1. Number of pages
2. Date of receipt
3. Initials of the peon

M.R.O. 1—32-500—31-11-47

MADRAS RECORD OFFICE.

Government of Madras.

DEPARTMENT.

G.O. No.	Press Mis.
86 89	
Dated 2 — 12 —	18 5 6

Not to be folded or roughly handled

Read the following Letters.

No. 86. From Lieutenant-Colonel E. LAWFORD, Officiating Chief Engineer; to the Secretary to Government, dated 16th November 1858, No. 5476.

SIR,

As the Government will doubtless expect that I shall not delay the transmission of Captain Francis's report of the result of his investigation of the three cases adduced by me from among the entries in the accounts of Mr. Assistant Engineer Bush which demanded further enquiry, and that in which a debt of Rupees 808-15-1 had been decided against him by Captain Johnston, I have the honor to submit that paper which was received on the 13th Instant, from which it will be found that Captain Francis has given his award in favor of Mr. Bush in every instance.

1 Letter from Acting Superintending Engineer, Central Circle 12th November 1858, with 2 Enclosures.
1 Do from Executive Engineer Bangalore, No. 175, 5th October 1858.

2. I have no desire to dispute the decision arrived at, or prolong this discussion, but I must point out what appear to me matters of serious consideration in connection with it, and in the first place I would observe that the sole test of accuracy adopted by Captain Francis is the measurement of the work by a Native Subordinate, who although stated to be a very trustworthy man is not even named in the report.

3. If it is allowable in this Department to admit doubtful charges of large amount on such proof, I can only say that the Government have less security for the due expenditure of the Public money than existed under the former system, and I consider that the Superintending Engineer has in this case shewn a facility in passing Mr. Bush's account which may open a wide door to abuse. The mission of Captain Francis was altogether unnecessary if the District Engineer could thus easily settle the main question at issue, and no Civil Engineer under the old regime would have ventured to recommend what has now been unhesitatingly done.

4. The next point I have to notice is that the balance debited to Government in Mr. Bush's accounts is due for works stopped in July 1857 by order of the Government of India, and the outlay consequently belongs to the official year 1857-58, the accounts of which have been closed. Now as Mr. Bush *cannot* be ignorant of the stringent rules for debiting the proper charges to each year, it is very remarkble that when peremptorily called on in March 1858 to close his accounts, he should have taken no step whatever to bring forward these heavy balances in order that the same might be adjusted in due time. Provision must now be made for an outlay of 14,000 Rupees on account of work completed in 1857.

5. Captain Mayne having in reply to my enquiry made a not very distinct statement regarding Mr. Bush's acknowledgment of these balances, I have referred the Acting Superintending Engineer's letter for that Officer's consideration, and shall submit his reply in due course.

6. I shall also obtain and forward Captain Johnston's opinion of the grounds on which Captain Francis has set aside his decision in the case of Chokalingum on which mine entirely and exclusively depended.

7. A very singular feature in this case is the patience of the contractors who have waited so long for their money, since at the common rate of interest they must have lost at least Rupees 1,600 before they made any complaint, such conduct on their part has no precedent in my experience and Captain Francis admits the same, I also consider (and Captain Francis agrees with me) that Mr. Bush should not return to North Arcot for employment there, and the services of an Executive Officer being much required in Coimbatore,* I propose to send him there as soon as I am permitted to do so.

* Vice Sub-Engineer Reid.

Letter from Captain P. M. FRANCIS, Acting Superintending Engineer, Central Circle of Public Works; to Lieutenant-Colonel E. LAWFORD, Officiating Chief Engineer, dated Arcot 12th November 1858.

SIR,

1. In obedience to the instructions contained in Extract Minutes Consultation No. 2121, dated 12th October and resolution No. 4525 thereon, I proceeded to Arcot and enquired into the cases pointed out, Mr. Bush being present.

2. The first two are for sums of 7,278 Rupees and 2,180 respectively, due to Annasawmy Moodelliar Contractor, and Iyasawmy Moodelliar contractor, for work done on the Mahendravaudy channel. With one of these parties, a contract is forth-coming, dated 24th July 1856, made with Mr. Bush, for the execution of work on the Mahendravady channel, leading from the Palaur Annicut to the Mahendravady Tank. The terms of the contracts are as follows viz. to do 1,000 Rupees worth of work per month, and to receive payment according to rates fixed on by the Executive Officers; binds the contractor in an indefinite penalty if the terms are not kept, and the Contractor gives no security.

Mr. Bush thinks that Annasawmy's Contract is with the Annicut records it was countersigned by Captain Collyer and dated 1854.

3. Mr. Bush produced his Account Current with the Contractors, kept in a separate book for the Mahendravady channel, shewing the money they had received on account on the Dr. and the work they had done with its value on the Creditor side. This book may be taken fairly to represent the transactions referred to, as on adding them to the other works on the same channel, the total is very nearly that entered in the Progress Report: Vouchers have been produced which verify all the entries of any consequence in the contractors book above mentioned, and sums as due to the Contractors are entered therein, agreeing precisely with those now claimed by them under petition. I have therefore no hesitation in saying, that these sums *are* due to the Contractors, and should be paid.

4. It remains to enquire into the further question why these sums were not paid before to the Contractors. The restrictive orders were issued in July 1857, and Mr. Bush it appears being ill, gave over charge of his range quite early in August to Lieutenant Mayne, and though it is quite clear that he then omitted to bring the liabilities of his Office to the notice of that Officer, yet some excuse is allowable from his state of health (see Lieutenant Mayne's letter dated 5th August attached) at the end of September he returned and resumed charge of his Office, but after the monthly cash estimate had been forwarded for October by Lieutenant Mayne, Mr. Bush then carrying on his own charge as before, in forwarding his prospective estimative for November 1857, included 7,000 Rupees for the Mahandravaudy Tank and channel. In answer to my enquiry why the whole sum due was not drawn for, Mr. Bush explains, that the whole of the contractors work had not been fully measured up to the satisfaction of the contractors, this estimate was returned by Mr. Mayne for explanation and revision, and in his letter No. 214, dated 24th October from Arcot, Mr. Bush replies as follows.

SIR,

In reply to your letter No. 1619 dated 23rd October 1857, I have the honor to inform you, that the sums entered in the prospective estimate for next month, as required for Mahendravaudy Tank and channel were for the payment of some arrears on account of work performed, and for cut-stone and other materials supplied; but the people who supplied the materials, cut-stone &c. &c. are content to wait, on my granting them a receipt for the work performed, until sanction shall be obtained for a further prosecution of the work. A revised statement is herewith sent.

Camp Arcot,
24th October 1857.

(Signed) BUSH,
Asst. Exce. Engr. North Arcot.

accordingly on searching the District Engineer's records, I find there a revised estimate for November, including no sums either for the Mahendravaudy Tank or channel; in this case the blame certainly seems tranferred from Mr Bush's shoulders to those of the District Engineer, who although the restriction or the progress of new works was stringent, was bound to see that the Government liabilities were discharged, and these had been brought to his notice, on this subject Captain Mayne has lately addressed the Chief Engineer, see letter No. 175, dated 30th October attached; but he writes from memory, and his memory has clearly not served him correctly in 1st para.

5. In regard to the sum of 4,259 Rupees claimed by Moonesawmy Chetty and Cuttalah Vencatahreddy, for work done to the Mahendravaudy Tank, the claim is fully admitted by Mr. Bush's Account Current with the Contractor, and the entries have been verified by vouchers as in the former instance. The contract with them was made in June 1856 by Mr. Bush, and binds them to do 2,500 Rupees worth of work monthly, at rates fixed by the Engineer Officer,

under indefinite penalties for default: they also offered security in the person of Vurthappah Chetty, but as no advances were given, but only ~~seems~~ on account of work done, and always less than the value, nothing beyond the personal security was ever taken.

6. In this case as in the former, I am fully satisfied of the justice of the claim, and that the money should be paid.

7. I have received from Mr. Dopping, a very satisfactory proof of the work done on the channels by these contractors, viz. a list of measurements taken by a measurer, who he says is the most accurate man he has under him, for that sort of work; and the total of this list, agrees within 1000 Cubic Yards of the totals of the Contractor's work, as entered into Mr. Bush's book from the vouchers of his Sub-Overseers.

8. In regard to Chockalingum's claim, I append the result of an investigation entered into jointly with Mr. Peachy, who was good enough to give me his aid in the matter, as the case appeared at first to be in some way mixed with Soondrum Moodelly's claim on Mr. Bush, referred to the Commissioners, by the Chief Engineer, in Extract of Proceedings No. 4889, dated 27th October.

9. I have also requested Mr. Peachy to go over my examination into the other 3 cases as above, and I am permitted to express his concurrence with my results and views in regard to them.

CHOCKALINGUM.

1. In this case, the amount claimed is a balance of Rupees 808-15-1, for work done in constructing the Amoor Road. The amount is made up thus in these Bills.

	Rs.	A.	P.
6th August 1856,...	73	15	5
24th November (balance)...	673	15	6
27th December	61	0	2
Rupees	808	15	1

2. The Assistant Civil Engineer affirms, that Chockalingum has no claim, and never had any, as he was never employed as a Contractor, but was at one time entertained as a Maistry by the late Overseer Mr. Theobalds: Mr. Bush adds, that he never had any thing to do with him, or in any way recognized him, even in the capacity of a Maistry, because there was another Maistry on the Road; that Chockalingum never supplied any labor or material to his knowledge, nor did he at any time himself issue to him any materials, or pay him any money; but that on the contrary, all payments made on account of the Road, for the construction of which Chockalingum's claims were made to the Overseer Mr. Theobalds, as may be seen by the receipts which fully bear out Mr. Bush's statement in this respect.

3 It is rather a singular circumstance, that this claim of Chockalingum's was not preferred until *after* the Overseer Theobald had left the District, and this will appear only the more evident, when the dates of payment and the dates of the several claims set out in para. 1 are compared viz.

The first Bill dated 6th August 1856, claims Rupees... ... ... 73 15 5

These Chockalingum admits were for Jelly.

A payment was made to Theobalds (on account of this work on receipt) on 10th November 1856, which sum does not look like an advance.	Rupees	984	3 0
The second Bill dated 24th November 1856, was alleged to be a balance, and it must have accumulated in 14 days.	Rupees	673	15 6

The third Bill dated 27th December 1856, claims Rupees.... ... ... 61 0 2

4. It is not disputed and never has been disputed, that Chockalingum did work in the Amoor Road under Mr. Theobalds, during the time only that Theobalds was in the District, and that he was paid by Theobalds for the work so done; it therefore appears strange, that immediately

on the departure of Theobalds, a claim should be set up against the Assistant Civil Engineer by Chockalingum, in the quality of a Contractor, based upon a Certificate of measurement signed by Theobalds more especially as it has been alleged, that the road in question was really made by Theobalds, Chockalingum and Soobbaroyen in partner-ship.

5. From the manner in which he gave his evidence, it was clear to both of us, that he could not explain the grounds of his claim, and he left a very decided impression, that his demand is a purely speculative one from beginning to end.

6. By calculation, the value of Jelly and gravel for the length of road in question would be 1,044 Rupees; Chockalingum admits that he has received for Jelly and Gravel Rupees 984-3-0, and it appears from the accounts, that 114-14-6 was paid for Gravel to other parties by Theobalds, making in all 1,099-1-6; it is clear from this, that more Jelly was not supplied than he has been paid for.

7. In coming to this conclusion, we have felt obliged to differ from the opinions expressed by Captain C. C. Johnston, who previously investigated the complaint, and who found the sum to be due by Mr. Bush to Chocklingum, and by Colonel Lawford, who says that the amount "should certainly be made good by Mr. Bush and not by the Government".

8. The conduct of the Theobalds even by their own showing has not been by any means creditable; and all the circumstances considered, we cannot believe in the justice of Chockalingums claim.

Arcot 12th November. } (Signed) P. M. FRANCIS.
,, THOMAS PEACHEY.

Letter from Captain J. O. MAYNE, Executive, Engineer, Bangalore; to Lieutenant-Colonel E. LAWFORD, Officiating Chief Engineer, dated 30th October 1858, No. 175.

SIR,

In reply to your letter No. 4822 dated 25th Instant, I have the honor to inform you that Mr. Bush never brought to my notice that he owed money to Contractor, but after the restriction was put on new works he constantly applied for large sums in his prospective Estimates and one Instance I particularly remember, Mahindravady Tank, he applied for some thousands of Rupees and on my speaking to him about it he turned it off and said a smaller sum would suffice which I gave him, but he never told me he owed money to the Contractor.

2. I was not only aware of the large outstanding amount of Bills due from him to the District Engineer Officer but called his attention to it on two occasions, the first time if I remember right no notice was taken of my Memo, but the second time he informed me verbally that he hoped to have them in soon and almost my last words to Mr. Dopping when handing over were recommending him to insist on Mr. Bush sending in his Bills.

3. With reference to the last point in your letter un der reply, I have the honor to observe that although Bills were due I never had any grounds for supposing that there was any deficiency and as my Executive Officer always assured me that the Bills were forthcoming, I never thought it necessary to report the same to Head quaters, as from the Records in the Central Office the amount of Bills due from the District might have been known and of which no notice was taken.

No. 87. From Lieutenant-Colonel E. LAWFORD, Officiating Chief Engineer; to the Secretary to Government, dated 17th November 1858, No. 5492.

SIR,

With reference to my letter No. 5476 dated 16th Instant, I have the honor to forward copy of a letter just received from Captain Francis, and to state that while it adds materially to the value of the evidence in favor of Mr. Bush, it also shews in my opinion a great want of judgment on Mr. Dopping's

Dated November 16 1858.

art in having failed to report to this office the result of the measurements of the Mahindravady hannel taken in consequence of my personal instructions.

2. I take this opportunity of stating that I have requested the Acting Superintending ngineer Central Circle to submit a complete report on the Mahindravady channel as soon as e can conveniently do so, as I have reason to fear there has been a great excess of expenditure n that work.

---

etter from Captain P. M. FRANCIS, Acting Superintending Engineer C. C.; to Lieutenant-Colonel E. LAWFORD, Officiating Chief Engineer, dated Arcot 16th November 1858.

SIR,

As it appears to me that you were not satisfied with the measurements produced by Mr. opping and which to my mind had been evidence sufficient of the correctness of the measureents entered in Mr. Bush's Account Current with the contractors, I have the honor to lay bere you the following facts as related by Mr. Dopping. That the measurements produced by Ir. Dopping were taken by his man Anunta Row in consequence of the wish expressed by you n your visit as Superintending Engineer, so that you might be satisfied in regard to the excess f expenditure over the estimate on this work; and as the channel was afterwards to be transferred Ramanjaloo, Supervisor, the latter was directed to satisfy himself as to the correctness of the easurements *as well of the rates allowed* and this he did expressing to Mr. Dopping his surprise t finding the measurements thus verified agree so very nearly with those entered against the ontractors and acknowledged by them.

2. No measurements that I could have taken at this time would have been so satisfactory s the above taken for a different purpose altogether and verified to the satisfaction of the Disict Engineer both as to rates and quantities.

---

o. 88. From Lieutenant-Colonel E. LAWFORD, Officiating Chief Engineer; to the Secretary to Government, dated 22nd November 1858, No. 5652.

SIR,

In further continuation of my letter No. 5476 dated 16th November 1858, I have the honor submit for the information of Government, copies of letters as per margin, received from Captain Johnston and Mayne, on the subject of the claims made by Contractors in the North Arcot District, and referred to in Captain Francis's report of the 12th idem.

rom Captain J. O. Mayne, No. 195, 16th Novr. 1858.
rom Captain C. Johnston No. 249. 17th Novr. 1858.

2. I cannot avoid on this occasion repeating the opinion I have aleady expressed of the extreme indifference and laxity evinced by Captain Mayne in his Control f the North Arcot District.

---

etter from Captain J. O. MAYNE, Executive Engineer, Bangalore; to Lieutenant-Colonel E. LAWFORD, Officiating Chief Engineer, dated 17th November 1858, No. 195.

SIR,

I have the honor to acknowledge the receipt of Extract from your Proceedings No. 5411, ated 13th Instant with its enclosures.

My letter No. 175, dated 30th October 1858 was written entirely from memory and I cerainly had no recollection of Mr. Bush's letter quoted in Para. 4 of Captain Francis's letter, and can only apologise to Mr. Bush for having stated in my letter above mentioned so positively, hat he had never brought to my notice the sums due to the Contractors, nor can I now recollect hy the Contractors were not paid, but it must have been in consequence of Mr. Bush's having oted their consent to wait for their money.

In regard having left the North Arcot District without making any adjustment of the acounts, I received a Telegraph on a Sunday to proceed without delay to Bangalore to relieve

Major DeButts and left Thursday following, so I had no time whatever even to go all through the accounts with my successor, much less to adjust them, and I did not report the necessity of doing so to the Central Office as my successor was fully aware of it and I hoped he might effect an early settlement of them.

From Captain C. C. JOHNSTON, Officiating Consulting Engineer for Railways; to Lieutenant-Colonel E. LAWFORD, Officiating Chief Engineer, dated 17th November 1858, No. 249.

SIR,

I have the honor to acknowledge the receipt of Extract from your Proceedings No. 5486 of the 16th Instant (received on the 17th) forwarding Extract from a letter from the Acting Superintending Engineer Central Circle with copy of an investigation entered into by that Officer jointly with Mr. Peachey in regard to a claim advanced by one Chokalingum against Assistant Executive Engineer Mr. Bush.

2. I see no reason from what has been advanced by these gentlemen to alter the opinion I have already expressed, and I would call your attention to the circumstance of their apparently not having satisfied themselves as to the position held by Mr. Theobalds, a point in which the whole value of the enquiry rests.

3. Para. 4 of the investigation begins by stating.

" It is not disputed and never has been disputed that Chokalingum did work in the Ammoor road under Mr. Theobalds."

and ends by stating.

" It has been alleged that the road in question was really made by Theobalds, Chokalingum and Soobaroyen in partnership."

4. Now Mr. Theobalds was either an Overseer Acting under the orders of Mr. Bush and in that capacity was merely superintending the work on the Ammoor road, or he was a Contractor for the execution of the work, a point which requires to be explained.

5. When I was engaged at Arcot in March last in investigating certain charges against Mr. Bush, the documents placed in my hands by Chokalingum and upon which he grounded his claim were all signed by Mr. Theobalds, and there was no question that if Mr. Theobalds' signature was to be accepted to one, it was to be accepted to all. The justice of this was admitted by Mr. Bush himself, to have accepted Mr. Theobalds' signature to documents which favored Mr. Bush and to have rejected it to those which were adverse to him would have been an act of gross injustice to the claimant.

6. I have merely to observe further that Mr. Theobalds was appointed by me to superintend under the orders of Mr. Bush, the construction of the roads from Ranepett and Wallajahnugger respectively to the Railway station at Ammoor, and that the charge now advanced of his being concerned as a Contractor is one entirely new to me and one in which I do not put the slightest faith.

No. 89. ORDER THEREON, No. 2620; dated 4th December 1858.

Under the orders of Government conveyed in Extract Minutes Consultation 12th October 1858, No. 2121, Captain Francis, Acting Superintending Engineer of the Central Circle, was deputed to North Arcot, to investigate and report on certain items in Mr. Assistant Engineer Bush's accounts, instanced by the Officiating Chief Engineer as doubtful or suspicious entries. With the first of the three letters recorded above, Colonel Lawford forwards Captain Francis' report, which entirely exonerates Mr. Bush from all imputation of dishonesty or unfair dealing; pronounces the entries correct, and the sums there shewn to be due to the Contractors, to be fairly due to them by Government; and even acquits Mr. Bush of a debt of Rupees 808-15-1, previously adjudged by Captain Johnston as due by him to an alleged Contractor of the name of Chokolingum. The second letter also forwards a report from Captain Francis, testifying to

the correctness of certain measurements of work executed on the Mahindravady channel, of which Colonel Lawford had expressed his doubts in his previous letters of the 25th September and 3rd October 1858, Nos. 4025 and 4211, in connection with Mr. Bush's accounts. The third letter lays before Government communications from Captains Johnston and Mayne, the former of whom adheres to his opinion in respect to his award in favor of Chokolingum, and the latter apoligizes for having previously incorrectly stated from memory that Mr. Bush had never brought to his notice the large sums due to Contractors, on delivering over charge of his range to him.

2. The result of the investigation as above noticed is altogether in favor of Mr. Bush; and Government must accept Captain Francis' decisions as a final settlement of the case. It is almost a matter of necessity for Government to do this, inasmuch as the lax supervision which has been exercised over Mr. Bush has rendered it impossible to obtain more satisfactory data to act upon. They accordingly direct Mr. Bush's release from suspension, and his restoration to office; and authorize the payment to him of his arrears of salary, from the date of his suspension, minus however the cost of the extra establishment, which under the orders of Government dated 27th April 1858, No. 784, was employed in adjusting his accounts. Mr. Bush will not be sent back to North Arcot; but in compliance with the Officiating Chief Engineer's recommendation, in the propriety of which it is understood Captain Francis agrees, Colonel Lawford is authorized to post Mr. Bush to the District of Coimbatore, where he states the services of an Executive Officer are very much required.

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

Central Office of Public Works
Fort Saint George 22d Novemr 1858

No 5652

From
The Officiating Chief Engineer

To
The Secretary to Government &c &c.

Sir

Public

In further continuation of my letter No 5476 dated 16 November 1858, I have the honor to submit, for the information of Government, copies of letters as per margin, received from Captains Johnston and Mayne, on the subject of the claims made by Contractors in the North Arcot district, and referred to in Captain Francis' report of the 12 idem.

Enclosure one

From Capt S Mayne No 195 16 Novr 58.
From Capt C. Johnston No 249 17 Novr 58.

2 I cannot avoid on this occasion repeating the opinion I have already expressed

expressed of the extreme indifference
and laxity evinced by Captain Mayne
in his control of the North Arcot
district.

I have the honour to be
Sir
Your most obedt
Servt
H Lawford Lt Colnl
Officiating Chf Engineer

Fort St George
22nd Nov 1858

Executive Corps of Topographical Engineers

No 105

From Captain J. C. Mansfield
Executive Assistant Engineer Corps
To
The Officer in Charge Office Chief Engineer
Washington

Sir

I have the honor to acknowledge the receipt of your letter of the 30th ult. inclosing for my information and consideration copies of letters from Captains Hazzard and Johnston relative to claims made by certain contractors on the Red River Raft and to request that you will cause a copy of Captain Hazzard's letter of the 2nd inst. to be furnished me.

Very respectfully
Your obedient servant
J. C. Mansfield
Captain Engineers

From the Off. Chief Engineer
Dec. 16. 1858 Dec. 2nd 2 enclosures

P.W. 1858 Dept.
Dec. 6. Cons. 7. Dec.
No. 2806.

From
The Off. Chief Engineer
To
The Secy. of War. Dept.

Dated 22nd November 58.
Rec'd. 23rd " "
Ref. to 1st 2nd 20th & 4th Dec. 58. W 5652

Submitting in further continuation of letter No 5476 of the 16th Nov. 58 copies of letters from Captains Hazzard and Johnston on the subject of the claims made by certain contractors in the N. Orleans dist

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30th Nov. 2nd Dec.

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in regard to a claim advanced by one Chokalingum against Assistant Executive Engineer Mr. Rush.

2 I see no reason from what has been advanced by these gentlemen to alter the opinion I have already expressed, and I would call your
2a attention to the circumstance of their apparently not having satisfied themselves as to the position held by Mr. Theobalds, a point in which the whole value of the enquiry rests

3. Para 4 of the investigation begins by stating:

"It is not disputed and never "has been disputed that Chokalingum "did work in the Ammoor road "under Mr. Theobalds."

and ends by stating

"It has been alleged that the road

"road in question was really made by "Theobalds Chokalingum & Soobaroyen "in partnership."

4 Now Mr. Theobalds was either an Overseer acting under the orders of Mr. Rush and in that capacity was merely superintending the work on the Ammoor road or he was a Contractor for the execution of the work. a point which requires to be explained

5 When I was engaged at Arcot in March last in investigating certain charges against Mr. Rush the documents placed in my hands by Chokalingum and upon which he grounded his claim were all signed by Mr. Theobalds, and there was no question that if Mr. Theobalds signature was to be accepted to our, it was

to

ea to be accepted to all. The justice of this
a was admitted by Mr Bush himself.
in To have accepted Mr Theobalds signature
d to documents which favored Mr Bush
and to have rejected it to those which
were adverse to him would have
2 been an act of gross injustice to
the claimant

6. I have merely to observe
further that Mr Theobalds was
appointed by me to superintend,
under the orders of Mr Bush, the
construction of the roads from
Ranneepett and Wallajahnugger
respectively to the Railway station
at Arnnoor, and that the charge
now advanced of his being con-
cerned as a Contractor is one
entirely new to me and one in
which I do not put the slightest
faith

/Signed/ C.C. Johnston Capt.
Offg C. Engr for Railways

Madras
17th Novr 1858.

/True Copies/
Colonel
Officiating Chief Engineer

Enclosure No 2 in a Letter
from the Officiating Chief Engr
Dated 16th November 1852
&c

Answd 22nd
Read Wednesday 24
Noted
WD 28th/52

Letter from Messrs Dopping
Brothers & Co in regard to
the measurement of Work
made by Mr Dopping
Referred to Mr Bruce-

Dated 16th November.

To
The Officiating Chief Engineer
&c

Sir

As it appeared to me that you were not satisfied with the measurements produced by Mr Dopping and which to my mind had been evidence sufficient of the correctness of the measurements entered in Mr Brebner's Agt with the Contractors, I have the honor to lay before you the following facts as related by Mr Dopping :- That the measurements produced by Mr Dopping were taken by his man Ananda Row in consequence of the wish expressed by you on your visit as Superintending Engineer - so that you might be satisfied

satisfied in regard to the excess of expenditure over the Estimate on this work; and as the Channel was afterwards to be transferred to Ramanjalos Supervisor, the latter was directed to satisfy himself as to the correctness of the measurements as well as of the rates allowed and this he did expressing to Mr Stopping his surprise at finding the measurements thus verified agree so very nearly with those entered against the Contractors and acknowledged by them.

2. No measurements that I could have taken at this time would have been so satisfactory as the above taken for a different purpose altogether and verified to the satisfaction of the District Engineer both as to rates & quantities

Signed / C. M. Francis
Ag Supt Engr CC.

/ True Copy /

Lieut Colonel
Officiating Chief Engineer

Central Office of Public Works.
Fort Saint George 17th November 1858

No 5492

From

The Officiating Chief Engineer

To

The Secretary to Government P.W.

Sir.

With reference to my letter No 5476 dated 16th instant, I have the honor to forward copy of a letter just received from Captain Francis, and to state that while it adds materially to the value of the evidence in favor of Mr Bush, it also shews in my opinion a great want of judgement on Mr Hopping's part in having failed to report to this Office the result of the measurements of the Mahanadravady Channel taken in

consequence

Enc: one

Date 18th 1858

Enclosure in a letter
From the Officiating Engr
& Chief Secretary Govt dated
Fort St. George 17th Nov 1858

No 5492/58

Copy of a letter from Capt Fras. Barnes Engr & Chief Engineer to the Government dated Vizagapatam 15th Nov 1858 in Public Department

consequence of my personal instructions

2 I take this opportunity of stating that I have requested the Acting Superintending Engineer Central Circle to submit a complete report on the Mahindravady Channel as soon as he can conveniently do so as I have reason to fear there has been a great excess of expenditure on that work.

I have the honor to be
Sir
Your most obedient Servant

Fort St. George
17th Novemr 1858

Crawford Lieut Colon
Officiating Chief Engineer

Comms: 12th Octr/58 No 124 Pl 127
" 21st July/57 — " 22-23.

C.O. W.I. — 1858 Dept
Dpo to Comms 4th Decr
No. 2741.

From
The Offg Chief Engr
To
The Secy to Govt Dom

Dated 17 } Novr 1858
Recd 17 }

Encloses 1/20 } No 5492.
1688 Pc 2/20 } 4th Decr 1858

Submitting with refce to Letter No 5476 of 16th instant copy of a paper received from the Asst Engineer in Charge working on the Breakwaters at Montreal & Isle Aux Noix & Chambly Canal, reporting on the Breakwater at the Mouth of the River Richelieu

Encl: 4
1 Letter from Agt Pilotage Service 18th inst. 2 Encs
1 Letter from Supt Pilotage Service 19th inst 2 Encs

Recommending the Construction of a Breakwater at the entrance of Chambly Canal

Recommending the Construction of a Breakwater at the Mouth of the Richelieu River at Isle aux Noix

Stating that Work in progress, and that Work in which he is engaged will be completed by the 1st of August next

Requesting him by Captain Strachan, Asst Adjt Genl to report upon the above Letter

C30th Nov.: N2d Dec.

C30 Nov. 1822 Dec.

Has been requested to return this document with remarks on the

submit that paper which was received on the 13 instant, from which it will be found that Captain Francis has given his award in favor of Mr Rush in every instance

2 I have no desire to dispute the decision arrived at, or prolong this discussion, but I must point out what appear to me matters of serious consideration in connection with it, and in the first place I would observe that the sole test of accuracy adopted by Captain Francis is the measurement of the work by a Native subordinate who although stated to be a very trustworthy man is not even named in the report

3 If it is allowable in this

dept.

department to admit doubtful charges of large amount on such proof, I can only say that the Government have less security for the due expenditure of the public money than existed under the former system, and I consider that the Superintending Engineer has in this case shown a facility in passing Mr Rush's accounts which may open a wide door to abuse. The mission of Captain Francis was altogether unnecessary if the District Engineer could thus easily settle the main question at issue, and no Civil Engineer under the old regime would have ventured to recommend what has now been unhesitatingly done

4 The next point I have to

notice

notice is that the balance debited to Government in Mr Bush's accounts is due for works stopped in July /57 by order of the Government of India, and the outlay consequently belongs to the Official year 1857/58, the accounts of which have been closed. Now as Mr Bush cannot be ignorant of the stringent rules for debiting the proper charges to each year, it is very remarkable that when peremptorily called on in March /58 to close his accounts, he should have taken no step whatever to bring forward these heavy balances in order that the same might be adjusted in due time. Provision must now be made for an outlay of 11,000 Rupees on account of work completed in 1857

6

5 Captain Mayne having in reply to my enquiry made a not very distinct statement regarding Mr Bush's acknowledgment of these balances, I have referred the Acting Superintending Engineer's letter for that Officer's consideration, and shall submit his reply in due course.

6 I shall also obtain and forward Captain Johnstone's opinion of the ground on which Captain Francis has set aside his decision in the case of Ko Kalingum on which mine entirely and exclusively depended.

7 A very singular feature in this case is the patience of the Contractors who have waited so long for their money, since at the common rate

rate of interest they must have lost at least Rs. 1600 before they made any complaint - Such conduct on their part has no precedent in my experience and Captain Francis admits the same I also consider (and Captain Francis agrees with me) that Mr. Bush should not return to North Arcot for employment there, and the services of an Executive Officer being much required in Coimbatore*, I propose to send him there as soon as I am permitted to do so.-

* vice Sub-Engineer Reid

I have the honor to be
Sir
Your most obedient Servt
Stanford Lieut Colonel
Officiating Chief Engineer

Fort St. George
16 November 1858

No 2620 P.W.D.

Extract from the Minutes of Committee of Madras Literature & Science dated 16th December 1858.

Read the following Letter from the Officiating Chief Engineer—

(Received 16th inst. No 5476 - 5492 & 5652)

Madras the 10th December 1858.

Sir,

Enclosed I have the honor to forward a Circle, and Index to the Central Circle, and Appendix to the Annual Report, to accompany my letter of the 12th October 1858, No 2129, Captain Fancourt, Acting Superintending Engineer, Trichinopoly Division.

I have the honor to be,
Sir,
Your most obedient humble Servant,
(Signed) H. M.

To
The Secretary to Government
Public Works Department.

Copies 12th October 58. 1. 1287 & 127

P.W. 1858 Oct.
Dec. Consy. Proceedings
No 2729

From
The Offg Chief Engineer
To
The Secy to Govt P.W.D.

Dated 16th Nov/58
Read 16th Nov/58

Encls - to Acknowledgt 36 Encls.
Rect No 5476
Acct No 2620. 1st Dec 1858.

Submits a report by the Offg Supg Engr C. Circle on the result of his enquiry into the accounts of Mr Asst Engr Bush with observations - Promises further papers on the subject and proposes that as Mr B. is not return to N. Arcot, & send him to Coimbatore when permitted to do so

1036.

C 30 Nov 2 2 Dec

of a debt of Rs 208. 15. 1, previously
adjudged by Capt Johnston as-
direcly him to an alleged Contractor
of the name of Chokolingum-
The second letter also forwards a
report from Capt Rancis testifying
to the Correctness of certain measure-
ments of work executed on the
Mahindrawady Channel, of which
Col Sawford had expressed his doubts
in his previous letter of the 25th
Sept and 3d October 1850 No 4025
in connection with Mr Bush's accounts.
and 4211, the third letter lays before
Govt communications from Capts
Johnston and Mayne, the former
of whom adheres to his opinion
in respect to his award in favor
of Chokolingum, and the latter
apologizes for having previously
incorrectly stated from memory
that Mr Bush had never brought
to his notice the large sums due
to Contractors, on delivering over
charge of his Agency to him.

2 The result of the investiga-
tion as above noticed is altogether
in favor of Mr Bush, and Govt
must accept Capt Rancis' decisions
as final settlement of the

It is almost a matter of
necessity for Government to
do this, inasmuch as
the last suspension which
has been exercised over Mr
Bush has rendered it impo-
ssible to obtain more
satisfactory data both
upon

case against him. They accordingly
direct Mr. Bush's release from
suspension, and his restoration to
office, and authorize the pay-
ment to him of his arrears
of salary, from the date of his
suspension, minus however the
cost of the extra establishment,
which under the orders of
Govt dated 27th
April 58, No 784, was employed
in investigating his accounts. Mr.
Bush will not be sent back to
South Arcot, but in compliance
with the Off Chief Engr's re-
commendation, in the report
of which it is understood Capt
Rancis agrees, Col Sawford is
authorized to post Mr. Bush to
the District of Coimbatore, where
he states the services of an Ex.
Cutive Officer are very much
required.

10 Copies to Bd. Off Chief Engr. Dated 6th W W B
1 — " Cmdr Arcot

~~Civil 19th Dec. 58 No 4 Encl~~
~~21st July 59 22 Encl~~

Public Works 1858 Dept.
Do to Cons. 7th Dec.

No 2620.

Extract Minute of Cons:
~~3~~ 4th Dec. 58.

~~From the Offg Chief Engr 15th Nov~~
~~58 No 39 Cons~~ Dr Asstn Com-
~~21st~~ 22 Encl

From Do 17th February 59
No 39 Cons
15 March 27. 22
From Do 13th Nov 58 No
2296 with Do.

Under the circumstances stated, direct Mr Bush's release from suspension and his restoration to Office. Mr Bush to be hereafter posted in the District of Coimbatore.

~~From the Civil Asst~~
~~of 4th May 59 62 with 111. in Ca.~~

~~From the Chief Engineer~~
~~25 April 1859 No 66 in~~

Mr Mowat 2 Encl