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MADRAS RECORD OFFICE.

Government of Madras.

DEPARTMENT.

Public works

G.O. No. 580

Press
Mis.

557-558

Dated

26-2-

1864.

Not to be folded or roughly handled

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*Proceedings of the Madras Government, Public Works Department,
26th February 1864.*

No. 557. Read the following letter from Lieutenant-Colonel H. W. HITCHINS, R. E.,
Superintending Engineer, 5th Division, to Colonel C. A. ORR, R. E., Secretary to
Government Department Public Works, dated Salem, 12th February 1864, No. 1,914 :—

SIR,

1. I have the honor to submit, for the consideration and orders of Government, an original

- 1 Original letter from Captain Goddard.
- 1 Memorandum do.
- 1 Letter from the Government Pleader.
- 1 Copy of the decision passed in the
Assistant Superintendent's Court.
- 1 Copy of a letter from the Assistant
Superintendent.

letter dated the 26th ultimo No. 465, received from the Executive Engineer of Bangalore, in which he recommends that a sum of Rupees 1,157-1-4 may be written off to "profit and loss," as per accompanying Memorandum.

2. Of the sum of Rupees 2,820-7-11, mentioned in paragraph 8 of the Proceedings of Government dated 26th September 1860, No. 1,996, as the amount due by the late Ramasawmy Pillay, one of the Contractors, who received advances for the supply of certain building materials when Major DeButts was Executive Engineer of that station, Rupees 1,382-3-7 remained unpaid, for the recovery of which a suit was first filed against the sons of that Contractor in the Cantonment Moonsiff's Court and was afterwards transferred to the Assistant Superintendent's Court at Bangalore. From the copy of the award passed in that suit, which is herewith sent, it will be observed that the Court decided that a sum of Rupees 275-2-3 alone was due to the Plaintiff which is reported to have been recovered only during last month.

3. In a letter from Captain Goddard, dated the 4th May last, No. 2, he submitted a review of the case with other papers, and requested that it should be laid before the Government Pleader for his opinion, as he was desirous of appealing against the decision of the aforesaid Court. The papers were accordingly forwarded to Mr. Dale, who distinctly advised* that no appeal should be made in the matter, because no witnesses were tendered on behalf of the prosecution beyond the production of certain books and Captain Mayne's letter, and though a copy of Mr. Dale's letter was communicated to Captain Goddard, yet he has thought it proper to send an appeal to the Assistant Superintendent at Bangalore, which appears to have been returned† to him under the plea that it was "not admissible under the Regulations."

* Vide letter dated 13th May 1863, No. 54.

† Vide copy of the letter from the Assistant Superintendent, dated 7th November 1863, No. 28.

4. From the above, it will be seen that the balance not recovered is Rupees 1,107-1-4, to which Captain Goddard adds Rupees 50, the Court costs incurred by him, which make a total of Rupees 1,157-1-4 and which appear in the books of the Executive Engineer under the head "Advances repayable," and as there is no hope whatever of its recovery, I beg to recommend that it be authorized to be written off to "profit and loss."

No. 558. ORDER THEREON, 26th February 1864, No. 580.

1. Under the circumstances represented in the foregoing letter, the Governor in Council has no alternative but to authorize the sum of Rupees 1,157-1-4 to be written off to "profit and loss."

Vireppa Chari,
Armuga Chari.
Venkataramana Maistry.
Murugasa Moodelly.

2. The Superintending Engineer will be requested to report upon the advances outstanding against the Contractors marginally noted.

(True Extract.)

(Signed) CHARLES A. ORR, Colonel, R. E.,
Secretary to Government.

To the Superintending Engineer, 5th Division.

" Accountant General.

" Controller and Auditor of Public Works Accounts.

Exd. T. S. Augustin.

17914

Superintg: Engrs Office 5th Divⁿ
Salem 12th February, 1864

From

Squadr. Col. H. M. Hitchens R.E.

Superintg: Engineer 5th Division

To

Colonel C. A. Orr R.E.

Secretary to Government A.S.W.

Sir,

Enc: 5.

Original letter from
Capt. Goddard.

Memorandum - A^d

Letter from the Govt.

pleaded -

Copy of the decision

passed in the

Asst. Supt. Const.

Copy of a letter from

the Asst. Supt. -

I have the honor to submit, for the
consideration and orders of Government, an
original letter dated the 26th Ultimo No. 465
received from the Executive Engineer of Banga-
lore, in which he recommends that a sum
of Rupees 1157. 1. 4 may be written off to Profit
and Loss, as per accompanying Memorandum.

Of the sum of Rupees 2520. 7. 11. mention-
ed in para 8 of the Proceedings of Government
dated 26th September 1860 No. 1986, as the amount
due by the late Ramaswamy Pillay, one of
the Contractors, who received advances for the
supply of certain building materials when
Major De' Butts was Executive Engineer of
that Station, No. 1382. 3. 7. remained unpaid
for the recovery of which a suit was first
filed against the sons of that Contractor
in the Cantonment Munsiff's Court and
was afterwards transferred to the Assistant
Superintendent's Court at Bangalore. From
the copy of the award passed in that suit,
which is herewith sent, it will be observed
that the Court decided that a sum of Rupees
252. 2. 3 alone was due to the Plaintiff,

which is reported to have been recovered only during last month.

3. In a letter from Captain Goddard dated the 14th May last No. 2, he submitted a Review of the case with other papers and requested that it should be laid before the Government Pleader for his opinion, as he was desirous of appealing against the decision of the aforesaid Court. The papers were accordingly forwarded to Mr. Dale, who distinctly advised that no appeal should be made in the matter, because no witnesses were tendered on behalf of the Prosecution beyond the production of certain Books and Captain Mayne's letter - and though a copy of Mr. Dale's letter was communicated to Captain Goddard, yet he has thought it proper to send an appeal to the Assistant Superintendent at Bangalore, which appears to have been returned to him under the plea that it was "not admissible under the Regulations."

Side letter dated 13 May 1853 No. 54.

* Side copy of the letter from the Asst. Superintd. dated 7th November 1853 No. 28.

4. From the above, it will be seen that the balance not recovered is Rupees 1107. 1. 4, to which Captain Goddard adds Rupees 50, the Court costs incurred by him, which make a total of Rupees 1157. 1. 4 and which appear in the Books of the Executive Engineer under the head "Advances Repayable," and as there is no hope whatever of its recovery, I beg to recommend that it be

be authorized to be written off to "Profit and Loss."

I have the honor to be,
Sir,

Your most Obedt. Servt.
J. E. Ganagan Capt. -
S. Col. -

For the Superintg. Engineer 5th Division

Cmsd. J. E.

1864, Dept
No. of Capt for February
No. 12699

From
The Supy: Engineer
5th Reg
A.C.

The Secretary of the
A.P.M.

Noted 12th
Recd 18th February
1864

8th No 1914
Recommending

that a sum of \$1000
1157. 1. 4 standing in
the Books of the Specimen

Engineer of 13 amples
under the head "Army
Deposable money to be
used for military of
to 1st of Jan. and Dec."

With an Order
No 550-265

1864-265

1865
No 550

Under the circumstances

represented in the foregoing letter
the Governor in Council has
alternatives but to authorize
the sum of \$1000 1157. 1-4
to be written off to Profit
and Loss.

The Superintendent
2
-pinner will be requested to report
upon the accounts outstanding
against the Contractors in regard
noted.

Very Res
To the Supy Engineer 5th Reg A.C. & Encl
Accountant Genl
Contractor & cash & accounts of m. & c. & c.
1864-265