M.R O. 1—77,006—8-6-37.

(1) Number of pages

(2) Date of repair

(3) Initials of the Referencer

MADRAS RECORD OFFICE.

Government of Madras.

Collections DEPARTMENT.

G.O. No. 561		Press / Mis.
531-532		
Dated 25-2		1871.

Not to be folded or roughly handled

No 531. Read the following letter from the Acting Superintending Engineer, 8th Division, to the Secretary to Government, Public Works Department, dated Palamcottah, 28th January 1871, No. 2,783.—

I HAVE the honour to acknowledge the receipt of Proceedings, Madras Government, dated 13th instant, No. 97.

No 1 Original deposition of Overseer Soobramania Pillay
,, 2 Do Lieutenant Shepherd
,, 3 Do Mr McNair
,, 4 Original letter of Mr Colquhoun to Overseer Soobramania Pillay
,, 5 Original memorandum by Mr McNair, 1st Range Officer

2. On the evening of the 19th of last September, accompanied by Lieutenant Shepherd, Mr. McNair (the Range Officer), and Overseer Soobramania Pillay, I examined the Nalamalei Odei bridge. On reaching the north-east wing of the bridge, a Contractor, formerly employed on the bridge, stepped up and said he wished to give me some information. I stopped and asked him what he had to say. The man had scarcely opened his mouth when Overseer Soobramania Pillay stepped across me, and in the most insolent manner tried to silence him. I directed the Overseer to stand on one side and hold his tongue; instead of obeying me, he continued talking in the most insolent defiant way, whereupon I pushed him aside and ordered him back to the camp, and in the heat of the moment I made use of the term "burwah."

3. No one regrets more than myself that the expression should have escaped my lips, but it occurred under great provocation.

4. As Overseer Soobramania Pillay is now undergoing examination by the Magistrate, relative to certain alleged frauds and forgeries in connection with certain works executed by him under the orders of Mr Colquhoun, I requested the Magistrate to call upon the Overseer to state what took place at Puthukotie during my examination of the Nalamalei Odei bridge on the 19th September last.

5. The Magistrate has just forwarded to me the accompanying depositions, together with a letter written from Madras, on the 12th instant, by Mr. Colquhoun to Overseer Soobramania Pillay, and I submit them for the information of Government.

6. Mr. Colquhoun was not present on the occasion of my examination of the Nalamalei Odei bridge on the 19th September last, so how this matter concerns him is not clear

7. The inference which he wishes Government to draw from his exaggerated hearsay statement, namely, that the Overseer was afraid to approach him or afford him any information regarding works and accounts, is a false one.

8. Overseer Soobramania Pillay was directed to accompany Captain Oakes in the examination of all the works that I had complained of, and which had been executed under his superintendence. He was transferred to the Tinnevelly Talook, in order that he might be at hand to give further information during the enquiry in Palamcottah, and Captain Oakes' report and the accompanying statement*

* Enclosures5

drawn up by the 1st Range Officer are sufficient, I think, to contradict any base assertion of Mr. Colquhoun's, that his intercourse with the Overseer was restricted in the manner he describes in the 9th paragraph of his letter* to your address.

* Dated 9th November 1870, and quoted in the Proceedings of Government under reply

9. In conclusion, I have the honour to state that Mr. Colquhoun's letter (enclosure No 4) to the Overseer, taken in conjunction with what has recently transpired during an investigation by the Magistrate into certain charges of forgery and cheating Government, made against Contractors "Ratnam Moodelly & Co," in which charges Mr. Colquhoun is implicated, leads me to infer that Overseer Soobramania Pillay's insolent behaviour on the 19th September last was premeditated, with a view not only to prevent my obtaining important information regarding bad work and in connection with the Nalamalei Odei bridge, but also to irritate me, if possible, into committing an assault.

No. 532. ORDER THEREON, 25th February 1871, No. 561.

ESTABLISHMENT, No. 41.

His Excellency the Governor in Council is much concerned to learn that Major Payne so far lost his self-control as to apply an opprobrious epithet to Overseer Soobramania Pillay. The Government admit that the provocation offered was great, but Major Payne should not have forgotten himself, as he appears to have done, especially in the presence of his own subordinates.

(True Extract)

Colonel, R E,
Secretary to Government.

To Major G. M. Payne, Executive Engineer

Exd S T Augustin

No 2783 Palamcottah 32
28th January 1871.

From, Major G. M. Payne
Acting Supt Engr 8th Dn
To, Col. C. A. Orr RE
Secy to Govt Pub. Wks Dept.

Sir, I have the honor to acknowledge the receipt of Govt. Madras
Enclosures Govt dated 13th inst. No 97.
5 Vols
No 1 Original deposition of Overseer Soobramania Pillay
" 2. do 1st Sheppard
" 3 do Mr Michael
" 4 Original letter from Mr Colquhoun to Overseer Soobramania Pillay.
" 5 Original Memo-by Mr Michael 1st Range Officer

2. On the evening of the 19th last September, accompanied by Lieut Sheppard, Mr Michael the Chief Officer, and Overseer Soobramania Pillay I examined the Nalamalei Odei bridge. On reaching the North East wing of the bridge, a Contractor formerly employed on the bridge stopped us & said he wished to give me information. I stopped and asked him what he had to say. The man had scarcely opened his mouth when Overseer Soobramania Pillay stepped across me & in the most insolent manner tried to silence him. I directed the Overseer to stand on one side and hold his tongue: instead of obeying me, he continued talking in the most insolent defiant way,

whereupon I pushed him aside and ordered him back to the Camp, and in the heat of the moment I made use of the term "wretch".

3. No one regrets more than myself that the expression should have escaped my lips, but it occurred under great provocation.

4. As Overseer Soobramonia Pillay is now undergoing examination by the Magistrate relative to certain alleged frauds and forgeries in connection with certain works executed by him under the orders of Mr Colquhoun, I requested the Magistrate to call upon the Overseer to state what took place at Puthukotai during my examination of the Palamalai Odai bridge on the 19th Inst.

5. The Magistrate has just forwarded to me the accompanying deposition together with a letter written from Madras on the 12th Inst. by Mr Colquhoun to Overseer Soobramonia Pillay, and I submit that for the information of Govt.

6. Mr Colquhoun was not present on the occasion of my examination of the Palamalai Odai bridge on the 19th Inst, so how this matter concerns him is not clear.

7. The inference he wishes Govt to draw from his exasperated letter, may state-ment, viz: that the Overseer was afraid to approach him or afford him any information regarding works and accounts is a false one.

8. Overseer Soobramonia Pillay was directed to accompany Captain Oakes in the examination of the works that had been executed under his Superintendence. He was transferred to the Tinnevelly taluq in order that he might be at hand to give further information during the enquiry in Palamcottah and Captain Oakes' report

and the accompanying [x] State-
-ment drawn up by the Ld Range
Officer, are sufficient I think
to contradict any base assertion
of Mr Colquhoun's that his inter-
-course with the Sowcar was
restricted in the manner he
describes in the 5th para. of
his [x] letter to your address.
I. In conclusion I have the honor
to state that Mr Colquhoun's letter
(Enclosure No 4) to the Sowcar
taken in conjunction with what has
recently transpired during an
investigation by the Magistrate, into
certain charges of forgery & cheating
brought against Contractor Ratnam
Boodelly & Co in which charges Mr
Colquhoun is implicated, leads me
to infer that the Sowcar's continued
delay in settlement has arisen
from a deliberate determination
to withhold payment until
he should have obtained information
regarding but little in connection
with the Collectorate bridge, but
also to irritate me if possible
into communicating an answer
like the one I did.

I have the honor Sir
your most obt Servt
F. M. Payne Major
Actg Executive Engr

[x] Enclosure

[x] dated 9th Nov 1870 and quoted in the no. 1 Govt under reply

following

4th January 1871

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ed Engineer

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ompanying degree

ry violence towards

the individual referred to.

His conduct on the part

of Major Payne was the

most reprehensible and it

occurred

Public Works Department

Proceedings of the Madras Government

Under date the

Read the following

from The Actg Supt Engineer 8th Div. } No. 2783 of 28th January 1871

To the Government

Received 31st

Answered 1st February 1871

No. 531

Copy of a letter from Lieut. Colonel J. Payne, Commanding 8th Division, P.W.D., to the Secretary to Government, No. 55, dated 25th January 1871, received 31st January 1871, and forwarded to Government on the 13th February 1871.

From Lieut. Colonel J. Payne, Commanding 8th Division, P.W.D.,

To The Secretary to Government,

No. 55.

Dated 25th January 1871.

Received 31st January 1871.

Sir,

I have the honor to submit for the information of Government a report from Major Payne, Executive Engineer, Cuddapah Division, on the case of Mr. Assistant Engineer Ellis, who has been charged by Mr. Assistant Engineer Wilson with having struck him on the head with a stick.

2. Mr. Wilson has also preferred a charge against Major Payne, but I do not think that any notice need be taken of it, as it is evidently a mere retaliatory charge.

3. I am of opinion that Mr. Ellis has been guilty of a breach of discipline in striking Mr. Wilson, and that he should be severely reprimanded for it, but I do not think that he should be punished further.

4. I am of opinion that Major Payne has been guilty of a breach of discipline in not having reported Mr. Ellis's conduct to the Superintending Engineer, and that he should be severely reprimanded for it.

I have the honor to be,
Sir,
Your most obedient servant,
J. Payne
Acting Superintending Engineer.

To the Government
Public Works Department

Public Works Department

No. 561

(Proceedings of the Madras Government

Under date the 25th February 1871

Read the following

From The Secy Engineers &c &c / No. 6 No. 28th January 1871

His Excellency
The Governor in Council
is much concerned to
learn that Major Payne
so far lost his self con-
trol as to apply an
opprobrious epithet to
Governor Sobramanian
Pillay. The Government
admit that the provo-
cation offered was great,
but Major Payne should
not have forgotten him-
self, as he appears to
have

I agree in the
Secretary that the
proceedings are to
be seen. He does
not seem guilty
I would merely say
that put on record
concerned to learn
that Major Payne,
for the moment
to forget himself as
to apply an op-
brious epithet
Governor Sobramanian
Pillay. The Government
admit that the provo-
cation offered was great,
but Major Payne should
not have forgotten him-
self, as he appears to
have occurred in the presence
of two junior officers of his
own service to whom it is
his duty to show an ex-
ample of patience and
moderation. In consider-
ation however of the provocation
offered to Major Payne in
the exercise of his duty
and of the object which
Subramania Pillai ob-
viously had in arresting
the enquiries of that offi-
the Govt. do not think
it necessary to inflict on
Major Payne any severer
punishment than will
expression of their displeasure

C. 7 Feby 1871

have done, especially in the presence of his own subordinates.

16

No.

Major G. In. Payne
Executive Engineer

Decr 13/71.

Public Works Department

Letter from the Lt Governor of the 8th Div dated 28 January 1871
No 2783.

Circulated for orders.

I think it will be sufficient to state to Major Payne that the Govt leave with great regret that he so far lost his self control as to use a Native Police officer a term so grossly abusive as that which has been avoided and thereby embodied some degree

Col Sec.

Lt Col Sec.

Fort St George.
February 1871

Secy to Govt Pwd

I herewith return the original minute referred to. His conduct in the case of Major Payne and the more reprehensible as it occurred in the presence of his own Native officers of his

C. T. Febr 18 11

Rio 18 January 71 R. Vec

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6 3rd Feby 71 R. 4th

P/P 449

Govt. of {1871} Madras.

PUBLIC WORKS.

To Major G.M. Payne
Executive Engineer

Dated

Rec'd

Ack'd

G O 25 Feby 71, N. 561.

Nos. 531+532

Major Payne. Returning
the letter from Major Payne
offering explanations of his
conduct towards Overseer
Subramania Pillay.