M.R.O. 1—77,006—8-6-57.

(1) Number of pages _____

(2) Date of repair _____

(3) Initials of the Reference _____

MADRAS RECORD OFFICE.

Government of Madras.

Police works DEPARTMENT.

G.O. No. 3 Press Mis.

202-03

Dated 11 10 1849.

Not to be folded or roughly handled

Proceedings of the Madras Government, Public Works Department, 11th October 1869.

No. 202. Read the following letter from the Superintending Engineer, 6th Division, to the Secretary to Government, Public Works Department, dated Camp at Coviladi, 24th September 1869, No. 730 :—

I HAVE the honour to enclose a copy (to be returned) of the decision of the Deputy Magistrate of Munnargudy on Calendar case No. 70 of 1869, in a suit instituted by Overseer Kistnasawmy Naidoo against Ramakottan and Vaidhikottan, two bricklayers, who stated that they had not been paid for work executed by them on Road No. 26, and brought charges against the Overseer of receiving bribes, &c.

2. I had received a number of petitions against the Overseer of which I could make nothing, as the supposed petitioners denied their signatures; at length the defendants in the above suit presented the petition which was the subject of the suit, and as they acknowledged their signatures, and the Overseer denied the charges brought against him, I told him I would ask the Magistrate to enquire into the case, or he might prosecute the parties; he preferred the latter alternative, and from the Magistrate's decision it will be observed that the defendants could not prove the charges brought against the Overseer by them in their original petition to me, and they have been condemned to two months' imprisonment and a fine of Rupees 10 each.

3. From the evidence adduced in the course of the enquiry, it will be observed that the instigator of the plot against the Overseer was the Overseer's own Writer, Adaikalam Pillay, who I have accordingly dismissed; and I think it would be well if Government were to prohibit his future employment in their service.

4. This case is not, I fear, by any means an isolated one, and at the present time I am enquiring into a case in which, as far as I can judge, a conspiracy has been got up by his office servants against a Supervisor. As I am unable to examine witnesses on their oaths, I find it but of little use attempting to make enquiries into such cases, for statements which are made before me are contradicted when the enquiry is made by a Magistrate; and again, I am unable to summon witnesses, and so my enquiries are necessarily superficial and incomplete.

5. I think it is very hard upon the unfortunate accused to have to undergo the expense and annoyance of conducting a prosecution for defamation of character, and I beg that I may be informed whether in such cases, in future, I may hand the matter over to the nearest Magistra and ask him to make a magistrial enquiry.

No. 203. ORDER THEREth October 1869, No. 3,275.

ESTABLISHMENT, No.

WITH reference to paragraph 5 of this letter, His Excellency the Governor in Council is of opinion that Adaikalam Pillay has been sufficiently punished by his dismissal, no criminal information having been laid against him.

2. The Government do not quite comprehend the question put by Captain Oakes in the last paragraph of his letter. They observe that no Magistrate would be at liberty to make an enquiry into any matter which Captain Oakes might hand over to him, unless the handing over were accompanied by such charge of a criminal nature as the circumstances which had become known to that officer would justify

him in preferring. If, feeling that he is short of the powers necessary for making a thorough and complete investigation into any suspicious matter, the Superintending Engineer would wish to transfer the whole case to a Magistrate or a Sub-Magistrate near at hand that he may work it out, Captain Oakes will be informed that the Government have not authority to sanction such a procedure.

(True Extract.)

Colonel, R.E.,
Secretary to Government.

To the Superintending Engineer, 6th Dvn.

Exd. S. T. Augustin.

Supdg Engr. Office 6th Dvn.

No. 730 Camp Covilady 24th September 1869

From

Captain R. F. Oakes R.E.,
Sup.g Engineer, 6th Division

To,

Colonel C. A. Orr R.E.,
Secretary to Government
Public Work Department

Sir,

I have the honor to enclose a copy of the decision of the Deputy Magistrate of Nannargudi on Calendar Case No 70 of 1869 in a suit instituted by Overseer Krishnaswamy Naydu against Ramakottan and Vaidhikottan two Brick-layers who stated that they had not been hired for work executed by them on Road No 26 and brought charges against the Overseer of receiving bribes &c.

I had received a number of Petitions against the Overseer of which I could make nothing as the supposed Petitioners denied their signatures, at length the Defendants in the above suit presented the Petition which was the subject of the Suit and as they acknowledged their signatures and the Overseer denied the charges brought against him I told him I would ask

the

the Magistrate to examine into the case
or he might prevent the Father from
prefering the Latter accusation and from the
Magistrate's decision it will be observed
that the Defendant even did not know the
charges brought against the Prisoner by
them in their original petition & was entirely
have been confined to Bed the
imprisonment and ruin of the Family.

From the evidence adduced in the course
of the Inquiry it will be observed that the
instigator of the Prosecution was the Prisoners own Wife Adelaide Cam
Pillay who did knowingly & designedly
and I think it would be well if Government
were to make it his future employment
their Service.

This Case is made over by my
means unsolicited our, and at the present
time I am inquiring into a case in which
as far as I can judge a conspiracy has
been hatched by his Office Servants against
a Prisoner. As I am unable to examine
witnesses on their oaths I find it but of
little use attempting to make enquiries
into such cases for statements which
are made before me are contradicted when
the inquiry is made by a Magistrate and
again I am unable to summon Witnesses
and as my inquiries are necessarily superficial
and

and incomplete.

I think it is very hard upon the unfortunate accused to have to undergo the expense and annoyance of conducting a prosecution for defamation of character and I beg that I may be informed whether in such cases, in future, I may hand the matter over to the nearest Magistrate and ask him to make a Magisterial Enquiry.

I have the honor to be
Sir
Your most obed.t Servant

J. Gaster Captain R.E.
Asst Engineer 6.th Division

Rec'd Sept 30th 1869

Sir,

I am directed by the Governor to forward herewith, for the information of your Ministers, a Petition addressed to His Excellency by Mr. Kristna Kaloo Chuckerbutty and others, praying that the Services of Mr. Kristna Kaloo Chuckerbutty may be dispensed with in the Public Works Department.

I am, Sir,
Your most obedient
humble Servant
C. Buckley
Under Secretary

The Hon'ble
The Chief Secretary to Government
Public Works Dept.

Dated 21st September 1869
Rec'd 27th September 1869

No 730

Enclosure, 1.

No 3275 - 11 - Calcutta 1869

Forwards a copy of the decision of the Dy Magistrate of Mangoe in a suit instituted by Baboo Kristna Kaloo Chuckerbutty against certain Bricklayers and requests that measures may be taken against Kaloo Pillay having instigated the plaintiff may be prohibited from further employments in the Govt Service and also requests to be informed whether similar cases may be heard over to the several Magistrates for enquiry.

For Orders.

Circulated for orders.

29th Sept 69

Sec'y to Govt

No 203

Dy. 29 Sept 69 R. 305

Complaint of Mr Peebles against
Mr Adam Haldane

Mr Peebles of Kingsmuir complains of Mr Adam Haldane of Kingsmuir that Mr Haldane has been guilty of the most unjustifiable conduct in the management of the affairs of the Kingsmuir Bank, and that he

Postal Post Book
f° 3275

Proceedings of the Madras Government
Under date the 11th October 1869
Read the following

From the Superintendent P.M.G. No 730 of 26th Sept 1869
to Secretary.

With reference to para
5 of this letter His Ex:
cellency the Governor in
Council is of opinion
that Molair Kolaam Pillay
has been sufficiently punish
-ed by his dismissal,
no criminal information
having been laid against
him

The Government
do not quite comprehend
the question put by Capt
Adam Scales in the
last para of his letter

Obtruction to Service of Process
from the Mussoorie Petition Head
Peach Office to Kaligh Bhanta,
Ex Cart Head Assault, Abetment
thereof—Refusal to accept Summons
& warrant by Peon & Complaint
which reach them by the Post.—
The only note known and cited
is alleged against the Defendant is,
accompanying Post, but the Com-
plaint does not disclose any
offence cognizable by Police
Ex letter dg

They observe that no Magistrate would be at liberty to make an enquiry into any matter which Captain Oakes might hand over to him unless the handing over were accompanied by such charge of a criminal nature, as the circumstances which had become known to that Officer would justify him in preferring. If, feeling that he is what of the powers necessary for making a thorough and complete investigation into any suspicious matter, the superintending Engineer would wish to transfer the whole case to a Magistrate or a Sub Magistrate near at hand that he may work it out, Captain Oakes will be informed that the Government have not authority to sanction such a procedure.

To

The Secy. to Govt.
Dec 12/69

Case 4062

Govt. of India Works.

PUBLIC WORKS.

To

The Superintending Engr
6th Circle

Dated

Read

No. G. G. H. C. Letter No. 3275

Nos. 202 - 203

Sir, I beg to refer you to the letter from the Secretary to the Govt of India, Public Works Department, No 3275, dated 11th Oct 1869, on the subject of the Bridges on the Bombay Baroda & Central India Railway, and to request that the Bridges mentioned in the margin may be included in the Contract for the Bridges on the Railway under the Agreement, dated the 4th Nov 1869, between the Secretary of State for India in Council and Messrs Brassey Betts & Co for the Construction of the Railway.

I have the honor to be
Sir
Your most obedient Servant