M.R.O. 1—32,400—28-11-30.

MADRAS RECORD OFFICE.

Government of Madras.

Public Works DEPARTMENT.
Cons. 28-7-57

G.O. No. 144 Press Mis.

71-72 Dated 27-7- 1857

Not to be folded or roughly handled

No. 71. Read the following letter from H. NEWILL, Esq., Acting Magistrate of Guntoor; to E. MALTBY, Esq., Acting Chief Secretary to Government, dated Condaveed, 22nd June 1857, No. 11.

SIR,

I have the honor to submit for the consideration of Government the proceedings in a case of oppression used by a Subordinate of the Public Works Department, together with a copy of a correspondence with Mr. Rohde (Inspector of Jails) relating to the subject.

2. The case does not properly fall under the description of torture so as to require it to be reported in accordance with the orders of Government quoted in the margin,* but as Mr. Rohde has requested that it should thus be brought forward, it appears proper to do so, particularly as it is not the only instance† of the Department going beyond its proper bounds, though I am glad to add that undue interference of the kind has rarely if ever been exercised by the Officers in the other subdivisions of the District.

* 23rd July 1856
2nd August 1856.

† Vide letters to Lieutenant Tulloch regarding Mr. Bance cutting down trees on lands occupied by Ryots included in the correspondence.

Letter from J. ROHDE, Esq., Inspector of Prisons; to H. NEWILL, Esq., Acting Magistrate of Guntoor, dated 13th May 1857.

SIR,

I have the honor to call your attention to a statement made by B. Narrainappa of Palkaloor on my enquiry if he could supply chunam to the effect that the present exorbitant price of chunam is owing to the Engineer's Maistry Venkataswamy having forcibly prevented the men of Palkaloor village from collecting stones and burning lime; should this prove correct, I trust you report the fact to Government as, I feel assured that a man who has acted as this Maistry, is stated to have done, would immediately be dismissed from employment, I cannot, I am told, purchase chunam under four times its proper price and this solely on account of the oppressive interference of a Maistry.

I had formerly to bring to Mr. Purvis' notice the annoyance to which the Palkaloor chunam burners were subjected, whereby the price of lime was unduly raised the men then offered to supply me for one Rupee the candy less if they were relieved from unauthorized interference; Mr. Purvis, I believe found the complaint well founded and redressed their wrong, but the present charge if true, and I know no other cause to account for the excessive price, is one which the whole country is interested in having investigated.

It was I believe one great object in removing the Maramut from the hands of persons vested with Police authority to prevent oppression in executing Public Works. If this Maistry has presumed to interfere in the mode stated, I trust a severe example will be made to show that the people are free.

P. S.—Since writing this, I have seen the Maistry, he tells me that Mr. Bance and Mr. Tulloch both ordered him to prevent the people from making chunam, because they demanded 11 Rupees a candy for it.

Though as an individual I make this charge, I beg that a copy of my letter may be transmitted for the information of Government. The people who I lived so long among and from whom I ever received kindness and attention shall never have it to say that I disregarded the wrongs imposed on them.

Letter from Lieutenant H. TULLOCH, Assistant Engineer Kistnah Division; to H. NEWILL, Esq., Acting Magistrate of Guntoor, dated Camp Condaveed, 30th May 1857, No. 9.

SIR,

I have the honor to acknowledge the receipt of your letter No. 209 of the 15th Instant, enclosing copy of a complaint made to you by Mr. Rohde, Inspector of Prisons, on the subject of the Palkaloor men having been prevented excavating lime stone from about their village.

2. As Mr. Rohde requests that the complaint may be forwarded to Government, I thought it but fair before the documents were despatched to give Supervisor Mr. Bance the opportunity of clearing the charge that Mr. Rohde indirectly brings against him; the delay caused in communicating with Mr. Bance will I hope account for my not having answered your letter before this.

3. I enclose you Mr. Bance's reply, according to which it would appear that the Maistry Venkataswamy had received no orders to prevent the Palkaloor Ryots from excavating lime stones from *about their village* but that the restrictions were confined to the particular pits which had been opened by workmen employed in the Department Public Works for the Maramut and other Public Works about Guntoor.

4. Since the receipt of your letter, the Maistry, I believe, has been summoned to your presence and examined by you on the charge against him, I will therefore not dwell on that part of Mr. Rohde's letter, which solely criminates the Maistry but pass on to the Postscript where he states that the Maistry told him he had obtained his orders from me, had Mr. Rohde made some further enquiries on the subject of the truth of this assertion, I am sure he would not have credited the statement, much less have entered it, as an elucidation of the Maistry's conduct in the affair.

5. Some months ago lime was dear in Guntoor, so much so that it could not be bought at the current price for the Maramut works progressing in the Talook; rather than that Government should be compelled to pay dear an article, I deemed it prudent to try at which rate it could be manufactured by ourselves. In the month of February last, I approved, on personal examination of a spot near the village of Palkaloor which had been selected by Mr. Bance and saw workmen break the ground from which the lime stone was to be obtained. This chunam with cost of fuel &c. was burnt and delivered at Guntoor at the rate of about 6 Rupees a Pootty. To meet the constant demand for chunam required for the works that are always progressing in Guntoor, workmen have been employed for about the last 3 months in supplying the kilns in Guntoor with stone.

6. Some time ago Mr. Bance mentioned casually to me that as there was a constant supply of chunam required in Guntoor and he had taken the trouble to open pits near the village of Palkaloor, he had issued orders to the effect that the Palkaloor villagers were not to dig lime stone from that place, now as the whole country round about Guntoor abounds in chunam. I gave my verbal approval to Mr. Bance's orders, knowing well at the time that under the depth of about 1 or 1½ yards there was as rich and plentiful a store of lime as would supply the people of the Guntoor Talook for years to come, and that if these villagers were really anxious to procure some, they would select many spots near their village from which they could excavate it, one Peon was ordered to superintend the workmen excavating lime to prevent any interference at these pits from the villagers; I am not aware that I have infringed any rule, or laid myself open to any just complaint by acting from a sense that all private interests must be waved where they interfered with the public good.

7. When Mr. Bance informed, that he had ordered lime stones not to be dug from the pits, he at the same time communicated to me, that the villagers had appealed to the Tahasildar of Guntoor for redress, and that the Tahasildar had intimated to them that under the particular circumstances of the case he could not interfere, inasmuch as the Public Works Department had priority of claim to the lime stone in the pits, which had been opened by workmen employed under that Department. Knowing that the Tahasildar was fit person to redress such a grievance either by referring the matter to the Magistrate of Guntoor or by acting on his own responsibility under such circumstances, my impression was then as it is now that workmen employed

for the public good were in no way to be interfered with by others labouring for private concerns.

8. I ought to mention (as will be seen by Mr. Bance's letter) that the villagers came to me for redress. I told them I could not grant them leave to dig at the pits, as I thought two parties of men employed at the same spot stimulated by different interests could not work amicably.

9. The facts stated in Mr. Bance's letter (and I presume Mr. Bance is prepared to substantiate them knowing as he does that Mr. Rohde's complaint is to be forwarded to Government) tend to give a very different colouring to the story which whether true or not, Mr. Rohde has been led to believe in, as the cause and the only one of the present high price of chunam. I can myself testify to the fact that the present has not been the only time when that article has arisen to an exorbitant price.

10. The sole reason of my not buying the article was that I could not honestly do so at the high rate it was selling at, and knowing as I did, the trouble that the manufacture of it in Guntoor would be attended with and the evils that would probably be entailed by giving rise to jealousy, &c. on the part of the contractors, whenever they might find the monopoly taken from their hands, I did not except as a last expedient resort to it.

11. To meet directly the charge that Mr. Rohde indirectly brings against myself. I would ask what *proof* did Mr. Rohde get to corroborate the statement made by the Maistry. Were the orders I gave written or verbal? if the former, did Mr. Rohde enquire of the witnesses who may have heard the orders given if they could testify to the truth of the Maistry's statement.

12. Soon after the receipt of your letter, I asked the Maistry if he had told Mr. Rhode that I had given him orders on this subject, he said that he may have been led to say so to Mr. Rhode but that he remembered no orders of mine ever having been given on the subject.

13. Though the Maistry is undoubtedly to blame in having acted entirely on his own responsibility, I cannot but think that Mr. Rohde has too fully believed all that the Palkaloor villagers have told him on the subject. If they had a grievance (and according to their story they have been suffering under this one for some time) why did not they avail themselves of the ordinary mode of redress. An appeal to the Magistrate must have ensured them a hearing, surely none can gain-say that justice would have been dispensed impartially to these complainants had they sought it through this channel.

Letter from Mr. F. A. BANCE, Supervisor Kistnah Division; to Lieutenant H. TULLOCH, Assistant Engineer, Kistnah Division, dated Commolapaud, 25th May 1857, No. 27.

SIR,

I beg to acknowledge the receipt of your Memo, of the 19th Instant received late last Saturday evening the 23rd, together with its enclosures on the subject of the Palkaloor people not being allowed to burn lime, in reply to which I beg to state, that as I was the first to commence for digging lime stones I selected a place on the east side of the Palkaloor Hill, and I ordered the Maistry that no people should be allowed to dig at the spot as there were other places on the west and south side of the Hill, where lime stones could be procured, also at Toorakupolem where they are at liberty to collect what stones they required, and in order to show that such was the arrangement, I have only to mention that during the time the works in Guntoor Talook were under my charge up to March last, I have seen stones conveyed by people from other parts of the District, which, I was told, was from Palkaloor, and for the Maistry to have behaved in the manner as represented it would I think have required his presence there every day, but the Maistry's visits to Palkaloor did not exceed two or three times during the week and then his stay there was not more than one hour or two of a morning on each occasion, I think it now necessary to say some thing more regarding the complaint they have made, which appears to me to be very much misrepresented, for if they had met with such oppression, I think they would have been glad enough to see you on the subject, which I advised them to do (as I will notice it in its proper place) and if they acted accordingly there would have been no necessity for bringing about their complaint in the way they have done.

It was in February last when I commenced to make arrangements for procuring chunam, the Palkaloor people were spoken to about supplying me with chunam, they demanded 9 Rupees a pooty; and to enable them to give the Chunam they wanted an advance of 100 Rupees, and three months time to give it, as this did not suit me, I determined upon burning my chunam, and my doing so was not at all agreeable to them, and they proved to be great obstacles in my way in procuring such as wood and bratties in the village, so that I was obliged to abandon the idea I first had of building a Kiln at Palkaloor, and was obliged to cart my lime stones to a distance of 4 and 10 miles for burning it. There was a great quantity of bratties in the village but the people for fear of the Curnum, who is at the head of the chunam party would not venture to sell me any, during the time I was endeavouring to burn the lime at Palkaloor, where I knew that the people were not disposed to my doing so, the Maistry told them on one or two occasions, if they would not be accommodating, they would not be allowed to collect one stone, as the whole of it would be taken up for Government works; this of course had no effect upon them whatever, and they were quite indifferent about what was said, because their time (as I will note below) had not then arrived for burning chunam.

If I remember well, I think it was in the month of February as already mentioned by me that I commenced to dig for lime stone, at Palkaloor, and when I had a good quantity dug and had a good portion of it carted to where it was required, there was some still remaining and some time in March I found out, that there was no necessity for me to look to Palkaloor for lime, as it could be procured about Guntoor which answered very well, what I got dug by the 15th March at Palkaloor, should have been carted to the kiln by the end of March, but on account of some difficulties in procuring Bandies from Guntoor, there was a delay, there were Bandies at Palkaloor but as must be expected I could not get them.

The usual time for the Palakaloor people to commence collecting lime stones every year was after the 20th April, and they never burnt it till about the middle of May, and I beg that it will be remembered that I commenced in February and dropt doing so in March, and soon after I was removed.

When I arrived at Guntoor last April, the Palkaloor people who were concerned in burning chunam came to me on the 23rd of the same month to speak to me about their burning chunam; they said that they were now prepared to do so, but that, that the Maistry would not allow them to collect the stones, they never mentioned where and at what places they met with hinderance, and as I had then been away from Guntoor for some time back, they were made acquainted with my removal from the Guntoor Talook, and they were desired to see you on the subject, they appeared willing to do so, and after having been in your compound for the most part of that day, it seems very strange that they did not seek redress from you.

It was usual with the chunam party at Palkaloor every year to receive advances from Tahasildars for supplying chunam for Government works, and with the money so given them they were able to burn a larger quantity to that required by the Tahasildars which were given at the rate of 5 Rupees the Poottey and the surplus chunam they had remaining with them, they sold at an higher rate from 5¾ to 6 Rupees soon after the Marahomet was made over to our Department; the price rose very high, I have myself paid them 11 Rupees for a Pooty soon after the transfer.

The chunam people of Palkaloor were known to come to Guntoor in March last, and calling upon people, who they thought required chunam, and was offering to supply any quantity at 9 Rupees the Pooty, and when it was observed to them that the price was too high, they would say, that it was on account of the Engineer's Department not allowing them to burn chunam, they speak of being prevented and still they appeared able enough to supply any quantity of chunam if they were paid as they demanded, the same excuse for an high payment appears to have been made to Mr. Rohde, I am pretty certain as to the fact that the Palakaloor people cannot for the future afford to sell their chunam to private parties at the same rate they were accustomed to do, previous to the transfer.

Complainants.		*Defendants.*
1. B. Narroynapah 2. S. Sashoosetty	*Versus.*	S. Venkatasamy, Sub Overseer.

Witnesses.

1. D. Venkatareddy
2. S. Chintanah
3. C. Voollapah
4. N. Venkatareddy, Village Moonsiff.
5. Shaik Hoossain. ,, Mohatand.

Charge.

The defendant is charged with having about the 28th April 1857, at Palkaloor in the Guntoor Talook, forcibly prevented the 2nd Complainant, a cooly on behalf of the 1st Complainant, from digging chunam stone, and taken away from the former, certain implements used for the above purpose.

1st Complainant states that about 20 days ago, while the 2nd Complainant was digging chunam stone for him (1st Complainant) at Palkaloor, the defendant came there and prevented him from doing so, by forcibly taking away from him, an iron crow bar, a hoe, and a weeding spade and made them over to the Mohatand, that they are still with the Mohatand that the defendant further said that if he (Complainant) would sell chunam at 5 Rupees a Candy, he would allow him to collect the chunam stones and burn lime.

2nd Complainant states that about a month ago, while he and some others were digging chunam stone for the 1st Complainant at Palkaloor, the defendant and his brother-in-law came there and prevented them from doing so, and further took away from them 2 iron crow bars and 2 hoes and made them over to the Mohatand, in the presence of the Village Moonsiff; that about 10 days previous to this, the defendant told him as well as the 1st Complainant and others, that unless they agreed to sell chunam at Rupees 5-4 a Candy, he would not allow them to dig the stone.

1st Witness deposes that about 20 days ago, the defendant prevented the 2nd Complainant from digging chunam stone at Palkaloor, and took away from him 2 iron crow bars and 2 hoes and made them over to Mohatand, that is to say the defendant brought the implements and made them over to the Mohatand and said that he had prevented the 2nd Complainant and others from digging chunam stone; that he did not see the defendant prevent the 2nd Complainant from digging the stone, that about 20 days previous to this, the defendant told the 1st Complainant as well as the deponent and others, that unless they would sell chunam at 5 Rupees a candy, he would not allow them to dig the stone.

2nd Witness deposes that about 20 days ago, while he and the Village Moonsiff and some others were sitting in the bazar of Palkaloor, the defendent came there with 2 iron crowbars and 2 hoes and delivered them to the Mohatand and said that he had prevented the 2nd Complainant and others from digging chunam stone, and further directed the Mohatand to keep the implements with him and he also told the Village Moonsiff to prevent any body digging the stone.

3rd Witness deposes that about 20 days ago, while he and the Village Moonsiff and others were sitting in the bazar of Palkaloor, the defendant came there, and said that, although he had ordered that nobody should dig chunam stone, this was not attended to, but that he himself (1st defendant) had prevented the 2nd Complainant and others while they were digging the stone, and also took from them their implements, that the defendant then delivered the iron crowbars, &c. to the Mohatand, and directed him not to give them up to any body.

4th Witness the Village Moonsiff states that about 20 days ago while he and some others were sitting in the bazar of Palkaloor, the defendant and his brother-in-law came there with 2 iron crowbars and 2 hoes and said that they had prevented the 2nd Complainant and others from digging chunam stone: they then made over the implements to the care of the Mohatand; with whom they still remain.

5th Witness Mohatand deposes that about a month ago, while he was with the Moonsiff in the bazar of Palkaloor, the defendant's brother-in-law Nursimloo, came there with 2 iron

crowbars and 2 hoes, and said that the defendant prevented 2nd Complainant and others from digging chunam stone, and sent their implements to be delivered to him (Mohatand) that they are still with him.

The defendant denies the charge and states that he (defendant) represented to Mr. Rohde that he heard that Mr. Tulloch and Mr. Bance had prevented the people from digging the stone; that he made a mistake in telling the name of Mr. Tulloch, but he heard that Mr. Bance only prevented the digging; that he does not know further particulars on account of the prevention. Mr. Bance did not order him to prevent the people digging the chunam stone.

DECISION.

1. This matter was first brought to notice by Mr. Rohde, Inspector of Jails, in his letter of 13th May 1857, written on the occasion of his recent visit to Guntoor and but for his intervention it would probably not have come to light.

2. The charge above defined is clearly proved against the Defendant who has assumed to himself an unwarrantable authority which he has exercised in an oppressive manner, as injurious to the interests of the Public Works Department as to individual rights.

3. The greatest care has been taken to prevent the Revenue and Police authorities throwing obstacles in the way of the Officers of the Public Works Department in procuring labor and materials in a ligitimate way and the oppressive conduct of the Sub Overseer (lately a Maistry) is altogether inexcusable more particularly so, as it appears from the Tahsildar's report that the interference took place with regard to the lime stone found on a certain service enam land.

4. There is nothing in the evidence to shew that defendant was acting under the express orders of his superiors whose names transpire in the defence. Mr. Tulloch the Assistant Civil Engineer has however been requested to submit explanation regarding any part taken by himself or Mr. Bance supervisor in the matter, but as there is no evidence to substantiate a charge against them, the case is not further delayed for their reply.

5. The defendent is fined in the sum of 10 Rupees commutable to imprisonment in the Zillah Jail for 10 days under Section 3? of Regulation 9 of 1816.

25th May 1857.

(Signed) H. NEWILL,
Acting Magistrate.

6. Explanation has since been received from Mr. Tulloch and Mr. Bance, in which it is alleged that any sanction given by them to the Sub Overseer was confined to the prohibition of parties digging the pits opened by the Public Works Department. The evidence however does not shew that the prohibition as carried out forcibly by the Sub Overseer, was confined to this limit, but on the contrary that it was of a general nature, and indeed Mr. Bance admits that on more than one occasion the Sub Overseer threatened the people that "they would not be allowed to collect one stone."

Para. 2 of his letter.

7. The evidence further shews that it was in consequence of the Complainants refusing to supply chunam at about 5 Rupees a candy that they were prohibited from digging the lime stone, which certainly leaves it clear that the prohibition as far as the Sub Overseer is concerned was general, for it would have been absurd to have limited it to any pits opened by the Public Works Department.

8. Mr. Tulloch's explanation as regards himself seems quite satisfactory, as his instructions related only to preserving the pits opened by his Department from interference by others, and he appears to have been entirely in ignorance of the land being service enam and of the prohibition being of a general nature. There is nothing to show that Mr. Bance exceeded the same degree of interference, except his own admission that he knew the Sub Overseer threatened the people that they would not be allowed to collect any stone at all. He ought to have checked this improper threat made by his subordinate, and such a course would probably have prevented the necessity of the present proceedings.

31st May 1857.

(Signed) H. NEWILL,
Acting Magistrate.

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

Letter from J. ROHDE, Esq., Inspector of Prisons; To H. NEWILL, Esq., Collector of Guntoor, dated Madras 17th June 1857, No. 220.

SIR,

On looking over the papers connected with the charge against T. Vencatasawmy a Sub Overseer under the Civil Engineer of Guntoor, I have the honor to state that it seems to me that his conduct in falsely stating to me that "he prevented the Palkaloor people from making chunam because they asked 11 Rupees (or 11½ Rupees) for it, that he did this by Mr. Bance's order, that both Mr. Bance and Mr. Tulloch gave him this order," should be brought to the notice of Government. He had no excuse for deceiving me, the answer was off hand and voluntary, and from the way in which it was given implied a consciousness of having done a clever thing. Mr. Bance's reply is not to my mind at all satisfactory, and from the tenor of your remarks I see that you had very little doubt that he had given unauthorized instructions, I asked one question of the Maistry his reply was full and explicit, and, as he now admits false.

2. Mr. Tulloch seems annoyed that I should have credited the Maistry, I never stated that I did credit him. I merely informed you of the tenor of his admission; I afterwards reflected that Mr. Tulloch not having much experience of the people under him might have without much consideration sanctioned what they represented as right, and I then withdrew so much of my letter as affected him, and which proposed that Government should be made acquainted with the matter. I am now however decidedly of opinion that S. Vencatasawmy is unworthy of confidence, and that his conduct should be brought to notice.

3. I can say that the impression in Guntoor was that the act proceeded from the orders of the Engineer Officer, they have shown that the Sub Overseer has deceived both the people and myself.

4. In regard to Mr. Bance's statements I can only say that many do not tally with my experience. I am at a loss to know why a transfer of the Maramut from the Collector to the Department Public Works should preclude any purchasing chunam at the usual rates. I may add that the people offered me the chunam at the usual rate, if a few days were given them to prepare it and they were not interfered with. I never allowed the interference of any public servant in my dealings; what the people promised they did, and I most certainly was never dependant on any advances made by the Marahmut Department or any body else for chunam or any thing else. I never paid 11 Rupees a candy or more than 6, generally 5½ and often twice as much as I wanted, was brought in and left. On my visit to Guntoor, I find that I am paying 22 Rupees a candy for any I can get and that a lime kiln I had built has been appropriated and removed without leave by the Engineer Department.

Letter from H. NEWILL, Esq., Acting Magistrate of Guntoor; to Lieutenant TULLOCH, Assistant Engineer, dated Condaveed, 18th May 1857, No. 224.

SIR,

I have the honor to inform you that a complaint has been preferred by Muneconda Cotuppa of Nukereddypolem that his rights of property had been forcibly invaded by a certain peon named Mahomed Ibram belonging to the Public Works Department cutting down certain Toomma trees to the usufruct of which he lays claim, and that upon enquiry into the matter by the Assistant Magistrate, it appears that the trees in question were cut under the orders of Mr. Bance Supervisor, and without any previous permission from or even intimation to the Revenue authorities. Mr. Bance states in explanation that he remembered seeing a letter from me addressed to you, in which it is stated that I had no objection to trees being cut on unoccupied lands, but does not enter any copy of it upon the record of the case, nor does he venture to state that the usual previous reference was dispensed with in the communication, which I do not find in my correspondence.

Although it is correct that Toomma trees are generally available in all unoccupied lands for the Public Works Department, the procedure of Mr. Bance to cut down those in question was altogether unjustifiable without a previous reference to me on the subject. Such reference, you

are aware has hitherto been usual with yourself and is universally made by the other officers of the Department, and I beg you will be good enough to instruct Mr. Bance to desist from such a course in future.

Letter from H. NEWILL, Esq., Acting Magistrate of Guntoor; to Lieutenant TULLOCH, Assistant Engineer, Kistnah Division dated Condaveed, 21st May 1857, No. 234.

SIR,

I have the honor to forward you copy of an urzee received from the Tahsildar of Guntoor in which it is shewn that a Peon in the Public Works Department under the orders of Mr. Bance Supervisor has cut down several Toomma trees on lands belonging to Ryots in Nullapaud.

The executive servants of the Public Works Department being now placed by Government in the same position as private individuals as regards the procuring of supplies of materials and labour, the aggressive parties have evidently placed themselves under the liability of the Law for tresspass and misdemeanour; but as my previous letter of the 18th Instant was not in time to afford an opportunity of correcting the mis-apprehension, which I am prepared to believe, existed in this matter the proceedings will be staid upon your sending me the value of the trees viz. Rupees 1-11.

It must however be distinctly understood that any future act of aggression of the kind on the part of Mr. Bance or any Subordinate will be dealt with under the provisions of the Law.

No. 72. ORDER THEREON, No. 1440; dated 27th July 1857.

The case referred to in the above papers appears to have been disposed of by the Acting Magistrate, who fined the party charged with misconduct to the amount of 10 Rupees. The Right Honorable the Governor in Council however resolves that the correspondence on the subject be forwarded to the Chief Engineer in order that he may be acquainted with the character of the Sub Overseer Vencatasawmy. Colonel Faber will be good enough to ascertain and report to Government as to the price charged in Guntoor for lime bought by the Public Works Department, for if the lime were as plentiful there as Lieutenant Tulloch describes, in his letter of the 30th May to the Acting Magistrate of Guntoor, it could hardly have risen from Rupees 5½ to Rupees 22 a Candy, as appears from Mr. Rhode's letter to Mr. Newill dated 17th June 1857. The causes of this rise should be properly enquired into, and a full report submitted to Government.

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

Guntoor District
Magistrates Office
Condaveed 22d June
1857

No 11

From H. Newill Esq
Acting Magistrate
Guntoor

To E. Maltby Esq
Acting Chief Secretary to
Government
Fort St George

I have the honor to submit for the consideration of Government the proceedings in a case of oppression used by a subordinate of the Public works department together with a copy of correspondence with Mr Rohde Inspector of Jails relative to the subject.

2. The case does not properly fall under the description of torture so as to require it to be reported in accordance with the orders of Government quoted in the margin, but as Mr Rohde has requested that it should thus be brought forward, it appears proper to do so, particularly as it is not the only instance of the department going beyond its proper limits. I am glad to add that undue interference of the kind has rarely

× 23d July 1856
2 August do

Vide letters to Lt Tulloch regarding Mr Bance cutting down trees on lands occupied by ryots included in the correspondence

Sevenbourn Exercised by Sub Officers in the
Main Sub-divisions of the District.

I have the honor to be
Sir
Your Most obd.t Servt
Thomas
Acting Magistrate

Comp.d

List

1 Copy of a letter from Mr Hackett Secr
dated 13th May 1851

1 D.o of a Do from Lt Stallock agent
Superviser dated 30 May 1851

1 D.o of a Do from Mr Bauer superviser
dated 27th May Do

1 Report of a Decision by the Magistrate
dated 31st May 1851

1 Copy of Letter from Mr Hackett Secr
Enclosing Copies of Decisions dated 17th
1851

1 Copy of Do & Stallock agent Wpg
of Do 2 Statements
dated 21st May 1851

1 Copy of Do do do dated 18 August 1851

7

Mr.

Pub: Works Secretary's Office 1851
Despatches 28th July No. 1328

From the Asst Magistrate
at Fort Alexander

To the Hon. Chief Secretary
to Government
Fort Garry

dated 20th June
Rec'd 2d July } 1851

No 11
S.C. No 11440 - 27 July
Encl 1

Submitting for the
Consideration of
Government the Proceedings
in a case of aggression
used by a Subordinate
of Mr. Hackett together
with a copy of a correspondence
with Mr Hackett
on the subject

Copy sent under to the
Chief Secy 29 July 51

Asst.

Wm Mactavish

2nd Aug Rd 17th

15

Jaffna 13 May
1857

From
J. Rohde Esqr

To
A Neill Esqr
Acting Magistrate of
Jaffna

I have the honor to call
your attention to a statement made by
B. Narrainappa of Pulikaloor on my
enquiring if he could supply a Chinaman
to the effect that the present Arbitrary
price of a Chinaman is owing to the Engineers
Requesting Venkata swamy having forcibly
prevented the men of Pulikaloor village
from collecting stones & burning lime;
should this prove correct, I trust you
report the fact to Government: as I feel
assured that a man who has acted
as this Mastry is stated to have done,
would immediately be dismissed
from Employment, I can not I am told,
purchase Chinaman under four times
its proper price and this solely
on account of the oppressive interference
of a Mastry
Had formerly to

to Mr Purvis' notice the annoyance to which the Palkalcor Chunam burners were subjected, whereby the price of lime was unduly raised. The men then offered to supply me for one Rupee the Candy less if they were relieved from the unauthorized interference, Mr Purvis, I believe, found the complaint well founded & redressed their wrongs but the present charge, if true, & I know no other cause to account for the Excessive price, is one which the whole Country is interested in having investigated.

It was I believe one great object in removing the Maramut from the hands of persons vested with Police authority to prevent oppression in executing public works. If this Deputy has presumed to interfere in the mode stated I trust a severe Example will be made to show that the people are free-

Guntoor 13 May 1847

I have &c
(sign'd) J. Rohde

P.S. Since writing this, I have learn the Deputy, he tells me that Mr Bauce & Mr Tulloch both ordered him to prevent the people from making Chunam, because they demanded 11 Rupees a Candy for it-

Though as an individual I make this charge, I beg that a Copy of my letter may be transmitted for the information of Government. The people who I lived so long among and from whom I ever received kindness and attention shall never have it to say that I disregarded the wrongs imposed on them -

(sign'd) J. Rohde

/True Copy/
H Smith
Acting Magistrate

Comps
A.C.G

17

No 2

Dear Sir

Yesterday's Magistrate

Swinton

I have the honor to acknowledge
the receipt of your letter No 209 of the 15
Inst. and enclosing Copy of a Complaint
made to you by Mrs Rokeby respecting
a Prisoner on the subject of the Robberies
men having been prevented digging Stone
lime &c from about their villages
Mrs Rokeby requests that
the complaint may be forwarded &c
Government, & thought it but fair
before the documents were despatched
to give Information to Mrs Rokeby the
opportunity of clearing the charge that
Mrs Rokeby indirectly brings against
him. She duly received the communication
with other Papers alluded to, & hope you
for my not having answered your letter
before this.

I have &c your Obt Servt

W Ly

according to which it would
appear

appear that the Madras Authorities had received no orders to prevent the Pallaloor Ryots from excavating stone stones from about their village but that the restrictions were confined to the particular pits which had been opened by workmen employed in the Public Works for the Government and their Public works alone.

Since the receipt of your letter the Madras Authorities have been summoned before you, pressed and examined by you on the charge against them, and I therefore not dwell on that part of the Public letter, which accriminates the Madras Authorities but passing to the Postscript, where the statement that the Madras Authorities had been the last obtained their orders from me. Had the Public made some further enquiries on the subject of the truth of this assertion I am sure they would not have credited the statement, much less have entered it as an aggravation of the Madras conduct in the affair.

some months ago time was given in Junior, so much so that it could not be brought at the current price for the Government works progressing in that Country than that Government should be compelled to pay dear for an article, deemed at present to be at which it could be manufactured by Native labour. On the Grants of Land last approved, on personal Examination of the spot near the village of Pallaloor which had been selected by Mr. Bauer and new workmen hired from the Ground from which the Stone was to be obtained. This Stone was burnt and delivered at Junior at the rate of about 6 Rupees a Pooth. The Stone required for the works that are progressing in Junior, a two ago progressing in Junior, workmen have been employed for about the last 3 Months in supplying the Bricks in Junior with Stone

Some time ago Mr. Bauer mentioned casually to me that no

there was an abundant supply of Limestone required in Jaffnapatam and he had taken the trouble to open pits near to the village of Palaly where he had opened orders to the effect that the Palaly Villagers were not to dig lime stone from that place, now as the whole Country round about Jaffnapatam abounds in Limestone I gave my verbal approval to Mr. Rasse's Orders, knowing well at the time that under the depth of about 1 or 1½ Yards there was no rich & plentiful a story of Lime as would supply the people of the Jaffnapatam District for years to come and that if these Villagers were really desirous to procure some they would get many pits near their village from which they could procure it. Due Care was ordered to superintend the workmen excavating Lime to prevent their interfering at these pits from the villagers. I am not aware that they have infringed any rule or law & lay freely open to any just complaint by acting from a cause that all private

private interests must be waved where they interfered with the public good.

Whereby Mr. Rasse informed that he had ordered Lime stone not to be dug from the pits, he at the same time communicated to me, that the villagers had appealed to the Jaffnapatam Fiscal for redress, and that the Fiscal had intimated to them that under the particular circumstances of the case he could not interfere in as much as the P.W. Department had priority of claim to the Lime stone in the pits, which had been opened by workmen employed under that Department. Knowing that the Fiscal was a fit person to redress such a grievance either by referring the matter to the Magistrate of Jaffnapatam or by acting on his own responsibility under such circumstances, my impression was then such as now that workmen employed for the public service were in no way to be interfered with

with by there labouring for private
concerns.

8 I ought to mention (as
will be seen by Mr Bauer's letter)
that the millers came home for
wages. I told them I could not
grant them leave to dig at the pits.

9 I thought two parties of men
employed at the same spot & similated
by different interests could not work
amicably.

9 The facts stated in Mr
Bauer's letter (& I presume Mr Bauer
is prepared to substantiate them
knowing as he does that after Rohde's
Complaint is to be forwarded to
Government) tend to give a very different
colouring to the story which whether
true or not Mr Rohde has seen
fit to believe in, as the paiers are
the only one of the present high prices
of Shoonam. I can myself testify
to the fact that the present has not
been the only time when that article
has arisen to an exorbitant price

25

for sole reason of my not
buying the article was that I could
not honestly do so at the high rate
it was selling at, and knowing as
I did the trouble that the manufacture
of it in Junkoon would be attended
with & the evils that would
probably be entailed by giving
rise to jealousy &c on the part of the
Contractors, whenever they might find
the monopoly taken from their hands
I did not accept as a last & present
resort this.

10 To meet directly the charge
that Mr Rohde indirectly brings
against myself. I would ask what
proof did Mr Rohde get to corro-
borate the statement made by the
Peasantry. Were the orders I gave written
or verbal? if the former, did Mr
Rohde enquire of the witnesses who
they have heard the orders given
if they could testify to the truth
of the Peasantry's statement?

12 Soon after the receipt of your letter I asked the Magistrate if he had told Mr Rohde that I had given him orders on this subject, he said that he may have been led to say so to Mr Rohde but that he remembered no orders of mine ever having been given on the subject

13 I think the Magistrate is undoubtedly to blame in having acted entirely on his own responsibility I cannot but think that Mr Rohde has so fully believed all that the Pallatoor Villagers have told him on the subject If they had a grievance (and according to their story they have been suffering under this one for some time) why did not they avail themselves of the Ordinary mode of redress - an appeal to the Magistrate must have insured them a hearing were they innocent of any

that

that justice would have been dispensed impartially to them complainants to had they sought it through this channel

Camp Condavedi
30 May 1857

I have &c
(sign'd) H. Sullock
Asst Engineer N.D.

(True Copy)

H. Sullock
Acting Magistrate

Compared
A.L.K. Translator

To
G. H. Pulloch
Asst Engineer H.D.

Sir
I beg to acknowledge the receipt of your Memo. of the 19th Inst. received late last Saturday Evening the 23d together with the Memorial of the Inhabitants of Valtos on the subject of the Valtos people not being allowed to burn lime. In reply to which I beg to state, that on Monday the first I commenced for digging lime stones in the selected place on the East side of the Valtos Hill and ordered the Inhabitants of Valtos people should be allowed to get as many stones as there were then carts on the ground on the South side of the Hill, where lime stones can be procured also at Loch Valtos where they are at liberty to collect what stone they require. I am (Order to) (illegible) that owing to the arrangement I have only to mention that during the time the workmen in Portree Harbour were engaged on the Pier for March last, (illegible) stones were engaged by people from other parts of the District, which Inhabitants from Valtos, and for the Inhabitants

to

there be Law'd in the manner as represented
I would I think have required his presence
there every day, but the Priest in visiting
to Palabalaar, did not exceed two or three
times during the week & then his stay
there was not more than one hour
or two of a Morning on each occasion
I think it now necessary to say some
thing more regarding the Complaints
they have made, which appears to me
to be very much misrepresented, for if
they had met with such oppression
I think they would have been glad enough
to see you on the subject which I advised
them to do (as I will notice it in its
proper place) & even if they acted
accordingly there would have been no
necessity for bringing about this
Commotion in the way they have done

It was in February last
when I commenced to make arrangements
for procuring Shumaun the Palabalaar
people were spoken to about supplying
me with Shumaun they demanded
9 Rupees a Bootey, and to enable them
to fine the Shumaun they wanted

&c.

the a Bootey of 100 Rupees, and three
months time to give it was their dead
suit me, I determined upon buying
my Shumaun & my doing so was not
at all agreable to them, & they proved
to be great obstacles in my way
in procuring such as would suit
Brothers in the village so that I was
obliged to abandon the idea of
had of building a Kiln at Palabalaar
and was obliged to cart my Lime
stone a distance of 4 or 10 Miles
for burning it - there was a great
quantity of Brothers in the village
but the people, for fear of the Commun
who is at the head of the Shumaun part
would not venture to sell me any. During
the time I was endeavouring to burn the
Lime at Palabalaar, when I knew
that the people were not disposed to
buy during the Maistry I told them on
one or two occasions, if they would
not let me have Commodities, they
would not be allowed to collect one
stone, or the whole of it would be
taken up for Government Works

the Country had no effect upon them
whatever and they were quite indifferent
about what was said because their
time (as Will mobe before) had not
then arrived for burning Chunam

If I remember will I think it
was in the month of February as already
mentioned by me that I commenced
to dig for Lime stones at Pallaloor
and when I had a good quantity dug
& the had a good portion of it carted
to where it was required there was some
still remaining and some time
in March I found out that there was
no necessity for me to look to Pallaloor
for Lime, as it could be procured
about Jamtoor which encouraged me
very well, what I got dug by the 15th
March at Pallaloor should have
been carried to the Kilns by the end
of March but on account of some
difficulties in procuring Lime stone
from Jamtoor, there was a delay,
there were Bandies at Pallaloor
but as must be expected I could
not get them

The usual time for the Pallaloor people to Commence Collecting Lime stones every year was after the 20th April and they never burnt it till about the middle of May, and I remember that it will be remembered that I commenced in February & dropt doing so in March, and soon after I was recalled

When I arrived at Jamtoor last April the Pallaloor people who were concerned in burning Chunam came & met me on the 23d of the same month to speak to me about burning Chunam they said that they were more prepared to do so, but that the Master would not allow them to collect the stones they never mentioned where & at what places they were to be gotten, and as they knew with hinderance, and as I had then been away from Jamtoor for some time back, they were much aggrieved with my removal from the Jamtoor Factory and they were desired to see you on the subject

they

they appeared willing to do so, and after having been in some Compound for the most part of that day, it seems most strange that they did not receive orders from you.

It was usual with the Choonam party at Palaikaloor every year to receive advances from the Tahsildars for supplying Choonam for Government works, & with the money so given them they were able to burn a larger quantity than that required by the Tahsildars which were given at the rate of 5½ Rupees the 100 lbs & the surplus Choonam they got & remaining with them they sold at a higher rate from 5½ to 6 Rupees soon after the Marathas were made over to our Department; the prices rose very high. I have myself paid them 11 Rupees for a 100 lbs soon after the Sircar

The Choonam people of Palaikaloor were known to come to Sunkoor

Sunkoor in March last, and calling upon people, who they thought required Choonam, & was offering to supply any quantity at 9 Rupees the 100 lbs and when it was observed to them that the price was too high, they would say, that it was on account of the Engineers Department not allowing them to burn Choonam, they speedily seems prevented, and still they appeared able enough to supply any quantity of Choonam if they were paid as they demanded, the same seems for the high payment appears to have been made to Mr. Rhode, I am pretty certain as to the fact that the Palaikaloor people cannot for the future afford to sell their Choonam to private parties at the same rate they were accustomed to do previous to the transfer

Sunkoor 25th
(arrived 25th Dec 1857) (signed) J. A. Bance Superintendent
(True copy) H. Neill
Ke Nagle

Complainants | Defendants

1 B. Narrayanapah
2 S. Sashoo Letty. Versus { S. Venkatasamy Sub Overseer.

Witnesses

1 D. Venkatareddy
2 S. Chintanah
3 C. Vollapah.
4 R. Pukalareddy Village Moonaff.
5 Shaik Hoosain " Mohatland

Charge.

The defendant is charged with having about the 28th April 1857 at Palakaloor in the Guntoor Talook, forcibly prevented the 2d Complainant a coody on behalf of the 1st Complainant from digging chunam stone, and taken away from the former certain implements used for the above purpose. 1st Complainant states that about 20 days ago, while the 2d Complainant was digging chunam stone for him (1st Complainant) at Palakaloor, the defendant came there and prevented him from doing so, by forcibly taking away from him, an iron crow bar, a hoe, and a weeding spade and made them over to the Mohatland, that they are still with the Mohtland, that the Defendant further said that if he

(Complainant) would sell chunam at 5 Rupees a Candy, he would allow him to collect the chunam stones and burn lime.

2d Complainant states that about a months ago, while he and some others were digging chunam stone for the 1st Complainant at Palakaloor, the defendant and his brotherinlaw came there and prevented them from doing so, and further took away from them 2 iron crowbars and 2 hoes and made them over to the Mohtands, in the presence of the Village Moonsiff; that about 10 days previous to this, the defendant told him as well as the 1st Complainant and others, that unless they agreed to sell chunam at 8 5-[illegible] a candy, he would not allow them to dig the stone.

4th Witness deposes that about 20 days ago, the defendant prevented the 2d Complainant from digging chunam stone at Palakaloor, and took away from him 2 iron Crowbars and 2 hoes and made them over to Mohatand, that is to say the Defendant brought the implements and made them over to the Mohatand and said that he had prevented the 2d Complainant and others from digging chunam stone; that he did not see the defendant prevent the 2d Complainant from digging the stone; that about 20 days previous to this, the defendant told the 1st Complainant as well as the deponent and others, that unless they would sell chunam at 5 Rupees a Candy, he would not allow them to dig the stone.

2d Witness deposes that about 20 days ago, while he and the Village Moonsiff and some others were sitting in the bazar of Palakaloor, the defendant came there with 2 iron crowbars and 2 hoes and delivered them to the Mohtand and said that he had ---- prevented the 2d Complainant and others from digging chunam stone, and further directed the Mohtands to keep the implements with him and he also told the Village Moonsiff to prevent any body digging the stone.

3d Witness deposes that about 20 days ago, while he and the Village Moonsiff and others were sitting in the bazar of Palakaloor, the defendant came there, and said that, altho' he had ordered that no body should dig chunam stone, this was not attended to, but that he himself (1st Defendant) had prevented the 2d Complainant and others while they were digging the stone, and also took from them their implements; that the defendant then delivered the iron crowbars &c. to the Mohtand, and directed him not to give them up to any body.

4th Witness. The Village Moonsiff states that about 25 days ago while he and some others were sitting in the bazar of Palakaloor, the defendant and his brother-in-law came there with 2 iron crowbars and 2 hoes and said that they had prevented the 2d Complainant and others from digging chunam stone: they then made over the implements to the care of the Mohtar, with whom they still remain

5th Witness Mohtaud deposes that about a month ago, while he was with the Moonsiff in the bazar of Palakaloor, the defendant's brother-in-law Narsimaloo, came there with 2 iron crowbars and 2 hoes, and said that the defendant prevented 2d Complainant and others from digging chunam stone, and sent their implements to be delivered to him (Mohtaud) that they are still with him.

The defendant denies the charge and states that he (defendant) represented to Mr. Rohde that he heard that Mr. Tulloch and Mr. Bance had prevented the people from digging the stone; that he made a mistake in telling the name of Mr. Tulloch, but he heard that Mr. Bance only prevented the digging; that he does not know further particulars on account of the prevention. Mr. Bance did not order him to prevent the people digging the chunam stone.

This

Decision

41

1 This matter was first brought to notice by Mr. Rohde Inspector of Jails, in his letter of 13th May 1857 written on the occasion of his recent visit to Guntoor and but for his intervention it would probably not have come to light.

2 The charge above defined is clearly proved against the Defendant who has assumed to himself an unwarrantable authority which he has exercised in an oppressive manner, as injurious to the interests of the public Works Department as to individual rights.

3 The greatest care has been taken to prevent the Revenue and Police authorities throwing obstacles in the way of the Officers of the Public Works Department in procuring labor and materials in a legitimate way and the oppressive conduct of the Sub Overseer (lately a Maistry) is altogether inexcusable more particularly so, as it appears from the Tahsildar's report that the interference took place with regard to the lime stone found on a Cartaun's Service enam land.

4 There is nothing in the evidence to shew that Defendant was acting under the express orders of his Superiors whose names transpire in the defence. Mr. Tulloch the Assistant Civil Engineer has however been requested to submit explanation regarding any part taken by himself or Mr. Bance Supervisor in the matter, but as there is no evidence to substantiate a charge against them, the case is not further delayed for their reply.

5 The Defendant is fined in the sum of 10Rs commutable to imprisonment in the Zillah Jail for 10 days under Section 32 of Regulation 7 of 1816.

25th May 1857. /Signed/ H. Newill
Acting Magistrate

6 Explanation has since been received from Mr Tullock and Mr Bance, in which it is alleged that any sanction given by them to the Sub Overseer was confined to the prohibition of parties digging the pits opened by the Public Works Department. The evidence however does not shew that the prohibition, as carried out forcibly by the Sub Overseer, was confined to this limit, but on the contrary that it was of a general nature, and indeed Mr Bance admits that on more than one occasion the Sub Overseer threatened the people that "they would not be allowed to collect one Stone". — paras 2 of this letter

7 The evidence further shews that it was in consequence of the Complainants refusing to supply Chunam at about 5 Rupees a Candy that they were prohibited from digging the lime stone, which certainly leaves it clear that the prohibition as far as the Sub Overseer is concerned was general, for it would have been absurd to have limited it to any pits opened by the Public Works Department.

8. Mr Tullock's explanation as regards himself seems quite satisfactory, as his instructions related only to preserving the pits opened by his Department from interference by others, and he appears to have been entirely in ignorance of the land being Service Enam and of the prohibition being of a general nature. There is nothing to shew that Mr Bance exceeded the same degree of interference, except his own admission that he knew the Sub Overseer threatened the people that they would not be allowed to collect any stone at all. He ought to have checked this improper threat made by his subordinate, and such a course would probably have prevented the necessity of the present proceedings.

31st May 1857 /Signed/ H. Newill
Acting Magistrate

/True Copy/

J. Smith
Acting Magistrate.

No 220

From J Robde Esqr
Inspector of Prisons

To H Newill Esqr
Collector of Guntoor

Sir

On looking over the papers connected with the charge against V. Venkatasamy a Sub Overseer under the Civil Engineer of Guntoor, I have the honor to state that it seems to me that his conduct in falsely stating to me "that" he prevented the Pulka-loor people from making chunam because they asked 11 Rupees (or 11½ Rupees) for it, that he did this by Mr Bance order, that both Mr Bance and Mr Tulloch gave him this order," should be brought to the notice of Government. He had no excuse for deceiving me, the answer was off-hand and voluntary, and from the way in which it was given implied a consciousness of having done a clever thing. Mr Bance's reply is not to my mind at all satisfactory, and from the tenor of your remarks I see that you had very little doubt that he had given unauthorized instructions,

Orders

I asked one question of the maistry, his reply was full and explicit, and, as he now admits, false.

2. Mr. Tullock seems annoyed that I should have credited the maistry. I never stated that I did credit him. I merely informed you of the tenor of his admission. I afterwards reflected that Mr Tullock not having much experience of the people under him, might have without much consideration sanctioned what they represented as right, and I then withdrew so much of my letter as affected him, and which proposed that Government should be made acquainted with the matter. I am now however decidedly of opinion that L. Venkatasawmy is unworthy of confidence, and that his conduct should be brought to notice.

3. I can say that the impression in Gimloor was that the ach proceeded from the orders of the Engineer Officer. they have shown that the Sub-Overseer has deceived both the people and myself

4 In regard to Mr Bance's Statement I can only say that many do not tally with my experience. I am at a loss to

know why a transfer of the Maraumut from the Collector to the Department Public Works should preclude any purchasing chunam at the usual rates. I may added that the people offered me the chunam at the usual rate, if a few days were given them to prepare it and they were not interfered with. I never allowed the interference of any public servant in my dealings; what the people promised they did, and I most certainly was never dependant on any advances made by the Maraumut Department or any body else for chunam or any thing else. I never paid 11 Rupees a Candy or more than 6, generally 5½ and often twice as much as I wanted, was brought in and left. On my visit to Gimloor, I find that I am paying 22 Rupees a Candy for any I can get and that a lime kiln I had built, has been appropriated and removed without leave by the Engineer Department.

I have now the honor to be,
Sir
Your most Obedient Servant
(signed) J Hobde
Inspector of Prisons

Madras
Off: of Inspector of Prisons
17th June 1857.

True copy
A Thomi
acting Magte

Copy
A H R

Order

Gimlon District
Magistrate's Office
Condemned 18 day
1857.

No. 224

To,
Lieutenant Tulloch
Assistant Engineer

Sir,

I have the honor to inform you that a complaint has been preferred by Mu-meenda Cotuppa of Chuttaredy, palem that his rights of property had been forcibly invaded by a certain Peon named Mahomed Ibram belonging to the Public Works Department cutting down certain toomma trees in the use of which he lays claim, and that upon enquiry into the matter by the Assistant Ma-gistrate, it appears that the trees in question were cut under the orders of Mr Bance Super-visor, and without any previous permission from or even intimation to the Revenue Author-ities. Mr Bance states in explanation that he remembers seeing a letter from me addressed to you, in which it is stated that I had no objection to trees being cut on unoccupied lands, but does not enter any copy of it upon the record of the case, nor does he venture to state that the usual previous reference was dispensed with in the communication, which I do not

Order

find in my Correspondence -

Altho' it is correct that toomma trees are generally available in all unoccupied lands for the Public Works Department, the procedure of Mr. Bance to cut down those in question was altogether unjustifiable without a previous reference to me on the subject - Such reference, you are aware, has hitherto been usual with yourself and is universally made by the other officers of the Department, and I beg you will be good enough to instruct Mr. Bance to desist from such a course in futures.

I have &c &c

(Signed) H. Stewill

Acting Magistrate

(True Copy)

Illegible

Acting Magistrate

Comp
AHE

Jaffna 5th District
Magistrate's Office
No 234 Received 29th May 1857

To L. J. Tullock
Asst Surgr H.D.

Sir

I have the honor to forward you copy of an arzee received from the Vahaildar of Pointoor in which it is shewn that a Peon in the Public works Departt under the orders of Mr Bance superviser has cut down several Toomma trees on lands belonging to 2 ryots in Nallapaud -

The Executive servants of the Public works Departt being now placed by Government in the same position as private individuals as regards the procuring of supplies of materials and labour, the aggressive parties have evidently placed themselves under the liabilities of the Law for trespass - misdemeanour; but as my previous duties of the 18th inst. was not in time to afford an opportunity of correcting the mis-apprehension, which I am prepared to believe, existed in their minds, the proceedings will be stayed upon your sending me the value

Order

P. W. Dept

No 1440.

Extract from the Minutes of Consultation

Under date the 27th July 1857

Read the following

Letter from the Acting Magistrate

of Guntoor

/Here enter 22d June 1857 No 11/

The case referred to in the above papers appears to have been disposed of by the Acting Magistrate, who fined the party charged with misconduct to the amount of 10 Rupees. The Right Honorable the Governor in Council however resolves that the correspondence on the subject be forwarded to the Chief Engineer in Order

value of the trees right Rs 1-11-0

It must however be distinctly understood that any future acts of oppression of the kind on the part of Mrs Bazett or any subordinate will be dealt with under the provisions of the Law.

I am &c

Sd/ H. Pierrill

A/ Magte

/True copy/

Nilan C

acting magistrate

Enclosure in Letter from the A/ Magte Guntoor dated 22d June 1857 No 11

P.W. 328/57

Comp

order that he may be acquainted with the Character of the Sub Overseer Venkatasawmy ~~[illegible]~~ Colonel Faber will be good enough to ascertain and report to Government as to the price charged in Gumtoor for Lime bought by the P.W.D. for if the Lime were as plentiful there as Lieut. Tulloch describes, in his letter of the 30th May to the Acting Magistrate of Gumtoor it could hardly have risen from Rupees 6½ to 22 a Candy, Rubies as it appears from Mr. Robide's letter to Mr. Newill dated 7th June 1857. The causes of this rise should be properly enquired into, and a full

report

report submitted to Govern
ment [illegible]

A Copy to the Chief Engr. Dist. 28
1st Brigade of Gunners

Public Works 1857 Dept.
Dr to Cons 28th July

No 1440.

Extract Minute of Cons.

Dated 27th June 1857.

Read Chief Engr's letter of 6th 1857
in 6 Pkts.

Forwarding to the Chief Engr the correspondence on the misconduct of Sub Overseer Venkatasawmy and Gumasta Virupakshy, requesting the Chief Engr to Report as to the fines charged in Gumasta Accr for Cooly Brought by that Dept.

No 971+72.

Cooly