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MADRAS RECORD OFFICE.

Government of Madras.

PUBLIC WORKS DEPARTMENT.

G.O. No. 1045 Press Mis.

314-315

Dated 13—6— 1864.

Not to be folded or roughly handled

Proceedings of the Madras Government, Public Works Department, 13th April 1864.

No. 314. Read the following letter from Mr. A. ERSKINE, late Overseer North Arcot District, to Colonel C. A. ORR, R. E., Secretary to Government, Department Public Works, dated Madras, 15th March 1864 :—

SIR,

1. Feeling deeply aggrieved by my summary dismissal from the Public Works Department, on the recommendation of the Superintending Engineer, 4th Division, as ordered in Proceedings of Government dated 5th February 1864, No. 379, with a copy of which I was furnished by that Officer on the 21st idem, and painfully impressed with the conviction that at his hands I have not received that consideration, to which, as a subordinate servant of Government of nine years' standing, I had perhaps a right to expect, I beg leave through you to bring under their notice the following circumstances, in the humble, yet fervent hope, that on a careful review of my case, they may be graciously pleased to restore me to the position I lately held in the Public Service.

2. With a view to exonerate myself completely and satisfactorily from the charges preferred against me by the Superintending Engineer, and with the particulars of which I was not made acquainted until after they had been laid before Government, I applied to him on the 2nd instant for a transcript of Captain Chrystie's report, to which his own has reference, on the works in progress in the Arcot Táluq; but as this request has not yet been acceded to, and as I am advised that any further delay in submitting an appeal for re-consideration of a matter so seriously affecting my present and future prospects might operate still more to their prejudice, the necessity for an immediate attempt at self-vindication seems urgent.

3. On receipt of a letter from Colonel Boileau suspending me from office, I proceeded to Madras, and on being directed by that gentleman, in December last, when at his own summons I waited upon him at his private quarters in the Club, to submit an explanation of the irregularities and deficiencies of which he had only in a general way complained, while inspecting some of the works referred to, I protested that unless I was previously informed of the specific nature of the accusations he intended to bring against me, it would be impossible for me to offer any explanation whatever; but he insisted on a compliance with his orders, and I accordingly addressed him the letter* of which I enclose a copy, not dreaming for one moment of the use that has been made of it to compass my ruin, by the importation into his report of the 5th ultimo, of certain isolated sentences from a communication which could not justly be regarded as having any direct connexion with charges of the precise character of which I was kept in utter ignorance.

* Vide Enclosure A.

4. In the early part of January the Superintending Engineer having sent for me again one morning to his chambers, asked me to confess that I was all along privy to Ramasawmy Moodelly's false measurements, since he had told him so, both verbally and in writing; but as my conscience entirely acquitted me of all such knowledge I declined pleading guilty to an offence of which I was innocent, and on my return from the Club, came to the determination of bringing the late Táluq Overseer to account for what I had heard, and if necessary compelling him before a Court of Justice to substantiate if he could the statement he was alleged to have made.

5. From the accompanying copies† of correspondence, however, it will be seen that Ramasawmy Moodelly denies in toto the allegations imputed to him; and whilst an attentive perusal of this correspondence cannot fail to negative even the nearest presumption of the existence of any previous or subsequent collusion between him and me, in respect of the delinquencies charged to us, I would solicit special attention to the concluding part of his letter marked E, as wholly contradictory to the assertion in paragraph 12 of the Superintending Engineer's Report, that he, Ramasawmy, had "personally implicated Mr. Erskine, as cognizant of arrangements mutually entered into between them, for the establishment of false measurements" for he unequivocally declares that he "did not directly or indirectly, verbally or in writing, state any thing against me to Colonel Boileau."

† Enclosures B, C, D and E.

6. Upon the universally recognized principle, that no man should be condemned unheard, had I been afforded a full and fair opportunity of explaining, so far as I was able, the "suspicious "circumstances" which have led to so heavy a visitation upon me, I am confident that I would not have been placed in my present humiliating position; but I was unhappily prejudged by the Superintending Engineer, who, on the last of the two occasions when I was required to attend at his quarters, gave me to understand that he would do his utmost to get me discharged from Government employ; hence only, and not from any fear of consequences did I express the intention of sending in my resignation, to which allusion is made in paragraph 17 of Colonel Boileau's letter.

7. As regards the works more particularly noticed by the Superintending Engineer in paragraph 13, I beg to state that if Government would be pleased to order further inspection and enquiry, I shall be fully prepared to show on the field with the aid of my Note-book (now I believe with you) the incorrectness of the data on which mostly the results arrived at have been based, and the irregular mode in which the examination was conducted, in the absence too of the Contractors, as well as to prove beyond all doubt that for the alleged perpetration of frauds, if frauds there have been, I cannot in common reason be held accountable it being admitted; that I was but for a short time a Range Officer "when," as observed in paragraph 15, "all this trickery was taking place," and not quite six months even in the Arcot Táluq, before the recent investigations commenced. To illustrate what I have here advanced, I may mention the fact that in one instance (and the only one,) where the Contractor was present and was assaulted by Captain Chrystie, in presence of the Superintending Enginee, viz., that of the Thirpunumboor Channel, Colonel Boileau's measurements were found to differ most materially from those of Captain Chrystie, to the extent in fact of about 3,000 cubic yards; while in another case, the channel from Pullandi Chittary to Arimburthy tank, the Estimate Rupees 2,150, for an entirely new channel, which was cut through the *highest* ground in the neighbourhood, entailing 4,000 cubic yards of excavation more than were necessary, *was framed* by order of Mr. Supervisor M. Howard, the same who is now Sub-Engineer in charge of the Arcot Táluq, and who is stated in the 1st paragraph of the report I am quoting from, to have "pointed out certain irregularities which had been allowed in the time of his acting predecessor Mr. Erskine."

8. In paragraph 18 the Superintending Engineer remarks "apart from the conduct of "these men (Ramasawmy Moodelly and myself) I regretted to find money being sadly frittered "away in the Arcot Táluq: Calingulahs sanctioned which were wholly useless, and hundreds of "Rupees having been expended on tidying and trimming channels," &c. From this it would appear that there are others equally at least, if not more responsible than an humble subordinate, such as I was, for the supposed mal-practices; but, seemingly, there were some victims needed, and I cannot but feel that it has fallen to my lot to become one of them.

9. Not having been able to obtain a copy of Captain Chrystie's letter, I can only assume that the extract therefrom, marginally annexed to paragraph 12 of Colonel Boileau's report is the sole portion which concerns me, and it is not a small source of consolation that for any shortcomings, which may fairly be ascribed to me, there is ample allowance in the observations of the Executive Engineer, Wallajah Range; for he most justly says, that "since the re-organization "(of the Department Public Works) I think that Mr. Erskine has had more work on his hands "than either his salary or ability enabled him to supervise. The works under him were 109 in "number, their Estimates aggregated Rupees 81,175, whilst the monthly expenditure was from five "to ten thousand Rupees. Now to superintend such a large number of considerable Estimates, "situated in different parts of a Táluq, a man should not only be very energetic and zealous, but "ought to have the means to travel constantly and somewhat rapidly. Mr. Erskine is neither "energetic or zealous, but I submit that it would be impossible for him with his present salary "and travelling allowance to maintain a marching establishment sufficient to allow him to do his "duty by his works, and yet live and maintain his family respectably; a native might do it, but a "European or East Indian cannot," to this most considerate apology in my behalf under the actual difficulties of my situation I need not add a word.

10. Sensible as I am of the respect due from a subordinate to his official superiors, I must now beg that, if in the foregoing representation of facts, I have been unwittingly betrayed into any warmth of expression, bordering on the disrespectful, my deep sense of the injustice I have experienced at the hands of Colonel Boileau, may be allowed to plead on my excuse.

11. In conclusion, I beg humbly and with great deference to urge on the notice of Government that I have been on bare suspicion, and baseless assumptions, pronounced guilty on charges in support of which not a tittle of evidence has been brought forward, and that until the late investigations, my conduct as a servant of the Government was never in any way impeached, as the records of the Department can testify, while I am perfectly willing that all my proceedings in connexion with the works on the Arcot Táluq should be subjected to the most rigid scrutiny, and that I may even be made to stand the ordeal of a trial in the High Court, if such a measure should be deemed expedient, as I am most anxious to be relieved of the stigma that has been unmeritedly attached to my character. Respectfully requesting that you may be so good as to submit this my humble appeal for the consideration and orders of His Excellency the Governor in Council.

No. 315. ORDER THEREON, 13th April 1864, No. 1,045.

In Proceedings No. 379, dated 5th February 1864. On a review of the whole of the circumstances connected with Mr. Erskine's case, the Government sees no reason to alter its decision regarding the propriety of his removal from the Department of Public Works.

(True Extract.)

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

To the Superintending Engineer, 4th Division.
To Mr. Erskine.

Exd. S. T. Augustin.

Madras 15th March 1864.

From Mr. A. Erskine late Overseer
North Arcot District

To Colonel C. A. Orr R. Engrs.
Secretary to Government
Dept. P. Works

Sir,

1. Feeling deeply aggrieved by my summary dismissal from the Public Works Department, on the recommendation of the Superintending Engineer 4th Division, as ordered in Proceedings of Government, dated 5th February 1864. No 379. with a Copy of which I was furnished by that Officer on the 21st Idem. - and painfully impressed with the conviction that at his hands I have not received that consideration, to which, as a Subordinate Servant of Government of nine years standing I had perhaps a right to expect, I beg leave thro' you to bring under their notice the following circumstances, in the humble, yet fervent hope, that on a careful review of my case, they may be graciously pleased to restore me to the position I lately held in the Public Service.-

2. With a view to exonerate myself completely, and satisfactorily from the charges preferred against me by the Supt.dg Engineer, and with the particulars of which I was not made acquainted until after they had been laid before Government, I applied to him on the 2nd Instant for a Transcript of Capt.n Chrystie's

Report

Report, to which his own has reference, on the works in progress, in the Arcot Taluq; but as this request has not yet been acceded to, and as I am advised that any further delay in submitting an Appeal for reconsideration of a matter so seriously affecting my present and future prospects might operate still more to their prejudice; the necessity for an immediate attempt at self-vindication seems urgent.

3. On receipt of a letter from Colonel Boileau suspending me from Office, I proceeded to Madras, and on being directed by that Gentleman, in December last, when at his own Summons I waited upon him at his private quarters in the Club, to submit an Explanation of the irregularities, and deficiencies of which he had only in a General way complained, while inspecting some of the works referred to, I protested that unless I was previously informed of the specific nature of the accusations he intended to bring against me, it would be impossible for me to offer any explanation whatever; but he insisted on a compliance with his orders, and I accordingly addressed him the letter* of which I enclose a Copy, not dreaming for one moment of the use that has been made of it to compass my ruin, by the importation into his report of the 5th. Ultimo, of certain isolated Sentences from a Communication which could not justly be regarded as having any direct connexion with Charges of the precise Character of which I was kept in utter ignorance.-

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there have been,- I cannot in common reason be held accountable; it being admitted, that I was but for a short time, a Range Officer "when", as observed in Para 15 "all this trickery was taking place".- and not quite six months even in the Arcot Taluq, before the recent investigations commenced.-

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but ought to have the means to travel constantly and somewhat rapidly.- Mr. Erskine is neither energetic or zealous; but I submit that it would be impossible for him with his present Salary, and travelling allowance, to maintain a marching Establishment sufficient to allow him to do his duty by his works, and yet live and maintain his family respectably.- a native might do it, but a European, or East Indian cannot-" to this most considerate apology on my behalf, under the actual difficulties of my situation I need not add a word;-

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11 - In Conclusion, I beg humbly, and with great deference to urge on the notice of Government, that I have been on bare suspicion, and baseless assumptions pronounced guilty, on charges in support of which, not a tittle of evidence has been brought forward, and that during the late investigations, my conduct as a Servant of the Government, was never in any way impeached, as the Records of the Department can testify: while I am perfectly willing that all my proceedings in connexion with the works on the Arcot Taluq, should be subjected to

to the most rigid scrutiny, and that I may even be made to stand the ordeal of a trial in the High Court, if such a measure should be deemed expedient, as I am most anxious to be relieved of the stigma that has been unmeritedly attached to my character.-

Respectfully requesting that you may be so good as to submit this my humble appeal for the consideration and Orders of His Excellency the Governor in Council.-

I have the honor to be
Sir
Your most obed.t and humble Servant
Rud.s Des Rivières

P.W. 1864 - Dept. of Public Works - No. 1159
From - Rud.s Des Rivières Esq.r
Late Overseer
N. Tres.t Dist.
Dated 13th March/64
Recd 16th do
Re
Requesting that, for the reasons given, he may be restored to the position he lately held in the Public Service.
Exp. 1045 - 13th Officer's Clerk

1045

On a review of the whole of the circumstances connected with Mr. Des Rivières Case, the Government sees no reason to alter its decision regarding the propriety of his removal from the Dept.t of Public Works.

Chapais
13th April/1645

Rec.d 14th April/64
Rec.d No. 379
Ans.d 7th do/64
Rec.d in the Dept.t of Public Works 15th April 1864
To Sub Insp.r Gen.l Bur
Mr. Des Rivières