

1. Name of the person
2. Date of receipt
3. Name of the person

M.B.O. 1-22,400-22-11-20.

MADRAS RECORD OFFICE.

Government of Madras.

Public Works DEPARTMENT.

Pen 271-10-58

G.O. No. 2271 Press
Mis.

148.49

Dated 27-10-18 5.

Not to be folded or roughly handled

Fert Saint. George, Public Works Consultation of 29th October 1858.

No. 148. Read the following letter from Lieutenant-Colonel E. LAWFORD, Officiating Chief Engineer; to the Secretary to Government, dated 30th September 1858, No. 4130

SIR,

* Extract Minutes Consultation No. 493 March 1st 1858.
do do 693 April 15th do.
do do 892 May 8th do.
do do 1044 June 1st do.
do do 1427 July 22nd do.
do do 1610 August 13th do.

With reference to Extract Minutes Consultation No. 267, dated 16th February 1858 and subsequent orders of Government, I have the honor to submit the papers marginally noted,* connected with the case of Sub-Engineer Maitland and Sub-Overseer Seenevassa Naik.

Enclosures 8.

* 1. Letter from District Engineer of Tanjore, No. 102, dated 12th August 1858, with Enclosure.
1 do do No. 118, dated 27th from Do Do, with one Enclosure.
1 do do 16th September do. from Officiating Super-Intending Engineer Southern Circle
1 do. No. 165, dated 25th September 1858, from District Engineer Tanjore, with 2 Enclosures.

2. On receiving Major Boileau's report, dated 12th August 1858, it seemed to me that Government would not be satisfied unless the views of Major Birdwood, and Mr. Maitland's own account of the transactions referred to, were also laid before them, and this last paper has only just been received.

3 I do not observe that I am called on to offer any further opinion of my own on the question, but I am satisfied that Government will give every consideration to the fact of Major Boileau's entire exculpation of Mr. Maitland, and Major Birdwood's admission that while he considered the Sub-Engineer's conduct unusual and incomprehensible "No tangible proof of misconduct existed."

4. As far as relates to Sub-Overseer Seenevassa Naik, it will be seen that Major Boileau considers him also undeserving of the punishment of dismissal, but as he also states* that the man is not to be found and as I did not recommend his appointment and still do not regard him as fit for the position he holds in the Department, I beg to recommend the removal of his name from the List of Subordinates.

Letter from Major A. BOILEAU, Officiating District Engineer of Tanjore; to Major E. LAWFORD, Officiating Chief Engineer, dated Tranquebar 12th August 1858, No. 102.

SIR,

Adverting to Para. 8 of Extract Minutes of Consultation No. 693, of the 15th April, and to the Extract from your Proceedings of 12th and 20th May 1858, Nos. 257 and 467, I have the honor to report, that I have investigated the charges made by the Collector in his letter No. 212, dated 27th June 1857, against Mr. Maitland, and Seenevassa Naick, the nature, extent and grounds of which against the former are as follow.

2. That only three days after a certain riotous assault made by the Villagers of Teeroovadachary upon the Thasildar of Codavassel, with a view to prevent that functionary from arranging for the carrying out of a certain cut-off in the river Poothaur, Mr. Sub-Engineer Maitland, did write a yadast (couched in terms somewhat exalted and unbefitting his position) to the said Thasildar, sending him instructions *direct* to stop the said cut until the orders of the District Engineer were received, regarding the extension of the cut as proposed by Mr. Maitland in the Naranamungalum lands, (spite being roundly stated to be the motive which led him to propose such extension) and did thereby "support the very Act which the Villagers had lawlessly combined to effect, without having personally proceeded to, and examined the cut, subsequent to the assault on the Thasildar," in doing all of which he, the said Sub-Engineer Mr. Maitland, "has become an innocent, or wilful tool in the hands of a Native Maistry Seenevassa Naick."

3. That Mr. Maitland did write such a yadast is very true, and that he wrote it three days after the riot is equally consistent with fact; but there is undeniable reason to suppose, that it was a mere '*post hoc*' not '*propter hoc*' proceeding. This part of the charge against Mr. Maitland, rests merely upon a coincidence; for the truth is, that so far from being cognizant of the riots, at the time he wrote his yadast, he had no information of

it whatever, as he is ready to state upon oath, until eight days after he had written it, Mr. Phillips' question "How, and why at this particular juncture, the 18th Instant, he (Mr. Maitland) saw cause for so suddenly interfering in the matter of the cut, as to issue his peremptory mandate to the Thasildar might be thus simply disposed of; but may be further replied to as follows, Mr. Maitland had visited and made a survey of the locality on the 4th June, and to improve as he conceived, the river still further, he marked out the cuttings, and prior to submitting a Revised Estimate for the same, he left the Sub-Overseer Seenevassa Naik to measure the exact quantity of land to be taken up, and to estimate the value of the same in communication with the Curnums of the villages concerned, in order that in accordance with the rules of the Department, his estimate might be submitted in as complete a form as possible." The Sub-Overseer took fourteen days to furnish this information, which was received by the Sub-Engineer on the 18th June, and on the same date, a Petition from the Teeroovadachary Meerassidars informed him, that the Thasildar was about to carry out the original cut, setting aside his revision. This was a mistake easily fallen into, inasmuch as the two cuts proposed on the North Bank of the river, differ but slightly in their size and direction. The receipt then of the full information he required from his Sub-Overseer, and the notification from the Ryots, that his line was being set-aside, appeared, and I think very properly, a fitting time to the Sub-Engineer to take full and decided measures for arresting the progress of the works, which he had disapproved of. I say full and decided, because, he had already on the 16th May ordered the work to be deferred, on the report of the Sub-Overseer. It is so difficult to discover the motives upon which others act, that I have not been able to discern whether "spite" "as roundly stated," was at the bottom of Mr. Maitland's Naranamungalum cut extension, but arguing from the open way, in which he has spoken out on the whole matter, and from my acquaintance, with his commonly too great tendency for cutting and slashing in river lines, I am prepared to doubt, whether he was actuated by any such unworthy motives.

4. It remains only to treat of the final portion of the charge, viz., of Mr. Maitland's having "become a tool, innocent, or wilful in the hands of his Sub-Overseer, Seenevassa Naik"; Mr. Maitland is not the man to be a wilful tool in the hands of any native, but a part from such mere assertion, a perusal of the whole correspondence suffices to my mind to show, that Mr. Maitland, acted throughout, a thoroughly independent part. He disallowed the Maistry's Project, he substituted his own, he reprimanded the Maistry for the delay which he exhibited, and reported him in strong terms to the District Engineer, charging him, with acting on unworthy motives. Where, in all this was he a tool in the Maistry's hands? Indeed the only thing apart from the high sounding letter to the Thasildar (which has been withdrawn) for which Mr. Maitland seems to be really blameworthy is that his survey alluded to as a careful one, is found in one item to be 40 yards out, but that was not in the further extensions proposed by him, which were found quite correct. For this carelessness the Sub-Engineer has been reprimanded by me. Direct communication with the Thasildars on the part of subordinates in stopping Works, was I believe admitted under the old regime, when as in the present case an immediate report was made to the District Engineer.

5. The other individual against whom charges are made is the Sub-Overseer Seenevassa Naick; I cannot hear, that this man has been heard of, since shortly after his dismissal, his present locality is at any rate unknown, and so I have been unable to send for him to interrogate him, I gather from the various documents before me that he is stated to have given shelter to one of the principal Rioters, in the riot of the 15th June, and to have passed the greater part of the night in dictating addresses for him; further he is said to have communicated with Mr. Maitland on the subject of the riot and to have been playing the game of the Teeroovadachary Villagers, and to have been mainly the cause of the riot "and further he is charged by Mr. Sub-Engineer Maitland, with acting from unworthy motives, in certain delay which are attributed to him."

6. The Sub-Overseer resided at the Bridge Works $7\frac{1}{2}$ miles from Teeroovadachary and certainly appears to have been visited by one or two of the persons implicated in the riot, but there is nothing whatever to show that he was aware that any disturbance had taken place and was harbouring Rioters; they came naturally to him as the nearest Departmental Officer to point out that the cut was being commenced, which had been postponed at the request of the

Sub-Engineer, as contained in his Yadast to the Thasildar dated 16th May, and to request him to write to Mr. Maitland on the subject, perhaps the Sub-Overseer and the two Roiters did employ the night in the house of the former in writing petitions (although the evidence seems to show that the visit, was either at 7 A. M. or 10 A. M. of the 16th unlikely hours for persons to visit who have had busy sleepless nights) with his aid, but so long as the Sub-Overseer knew not that he was in any way abetting a riotous cause, there could be no objection, I conceive to his dictating for the parties in question, Urzees of the character on record in this office, dated at that very period, and the very same probably, as those reported to be written. These Urzees are couched in proper terms (showing that if Seenevassa Naick counselled the rioters, he counselled them well) and solicit merely that the cut should not go on giving the reasons why, and they are not certainly in the Sub-Overseer's hand writing. Mr. Phillips expresses himself as morally sure that the maistry had communication on the subject of the riot with Mr. Maitland. On this point the Sub-Engineer was closely interrogated, and he states distinctly that no communications of the kind were received from the Sub-Overseer. A letter certainly from the Sub-Overseer to the Sub-Engineer, dated on the day of the riot was received by the latter. I have read it, and find it to contain nothing but the information called for by Mr. Maitland regarding the quantity and value of the lands affected by the cuts proposed by the Sub-Engineer. There is nothing that I can see on this evidence, to show that either the Sub-Engineer, or Sub-Overseer had any information regarding the riot until some time after it occurred, and I can well believe it would be the policy of the very rioters who visited the Sub-Overseer the day after the riot to conceal the matter.

7. It is said adds the Collector that Seenevassa Naik was playing the game of the Teeroovadachary Villagers, and to have been mainly the cause of the riot. I have been able to find no conclusive evidence on this point whatever he did *might* have been done on the best motives, and without the most distant intention to aid their cause. Did he recommend the double cut? it cannot be doubted that a straightened river course is gained thereby. Did he delay in transmitting required information, it might have resulted from over-work or laziness, though Mr. Maitland charges him with unworthy motives, he does not prove them against him. It is here that the enquiry fails, as Seenevassa Naick not being forth-coming no facts can be elicited as to the cause of his reported delays. On the whole, although there is in this last case ground for suspicion, I conceive that there is no proof of the charges made against the Sub-Overseer.

Letter from H. D. PHILLIPS, Esq., Acting Collector of Tanjore; to Major W. J. BIRD-WOOD, District Engineer; dated Kodicaray 27th June 1857, No. 212.

SIR,

A few days ago, an assault was committed* on the Tahsildar of Codavassel Talook and the Peons usually in attendance on an Officer of that rank, by a body of villagers supposed to belong to Teeroovadachary, who assembled, about one hundred in number, to oppose the progress of a cut through a bend of the river Poottaur, which, about three months ago, was suggested and estimated for by 1st Class Maistry, Aroomoogum Pillay.

2. The assault, in fact, amounted to a regular riot in its features. The Tahsildar was pelted with stones and hard mud, and was struck by them, as was also the Poney he was riding. His peons fared similarly and had not much discretion been shown by the Tahsildar, who avoided taking advantage of the exasperation of an assemblage of the Naranamungalum villagers, for whose benefit the cut was intended, and who had come to the spot, I feel that lamentable consequences might have ensued.

3. The persons who headed the assault have as yet evaded the service of the warrants issued for their apprehension. But one who appears to have been the most active in the attack, named Sawmyapillay, is shewn from a record of proceedings held before the Codavassal Police, to have sought shelter and an asylum for the night succeeding the riot, in the house at Corada Charry of the 1st Class Maistry Seenevassa Naick, who, you are aware, is now Superintending the construction of the Vettaur bridge at that place; and I have satisfactory ground for believe-

ing that the greater part of the night was spent by the Maistry in dictating addresses for the said Sawmyapillay, one of which may have reached you on the subject of the cut, whilst another is believed to have gone to Mr. Maitland, your Sub-Engineer, I have evidence as to the fact of the dictation by the Maistry.

4. It is not clear to me what is the character of the connection between Mr. Maitland and Maistry Sreenevassa Naick; but this much is clear, that three days after the riotous assault the Codavassal Tahsildar received from Mr. Maitland the communication a yadast† of which I beg to enclose a copy and a literal translation.

5. You will observe that in this case Mr. Maitland orders the immediate and entire cessation of the work of the cut estimated for by Aroomooga Pillay, and directs that a continuation of it be made as in the accompanying sketch, from C. to D. without which he considers that the A to B cut, which Aroomooga Pillay planned will be useless.

6. But I must here point out, that Mr. Maitland's communication to the Tahsildar, supporting as it does the very act, which the villagers lawlessly combined to effect, was made to the Tahsildar, without his (Mr. Maitland) having personally proceeded to and examined the cut subsequent to the assault on the Tahsildar. I ask, then, on what has Mr. Maitland proceeded when taking a step, which under the circumstances, stated becomes of high importance, especially, as it is known that a principal rioter was in the Maistry's house the night after the riot, and as I am morally sure the Maistry has had communication on the subject with Mr. Maitland. Mr. Maitland should, I submit, be required carefully to explain how and why at this particular juncture, the 18th Instant, he saw cause for so suddenly interfering in the matter of the cut as to issue his peremptory mandate to the Tahsildar of which copy accompanies.

7. If he shall deny that the maistry communicated with him, on which point I may be able to get evidence, what led him to write his Yadast? I know from the Tahsildar's statement to me at Cordacherry that he (Mr. Maitland) was once at the site of the proposed cutting some 10 or 15 days previously; but between that period and the date of the mandate there was ample time to stop the cut, and suggest that it be continued in the manner now shown in the sketch, was there such urgent necessity for stopping the work and proposing its extension that Mr. Maitland should assume the responsibility of addressing the Tahsildar direct on the subject, a communication which I believe to be very objectionable unless under great emergency.

8. I have here to beg you will observe that the prolongation of the cut which Mr. Maitland deems necessary, will pass through the land of the villagers of Naranamungalum, for whose benefit the cut proposed by Armoogapillay was estimated. But taking Mr. Maitland's sketch to be correct, I would defer to your professional opinion whether there can be any necessity for such prolongation? Is the river bend between Cand D such as to call for an extended cut? By persons on the spot, it is deemed wholly unnecessary and it is roundly stated to be proposed merely to spite the Naranamungalum people. The Maistry Sreenevassa Naick is said to be playing the game of the Teroovadascherry villagers; and to have been mainly the cause of the riot, and if this be correct, supported as it is by the fact of the principal rioter having received his aid as stated in para 2, Mr. Maitland should, I consider, be required to explain how he has become either an innocent or wilful tool in the Maistry's hands. As, however, although the Maistry drawing pay through your office, is to a certain extent under my control until the 31st proximo, when the executive transfer will be made to your Department, Mr. Maitland is subordinate only to you I place the matter in your hands in the hope that it will receive the consideration which it undoubtedly requires.

9. It now becomes my duty to draw your attention to the style and tenor of Mr. Maitland's Yadast to the Codavassal Tahsildar.

10. You will observe that Mr. Maitland has completely set at naught the instructions which the Chief Engineer Colonel Faber recently circulated in respect of correspondence between Tahsildars and the non-commissioned subordinates of your Department, according to these Mr. Maitland was required to restrict his designation of himself to the official appellation "Sub-Engineer," with which the Government have honored him in the Gazette that fixed him in his present post.

5
Central Office of P.W.
No 1243 Fort Saint George 5 Oct 1858
From
The Officiating Chief Engineer
To
The Secretary to Government
P.W.
Sir

I have the honor to forward
Inclosure-2 for submission to Government the correspondence marginally noted relative to the conduct of Assistant Supervisor T. Appasawmy of the District Division, who it appears has been for some time guilty of neglect of duty under a plea of sickness, which Medical testimony shows to be feigned.
2. Captain Orr in his letter No 13 dated 4th October 1858 states that Appasawmy obtained promotion to his present grade solely in consequence of his previous position as Maramut Superintendent, and states that he does not consider him deserving of a higher grade than that of Assistant

From Actg Dist.
Eng. District Div.
No 73 of 27th Sept
1858. with Enclosure.
From Actg Supd.
N. Circle No 13 of 4th
October 1858.

Assistant Overseer, to which I beg to con-
currence with that officer to recom-
mend his re-election.

3 The higher appointments
of the Department are so few and
involve so much responsibility, that
it is of the greatest importance
they should be filled by none but
the most trustworthy and deserving
men, among whom it is evident can
not be reckoned T Appasawney, who
will be adequately provided for as an
Assistant Overseer.

I have the honor to be

Fort St George

Sir.

5th October 1868

Your most obedient Servant

S. May

Lawrence Lieut Colonel
Officiating Chief Engineer

To

The Secretary to Govt
S.P.W.

N^o 4330

Central Office of Pub Works,
Fort S^t George, 8 October, 1850.

Public

Proc.

The Officiating Chief Engineer.

P.

The Secretary to Government
Public Works Department.

Sir,

With reference to my letter N^o 4243
of the 5th instant forwarding for the considera-
tion of Government, copies of correspondence
regarding the alleged misconduct and
suspected malingering of Assistant Supervisor
D. Appaswamy, at present attached to the
Mistnah Division, I have the honor to submit
a Petition just received from him, and which
may be looked upon as his defence.

2. In my opinion the Assistant
Supervisor has failed to explain or refute
the charges brought against him by either the
Medical men or his Departmental Superiors
and I see no reason to change my views as to
the manner in which he should be dealt
with, as a punishment to himself and
a warning to others of his class, who are too
prone

Enclosure
10/10/50

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10/10/50

The Officiating Chief Engineer
To
The Secretary to Government
Public Works Department

10/10/50
10/10/50

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of Assistant Supervisor D.
Appaswamy of the Mistnah
Division and recommends
his reduction in the P.W.
Department.

10/10/50

10/10/50

11
proud to make a convenience of the service
in which they have been unexpectedly raised
beyond their true deserts.

I have the honor to be
Sir.

Your most obedient servant

Central Office of PW
Port St George
8 October 1858

James Smith Esq.
offg Chief Engineer

To

The Secretary to Government.
Public Works Department.

For orders

Public Works Department No 2327-

From the Off^g Chief Engineer of 5th October 1858-

Forwards correspondence relative to
the conduct of Assistant Supervisor T. Appasawmy
of the Kistnah Division and recommends
his reduction in the Department -

The case of the Ap Supervisor
is fully made & he shd be degraded
accordingly - Judging from
all that is sent forward & saying
he was unfit to be retained in
the Dept. W

Well-

Since the case of the Ap Supervisor
is fully made & he shd be degraded
accordingly - Judging from
all that is sent forward & saying
he was unfit to be retained in
the Dept. W

the case should be fully

Under these circumstances
the Govt consider that the
dismissal of the Lab. Board
was unjust. He ap-
-pears to have withdrawn
himself after
the loss of the last of his
situation, but there
cannot be much dis-
-tinction in his position.
-fully in having
him - He shows by
sought for and when
found reinstated in
his late cap-
-tivity.

- position and -

The inquiry (which has now for the first time been carefully made) into the charges against the Say² substantiated conforms the propriety of the course pursued by Govt. in inquiry that all the circumstances of the case should be fully laid before them, before

personnel an ~~personnel~~
their full assistance; and

the Offs. Chief Engineer

must, the Govt think, be convinced
that the desire of Govt was
simply to satisfy themselves,
of the necessity of an act

requiring their confirmation
and not as the Offs. Ch.

Govt appears to have
in his letter of 15. May
simply stated in
his proceedings

Vide letter from the
As. Com of Bangalore to
Major Woodward dated
22 July 1858 para 4.

will
Oct 23

10 Copies to the Chief Engr.
Cijp 28

Public Works 1858 Sept 4
H. to Cons: 29th Octr.

N: 2271.

Extract Minis of Cons.
Of 27th October/58.

On the careful consideration
of all the circumstances connected
with the case of Sub Engineer
Maitland and Sub Overseer
Srinivasulu are of opinion that
no blame has been proved to
attach either to the one or the
other of the above individuals
in the matter of the riots. Direct
therefore that he / the overseer /
be reinstated in his former
appointments -

N: 148 & 149.