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M. R. O. 1-22,400-28-11-20.

MADRAS RECORD OFFICE.

Government of Madras.

Public Works DEPARTMENT.

Can 29-10-58

G.O. No. 2273	Press Mis. —
152-153	
Dated 28 — 10 — 18 58	

Not to be folded or roughly handled

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

No. 152. Read the following letter from Lieutenant Colonel E. LAWFORD, Officiating Chief Engineer; to the Secretary to Government, dated 1st October 1858, No. 4165.

SIR,

With reference to the orders quoted in the margin,* I have the honor to submit copies of

Ex. Mins. Cons. No. 1558, dated 11th August 1857. correspondence, relative to a Bungalow built at Culcudda with materials for which Mr. Addis has been charged, and for the use of which by the Department of Public Works, he now claims rent.

Ex. Mins. Cons. No. 1877 dated 5th October 1857.

No. 497 dated 27th August 1858, from W. J. Addis, Esq., Ex. Engr. Chittledroog Division.

No. 601, September 25th 1858, from District Engineer Cuddapah.

2. The Acting District Engineer has recommended that 200 Rupees should be deducted from the sum for which Mr. Addis is held responsible on account of 80,000 bricks used in the walls of the Bungalow, but he objects to allow rent for the use of a building which Mr. Addis had previously occupied rent free, although built at Government expense.

3. Mr. Addis also claims rent for the Pay Office, the materials of which, have been likewise placed to his debit, but Lieutenant Shaw Stewart proposes that the building shall be valued, and the amount deducted from the retrenchment.

4. As far as Mr. Addis is concerned, I think that he has no claim to rent for either of the buildings in question, but I consider him fully entitled to the deduction of their actual value from the amount he is called on to refund, and I shall instruct the District Engineer to submit a complete Statement thereof, which will be laid before Government. Lieutenant Shaw Stewart's suggestion to convert the Culcudda Public Works Bungalow into a Traveller's Bungalow, is I think very judicious, and I beg to support it entirely, I solicit the orders of Government on Lieutenant Stewart's proposal, that Overseers' Bungalows shall be repaired by themselves.

Letter from W. J. ADDIS, Esq., Executive Engineer, Chittledroog Division; to Captain P. M. FRANCIS, Acting Superintending Engineer Central Circle, dated Camp Seeroh, 27th August 1858, No. 497.

SIR,

I have the honor to acknowledge the receipt of Extract from the Proceedings of the Chief Engineer, with copy of a letter from Lieutenant Shaw Stewart and would beg to lay the following remarks and explanation for the favorable consideration of the Acting Chief Engineer.

2. With reference to para. 2 of Lieutenant Stewart's letter now under acknowledgment, I would beg to be permitted to remark that had I been informed that the order to hand over to me the records of my former charge had been cancelled, I would have sent for my writer who was at Cuddapah, but it was only after I had written and asked Lieutenant Stewart not to detain my writer longer than was necessary, that he informed me he was precluded from complying with my request by the Acting Chief Engineer's order conveyed to him on the 1st of June last, and on my comparing the dates, I perceived that this order cancelling the former could have been communicated to me nearly a month earlier.

3. Alluding to the 4th para. of Lieutenant Stewart's letter in which he states "that it is impossible for him to state positively whether the Pay-Office alluded to is partly my property or not, which he certainly says is not altogether mine, as in a Bill then before him headed on account of building Bungalow at Culcuddah on Trunk Road No. 11, there is an item charged for 1000 Screws for Culcuddah Pay-Office." With reference to this para. I can only state that, since the decision of Government was made, holding me responsible for so large a sum for material that was pronounced unfit for use, the rent of this Pay-Office is due to me, seeing the building had been erected with this condemned material, and had I not been held responsible as I now am, the building in question would then undoubtedly have been the property of Government, but this as you will be pleased to perceive alters the case, hence the cause of my applying for the rent and which I in person informed Mr. George when at Culcuddah in February last, I would be obliged to do, I therefore trust that it will be admitted that this sum is fairly

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

due to me and that the amount entered against the item for a 1,000 Screws be deducted, and the rest up to the date, Government are pleased to purchase the building be paid me.

4. With reference to the 5th para. of the letter now under acknowledgment, I beg to state that I am fully prepared to prove my assertion that the roof now on the building of the Bungalow at Culcuddah is bonâ-fide my private property, as I have repeatedly stated, although the bill referred to by Lieutenant Stewart has entries in it for Timber, Sawyers, Carpenters, &c. &c. &c. which was the expenditure of the first or original roof. This was afterwards removed having been greatly destroyed by white-ants, and the present roof on the building is unquestionably erected from the wood &c. I am now held responsible for, so that I shall conclude by adding that, I shall feel much obliged by the Officiating Chief Engineer applying to Government for the value of this part of the material, also, that has been used for the Bungalow in question, at the same time he is pleased to recommend to Government that a reduction of 200 Rupees be made on account of the bricks already used for the building.

Letter from Lieutenant J. H. M. SHAW STEWART, District Engineer of Cuddapah; to Major E. LAWFORD, Officiating Chief Engineer, dated Cuddapah, 25th September 1858, No. 601.

SIR,

In compliance with the instructions contained in your Extract Proceedings of the 10th Instant No. 3574, I have the honor to submit the following observations upon Mr. Addis' claim to rent for the Bungalow and Pay-Office at Culcudda.

2. With regard to the Bungalow, Mr. Addis allows that the roof was originally erected at the cost of Government; but when that was destroyed by white-ants, it was removed, and the present roof substituted. On this point Mr. Addis' statement must of course be conclusive. Nor have I any means of either confirming or refuting the assertion made by Mr. Addis, that "the present roof on the building is unquestionably erected from the wood, &c." for which he was held responsible.

3. From Mr. Addis' own account however, I think the following facts are manifest. When employed upon the Cuddapah and Chittoor road, he built for himself a house at the expense of Government. He lived in this house, I cannot say exactly how long, but without paying a farthing of rent.

The original roof is destroyed by white-ants, whether from carelessness or from age does not appear. In either case, I most certainly am of opinion that, he was bound to repair the roof at his own cost. He is not satisfied with the expense of the house being defrayed by Government, and with living in it for years' rent free, but he further expects that it is to be kept in repair for him at the expense of Government. This is, I think, going a little too far.

4. This is a point to which, I have long wished to call your attention, especially with reference to the Overseers' sheds, one of which at least has been built in every Talook in this District. Considering that these sheds are built for their convenience, and that they are allowed to occupy them free of all rent, I think it is nothing but fair to Government that the occupant of each shed, should be bound to keep it in repair at his own cost; and to deliver it over to his successor in the condition in which it was when he took possession. I strongly recommend that this be adopted as a general principle. I have seen more instances than one in which the liberality of Government in this respect was greatly abused. That much greater care will be taken of the sheds, when it is clearly understood that the occupant is bound to execute the repairs, is self evident.

5. However with regard to Mr. Addis, the argument is much stronger. He was not in the position of an Overseer, but of an Officer: and I cannot help saying that, I do not think the plea which he now brings forward is one quite worthy of his position.

6. With regard to the Pay-Office, I am of course quite unable to state with certainty whether it was built at the expense of Government, or not. When I recommended to you, on the 2nd August last, that a deduction of Rupees 200, should be made from the total amount for which Mr. Addis was held responsible, I was certainly of opinion that the 80,000 bricks, whose value that sum represented, had been used in building both the Bungalow and the small

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

Pay-Office. If every brick in both buildings were numbered, I think they would fall short of that number.

7. I confess my inability to report satisfactorily on the matter. Should you think that Mr. Addis' letter establishes the fact of the Pay-Office having been built at his own expense, I would recommend not that rent be paid for the building, but that it be valued, and the sum deducted from the amount for which he is held responsible. I cannot help saying that, I think it strange that Mr. Addis should assert a claim to the building after the lapse of more than two years since he left the District. With regard to the roof of the Bungalow, I have already stated that, I do not think Mr. Addis has the least claim.

8. In conclusion, I would recommend that in future the Bungalow in question, with its out-houses, be converted into a Traveller's bungalow. At present along that line of road, there is no resting place for Travellers between Chittoor and Rachotee, a distance of more than 70 miles. An estimate of Rupees 2,020, is sanctioned for a Bungalow at Peelair, but even that is 35 miles from Rachotee. Culcudda exactly halves the distance, and a Bungalow there would make two very convenient stages, each of 17½ miles.

I have the honor to return Mr. Addis' letter to the Superintending Engineer.

No. 153. ORDER THEREON, No. 2273; dated 28th October 1858.

The Government concur in the view which the Officiating Chief Engineer has taken of Mr. Addis' claim to rent on account of the buildings referred to, and they desire that Lieut.-Colonel Lawford, will obtain and submit the Statement promised in para. 4.

2. The District Engineer's suggestion to convert the Culcudda Public Works Bungalow into a Travellers Bungalow, will be referred for the report of the Collector of Cuddapah through the Board of Revenue.

3. With regard to Lieutenant Stewart's proposal that Overseers should be required to repair their Sheds at their own expense, on the ground that they are allowed to occupy them rent free, the Officiating Chief Engineer is referred to para. 10 of the Bengal Public Works Code,* in which the practice of allowing public Officers and others to occupy Government building rent free, on condition of keeping them in repair, is prohibited, a rent fixed with reference to the value of the property is in all cases to be demanded, and the repairs are to be made by the Agency of the Public Works Department. The Government would follow the same course in this Presidency.

(Signed) W. H. BAYLEY,
Acting Secretary to Government.

Chittledroog Division.
Executive Engineer's Office

N^o 497

From
W. J. Aldis Esq^{re}
Executive Engineer
Chittledroog Division.

To
Captain P. Francis
As^t Superintending Engineer
Central Circle.

Sir,
I have the honor to acknowledge the receipt of Extract from the Proceedings of the Chief Engineer, with copy of a letter from Lieut^t Shaw Stewart and would beg to lay the following remarks and explanation for the favorable consideration of the Acting Chief Engineer.

2. With reference to para 2 of Lieut^t Stewart's letter now under acknowledgment I would beg to be permitted to remark that had I been informed that the order to hand over to me the records of my former charge had been cancelled I would have sent for my
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Writer who was at Cuddapah, but it was only after I had written and asked Lieutenant Stewart not to detain my writer longer than was necessary, that he informed me he was precluded from complying with my request by the Acting Chief Engineer's order conveyed to him on the 1st of June last, and on my comparing the dates I perceived that this order cancelling the former could have been communicated to me nearly a month earlier.

3. Alluding to the 4th para of Lieut. Stewart's letter in which he states "that it is impossible for him to state positively whether the Pay Office alluded to is partly my property or not which he certainly says is not altogether mine, as in a Bill then before him headed on account of Building Bungalow at Cuddaddah on Trunk Road No 11 there is an item charged for a 1000 Screws for Cuddaddah Pay Office." With reference to this para, I can only state that, since the decision of Government was made holding me responsible for so large a sum for material that was pronounced unfit for use, the rent of this Pay Office is due to me, seeing the building had been erected with this condemned material, and had I not been held responsible

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responsible as I now am, the building in question would then undoubtedly have been the property of Government, but this as you will be pleased to perceive alters the case; hence the cause of my applying for the rent and which I in person informed Mr. George when at Cuddaddah in February last, I would be obliged to do, I therefore trust that it will be admitted that this sum is fairly due to me and that the amount entered against the item for a 1000 Screws be deducted, and the rest up to the date, Government are pleased to purchase the building be paid me.

4. With reference to the 5th para of the letter now under acknowledgment, I beg to state that I am fully prepared to prove my assertion that the roof now on the building of the Bungalow at Cuddaddah is bona fide my private property as I have repeatedly stated, although the Bill referred to by Lieut. Stewart has entries in it for Timber, Sawyers, Carpenters, &c. &c. &c. which was the expenditure of the first or original roof. This was afterwards removed having been greatly destroyed by white ants, and the present roof on the building is unquestionably erected from the Wood &c. I am now held responsible for,

for, so that I shall conclude by adding that I shall feel much obliged by the Officiating Chief Engineer applying to Government for the value of this part of the material, also, that has been used for the Bungalow in question, at the same time he is pleased to recommend to Government that a reduction of 200 Rupees be made on account of the Bricks already used for the building.

I have the honor to be, Sir,

Camp Secoh }
27th August 1858. }

(Signed) W. J. Addis
Executive Engineer.

N^o 601 of 1858/59.

From

Lieutenant J. H. M. Shaw Stewart
District Engineer of Cuddapah.

To

Major E. Lawford
Off^{ce} Chief Engineer D. P. W.

Sir,

In compliance with the instructions contained in your Extract Proceedings of the 10th Instant N^o 3574, I have the honor to submit the following observations upon Mr. Addis' claim to rent for the Bungalow and Pay Office

12/10/12 Office at Calcutta.

2. With regard to the Bungalow, Mr. Addis allows that the roof was originally erected at the cost of Government; but when that was destroyed by white ants, it was removed, and the present roof substituted. On this point Mr. Addis' statement must of course be conclusive. Nor have I any means of either confirming or refuting the assertion made by Mr. Addis, that "the present roof" on the building is unquestionably erected from "the wood, &c." for which he was held responsible.

3. From Mr. Addis' own account however, I think the following facts are manifest. When employed upon the Cuddapah and Chittoor road, he built for himself a house at the expense of Government. He lived in this house, I cannot say exactly how long, but without paying a farthing of rent.

The Original roof is destroyed by white ants, whether from carelessness or from age does not appear. In either case I most certainly am of opinion that, he was bound to repair the roof at his own cost. He is not satisfied with the expense of the House being defrayed by Government, and with living in it for years rent

rent free, - but he further expects that it is to be kept in repair for him at the expense of Government. This is, I think, going a little too far.

4. This is a point to which I have long wished to call your attention, especially with reference to the Overseers sheds, one of which at least has been built in every Talook in this District. Considering that these sheds are built for their convenience, and that they are allowed to occupy them free of all rent, I think it is nothing but fair to Government that the occupant of each shed, should be bound to keep it in repair at his own cost, and to deliver it over to his successor in the condition in which it was when he took possession. I strongly recommend that this be adopted as a general principle. I have seen more instances than one in which the liberality of Government in this respect was greatly abused. That much greater care will be taken of the sheds, when it is clearly understood that the occupant is bound to execute the repairs, - is self evident.

5. However with regard to Mr. Addis, the argument is much stronger. He was not in the position of an Overseer, but of an Officer: - and I cannot help saying that I do not think the

the plea which he now brings forward is one quite worthy of his position.

6. With regard to the pay Office, I am of course quite unable to state with certainty whether it was built at the expense of Government, or not. When I recommended to you, on the 2nd August last, that a deduction of Rupees 200, should be made from the total amount for which Mr. Addis was held responsible, I was certainly of opinion that the 80,000 bricks, whose value that sum represented, had been used in building both the bungalow and the small pay Office. If every brick in both buildings were numbered, I think they would fall short of that number.

7. I confess my inability to report satisfactorily on the matter. Should you think that Mr. Addis' letter establishes the fact of the pay Office having been built at his own expense, I would recommend not that rent be paid for the building, but that it be valued, and the sum deducted from the amount for which he is held responsible. I cannot help saying that I think it strange that Mr. Addis should assert a claim to the building after the lapse of more than two

two years since he left the District. With re-
gard to the roof of the Bungalow, I have
already stated that I do not think Mr. Addis
has the least claim.

8. In conclusion, I would recommend
that in future the Bungalow in question, with
its out houses, be converted into a Traveller's
bungalow. At present along that line of road,
there is no resting place for travellers between
Chittoor and Rachotee, a distance of more than
70 miles. An Estimate of Rupees 2,020, is sanc-
tioned for a bungalow at Peclair, but even
that is 35 miles from Rachotee. Calcudda ex-
actly halves the distance, and a bungalow there
would make two very convenient stages, each of
17 1/2 miles.

I have the honor to return Mr. Addis'
letter to the Superintending Engineer.

I have the honor to be Sir,

Cuddapah
Sd/- Engg's Office
25th September 1858.

(Signed) J. H. Shaw Stewart Esq.

D/- Engg of Cuddapah.

(True copies)

Shaw Stewart Esq.

Officiating Chief Engineer.

15
Central Office of Public Works
Fort St. George 1st October 1858.

N^o 4165

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

Sir,

G.M.C. N^o 1558, dated
11th August 1857.
G.M.C. N^o 1874, dated
5th October 1857.

With reference to the orders quoted
in the margin, I have the honor to submit
copies of correspondence, relative to a Bungalow
built at Culcudda with materials for which
Mr. Addis has been charged, and for the use
of which, by the Department of Public Works, he
now claims rent.

2. The Acting District Engineer has recom-
mended that 200 Rupees should be deducted
from the sum for which Mr. Addis is held
responsible on account of 80,000 bricks used
in the walls of the bungalow, but he objects
to allow rent for the use of a building which
Mr. Addis had previously occupied rent free
although built at Government expense.

3. Mr. Addis also claims rent for
the

Enclosure in a letter
from
The Chief Engineer
to
The Secretary to Government
Public Works Department

Dated 1st October 1858
Recd. N^o 4165

MM 2296/58

Copies of correspondence
on the claim of Mr. Addis
to rent for the Bungalow
sent by Office at Bangalore.

Public Works Dept

No 22732
Extract from the Minutes of Consultation
Under date 11th 28th October 1858.

Read the following
letter from the Officiating
Chief Engineer.

Received 1st October 1858
No 41657

The Government
concur in the views which
the Officiating Chief Engineer
has taken of Mr. Stoddard's
claim to rent on account
of the buildings referred
to, and they desire
that Major Lawford
will obtain and submit
the statement promised
in para 4.

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W M

From 11th 28th 1858
to 1st Oct 1858
41412

From 11th 28th 1858
to 1st Oct 1858
41412

From the Chief Engineer
to the Secretary to Government
Public Works Dept

Letter 1st
Received 28th
October 1858
No 41655

Enclosure 1
S. G. 11: 22732: 28th Oct 1858.

Submitting copies of an
expenditure relative to a
Bungalow built at Bulandshah
the materials for which Mr.
Stoddard has been charged, and
the use of a truck for the
transport of the materials to and
from the Bulandshah Public Works
Bungalow into a Charnock's
Bungalow, and relating orders
of Govt that Messrs. Stoddard
should be repaid by them.
-value-

Copy to the Secretary to
Major Lawford.
28th Oct 1858.
No 152.
C18 1858/23.

2 The District Engineer's suggestion to convert the Calcutta Public Works Bungalows into a Travellers Bungalow, will be referred for the report of the Collector of Calcutta through the Board of Revenue.

3 With regard to Lieutenant Stewart's proposal that Overseers should be required to repair their sheds at their own expense, on the ground that they are allowed to occupy them rent free, the Officiating Chief Engineer is referred to para 10 of the Bengal Public Works Code, ~~about to be~~ + page 76.

~~adopted~~

+ a sum fixed with reference to the value of the property is in all cases to be demanded, and the expenses to be made by the agency of the D.W. Dept.

10 Copies to the Offg Chief Eng to Dated 29th
3 — — — B^d of Revl. N

21
~~adopted at this Presidency~~
in which the practice of allowing public Officers and others to occupy Government Buildings rent free, on condition of keeping them in repair, is prohibited. The full course in this Presidency.

[Signature]

Public Works 1858
Dec 29th Dec 7th

2 No 2273

Contract with of Gov

28th Dec 78

1858 2273

1858 2273

Contract from the 1858
1858 2273

1858 2273

Contract with of Gov
1858 2273