

(1) Number of pages.....

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MADRAS RECORD OFFICE.

Government of Madras.

Public works DEPARTMENT.

G.O. No. 577	Press ~~Mis.~~
406-407	
Dated 17- 2-	18 66.

Not to be folded or roughly handled

*Proceedings of the Madras Government, Public Works Department,
17th February 1866.*

No. 406. Read the following letter from the Superintending Engineer, 7th Division, to the Secretary to Government, Department Public Works, dated Oopinangady, 29th January 1866, No. 244 :—

1. I have the honor to state that on receipt of G. O. No. 3,197 of 24th October 1865, I came to the resolution of defending the Suit brought against me by Mr. Bake, at my own risk. Induced thereto by the utter failure of the Government Pleader to appreciate the plain facts of a case, when put before him with all detail possible in correspondence.

Enclosure 1.

2. A second adjournment, *sine die*, was however brought about by the Plaintiff's Vakeel, and I resumed the tour in Malabar which had been interrupted to attend the Civil Court at Coimbatore. Returning again just before Christmas, I was addressed by Mr. Bake on the subject of an arbitration; in which (having always been open to such an arrangement) I immediately acquiesced. Mr. Grant, Collector, and Mr. Robert Stanes, Merchant of Coimbatore, named by the Plaintiff, and Mr. Henry Sullivan, Sub-Collector, named by myself, having kindly consented to act, I have now the honor to submit their decision for the information of Government.

3. Shortly summed up, it confirms my original demand for the confiscation of Rupees 500 out of Rupees 1,100 lodged as security, and it awards Rupees 530-4-6 as due for timber, against my offer of Rupees 413-15-6. I have only to add that neither I nor any person attached to the Department appeared personally before the arbitrators, though the Plaintiff had that advantage; and that the case was decided much more favorably for the Government than their Pleader expected, solely on the draft Defence and its vouchers which accompanied my letter printed with the G. O. above referred to. Mr. Bake has withdrawn his Suit, expressed his sorrow that he ever went to law, and given an acquittance in full of all demands against the Coimbatore Jail.

4. The free comments on my proceedings which the Government Pleader has allowed himself to indulge in, in paragraph 4 of his letter, printed with G. O. No. 2,990 of 9th October, (and which I cannot but attribute to his annoyance at having been proved to have misled Government in the case alluded to in G. O. No. 2,406 of 18th August 1865,) having been circulated to all Superintending Engineers, I shall be glad if the Government consent to give equal publicity to my vindication from the imputation of having acted inequitably towards any person with whom I have official dealings.

No. 407. ORDER THEREON, 17th February 1866, No. 577.

CIVIL WORKS, No. 47.

1. The Government are glad to learn that the matters in dispute between the Superintending Engineer of

the 7th Division and Mr. Bake have been settled.

2. Colonel Walker will be informed with reference to paragraph 4, that only paragraph 2 of Mr. Dale's letter and paragraph 3 of the Order referred to, were communicated to the Superintending Engineers.

No. 2,990, dated 9th October 1865.

(True Extract.)

(Signed) CHARLES A. ORR, Colonel, R. E.,

Secretary to Government.

No. 244
1866.

Trav.

Smith. Coll. G. W. Walker Esq.

Superintending Engineer of Dec

To,

Col. G. A. Orr Esq.

Secretary to Government

S. P. W.

Madras.

Sir,

I have the honor to state that in pursuance of G. O. No. 3197 of 25th October 1865, I came to the resolution of defending the suit brought against me by Mr. Baker, at my own risk. Induced thereby, by the better feature of the Government Pleader to appreciate the plain facts of a case, when put before him with all detail possible in correspondence.

Enclosures 1.

2. Assured adjournment, sine die, was however brought about by the Plaintiff's Pleader, and I resumed the tour in Malabar which had been interrupted to attend the Civil Court at Coimbatore. Returning again just before New Year I was addressed by Mr. Baker on the subject of our arbitration, in which, (having always been open to such an arrangement) I immediately acquiesced. Mr. Grant, Collector, and Mr. Robert Stans, Merchant, of Coimbatore, were named by the Plaintiff, and Mr. Henry Sullivan, Sub Collector, named by myself, having kindly consented to act, I have now the honor to submit their decision for the information of Government.

3. Shortly summarised, it confirms

my original demand for the confiscation of Rs.
500 out of Rupees 1,000 lodged as security, and
it awards Rupees 530. 4. 6 as due for Timber,
against my offer of Rs 413. 15. 6. I have only
to add that neither I nor any person attached
to the Department appeared personally before
the Arbitrators, though the Plaintiff had
that advantage; and ^{that} the case was decided so
much more favorably for the Government than
their Pleader expected, solely on the Draft or
Defence and its vouchers which accompanied
my letter printed with the G. O. above referred to.
Mr. Blake has withdrawn his suit, excused his
sorrow that business went to law, and given an
acquittance in full of all demands against the
Comptroller's Jail.

4. The free comments on my pro-
ceedings which the Government Pleader has allowed
himself to indulge in, in para 4 of his letter
printed with G. O. No 2490 of 9th October, (and
which I cannot but attribute to his annoyance
at having been proved to have misled Govt -
in the case alluded to in G. O. No 2406 of 18th
August 1865), having been circulated to all Supg.
Engineers, I shall be glad if the Government
consent to give equal publicity to my vindication
from the imputation of having acted inequitably
towards any person with whom I have official
dealings.

I have &c.
Charles Southwell
Superintending Engineer &c

Q.S.

2. 925 Feb 11 1866 Q. 132

Feb 11

no. 577 - 17th Feb 1866

Result of the Arbitration
in Mr. Baker's case.

17th Feb 1866

Enclosure 1

17th Feb 1866
17th Feb 1866

17th Feb 1866
17th Feb 1866

17th Feb 1866
17th Feb 1866

Public Works Dept

No 577

Proceedings of the Madras Government
Under date the 17th February 1866.

Read the following

From the Supy Engineer of the
7th Division

Result of the Arbitration
in Mr Baker's case. (Here enter 29th Jan 1866)

The Government are glad
to learn that the matters in dis-
pute between the Supy Engrs
of the 7th Div & Mr Baker have
been ~~settled~~ settled.

Col. Walker will be
informed with reference to P. 1
that only P. 2 of Mr Dale's letter
& P. 3 of the order referred to,
were communicated to the
Engineer.

W.D.

17th Feb 1866

W.D.

W.D.

To the Secy to the Govt
17th Feb 1866

to the Department
Prov. of Govt for February

42577

Pro: of the Madras Gov^t

27 Feb 1865

Law instituted by
Mr Baker against Colonel
Walker and the Range of
- ficer of Coimbatore - The
Supty Eng^r & Co., informed
that the settling of - by ar.
bitration, is approved.

400.407