that my opinion respecting the tendency of the prolonged silence of the Govt of India should be disapproved; but whilst reviewing the representations of Lieut Haig, I was not at liberty to express dissent from conclusions which I was constrained to confess seemed to me only natural under such circumstances. Assent seems to be not unfrequently delayed, but prohibition is commonly communicated with great expedition, wherefore to that extent but no further, did I concur with Lieut Haig; and if the communications of the Central Office with that Officer were produced, I have to assure you

that

that there would be no room found for mounting want of support to Government.

I have the honor to be
Sir
Your most obedt Servt
W. Baker Colonel
Chief Engineer

Central Office of W.
Fort St George
6th July 1857

To
The Secretary to Government
D.W.W

E. W. Callaghan

P W & H.

N° 1343

Extract from the Minutes of Consultation
Under date the 13th July 1857

Read the following letter
from the Chief Engineer -

(Dated under 6 July/57 N° 1815)

Re R: B: the Guild
Lon fibers every con-
-sideration to all
that the Chief Engineer
has urged in the
letter above record-
-ed, and is in
unable to recom-
-mend any of the
sanctions contained
in the Ex. from the
Re: of 6 of the
2nd inst: No 1292 -

E. G.

A

Copies to the Chief Engr. Dist. H

Copies to the Chief Engr. Dist. H
(Dated under 11th July
N° 1343

Read the following Report
of the Chief Engineer
Dated 6 July
Read & Approved

Extract from the Minutes of Consultation
Under date the 8th July 1857

Read the following letter
from the Chief Engineer -

(Dated under 6 July/57 N° 1815)

Re R: B: the Guild
Lon fibers every con-
-sideration to all
that the Chief Engineer
has urged in the
letter above record-
-ed, and is in
unable to recom-
-mend any of the
sanctions contained
in the Ex. from the
Re: of 6 of the
2nd inst: No 1292 -

E. G.

Copies to the Chief Engr. Dist. H

8 July 1857

Public Works 1857 - Desp.ch
Do. to Comrs 11, 14th July.

C. P. 13/13.

6

Whitelaw Chief Engr Comrs

Dated 13th July 57.

Observing that Govt have given every consideration to all that the Chief Engr has urged in his letter dated 6th Inst. explaining exactly what his own conduct had been in regard to the Orders of Govt of 9th April last and adding that they are unable to remove from Col. Faber any part of the censure conveyed in their Letter of Consultation of the 2d Inst.

972 + 73.

C8 July 57