No. 18. Read the following letter from M. MURRAY, Esq., Magistrate of Cuddapah; to H. FORBES, Esq., Acting Secretary to Government, dated 15th August 1857, No. 27.

SIR,

1. With reference to Extract Minutes of Consultation dated the 8th Instant, No. 1549, I have the honor to inform you, that the first intimation I received of the ill-treatment said to have been received by the Wudders was, from a letter of Lieutenant Hemery dated 2nd June, wherein he says, in para. 7, that this case has been reported to the Chief Engineer for the information of Government, thereby shewing that he had brought the matter to the notice of the Chief Engineer without bringing to the notice of the Magistrate in the first instance, which I think, he was bound to do, if not in duty certainly in courtesy, and this is what I complained of in para. 4 of my letter to the Chief Engineer under date the 16th June last No. 63.

2. In my letter to the Chief Engineer under date 18th April 1857, I brought to his notice other complaints preferred by him direct, which system was condemned by the Chief Engineer in his letter to the District Engineer of the 27th May last. The present is merely a repitition of the system which I complained of before and was objected to as above stated.

No. 19. ORDER THEREON, No. 1676; dated 3rd September 1857.

From the correspondence recorded above, it appears that on the 25th of May last, a Wudder lost his life by the falling in of a large piece of rock beneath which he was at work. Some delay occurred in obtaining the presence of an Officer competent to hold an inquest, and as the corpse became offensive, permission was given to the relatives of the deceased, by the Overseer of the works, to inter it at once, the circumstances which had caused death were patent, and no doubt upon the subject could arise.

2. On the arrival of the Sheristadar of the Talook to hold the inquest, he is reported to have caused the relations of the deceased to be assaulted for having interred the body prior to his arrival, and marks of blows were seen on their persons by the Overseer, to whom they came at once to complain.

3. The charge of ill-treatment has been referred to the Judicial Department, and will be there disposed of.

4. The circumstances were reported to the Magistrate on the 2nd of June 1857 by the District Engineer, and at the same time were laid before the Chief Engineer, who requested the Magistrate on the 5th Idem, to inform him of what took place. Mr. Murray, in a reply dated the 16th June 1857, expressed his surprise that the District Engineer had not mentioned the fact of ill-treatment to him, when reporting the circumstances attending the Wudder's death, charged Lieutenant Hemery with keeping back from the knowledge of the Chief Engineer certain parts of the case, "for purposes of his own," and attributed that Officer's conduct in the matter, "to personal hostility" and "a desire to make mischief."

5. As the Magistrate's assertion that the District Engineer had not reported to him the ill-treatment met with by the Wudder's relations, was irreconcileable with the correspondence submitted by the Chief Engineer, which included a letter from Lieutenant Hemery to Mr. Murray, dated the 2nd June 1857, in which the fact was broadly stated, Mr. Murray was, in Extract Minutes Consultation of the 8th of August, called upon to explain the matter.

6. In his reply quoted at the head of these proceedings, Mr. Murray says, "the first intimation I received of the ill-treatment said to have been received by the Wudders was, from "a letter of Lieutenant Hemery dated 2nd June, wherein he says, in para. 7, that this case has "been reported to the Chief Engineer, for the information of Government, thereby shewing "that he had brought the matter to the notice of the Chief Engineer without bringing it to the "notice of the Magistrate in the first instance, which I think, he was bound to do, if not in "duty certainly in courtesy, and this is what I complained of in para. 4 of my letter to the "Chief Engineer, under date the 16th June last No. 63."

7. This reply is not satisfactory. Mr. Murray, in his letter to the Chief Engineer of the 16th June 1857, did not complain that Lieutenant Hemery had reported the facts of the ill-treatment to his superior at the same moment that he reported them to the Magistrate, but that he had reported them to the Chief Engineer without informing the Magistrate at all. This assertion now turns out to have been groundless, and finding it to have been so, Mr. Murray should have at once retracted the charges of "personal hostility, and a desire to make mischief," which he had made against Lieutenant Hemery, unless he had other grounds, for making so serious a charge.

8. The Government have already had to express their disapprobation of the hostile attitude assumed by the Collector of Cuddapah towards the Public Works Department and they cannot but regret to find in the correspondence now before them, much to justify the opinion they had already formed.

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

No. 27.

From M. Murray Esquire
Magistrate of Cuddapah
To H. Forbes Esquire
Acting Secretary to Government
Fort Saint George

Sir,

1. With reference to extract minutes of consultation dated the 8th instant, No. 1549, I have the honor to inform you, that the first intimation I received of the ill treatment said to have been received by the Bodders way from a letter of Lieutenant Hemery dated 2d June, wherein he says, in Para 7 that this case has been reported to the Chief Engineer for the information of Government, thereby shewing that he had brought the matter to the notice of the Chief Engineer without bringing it to the notice of the Magistrate in the first instance, which I think, he were bound to do, if not in duty certainly in courtesy, and this is what I complained of in Para 4 of my letter to the Chief Engineer under date the 16th June last No. 63. —

2. In my letter to the Chief Engineer under date 18th April 1857, I brought to his notice other complaints preferred by him direct

Engineer in his letter to the Surveyor General
of the 27th May last. The present is merely a
repetition of the system which I have already
of before & was objected to as above stated. —

I have the honour to be
Sir
Your most Obedt Servt
[illegible]
Magistrate

Caddo Pass
Magistrate's Office
15th August 1857.

To
H. Foster Esqr
Acting Secretary to Government &c &c
Red River

Rept
Aug
Att.

Public Works Dept

No. 1676

Extract from the Minutes of Consultation

Under date the 31st ~~of August~~ 1857.

Read the following letter from the Magistrate of Auckland

Here enter 15th August 1857 No 271

4

16

6

From the correspondence recorded above, it appears that on the 25th of May last, a Wredder lost his life by the falling in of a large piece of rock beneath which he was at work. Some delay occurred in obtaining

Public Works Dept
No 1678
Auckland 25th June 1857
Engineer in Chief
Sir
I have the honor to forward herewith for your information a Return of Expenditure for Roads &c. for the Month of May last
I have &c
(Signed) J. Heaphy
Resident Engineer
Return enclosed
Here enter 6th July 1857
No 1678
Public Works Dept
Auckland 15th July 1857
Sir
I have the honor to acknowledge the receipt of your letter of the 25th ultimo, forwarding a Return of Expenditure for Roads &c. for the month of May last
I have &c
(Signed) J. Heaphy
Resident Engineer
The Engineer in Chief
&c &c &c

obtaining the presence
of an Officer competent
to hold an inquest,
and on the Corpse be-
-came offensive, per=
-mission was given
to the relatives of the
deceased, by the Overseer
of the Works, to inter
it at once. - the cir-
-cumstances which
had caused death were
patent, and no doubt
upon the subject could
arise.

On the arrival
of the Sheriff at the Talook to hold
the inquest, he was re-
-ported to have caused
the relations of the
deceased to be assembled
for

for having entered
the body prior to his
arrival, and marks
of blows were seen
on their persons by
the Overseer, to whom
they came at once
to complain.

The charge of
ill-treatment has been
referred to the Medical
Department, and will
be there disposed of.

The circum-
-stances were reported
to the Magistrate
on the 2nd of June 1857
by the District Engineer,
and at the same
time were laid before
the Chief Engineer,
who requested the
Magistrate

ob
Magistrate on the 5th
of Idem, to inform
to him of what took
an place. Mr. Murray,
- co in a reply dated the
. n 16th June 1857, expressed
to his surprise that the
de District Engineer had
not mentioned the
of fact of ill-treatment
ib to him, when report-
- cu ing the circumstan-
fe = ces attending the
pr Wheelers death. He
charged
ex Murray Lieutenant
Verner, with keeping
back from the know-
of = ledge of the Chief
of Engineer certain parts
th of the case, "for pur-
- p = poses of his own", and
th attributed that Officers
de conduct in the matter,
"to personal hostility"
and

and a desire to make the
"most of it."

On the Magis-
trates assertion that
the District Engineer
had not reported
to him the ill-treat-
ment met with by
the Wheelers relations,
was reconciled to
with the correspondence
submitted by the Chief
Engineer, which in-
-cluded a letter from
Lieutenant Verner
to Mr. Murray, dated
the 2d June 1857, in
which the facts were
broadly stated, Mr.
Murray was, in Extract
Mins: Cons: of the 8th of
August, called upon
to explain the matter.
In his reply quoted
at

proceedings, the attorney
says "the first intima-
tion I received of the
ill-treatment said to
have been received by
the Warders was from
a letter of Lt Stemery
of 2nd June, wherein
he says, in Para 7, that
this case has been
reported to the Chief
Engineer, for the in-
formation of Govt
thereby shewing that
he had brought the
matter to the notice
of the Chief Engineer
without bringing it to
the notice of the Ma-
gistrate in the first
instance, which I think
he was bound to do, if
not in duty certainly
in

" in that I complained of
" in Para 4 of my letter
" to the Chief Engineer
" under date the 16th June
" last No 63 "

This reply is
not satisfactory. The Mr
Murray, in his letter
to the Chief Engineer
of the 16th June 1857,
did not complain that
Lt Stemery had reported
the facts of the ill-treat-
ment to his superior
at the same moment
that he reported them
to the Magistrate, but
that he had reported
them to the Chief
Engineer instead in-
forming the Magis-
trate at all. This
assertion now turns
out

out to have been ground-
-less, and finding it to
have been so, Lieut. Mur-
-ray should have at
once retracted the
charges of "personal"
hostility, and a desire"
to make mischief",
which he had made
against Lieut. Yeamey, & publish'd the grounds
for making so serious
have already had to a charge
express their disappro-
-bation of the hostile
attitude assumed by
the Collector of Cud-
-dapah towards the
Pub. Works Depart.
and they can, not but repel to find
correspondence now
before them, as much
to justify the opinion
they had already formed-

(The Government
are

3 Copies to the Chief Engr.
Disp. 4?
1 — Do Engr. of Cuddapah,
3 — Sub Copies

Omit
B

are of opinion that Lieut
Murray's language re-
-garding Lt. Yeamey, is
wholly without excuse,
and they must express
their great regret, that
officers of his age, his
standing, and the position
of the present Collector
of Cuddapah, should
so frequently place
himself before the Govt.
in disadvantageous con-
-trast with the other
Public servants of his
District, as regards
judgement, discretion,
and temper.

E G

Public Works 1857 Dispatch
Dº to Govt: 8th September.

No. 1676.

Extract Minutes of Govt.

Dy 3d September 1857.

From Chief Engr 16th Sept. & Encl 1847
in Govt 29th

Respecting the ill treatment met with from the Jah Sild on at Cud apah, by the Muddeed relations who lost his life by the falling in of a large piece of rock beneath which he was at work & the hostile attitude assumed by the Collr towards the Govt.

No. 1819.

c 26th Augt 1857 Secy