M.R.O. 1—77,000—8-6-37.

(1) Number of pages 12

(2) Date of repair

(3) Initials of the Referencer

MADRAS RECORD OFFICE.

Government of Madras.

DEPARTMENT.

G.O. No. 1570 Press/Mis.

Dated 18 .

Not to be folded or roughly handled

No. 677. Read the following letter from Captain F. T. HAIG, R. E., Superintending Engineer, Upper Godavery Circle, to Colonel C. A. ORR, R. E., Secretary to Government, Department Public Works, dated Camp Enchampilly, 5th May 1864, No. 27:—

SIR,

1. With reference to my No. 1,122 of 28th March 1864, I have the honor to submit copy of a letter from Mr. Stanbrough, regarding his Cotton.

2. Mr. Stanbrough now admits the correctness of the account, as regards the weight of the damaged Cotton, for which he claims compensation, viz., 5,425 lbs. See also upon this point concluding paragraph of his letter to Colonel Birdwood of 5th August 1863.

3. Mr. Stanbrough however objects to the mode adopted for valuing the Cotton, viz., by reckoning at the selling price at Chandah at the time the surveys were made. This, the course recommended by the Advocate General in his Opinion dated 19th June 1863, Mr. Stanbrough now apparently declines to agree to. It remains for the Government to decide whether they will insist on it or not.

4. Mr. Stanbrough further objects that some of the surveys were made later than September. These however, were surveys of *undamaged* Cotton. But if the Government please, they might allow Mr. Stanbrough the higher price for his Cotton, which obtained in the months of October and November.

5. Mr. Stanbrough further expresses surprise at the ignorance shown by the Deputy Commissioner of Chandah in his statement as to the weight and price of Cotton at Chandah in 1862. He however offers no correction of the Deputy Commissioner's figures, but doubtless reserves it for a future occasion.

6. Lastly, Mr. Stanbrough wishes to have the freight on his Cotton charged in a manner different from what the published Notification of the Government on the subject, prescribed. I merely *recommended* that he should be allowed six bales to the ton, instead of about four which the cubical measurement would have given. This question may be set at rest by the Government deciding that the Cotton shall be charged for by the cubical measurement at 50 cubic feet to the ton. Mr. Stanbrough's bales do not come under the description of "bales of large and unwieldy dimensions."

7. I must, however, state my conviction that the correspondence upon this trumpery business may be protracted to any length, so long as the decision rests with the Madras Government, and that the only chance of a speedy settlement is to refer the matter to the Chief Commissioner Central Provinces, who will be able, without the intervention of further correspondence, to come to an immediate arrangement with Mr. Stanbrough at Nagpore I would request therefore that this course may at once be adopoted.

From H. STANBROUGH, Esq., to Captain F. T. HAIG, R. E., Superintending Engineer, Upper Godavery Circle, dated Hingenghat, 11th April 1864.

SIR,

1. I have the honor of acknowledging the receipt of your letter No. 1,123, dated 28th March 1864, with two enclosures.

2. In your letter No. 1,122, dated 28th March, to the Secretary* to Government, Fort Saint George, you write as follows:—

* Department Public Works.

"That no deduction has been made as recommended by paragraph 13 of the Opinion, Advocate General, on account of the Cotton damaged through the negligence of Mr. Stanbrough's "own Agents."

3. In my letter dated 5th August 1863, to the Secretary to Government, Department Public Works, I explained the damage done to the 79 bales carried in my boat, and how it was caused by the negligence of the Traffic Department of the Godavery river, and not by my people. A copy of the letter to Colonel Birdwood is appended.

4. In the second paragraph of your letter to the Secretary to Government you state :—

"You have reasons to believe that my Agents furnished a correct account of the damaged "Cotton, viz, 5,425 lbs., though it is in excess of the rough estimate of the Survey Committees."

5. I beg to refer you to the last paragraph of my letter to Colonel Birdwood, which shows that I sent down the Godavery river 138,900 lbs., this is not contradicted, but charged for in your account, and yet recovered only 127,200 lbs., having suffered loss of 11,700 lbs., more than double the amount claimed, or nearly 79 of my bales.

6. Regarding the statement that "the surveys were all made in September 1862," I beg to inform you that I have original statements of inspection of 84 bales made 30th October, of 92 bales 5th November, and 55 bales 6th November 1862.

7. With respect to the information you received from the Deputy Commissioner, Chandah, No. 1,621, that the price of Cotton when I purchased it was Rupees 82-1-4 per boogha of 262 lbs., I am surprised at the ignorance shown both as regards weight and price; but the price, the Cotton cost me in Chandah, has nothing whatever to do with the claim I make against the Traffic Department of the Godavery river. I have made a demand only in accordance with the value of the Cotton at Cocanada, the place at which the Traffic Department undertook to deliver it, which can be verified by Messrs. Roghe & Co., Messrs. Dymes & Co., or Messrs. D'Souza, Cammiade & Co.

8. With reference to paragraph 3 of your letter under reply, I beg to draw your attention to my letter dated 3rd July 1862, by which you will perceive that my box, for the screwed bales was only 3½' × 1½' × 1', or equivalent to 10 bales of 50 cubit feet, but I only compressed to 4' × 1', 6' × 1' 4" or six bales to the required measurement. This allowed 900 lbs. to the measured ton. I have therefore the honor of requesting you will inform me when, how, and where, my Cotton was measured, as I perceive that in consideration of the difficulties I experienced, Government have kindly recommended that I should be charged at the rate of 6 bales, 74 cubic feet to the ton instead of 50 cubic feet, which they might, as you say, legally have insisted upon But according to instructions received from Government and published for the information of the public, dated 31st May 1862, we are informed that Cotton in bales is reckoned by the ton of fifty cubic feet. This schedule being sanctioned by the Madras Chamber of Commerce, of course means properly screwed bales containing 1,375 lbs. to the ton. But partially screwed bales of Cotton, shipped in bales of large and unweildy dimensions, being enumerated with goods, a ton of which contains 2,240 lbs., and conveyed at an increase of ¼ an Anna a ton a mile, I would suggest that my Cotton be considered as partially screwed, and trust that by so doing it will prevent further correspondence on the subject, but should you differ from me, I am willing to leave it to the Chamber of Commerce to decide.

9 I have now the honor to hand you a revised account, and will feel obliged by an early emittance of the amount due to me.

(True Copy.)

(Signed) F. T. HAIG, Captain, R. E.,
Superintending Engineer, Upper Godavery Circle.

Dr. Mr. Stanbrough in account with Superintendent, Godavery Transit. *Cr.*

	Rs.	A.	P.	Rs.	A.	P.		Rs.	A.	P.	Rs.	A.	P.
To 356 bales or 53,400 lbs. Cotton carried from Chandah to Cocanada, 406 miles, at 38 Rs. per ton of 2,240 lbs. or 1½ Anna per ton a mile. ...	905	0	0				By value of damaged Cotton 5,425 lbs., at 260 Rupees per candy of 500 lbs.	2,821	0	0			
491 do. or 73,650 lbs. do. carried from Mogullee to Cocanada, 324 miles, at 30 Rs. per ton, or 1½ per ton a mile... ...	986	6	2				By cash advanced...	1,000	0	0			
79 do. or 11,850 lbs. carried from 2nd Barrier to Cocanada, 240 miles, at 20 Rs. per ton, or 1½ Anna per ton a mile. ...	105	12	9								3,821	0	0
				1,997	2	11							
To cash realized by scale of damaged Cotton.	261	0	0	261	0	0	Due to Mr. Stanbrough... ...	...	...	...	1,562	13	1
Govt. Rupees...	...	...	...	2,258	2	11	Govt. Rupees...	...	...	...	2,258	2	11

(True Copy.)

(Signed) H. STANBROUGH.

HINGENGHAT,
11*th March* 1864.

No. 678. ORDER THEREON, 31st May 1864, No. 1,576.

The Government resolve to adopt the course suggested by Captain Haig in the concluding portion of this letter, and the following letter will accordingly be despatched to the Chief Commissioner Central Provinces :—

(Here enter No. 1,577, dated 31st May 1864.)

(True Extract.)

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

Exd. S. T. Augustin.

5

PUBLIC WORKS DEPARTMENT.
Public.
FORT SAINT GEORGE,
31*st May* 1864.

No. 1,577.

No. 679.
From

COLONEL C. A. ORR, R. E.,
Secretary to the Government of Fort Saint George, P. W. D.

To

To the Chief Commissioner, Central Provinces.

SIR,

G. O. 22nd May 1863, Nos. 394, 395.
" 14th July " " 313, 314.
" 27th Aug. " " 622, 623.
" 16th Feb. 1864, " 339, 340.
" 27th April " " 645, 646.
" 31st May " " 677, 678.

1. I am desired by His Excellency the Governor in Council to forward the correspondence, as per margin, relating to a claim advanced by Mr. Stanbrough of Nagpore for compensation for damage sustained by a quantity of Cotton conveyed by Government agency from Chandah to the coast in 1862, and to request that you will, in communication with that gentleman, be so good as to arrange for the adjustment of the account on such terms as you may deem fair and equitable.

2. The opinion of the Advocate General on the subject of this claim will be found recorded in Proceedings No. 1,880, dated 14th July 1863, and such further information as you may desire will be afforded by Captain Haig himself, at whose suggestion the Government have been induced to refer the matter to you, as its settlement is likely to be more expeditiously effected on the spot.

3. I am to request your attention to the papers printed with Proceedings No. 475, dated 16th February 1864, containing an interdict to the payment to Mr. Stanbrough of any money on account of the damaged Cotton.

I have the honor to be,
Sir,
Your most obedient servant,
(Signed) CHARLES A. ORR, Colonel, R. E.,
Secretary to Government.

Exd. S. T. Augustin.

To Captain J. Haig R.E.
Superintending Engineer W.D.

Ringenghat 11th April 64

Sir,

I have the honor to acknowledge the receipt of your letter No 1123 dy 28th March 1864 with two enclosures.

In your letter No 1122 dy 28th March to the Secy to Govt. Fort Saint George you write as follows.

W.D. No.

"that no deduction has been made as recommended by para 12 of the opinion Advocate Generals on account of the cotton damaged through the negligence of the Steam vessels Agents"

In my letter dy 5th August 1863 to the Secy to Govt. D.P.W. I explained the damage done to the 79 bales carried in my boat and how it was caused by the negligence of the Traffic Deptt of the Godavery River and not by any fault

A

A copy of the letter to Colo: Bardwell is appended.

In the second para of your letter to the Secy to Govt you state "You have reasons to believe "that my Agents furnished an correct "account of the damages &c. to cotton owing "5425 lbs that it is in excess of the rough "estimate of the Survey Committee"

I beg to refer you to the last para of my letter to Colonel Bardwell &c which shews that I sent down the Godavery River 138900 lbs; this is not contradicted but charged for in your account, on account whereof on 127200 lbs, having therefore a loss of 11,700 lbs, more than double the amount claimed, or nearly 9% of my bales.

Regarding the 3rd para I beg to inform you that the Surveys were all made in September 1862. I beg to inform you that I have original Statements of the

Inspection

inspections of 84 bales made 30th October of 92 bales 5th November & 55 bales 6th November 1862

9.

With respect to the information you received from the Deputy Commissioner Chandak No 1621 that the price of cotton when I purchased it was Rs 82. 1. 6 per Koorha of 262 lbs. I am surprised at the ignorance shewn by him as regards weight & price but the price the cotton cost me in Chandak has nothing whatever to do with the claims I make against the Jaffie Deptt. of the Godavery River, I have made a demand only in accordance with the value of the cotton at Cocanada, the place at which the Jaffie Deptt. undertook to deliver it which can be verified by Messrs Roghe & Co Messrs Dymes & Co or Messrs D'Souza Lamiraude & Co

With reference to para 3 of your

letter

letter under reply, I beg to draw your
attention to my letter of 3rd July 1862
by which you will perceive that my
loss, for the seized bales was only
3½ x 1½ x 1, or equivalent to 10 Bales of 50
Cubic feet, but only comprised to
4 x 1·6 x 1·4 or 6 Bales to the require
measurement. This allows 900 lbs
to the measurement ton. I have therefore
the honor of requesting you will inform
me, when, how, and where, my Cotton
was measured as I perceive that in
consideration of the difficulties I
experienced, Govt. have kindly recom
mended that I should be charged
at the rate of 6 Bales, 74 Cubic,
to the ton instead of 50 Cft which they
might, as you say, legally have insist
-ed upon. But according to instruc-

tions

instructions, received from Govt. and
published for the information of
the Public of 31st May 62, we are
informed that Cotton in bales is
to measured by the ton of 50 C. ft. this
Schedule being sanctioned by the Madras
Chamber of Commerce, of course, properly
means
measured bales containing 1375 lbs to the
ton. But partially screwed bales of
Cotton, shipped in bales of large dimen-
sions being enumerated with
unwieldy dimensions, being goods, a ton of which contains 2240 lbs &
consequently an increase of ⅔ an anna a
ton a Bale, I would suggest that my
Cotton be considered as partially screw-
ed, and trust that by so doing it will
prevent further correspondence on the
subject, but should you differ from me,
I am willing to have it to the Chamber
of Commerce to decide.

I

I have &c.
Captain R.E.
Dep. Asst. Adjt. Genl.
Engrs.
Sir Arthur Cotton
Kt. &c. &c. &c.

(True Copy)
Macq: Captain R.E.
Asst. Engr. & C.C.

No. 27.
13.

From
Captain A. T. Haig R.E.
Superintending Engineer
Upper Godavery &c.

To
The Secretary to Govt. of Mr.
Madras

Camp Enchampilly 6th May 1864

With reference to my No. 22
of 28th March 1864. I have the honor to
submit Copy of a Letter from Mr. Stan-
brough regarding his Cotton.

2/ Mr. Stanbrough how-
ever admits the Correctness of the Ac-
count as regards the weight of
the damaged Cotton for which he
claims Compensation Viz: 5425
lbs. See also upon this point
concluding para: of his Letter
to C.C. Dunlop dd. 15th August 1863.

3/

3/ Mr. Stanbrough has-
-ever objects to the mode adopted
for valuing the Cotton, viz: by
reckoning it the selling price
at Chanda at the time the sur-
-veys were made. This the course
recommended by the Advocate
General in his opinion dated
19th June 63. Mr. Stanbrough now
apparently declines to agree to.
It remains for the Govt to decide
whether they will insist on it
or not.

4/ Mr. Stanbrough further
objects that some of the surveys
were made later than September.
These however were surveys of
undamaged Cotton. But if the
Govt please, they might allow
Mr. Stanbrough the higher price
for his cotton which obtained in
the months of October & November.

5/ Mr. Stanbrough further
expresses surprize at the ignorance
shewn by the Deputy Commissioner
of Chanda in his statement as
to the weight and prices of Cotton
at Chanda in 1862. He however,
offers no correction of the Deputy
Commissioner's figures, but doubts
-less receives it for a further ex-
-planation

6/ Lastly Mr. Stanbrough
wishes to have the freight on his
Cotton charged in a manner dif-
-ferent from what the publish-
-ed notification of the Govt on the
subject prescribed. I merely
recommended that he should
be allowed 6 bales to the ton,
instead of about 4, which the
Cubical measurement would
have given. This question
may be set at rest by the Govt
deciding.

deciding that the Cotton shall be charged for by the Cubical Measurement at 50 Cu Ft to the ton. Ins. Hamborough bales do not come under the description of "bales of large and unwieldy dimensions"

7/1 I must however state my conviction that the correspondence upon this Transport business, may be protracted to any length so long as the decision rests with the Madras Govt; and that the only chance of a speedy settlement is to refer the matter to the Chief Commissioner Central Provinces, who will be able without the intervention of further Correspondence to come to an immediate arrangement with the Hamborough at Nagpore

I would request therefore that this

this Course may at once be adopted

17

I have the honor to be
Sir
Your most Obedt Servt
Edwd Captain R.E.
Supt Engineer C.G. Circle

5 B.C.R.H.C

Dr. M: Staubroughe in account with Superintendent Godavery Transit Cr.

To 356 bales or 53400 lbs Cotton carried from Chandah to Coconada 406 Miles at 38 Rs. per ton of 2240 lbs or 1½ anna per ton a mile	905	-	-	By value of damage Cotton 5425 lbs. at 260 Rs. per Candy of 500 lbs.	2821	-	-
491 Do. or 73650 lbs Do. carried from Mogullee to Coconada 324 Miles at 30 Rs. per ton, or 1½ per ton a mile	966	2		By Cash advanced	1000	-	-
79 Do. or 11850 lbs carried from 2nd Barrier to Coconada 240 Miles at 20 Rs per ton, or 1½ anna per ton a mile	105	12	9		3821	-	-
	1997	2	11				
To Cash, realized by sale of damaged Cotton	261	-	-	Due to M. Staubroughe	1562	13	1
	Govt. Rs: 2258	2	11		Govt. Rs. 2258	2	11

Rajmundry the 11th March 1864 — (True Copy) (Sign'd) H. Staubroughe
Soorya Ch. Ghose
Hd. Clerk.

2nd Cong. 63 ch. —
2nd Apl. 64 — 622-623-
345-644-

(1)
D. No. 1864
Dept. Collr's Office
No 2225
From the Assistant
Resident Godavery
Circle
Dated 5th May 64
Read 19th May 64
E 2
No 227

Submitting, with his remarks, copy of a letter from Mr. Staubrough regarding his cotton —

No 1576 & 1577 — 31st May 1864

No 577

21st May 1864 R 23 May 64

Public Works Department

No 1576

Proceedings of the Madras Government

Under date the 31st May 1864

Read the following

From the Supd Engineer Upper

Godavery Circle.

Submitting, with his remarks,

copy of a letter from Mr Stanbrough S.M.E. 5th May 1864 No 21

Regarding his Coll

Order of Government

to adopt the Course suggested

by Captain Haig in the Con

cluding portions of this lett

& the following letter will

accordingly be despatched to

the Chief Commissioner Centr

Provinces.

Ord No 1577 dt 31st inst

No 1577

To

The Chief Commissioner

Central Provinces.

Sir,

I am desired by the

the Governor in Council to fo

the correspondence, as per marg

G.O. 22 May 1863 - 394-395
" 14 July " - 313-314
" 27 Aug " - 622-623
" 16 Feb 1864 - 339-340
" 27 April " - 625-626
" May " -

22221

relating to a claim advanced by Mr Stanbrough of Nagpore for Compensation for damage sustained by a quantity of Cotton Conveyed by Government Agency from Chandah to the Coast in 1862, & to request that you will, in Communication with that gentleman, be so good as to arrange for the adjustment of the Account on such terms as you may deem fair & equitable.

The opinion of the Advocate General on the subject of this claim will be found recorded in Pro: No 1880 of 14 July 1863, & such further information as you may desire will be afforded by Captn Rae himself at whose suggestion the Govt have been induced to refer the matter to you, as its settlement is likely to be more expeditiously effected on the spot.

I am to request you

23 10

to Allenshow to the papers printed with Pro: No 675 of 16 Feb. 1864, containing an interdict to the payment to Mr Stanbrough of any money on account of the damaged Cotton.—

Agreed 1st June 1864

Actg Sec. to Govt

P. T. 1854 Letter
Proc: of Govt for Treasy

P. T. 1855 & 1857
Proc: of Govt

Treasy 1861

Submitting Copy
of one from Asst Commissy
Forwarding Rec'd for
Conveyance by Govt Agency
from Chandausi to the
Coast in 1852.

P. 6770 679.

Treasy 1864 R 323 Aug/6