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MADRAS RECORD OFFICE.

Government of Madras.

Public Works DEPARTMENT.

G.O. No. <u>3269</u>	Press <u>Mis.</u>
<u>386-87</u>	
Dated <u>9</u> <u>10</u>	18 <u>59</u> .

Not to be folded or roughly handled

*Proceedings of the Madras Government, Public Works Department,
19th October 1869.*

No. 386. Read the following letter from the Officer in charge of Public Works Operations in the Wynaad, to the Secretary to Government, Public Works Department, dated Vythery, 5th October 1869, No. 350 :—

IN obedience to the Order of Government, No. 808, dated 12th March 1869, para. 2, I beg to report that I offered Mr. Tipping the sum of Rupees 400 for the drawings and specifications therein alluded to; but the offer has been refused, and Mr. Tipping has announced his intention to enforce his full claim by legal proceedings.

2. He calculates the amount of his charges at a per-centage on the value of the bridges, as he insists that in making the drawings and specifications in question he acted in the capacity of Civil Engineer.

3. I have already reported that I had not the most remote idea of calling for his services as such; but in requesting him to send me the details, I simply looked on him as having tendered for a particular description of bridge, of which he himself furnished the design, and of the details of which he alone could be in possession; whether the technicalities of law will uphold his view, or mine, I am of course unable to say, and I think it best to lay the matter before Government for an opinion.

4. I have had no experience in iron work, and should not have felt myself competent to make out all the details; but I had in my possession an estimate for a Warren Girder Bridge on screw piles, drawn out by the late Mr. Moncrieff in August 1868, and of course could readily have procured all the requisite particulars, so that there was no necessity for me to obtain Mr. Tipping's services as an Engineer; and the calling upon him for details was neither with the object of employing him in that capacity, nor to save myself trouble, but simply because his tender, when accepted, was not a general one, but referred to a particular description of bridge, the dimensions and weight of which he named at the time of tendering, and the further details for which could only be looked for from himself.

5. Immediately Mr. Tipping made his demand for the drawings, I took them back, and myself gave them to him at the place where he was residing; when, however, he temporarily left the country, it appears he left the drawings with articles, the property of Government, which he had to give over when he abandoned his work on the Calloor bridge. Mr. Pringle, Assistant Engineer, found and took

* Sent separately.

charge of them, and they came again into my possession. I forward* them for the purpose of showing what it is for which the claim is made: the amount, it will be remembered, is Rupees 1,332-6-0.

6. I forward a copy of Mr. Tipping's tender, by which it will be seen that he must have worked out all the dimensions prior to making it.

No. 387. ORDER THEREON, 19th October 1869, No. 3,369.

CIVIL WORKS, No. 48.

The Government are of opinion that Mr. Tipping's claim to remuneration for the rough drawings which he furnished with his tender for the erection of certain iron bridges in Wynaad will be

*Proceedings of the Madras Government, Public Works Department,
19th October 1869.*

liberally met by the payment to him of Rupees 400. If that amount be not accepted,
Mr. Tipping must be left to follow such course as he may think proper.

(True Extract.)

Captain, R.E.,
Acting Under Secretary to Government.

To the Officer in charge of Public Works Operations in the Wynnad.
" Controller of Public Works Accounts.

Exd S. T. Augustin.

N^o 350.

Special Eng: Engineer's Office
Wynnad, Wynnad
15th October 1869.

From
The Special Executive Engineer
Wynnad

To
The Secretary to Government
Department Public Works
Madras

Sir,

In obedience to the order
of Government N^o 808 dated 12th March 1869,
para: 2, I beg to report that I offered Mr.
Tipping the sum of Rupees 400 for the
Drawings and Specifications therein
attached to, but the offer has been refused,
and Mr. Tipping has announced his in-
tention to enforce his full claim by
legal proceedings.

2. He calculates the amount
of his charges at a percentage on the
value of the Bridges, as he insists that
in making the Drawings and Specifications

in question, he acted in the capacity of Civil Engineer.

3. I have already reported that I had not the most remote idea of calling for his services as such; but in requesting him to send me the details I simply looked on him as having tendered for a particular description of Bridge, of which he himself furnished the design, and of the details of which he alone could be in possession; whether the technicalities of law will uphold his view, or mine, I am of course unable to say; and I think it best to lay the matter before Government for an opinion.

4. I have had no experience in Iron work, and should not have felt myself competent to make out all the details; but I had in my possession an estimate for a Warren girder Bridge on screw Piles, drawn out by the late Mr. Moncrieff in August 1868, and of course could readily have perceived all the requisite particulars; so that there was no necessity for me to

to obtain Mr. Topping's services as an Engineer, and the calling upon him for details was neither with the object of employing him in that capacity, nor to save myself trouble; but simply because his tender, when accepted, was not a general one, but required to a particular description of Bridge, the dimensions, and weight of which, he named at the time of tendering, and the further details for which, could only be looked for from himself.

5. Immediately Mr. Topping made his demand for the drawings, I took them back, and myself gave them to him at the place where he was residing, when, however, he temporarily left the country, it appears he left the drawings with articles the property of Government which he had to give over when he abandoned his work on the Waller Bridge. Mr. Pringle Assistant Engineer found, and took charge of them, and they came ~~separately~~ again into my possession. I forwarded them for the purpose of showing what it

N-3369

Proceedings of the Madras Government

Under date the 19 October 1869

Read the following

From the Special Executive Eng^r J. A. E. N. 3358 of 5 October 1869

The Government are of opinion that Mr. Tappin's claim to remuneration for the rough drawings which he furnished with his tender for the erection of certain iron bridges in Nynard will be liberally met by the payment to him of Rs. 400 - If that amount be not

W.D.

J.A.

it is for which the claim is made: the amount it will be remembered is Rupees 1332. 6.

I forward a copy of Mr. Tappin's tender by which it will be seen that he must have worked out all the dimensions prior to making it.

I have the honor to be Sir, Your most Obedient Servant

Rd. W. Kennedy Major Special Eng^r Nynard

On Sub Eng^r dated 15 Feb 1871

On 19th Oct 1869

to the Secretary to the Government

Public Works Department

Madras

19 October 1869

Enclosure

Open note contains reference to letter to Mr. Tappin's estimate for drawings etc.

N-3369

N-3369-19 Oct 1869

accepted, & Mr. Tipping

must be left to
follow such course
as he may think
proper -

[Faint, mostly illegible handwritten notes in the left margin, possibly bleed-through from the reverse side.]

To
The Special Collector
Nyma-fara
Cant. of the High District
Dated 20/10/69

Govt. of 1869 Madras.

PUBLIC WORKS.

The Officer in Charge of Public
Works Operations in the
Mynood

C. of P. Letter No. 3369

Nos. 386-387

Bridge Estimation given that Mr.
Tipping's claims for remuneration
for the rough drawings which he
furnished with his tender for the
erection of certain iron bridges in
Mynood will be liberally met by
the payment of Rs 400.

B. W. Litchfield 15 July
1871