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MADRAS RECORD OFFICE.

Government of Madras.

Public Works DEPARTMENT.

G.O. No. 1199 Press
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Dated 17 - 4 18 27.

Not to be folded or roughly handled

Proceedings of the Madras Government, Public Works Department, 17th April 1867.

No. 400. Read the following Endorsement of the Superintending Engineer, 7th Division, dated Coonoor, 8th April 1867, No. 9 :—

Read the following :—

No. 2.

Notes by the Superintending Engineer, 7th Division, on the suspension of Mr. Overseer Spurr, on 1st April 1867, by Mr. Supervisor Wiffen, in charge of Caroor Range.

First Charge.—Wilful disobedience of orders in cashing cheques and paying Contractors after being ordered not to do so, but to send all uncashed cheques to the Range Officer; and in paying an increased rate for work after receiving written orders not to do so.

Second Charge.—Demanding and receiving from a Contractor Rupees 25 percentage on payments made to him.

1. The first portion of the first charge appears to be founded on an official Memorandum from the Range Officer to the Overseer, which has been sent in direct by the latter, viz., No. 129 of 29th March. Disobedience of its orders cannot be held proved as regards payments to Contractors made before 2 P. M. of the 28th, as the Overseer's declaration that it did not reach his quarters till the following day during his absence, after return from which and its receipt he proceeded to hand over the documents called for, must hold good against a Range Lascar's unsupported assertion that he delivered the Memorandum into the Overseer's own hands at 5½ P. M. on the 27th. But it may be said to be admitted by the Overseer himself as regards payment of a Contractor on the 30th March, for it is not to be believed that Mr. Wiffen gave a cheque of Rupees 100 to make such payments (as asserted by Mr. Spurr) when he had special reasons for taking all such payments out of the Overseer's hands. His statement that Mr. Spurr asked for and received the cheque to make payments to daily coolies on a certain road and channel is much more consistent with the then existing state of affairs; and its use by Mr. Spurr to make payments to a Contractor tells very much against him.

2. Of the second portion of the first charge the Range Officer has not offered any proof, and in the absence of any other orders on the subject of rates than that sent in direct by the Overseer, viz., Memorandum No. 133 of 30th March, it is observed that there can hardly have been time to make any payments of consequence between its receipt and the 1st April. The second portion of the first charge therefore falls to the ground, simply for want of care on the part of Mr. Wiffen in supporting it.

3. The second charge is grounded on the original complaint of one Soondrum Pillay, countersigned by his two witnesses, Ramaswamy and Alagherry, and by the depositions of the two former taken before the Range Officer. It is wholly denied by the Overseer, who states he can produce witnesses to disprove it; and further asserts that the alleged witnesses had never been within seeing and hearing distance of his house. As he states the accusation to have been got up by the Range Officer himself out of sheer malice, Mr. Wiffen is directed at once to enter criminal charges against him in the Joint Magistrates' Court at Caroor, and to report his having done so. Meanwhile Mr. Overseer Spurr's suspension from 1st April till further orders is confirmed.

from which and its receipt he proceeded

Proceedings of the Madras Government, Public Works Department,
17th April 1867.

4. The correspondence on which these Notes are drawn up contains much matter irrelevant to the charges, and which is consequently not entered into now, but reserved for such further orders as may appear necessary.

Coonoor,
6th April 1867.

(Signed) G. W. WALKER, Colonel, R. E.,
Superintending Engineer, 7th Division.

Submitted for the information of Government.

(Signed) G. W. WALKER, Colonel, R. E.,
Superintending Engineer, 7th Division.

No. 401. ORDER THEREON, 17th April 1867, No. 1,199.

ESTABLISHMENT, No. 40. Ordered to be recorded.

(True Extract.)

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

To the Superintending Engineer, 7th Division.
,, Controller of Public Works Accounts.

Ed. S. T. Augustin.

No. 2.

Notes by the Supg. Engineer 7th Div.n on the suspension of Mr. Overseer Spurr on 1st April 1867, by Mr. Superviser Wiffen, in charge of Carur Range.—

1st Charge:— Wilful disobedience of orders in Cashing cheques & paying Contractor after being ordered not to do so, but to send all uncashed cheques to the Range Officer; and in paying an increased rate for work after receiving written orders not to do so.—

2d Charge.— Demanding & receiving from a Contractor Rs. 25 per Cuttage on payments made to him:—

The 1st portion of the 1st Charge appears to be founded on an Official Memo, from the Range Officer to the Overseer, which has been sent in direct by the latter. Viz: No. 129 of 29th March.— Disobedience of the orders cannot be held proved as regards payments to Contractor made before 2 P.M. of the 28th, as the Overseer's declaration that it did not reach his quarters till the following day during his absence, after return from which and its receipt he proceeded

to hand over the discurrents called for, must hold good against a Range Lascar unconjointed apertum that he delivered the Mems. into the Overseers own hands at 5½ PM, on the 27th.- But it may be said to be admitted by the Overseer himself as regards payment of a Contractor on the 30th March; for it is not to be believed that Mr Wiffen gave a cheque of Rs 100 to make such payments (as asserted by Mr Spurr) when he had special reasons for taking all such payments out of the Overseers hands.- His statement that Mr Spurr asked for and received the cheque to make payments to daily Coolies on a certain Road and Channel is much more consistent with the then existing state of affairs; and its use by Mr Spurr to make payments to a Contractor tells very much against him.-

2. Of the 2d portion of the 1st charge the Range Officer has not offered any proof, and in the absence of any other order on the subject of rate than that sent in direct by the Overseer, viz, Mems. No. 133 of 30th March, it is observed that there can hardly have been time to make any payments of Consequence between its receipt, and the 1st April.- The 2d portion of the

Charge therefore falls to the ground, simply for want of care on the part of Mr Wiffen in supporting it.-

3. The 2d Charge is grounded on the original Complaint of one Soondrum Pillay, Countersigned by his 2 Witnesses Ramaswamy and Alaghery, and by the depositions of the two former taken before the Range Officer.- It is wholly denied by the Overseer, who states he can produce Witnesses to disprove it; and further asserts that the alleged Witnesses had never been within hearing and hearing distance of his house. As he states the accusation to have been got up by the Range Officer himself out of sheer malice, Mr Wiffen is directed at once to enter Criminal Charges against him in the Joint Magistrates Court at Cavoor, and to report his having done so.- Meanwhile Mr Overseer Spurr's suspension from 1st April till further orders is confirmed.-

4. The Correspondence on which these Notes are drawn up Contains much matter irrelevant to the charges, and which is Consequently not entered into now, but reserved for such further

Copy of Judge Guerra's order on the suspension of Mr Guerra's Report

From
The Judge Guerra
y a Dn
To The Secretary to Govt
D.P.F.

No 9
Dated 8th April 1867
Received 10th "

Wm Wallace Esqr
Civ 1199 - 17th April 1867

Civ 1199
Received 10th April 1867

Wm Wallace Esqr
Civ 1199 - 17th April 1867

No 9

Submitting for the information of Government.

Wm Wallace Esqr
Judge Guerra's Office
Comm'r's Court
8th April 1867

To
The Secretary
to Government D.P.F. Salvador

Stuart & Hanson
Treasurer
1867

Civ 1199 - 17th April 1867 D. 15th

Civ 1199

Wm Wallace Esqr
Judge Guerra's Office
Comm'r's Court
6th April 1867

Sir,

I have the honor to request that you will order a warrant to be issued in favor of Wm Wallace Esqr Commissioner of this District for the sum of Fifty Dollars ($50) for his services as Commissioner in the case of the Government vs Antonio Castillo for the month of March ultimo.

I am Sir
Your obedient servant
N. Guerra
Judge