M.R.O. 1—77,606—8-6-37.

(1) Number of pages 10

(2) Date of repair 13.10-38

(3) Initials of the Reference

MADRAS RECORD OFFICE.

Government of Madras.

Public Works DEPARTMENT.

Con 20-12-59

G.O. No. 2940. Press Mis.

129—131

Dated 17—12— 1859.

Not to be folded or roughly handled

Proceedings of the Madras Government, Public Works Department, for the month of December 1859.

Read the following letters.

No. 129. From CLEMENT DALE, Esq., Government Pleader, Sudr Udalut ; to J. D. BOURDILLON, Esq., Secretary to Government, dated Madras, 12th December 1859, No. 150.

Paragraph 1. I have the honor to acknowledge the receipt of the order of Government of date and number noted in the margin.

Order of Government, dated 22nd November 1859, No. 2719, Public Works Department.

2. In a previous letter, I have stated as my opinion, that Act No. 13 of 1859 is not retrospective ; so as to affect transactions which had taken place previously to the passing of the Act ; as also that contractors, such as those referred to, do not, in my opinion, come within the purview of the Act.

3. As I understand the papers now under consideration, it is only to recover the penalty that legal proceedings against the contractors were contemplated ; assuming such to be the case, I have the honor to report for the information of the Honorable the Governor in Council as my opinion, that any such proceedings could not be supported ; and I advise decidedly that no such proceedings be instituted.

4. I return the papers which accompanied the order noted above.

No. 130. From CLEMENT DALE, Esq., Government Pleader, Sudr Udalut ; to J. D. BOURDILLON, Esq., Secretary toGovernment, dated Madras, 13th December 1859, No. 151.

Paragraph 1. I have the honor to acknowledge the receipt this morning, of the order of Government of date and number noted in the margin, and to return the paper which accompanied.

Order of Government, 10th December 1859, No. 2865, Public Works Department.

2. Doubtless any Magistrate to whom Captain Fisher may apply, will be careful not to exceed his jurisdiction ; but I think it would be desirable to caution Captain Fisher not to act as he proposes, except he is quite sure of the timber being the property of Government. From his letter I entertain great doubts on the subject.

No. 131. ORDER THEREON, 17th December 1859, No. 2940.

These two letters will be communicated to the Chief Engineer in reply to his two letters of the 31st October, and 8th December 1859 Nos. 6692 and 8106.

(Signed) J. D. BOURDILLON,
Secretary to Government.

Govt. Pleader Sudr. Dept.

№ 150

From Clement Dale Esquire Government Pleader Sudr Adalut

To J. D. Bourdillon Esquire Secretary to Government

Madras 12th December 1859

Sir

I have the honor to acknowledge the receipt of the Order of Government noted in the margin and number noted in the margin.

Order of Govt dated 22 November 1859 № 2719 Public Works Department

2 In a previous Letter, I have stated as my opinion that Act № 13 of 1859 is not retrospective so as to affect transactions which had taken place previously to the passing of the Act as also that Contractors, such as those referred to, do not in my opinion come within the purview of the Act.

3 As I understand the papers now under consideration, it is only to recover the penalty that legal proceedings against the Contractor were contemplated; Assuming such to be the case, I have the honor to report for the information of The Honorable The Governor in Council as my opinion, that any such proceedings could not be supported; and I advise decidedly that no such proceedings be instituted

4 I return the papers which accompanied the order noted above.—

I have the honor to be
Sir
Your most obedient Servant
Wm. Dale
Govt. Pleader Sud. Adt.

№151

From Clement Dale Esquire Govt. Pleader Lieut Colonel
To I D Bourdillon Esquire Secretary to Government.

Madras 13th December 1859

Sir,

Para 1 — I have the honor to acknowledge the receipt this morning of the Order of Government of Date and Number noted in the Margin, and to return the paper which accompanied

Order of Govt. 10th December 1859 № 2865 Public Works Department

2. Doubtless any Magistrate to whom Captain Fisher may apply, will be careful not to exceed his Jurisdiction; but I think it would be desirable to caution Captain Fisher not to act as he proposes, except he is quite sure of the Timber being the property of Government — From his letter I entertain great doubts on the subject

I have the honorable
Sir
Your most obedt. Servant
Wm. Dale
Govt. Pleader &c

Public Works Department
Fort St. George 15th December 1859
Received 16th Ditto
№ 3253.

Forwarded to the Secretary to Government Revenue Department for information.

By Order &c.
(Signed) J. Fisher
Capt. R.E.
Superintending Engineer

Copy forwarded to the Collector of Chingleput for information.

By Order &c.
(Signed) J. D. Bourdillon
Secretary to Government

Revenue Department
Fort St. George 20th December 1859
№ 3253

Copy forwarded to the Collector of Chingleput for information.

By Order &c.
(Signed) J. D. Bourdillon
Secretary to Government

Copy 30 December 1859
— 10 Boys
— 20 —
195-3½
Pp 95

Cons: 16 December/59 — Nº 1334
— 30 Jany — 25-26

P.W. 1859 Dispatch
Rec: of Govt 20 Decr
Nº 3272.

From
The Govt Pleader
S.A.

Dated 13th
Recvd 14th } Decr/59

E-1 Nº 151.

Stating his opinion on a letter from the Bellari Dist. Engr regarding the stoppage of certain timber by the Contractors.

Nº 2940. 17th December

No 130.

1

Public Works Department

Nº 2940.

Proceedings of the Madras Government

Under date the 17th December 1859

Read the following

letters from the Government

Pleader Sudr Udalut:

Advising that no legal proceedings can be instituted against the Bellari timber Contractors to recover the penalty for default. (Recd 12th Decr/59 Nº 150)

Reporting his opinion in respect to the institution of the District Engineer of Bellary to apply to the Magistrate to compel the contractors to give up the wood belonging to Govt. (Recd 13th — 151)

Those two letters are

to be communicated to the

Chief Engineer in reply to

his two letters of the 31st Octr

and 8th December 1859 Nos 6692

and 8106.—

To Copy to the Chief Engr
Despd 17th

Public Works 1859 Dep.t
Pro: of Govt. 20th Decr.

No. 2940.

Pro: of the Madras Govt.
Dd 17th Decr. 59.

From Chief Engineer
Dd 23 Sep.r 59 & Encs. 1805

Mr Dale's letter
with reference to the
Contracts made for
Timber by the District
Engineer at Bellari,
Communicated to Chief
Engineer—

No 29 at 131.