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.

Public works **DEPARTMENT.**

G.O. No.		Press / Mis.
405, 406, 407, 408, 409	3015	
Dated	18-12-	1872.

Not to be folded or roughly handled

Read the following papers :—

No. 405. From the Superintending Engineer, 7th Division, to the Secretary to Government, Public Works Department, dated Coimbatore, 15th November 1872, No. 194.

One original letter, dated 8th November 1872, No. 274, with four enclosures.

I HAVE the honour to report that on the 24th October last, Captain Wood brought to my notice that Mr. Overseer Bond was in the habit of making advances for work in direct contravention of the standing orders of the department and the Range Officer's repeated instructions. On the 29th of October, in reply to this communication, I directed Captain Wood to fine the Overseer to the full extent in his power, and to warn Mr. Bond that should he again act in the manner he had done, he would be reduced to a lower grade in the department.

2. Captain Wood, whose original letter I beg to submit, reports that on his examining the Overseer's cash-book on the 8th of November at Tambercherry, in spite of repeated orders to the contrary, he found Mr. Bond had again, without permission made advances to the extent of Rupees 246, and further had not entered this disbursement in his cash-book.

3. From Captain Wood's letter you will observe that Mr. Bond's conduct generally has been most unsatisfactory; under these circumstances I deem it absolutely necessary, for the maintenance of discipline and order, that Mr. Bond should be made an example of and severely punished. I have, therefore, reduced him from 1st to 2nd Grade Overseer, and request that he may be placed at the bottom of the list of 2nd Grade Overseers, and I trust that my proceedings will meet with the approval of Government.

No. 406. From the same Officer, dated Coimbatore, 16th November 1872, No. 196.

1 Original letter from Captain Wood, No. 278, of 14th November 1872.

CAPTAIN Wood, R.E., Executive Engineer of Calicut Range, having preferred very serious additional charges against Mr. Overseer Bond of the Calicut Taluq, I have the honour to request my letter No. 194, dated 15th November 1872, may be held in abeyance till I am in a position to report to Government the result of the Collector's inquiry in reference to circumstances detailed in the accompanying original letter from Captain Wood. The extraordinary conduct of both Mr. Arbuthnot and Mr. Bond certainly lead me to believe that Captain Wood is correct in supposing these men have conspired together, though I do not think they have done so with the view of getting rid of him from Malabar, but of trying to prove to him that work cannot be carried out in the Calicut Taluq except in the very irregular and improper way in which they have so obstinately persisted in, either from shere downright idleness, or possibly dishonest purposes, and which, I believe, can now only end in the dismissal from the service of both these useless and dangerous Overseers.

From Captain H. W. WOOD, R. E., Executive Engineer, Calicut, to the Superintending Engineer, 7th Division, dated Calicut, 14th November 1872, No. 278.

In continuation of my previous correspondence regarding the neglect of duty (at the least) of which I have already reported Mr. Overseer Bond to have been, in my opinion, guilty, I have the honour to state as follows.

2. I have in my No. 274, dated 10th November 1872, reported to you that on Saturday, 9th November, I was stopped and insulted on the Tambercherry Ghaut Road near Pudupady by the coolies of a contractor named Mahomed Sahib employed there.

3. I had much fault to find with the work done by this contractor, and while telling him that after that day I should not employ him on the works, he began to be abusive to me, and on my turning sharply round on him, he seized me by the breast pocket of my coat and a brief scuffle took place in which I got rid of him. The contractor then called upon his coolies, some seventy or eighty in number, to rush upon me, which they did with abusive cries and threatening gestures, flourishing their mamoties, etc. As it has always been my practice since my landing in India, in 1857, to carry a revolver with me whenever I leave a station or cantonment and go into the district, I was on this occasion, by simply showing the coolies that I was armed, enabled to prevent the personal violence, which was certainly imminent, being offered to me.

4. After a good deal of abuse and threatening from the contractor and his men, I eventually proceeded onwards from Pudupady to the foot of the ghaut, to complete my inspection of the road.

5. On my return a lascar, Cunnen by name, sent from Tambercherry by Mr. Bond to show me where work had been executed on the road, and who had carried my gun in its cover as far as the foot of the ghaut, all of a sudden, without my knowledge, handed over the gun to my horse-keeper and went off. Directly I was aware of this, I suspected the probability of some further affray with the contractor and his coolies during my return, and thus fortunately had time to resolve what, in event of my anticipations proving correct, my conduct should be.

6. While approaching the place where the contractor and his coolies had been working, I found them all drawn up in array across the road, and on my coming close up to them the contractor rushed forward with all his coolies, seized the bridle of my pony and informed me I should go no further until I either paid or gave an order to the Overseer to pay all he demanded.

7. As I was in some measure prepared for this eventuality, I declined to enter upon the subject of payment in any shape whatever, and demanded that my road should be left clear. This was refused, and for two hours, from 11-30 A.M. till 1-30 P.M., I sat on my pony in the sun, and had to endure every species of foul abuse and insolent threat from the contractor and his men. Finding that I adhered to my first resolution, I imagine they got tired out and at last the contractor suggested that perhaps I would send the Overseer to measure up their work. To this I replied that such was the Overseer's duty, as he (the contractor) was perfectly well aware, and that the work would certainly be measured up in due course. On this all restraint and intimidation ceased, and I remained on the spot taking some refreshment, which had been (by previous arrangement) sent out to me from Tambercherry. This refreshment had come up in charge of one of my lascars at about 12-30 P.M. while the outrage described was going on; and on the arrival of the lascar mentioned, I ordered him immediately back to Tambercherry to bring the Police to the spot.

8. As however the Police did not arrive up to 3-45 P.M., and as I had some eight miles to return, and felt somewhat exhausted, I left for Tambercherry.

9. Eventually the Police arrived at Pudupady, and next morning certain prominent individuals among my assailants were given in charge by me, and the matter is now being investigated by the Magistrate of Malabar.

10. I should scarcely have troubled you with a recital of the foregoing had it not happened that, on my return to Calicut, a Mopla, who is building a hut for this department at Pudupady for road inspection purposes, came to me and reported to me as follows :—

11. That on the morning of Saturday, the 9th November, previous to my inspecting his work, a lascar of Mr. Bond's, by name Ravoo Nair, had come from Tambercherry and told him I was coming that morning to examine work. The lascar also told him, as a great secret, that he had orders from Mr. Bond to tell the Contractor Mahomed Sahib, working on the road nearer the foot of the ghaut, that if I found fault with the work, he (the Contractor) was to intimidate and keep me a prisoner with his coolies until I promised to pay whatever they demanded. This story certainly appears incredible, but I think it right to report it, as the whole tenor of Mr. Bond's conduct presents a curious harmony with it.

12. In my No. 165, dated 7th November, to Mr. Overseer Bond's address, I pointed out that in case of sickness the Civil Surgeon at Calicut was the proper authority to apply to to relieve him of the responsibilities of his charge. On Friday, 8th November, on Mr. Bond pleading sickness, in extenuation of neglect of duty, I again told him he should have applied to the Civil Surgeon of Calicut during his absence (without leave) from his work at that place, from 31st October to 4th November.

13. After returning from Pudupady on Saturday, 9th November, I went to the Tambercherry chuttrum (where Mr. Bond was putting up) about 7 P.M., and told him I had ordered Contractor Mahomed Sahib to discontinue work. He replied "very well, Sir, but will you tell me what fault has he committed?" I replied, "that would be a matter for the Magistrate of Malabar to decide," and returned to the Tambercherry bungalow.

14. From this it would appear Mr. Bond was entirely ignorant of the occurrences at Pudupady on Saturday. The Taluq Writer, however, on my order, has prepared a written statement from which it appears that the lascars Cunnen and Ravoo Nair returned to Tambercherry hastily from Pudupady about 2-30 P.M. on Saturday, and informed Mr. Bond of what had happened at the latter place. That at 5½ P.M. (*i.e.*, more than one hour before I saw Mr. Bond on Saturday evening, as I have related,) the Overseer directed the Taluq Writer to get ready to go to Calicut, and told him he had my permission to go, and that at about midnight Mr. Bond and his establishment left Tambercherry for Calicut.

15. The proceedings detailed although giving an insight (in addition to that already noticed by you in your No. 347, dated 29th October,) into Mr. Bond's contempt of all the requirements of subordination, might possibly be considered legitimate had he, on reaching Calicut on Sunday, 10th November, reported himself to the Civil Surgeon. This he did not do, and on my arrival on Tuesday I requested the Civil Surgeon to visit the Overseer, and report to me what disease Mr. Bond was suffering from. This report has not yet reached me, as Dr. Roberts has not satisfied himself entirely regarding Mr. Bond's condition.

16. Mr. Bond has, however, consulted a Mr. Trutwein, an Apothecary attached to the troops here. I addressed the Commanding Officer of Calicut on the subject, and herewith forward Mr. Trutwein's reasons for taking medical charge of Mr. Bond, although there is both a Civil Surgeon and a Civil Dispensary in Calicut, to either of which sources, as Mr. Trutwein fully knows, Mr. Bond should have applied for aid.

17. I beg, as regards this part of the matter, that Mr. Trutwein's conduct be brought to the notice of Government. It is impossible that officers of the Department Public Works can have a proper authority over their subordinates if Apothecaries, who are the private friends and associates of those subordinates, are allowed to usurp at their pleasure the functions of Commissioned Medical Officers, whom the Government have appointed for the discharge of particular duties. Mr. Trutwein, as you will see, states that he has on former occasions attended Mr. Bond, yet he has not considered it to be his duty to afford me any information on the subject.

18. In conclusion, I beg to recall to you the circumstances which have occurred since I have taken charge of this range. Sufficient has transpired to induce a belief that the contractors and maistries employed by Mr. Overseer Arbuthnot made much too good a thing in a pecuniary way of Government work to give up without a severe struggle the favourable position they occupy in the Calicut Taluq. Mr. Bond has by a curious coincidence employed these very contractors and maistries. He has since his transfer to this range occupied a part of Mr. Overseer Arbuthnot's house—a circumstance which, though in my opinion, was of very questionable judg-

ment on Mr. Bond's part, trenched, as I conceived, too nearly on the region of private affairs for me to interfere with.

19. Mr. Arbuthnot very recently in course of conversation with me used the following expression :—

"*He was too much mixed up with the contractors and maistries in this range to allow him to speak out openly to me on my arrival regarding the state of affairs which obtained,*" while he was Acting Range Officer of Calicut.

20. Considering all I have narrated in this letter, and reading it by the light of what has been recorded and forwarded to you officially since my arrival in Calicut, I would ask whether it is unreasonable to conclude that a conspiracy has been entered into to get rid of me from Malabar? If you think that *prima facie* grounds exist for my holding such a conviction, I would respectfully urge Government be applied to to issue orders for an inquiry being made by some competent officer in view of this matter being thoroughly sifted.

21. I am unable to obtain any advice in the matter from the Collector of Malabar, as he informs me he cannot be both adviser in, and judge of, the case, a portion of which he is at present engaged in investigating.

From Mr. C. TRUTWEIN, Assistant Apothecary, Detachment 43rd Regiment Light Infantry, to the Officer Commanding Calicut, dated Calicut, 12th November 1872, No. 64.

With reference to memorandum No. 168, dated 12th November 1872, from Captain Wood, R. E., Executive Engineer, Calicut, I beg to state that having received a note from Mr. Overseer Arbuthnot asking me to see Mr. Overseer Bond, who he stated had lost the use of his left wrist, I accordingly saw him on my way to the Bank and found him suffering from fever and an attack of paralysis of the left wrist, and at once advised him to call in Dr. Roberts, the Civil Surgeon, but at the same time prescribed some medicine and gave him some advice.

2. A second note came to hand this forenoon from Mr. Arbuthnot to the effect that Mr. Bond was *very bad*, and on going over I learned that Dr. Roberts had not been sent for; I therefore had a letter sent off immediately for him, and enjoined Mr. Bond to continue the same plan of treatment recommended the day previous till seen by Dr. Roberts. I think it will not be out of place to add that Mr. Bond has on two or three former occasions come to me for advice when ailing with fever, to which he is, I believe, subject, and that it was the urgent tone of the second note that induced me to see him the second time.

Forwarded to Captain Wood, R. E.

(Signed) W. LIVESAY, Captain,
43rd Light Infantry.

Calicut,
13th November 1872.

No. 407. From the Superintending Engineer, 7th Division, to the Secretary to Government, Public Works Department, dated Coimbatore, 25th November 1872, No. 203.

In forwarding the enclosed letter from Captain Wood, R. E., the Calicut Range Officer, for the favourable consideration of Government, I have the honour to bring to the notice of Government the very commendable way in which Captain Wood has, under very trying circumstances, behaved throughout this matter, and I trust Government will be pleased to pass the expenses he has incurred in the prosecution of the parties concerned in the insolent outrage committed on him when in execution of his duty.

No. 296 of 23rd November 1872.

From Captain H. W. WOOD, R.E., Executive Engineer, Calicut, to the Superintending Engineer, 7th Division, dated Calicut, 23rd November 1872, No. 296.

With reference to my letters as per margin, I have the honour to submit the following with a request you will forward the same to Government for favourable consideration.

No 278, dated 14th November 1872.
„ 293, „ 21st do. „

2. The circumstances of the outrage at Pudupady will be admitted, I think, to have been very serious for me. Not only had I to sink my identity as an individual and remember I was a servant of the Government, bound almost at all hazards and under the most foul abuse to avoid a breach of the peace, but having succeeded in avoiding that breach of the peace I had to ensure as far as possible that the complaint laid before the Magistrate of Malabar should be presented and proved in such a way as to show my conduct was unimpeachable, and that the prisoners were fully guilty of the offence. I had some doubt at one time of my being able to bring the charges fully and clearly home to the accused. My principal witnesses were my own horsekeeper and a cooly lascar, who were present during the occurrences at Pudupady.

3. My horsekeeper, a Tamil man and a stranger to Malabar, was in considerable apprehension of suffering personal violence from the Malayalees should he give evidence against them. The lascar was a man employed by Mr. Bond, and it is needless to say that after that Overseer's conduct and the suspicions I entertained of his connection with the outrage, I was in considerable doubt as to the evidence this lascar would give.

4. In this perplexity it was very necessary for me to have the best legal advice procurable, and I engaged C. Gopalun Nair, who conducted the case to an entirely successful result. He has charged me Rupees 300 for fees and costs a sum I have paid, as per annexed receipt (which I request may be returned to me). The charge may be thought a high one, but considering the very grave position in which I was placed, and from which I have happily issued, I do not consider it so myself. I had not only to prove satisfactorily that the prisoners were fully guilty, but I had to show that my conduct gave no cause whatever for the outrage committed by the prisoners. I had also, in addition, to meet counter-charges of committing several serious assaults on the prisoners, who were defended by a Barrister and a Vakeel; and these charges as well as the defence generally it is needless to say were backed up by several witnesses on oath. Fortunately all this false testimony was broken down by the Vakeel C. Gopalun Nair, and I feel that probably it is owing to him that I am not now under the displeasure of the Government, or perhaps dismissed from the Department of Public Works, for having given reason in some unknown way for a very extraordinary and outrageous occurrence. In fact, for no fault of mine, I was quite as much on my trial as the prisoners who were actually convicted.

5. While thinking the charges of the Vakeel, therefore, to be not unreasonable, I at the same time submit it is rather a hard task upon me to pay them, and, under the circumstances, I respectfully request my claim to reimbursement may be favourably considered by Government.

6. I may mention the Vakeel had to attend Court for three days in this case, and had to give up his own engagements in the Civil Courts in consequence.

No. 408. From the Superintending Engineer, 7th Division, to the Secretary to Government, Public Works Department, dated Coimbatore, 25th November 1872, No. 204.

In continuation of my letter No. 196 of 16th November 1872, I have the honour to forward the Calicut Range Officer's letter* reporting the result of the Collector's inquiry. Captain Wood's further report upon Mr. Overseer Bond, together with the Overseer's explanation, shall be forwarded to you as soon as received.

* No. 293 of 21st November 1872.

2. The President of the Local Fund Board, South Canara, has been furnished with a copy of Captain Wood's letter regarding Local Fund Taluq Maistry M. Canaren (now on one year's leave without pay), whom I have requested him to dismiss the service.

From Captain H. W. WOOD, R. E., Executive Engineer, Calicut, to the Superintending Engineer, 7th Division, dated Calicut, 21st November 1872, No. 293.

In continuation of my No. 278, dated 14th November 1872, I have the honour to inform you that the Magistrate of Malabar yesterday convicted Mahomed Sahib and eight others of the outrages committed at Pudupady. Mahomed was sentenced to twelve months' rigorous imprisonment and a fine of Rupees 300, or in default six months' additional simple imprisonment; three others have been sentenced to three months' rigorous imprisonment, and the remainder to a month's simple imprisonment.

2. In connection with this affair I beg to bring to your notice the conduct of Taluq Maistry Canaren of the South Canara District. Soon after I was stopped on the road by Mahomed and his coolies, Canaren came to the spot. Knowing him to be in Government employ, I was simple enough to suppose that this mere fact was in some sort a guarantee that I should find in him a material witness for proving my case against the parties who were restraining me. I requested him to go to Pudupady station for the Police, which, after being absent for a little while, he reported he had done, but that no one was there; he added, however, that he had sent his servant on to Tambercherry to bring the Police from that place. This statement eventually proved to be a lie, as no messenger, except the peon I subsequently sent, ever reached the Police at Tambercherry.

3. While the affair at Pudupady lasted, I had no reason to think that Canaren was acting the part of a rogue; but on the next day I found that he had bailed out Mahomed and the other prisoners whom I had made over to the Police. On further inquiry I was told he had a share of the profits in Mahomed's work, and this information, combined with the fact that he offered bail for Mahomed and the other prisoners on every occasion the case was adjourned by the Magistrate, decided my legal adviser not to call him as a witness on my behalf.

4. He was however cited for the prisoner and swore that no restraint whatever had been put upon me at Pudupady.

5. It came out in evidence that Canaren was an old friend of Mahomed's, and though I have no wish to invoke the aid of superior authority for the purpose of interfering with the private friendship of a Taluq Maistry, I would still submit respectfully that the ethics of friendship have been in this case a little overstrained.

6. Taluq Maistry Canaren deliberately perjured himself in favour of the prisoners who have been convicted of wrongful restraint and intentional insult, and he may therefore (if not technically at least) morally be said to have aided and abetted the offence, having been present during its commission. On these grounds I have the honour to request his summary dismissal from the Public Works Department.

No. 409. ORDER THEREON, 18th December 1872, No. 3,015.

ESTABLISHMENT, No. 30.

His Excellency the Governor in Council is pleased to order the repayment to Captain Wood, R.E., of the expenses incurred by him in prosecuting certain persons for molesting and insulting him in the performance of his duty with a view to prevent his execution of the same. He commends that Officer for the coolness and firmness exhibited by him under very trying circumstances. Taluq Maistry Canaren is declared ineligible for further employment in the Government service. The further reports on the subject of Mr. Overseer Bond's conduct are under consideration, and pending the orders of Government on them he will continue under suspension.

Proceedings of the Madras Government, Public Works Department,
18th December 1872.

(True Extract.)

(Signed) G. W. WALKER, Colonel, R.E.,
Secretary to Government.

To the District Engineer, Malabar.
,, Controller of Public Works Accounts.

Ex. S. T. Austin.

No 194

Supt Engineer's Office,
7th Division
Coimbatore 15 Nov 1872

Sir,

The Supt Engineer,
7th Division

To,

The Secretary to Govt
P. W. Department

Sir,

I have the honor to report that on the 24th October last Captain Ward brought to my notice that Mr Owens Road was in the habit of making advances for work in direct contravention of the Standing Orders of the Department and the Range Officer's repeated instructions - On the 29th of October in reply to this communication, I directed Captain Ward to fine the Overseer to the full extent of his power and to warn Mr Bond that should he again act in

Encl. 1 original letter dated 8th Novr No 274 with 1 Enclosures.

in the manner he had done, he would be reduced to a lower grade in the Depart[t]-

2 Captain Wood, whose original letter I beg to submit reports that on his examining the Overseer's Cash Book out the 5th of November at Tumbercherry in spite of repeated orders to the contrary he found Mr Bond had again, without permission made advances to the Extent of £6 246, and further had not entered this disbursement in his Cash Book —

3 From Captain Wood's letter you will observe that Mr Bond's Conduct generally has been most unsatisfactory under these circumstances I deem it absolutely necessary for the maintenance of discipline

discipline and order that Mr Bond should be made an Example of and severely punished - I have therefore reduced him from 1st to 2d grade Overseer, and request that he may be placed at the bottom of the list of second grade Overseers, and trust that my proceedings will meet with the approval of Govern[t]

ment. —

I have the honor to be,
Sir,
Your most obedient
Humble Servt
Supt Eastern Div[n]

No. 278. Calicut 14th Novr 1872

5
137

To
The Superintending Engineer
7th Division D.P.W.

Sir

In continuation of my previous Correspondence regarding the neglect of duty (at the least) of which I have already reported Mr Overseer Bond to have been in my opinion guilty I have the honor to state as follows.

I have in my No 274 of 10th Novr 1872 reported to you that on Saturday 9th Novr I was stopped and insulted in the Tamberchery ghaut road near Pudupady by the Coolies of a Contractor named Mahomed Sahib, employed there.

I had much fault to find with the work done by this Contractor and while telling him that after that day, I should not employ him on the works, he began to be abusive to me and on my turning sharply round on him he seized me by the breast pocket of my coat and a brief scuffle took place in which I got rid of him. The Contractor then called upon his coolies some 70 or 80 in number to rush upon me, which they did with abusive cries and threatening gestures, flourishing their mamoties &c. As it has always been my practice since my landing in India in 1857, to

G.M. 1872 Novr
No 5644.
The Supdg Engr 7th Dn
To
The Secretary to Government
P.W.D.
Madras.
Dated 15th November 1872
Recd 18th
No 196
Encls 5

to carry a revolver with me, whenever I leave a Station or Cantonment and go into the District; I was on this occasion by simply showing the coolies that I was armed; enabled to prevent the personal violence which was certainly imminent, being offered to me.

After a good deal of abuse and threatening from the Contractor and his men, I eventually proceeded onwards from Pudupady to the foot of the Ghaut, to complete my inspection of the road.

On my return a Sarcar, Cunnen by name sent from Tumbechetty by Mr. Bond, to show me where work had been executed on the road, and who had carried my gun in its cover as far as the foot of the Ghaut, all of a sudden without my knowledge, handed over the gun to my horsekeeper and went off. Directly I was aware of this, I suspected the probability of some further affray with the Contractor and his Coolies during my return, and thus fortunately had time to resolve what, in event of my anticipation proving correct, my conduct should be.

While approaching the place where the Contractor and his Coolies had been working, I found them all drawn up in array across

across the road, and on my coming close up to them, the Contractor rushed forward with all his Coolies, seized the bridle of my pony and informed me I should go no further, until I either paid or gave an order to the Overseer to pay all he demanded.

As I was in some measure prepared for this eventuality, I declined to enter upon the subject of payment in any shape whatever and demanded that my road should be kept clear. This was refused, and for two hours from 11.30 A.M. till 1.30 P.M. I sat on my pony in the sun, and had to endure every species of foul abuse and insolent threat, from the Contractor and his men. Finding that I adhered to my first resolution, I imagine they got tired out and at last the Contractor suggested that perhaps I would send the Overseer to measure up their work. To this I replied that such was the Overseer's duty, as he (the Contractor) was perfectly well aware and that the work would certainly be measured up in due course. On this all restraint and intimidation ceased, and I remained on

on the spot taking some refreshment, which had been (by previous arrangement) sent out to me from Tamberchery. This refreshment had come up in charge of one of my Lascars at about 12.30 P.M. while the outrage described was going on. and on the arrival of the Lascar mentioned, I ordered him immediately back to Tamberchery to bring the Police to the spot.

As however the Police did not arrive up to 3.45 P.M. and as I had come eight miles to return and felt somewhat exhausted, I left for Tamberchery.

Eventually the Police arrived at Pudupady and next morning, certain prominent individuals among my assailants were given in charge by me and the matter is now being investigated by the Magistrate of Malabar.

I should scarcely have troubled you with a recital of the foregoing, had it not happened that, on my return to Salient a Shopla, who is building a hut for this Department at Pudupady for road inspection purposes, came to me and reported to me as follows -

That on the morning of Saturday the 9th November previous to my inspecting his work, a Lascar of Mr. Bonds by name Rayos Nair had come from Tamberchery and told him I was coming that morning to examine work. The Lascar also told him as a great secret that he had orders from Mr. Bond to tell the Contractor Mahomed Sahib working on the road nearer the foot of the Ghaut, that if I found fault with the work, he (the Contractor) was to intimidate and keep me a prisoner with his Coolies, until I promised to pay whatever they demanded. This story certainly appears incredible, but I think it right to report it, as the whole tenor of Mr. Bonds conduct presents a curious harmony with it.

In my No. 165 of 7th Nov. to Mr. Connor Bonds address, I pointed out that in case of sickness, the Civil Surgeon at Calicut was the proper authority to apply to, to relieve him of the responsibilities of his charge. On Friday 8th Nov. on Mr. Bonds pleading sickness, in extenuation of neglect of duty, I again told him he should have applied to the Civil Surgeon of Calicut during his absence (without leave) from his work

on the spot taking some refreshment, which had been (by previous arrangement) sent out to me from Tamberchery. This refreshment had come up in charge of one of my Lascars at about 12.30 P.M. while the outrage described was going on. and on the arrival of the Lascar mentioned, I ordered him immediately back to Tamberchery to bring the Police to the spot.

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at that place, from 31st October to 4th November.

After returning from Pudupaidy on Saturday 9th Nov., I went to the Tamberchery Chettiems (where Mr. Bond was putting up) about 7 P.M. and told him I had ordered Contractor Mahomed Sahib to discontinue work, He replied "Very well Sir but will you tell me what fault has he committed?" I replied "that would be a matter for the Magistrate of Malabar to decide"; and returned to the Tamberchery bungalow.

From this it would appear, Mr. Bond was entirely ignorant of the occurrences at Pudupaidy on Saturday. The Taluq Writer however on my order, has prepared a written statement from which it appears that, the Lascars Sunnee and Rasoo Sais returned to Tamberchery hastily from Pudupaidy about 2.30 P.M. on Saturday and informed Mr. Bond of what had happened at the latter place. That at 5½ P.M. (i.e. more than one hour before I saw Mr. Bond on Saturday evening, as I have related) the Overseer directed the Taluq Writer to get ready to go to Calicut, and told him he had my permission to go, and that at about midnight, Mr. Bond and his Establishment left Tamberchery for Calicut.

The proceedings detailed although giving an insight (in addition to that already noticed by you in your No. 347 of 29 Oct.), into Mr. Bond's contempt of all the requirements of subordination, might possibly be considered legitimate had he, on reaching Calicut on Sunday 10th Nov. reported himself to the Civil Surgeon. This he did not do, and on my arrival on Tuesday, I requested the Civil Surgeon to visit the Overseer and report to me what disease Mr. Bond was suffering from. This report has not yet reached me; as Dr. Roberts has not satisfied himself entirely regarding Mr. Bond's condition.

Mr. Bond has however consulted a Mr. Tentuem, an Apothecary attached to the Troops here. I addressed the Commanding Officer of Calicut on the subject and herewith forward Mr. Tentuem's reasons for taking medical charge of Mr. Bond, although there is both a Civil Surgeon and a Civil Dispensary in Calicut, to either of which course as Mr. Tentuem fully knows, Mr. Bond should have applied for aid.

I beg as regards this part of

the matter that Mr Tantonis conduct, be brought to the notice of Government. It is impossible that Officers of the O.P.W. can have a proper authority over their subordinates, if apothecaries who are the private friends and associates of those subordinates, are allowed to usurp at their pleasure, the functions of Commissioned Medical Officers, whom the Government have appointed for the discharge of particular duties.

Mr Tantonis, as you will see, states that he has on former occasions attended Mr Bond, yet he has not considered it to be his duty, to afford me any information on the subject.

In conclusion I beg to recall to you the circumstances which have occured since I have taken charge of this Range: Sufficient has transpired to induce a belief that, the Contractors and Maistries employed by Mr Overseer Arbuthnot made much too good a thing in a pecuniary way of Government work, to give up without a severe struggle, the favorable position they occupy in the Caliente Range. Mr Bond has by a succession of accidents employed three many

Sent no Indent to Mr Bond being Treated by the Staff Can Not Officers attended Artificers & Labourers so Knowledge 1871

Contractors and Maistries. He has since his transfer to this Range, verified a part of Mr Overseer Arbuthnot's words, a circumstance which though in my opinion was of very questionable judgement on Mr Bond's part, touched, as I conceived too nearly on the regions of private affairs, for me to interfere with.

Mr Arbuthnot very recently in course of conversation with me used the following expressions.

"He was too much mixed up with the Contractors & Maistries in this Range, to allow him to speak out openly to me on my arrival regarding the state of affairs which obtained" while he was acting Range Officer of Caliente.

Considering all I have narrated in this letter and reading it by the light of what has been recorded and forwarded to you officially, since my arrival in Caliente; I would ask whether it is unreasonable to conclude that a conspiracy has been entered into, to get

sid of me from Malabar ?.
If you think that prima facie
grounds exist for my holding
such a conviction, I would
respectfully urge Government be
applied to, to issue orders
for an enquiry being made
by some competent Officer,
in view of this matter being
thoroughly sifted.

I am unable to obtain any
advice in the matter from
the Collector of Malabar,
as he informs me he can-
not be both adviser in,
and judge of the case, a
portion of which he is at
present engaged in investi-
gating.

I have the honor to be
Sir
Your most obedt Servt
A Wood Captain R.E.
Executive Engineer

P. W. 5691/72

From 15th Dec 72 L. D. Sick.

I think it will not be out of place to add that Mr Bond has on two or three former occasions come to me for advice when ailing with fever to which he is I believe subject & that it was the urgent tone of the second note that induced me to see him the 2d time.

I beg to remain

Sir

Your most obedt humble

Servant

Calicut
12th Novr 1872

M/C ¼ Dr. Cont. Chas Winslow.
Asst Apothecary
Staff Asst Surgeon
Invalid H. Co. Det 43rd Regt L.I.

In a letter from the Supg Engineer 7th Dn. to the Secretary to Govt D. P. W. Madras dated 16th November 1872. No. 196.

P. W. S. 691/72.

Rcd. 18th Decr/72 & D. No.

Original letter from Capt. Wood. reporting that he has been ill-treated by a Contractor and his workmen employed on Mr. Overseer Bonds work.

No. 196 Supdg Engineer's Office
7th Division
Coimbatore 16th Novr 72

From,
The Supdg Engineer,
7th Division

To,
The Secretary to Govt
D. P. W. Madras

Sir
Captain Wood RE
Executive Engineer of Palicat

Enclosure 1.
1. Original letter from Capt. Wood Dn. 278 of 14th Novr 1872.

Range having preferred
very serious additional
charges against Mr Overseer
Bond of the Palicat Talook,
I have the honor to request
that my letter No 194 dated 15th Novr
1872 may be held in abeyance
till I am in a position
to report to Government
the result of the Collectors
inquiry in reference to circum-
stances

Names detailed in the accompanying original letter from Captain Wood. The extraordinary conduct of both Mr Arbuthnot and Mr Boss certainly lead me to believe that Captain Wood is correct in supposing these men have conspired together, though I do not think they have done so with the view of getting rid of him from Malabar, but of trying to prove to him that work cannot be carried on in the Calicut Talook except in the very irregular and improper way in which they have so obstinately persisted in, suffer from sheer downright idleness or possibly dishonest purposes, and which I believe can now only end in the dismissal from the service of both these useless and dangerous Overseers —

I have the honor to be,
Sir,
Your most obedient
Humble Servt
Thos. Sydenham
Secy. Bd. of Rev.

No 296

From Mr. Assistant Engineer Collect.

To The Superintending Engineer

Trichinopoly

Sir

With reference to my letter No 2778 of 18th inst. I have the honor to submit the following report against four persons named therein, for forcible possession of certain lands belonging to Government.

The circumstances of the case are briefly these. On the 15th inst. I received information that the Complainant had been in possession of certain lands for many years, but only had a Patta for 5 acres of land, whereas he had actually cultivated 8 acres. The Government Servants ordered him to pay assessment on the 8 acres, but he refused to do so, and the Defendants, who are his neighbours, and who had also been ordered to pay assessment on lands which they had encroached upon, instigated him to resist the payment, and to assert that he had been in possession of the whole 8 acres for many years. I went to the village on the 16th inst. and held an inquiry, when the Complainant and Defendants appeared before me, and I found that the Complainant had been in possession of the whole 8 acres for many years, and that the Defendants had encroached upon Government land, and had refused to pay assessment on it. I therefore ordered the Defendants to remove the fence which they had put up, and to allow the Complainant to enjoy the land as he had done for many years. I also fined each of the Defendants Rupee 1 for their contempt of my order, and for their forcible interference with the Complainant's rights. I have also warned the Defendants that if they again interfere with the Complainant, I shall fine them more heavily, and shall take such other steps as may be necessary to punish them for their misconduct.

I have the honor to be Sir Your most obedient Servant

Assistant Engineer

Public Works 1872 Department

From

The Supy Engr

4th Dn

To

The Secretary to

Government

D.P.W.

Madras

Dated 16th November 1872

Rec'd 19th

Public Dept

No 196 of 22

Enclosure 2

Requests that his letter No 1940 of 15th Novr 1872 may be held in abeyance regarding the result of the Collectors inquiry in reference to circumstances therein detailed

Answer No 3015 - 18th Dec 72

No 406.

Recorded

The Lascar was a man employed by Mr. Bond; and it is needless to say that, after that Person's Conduct and the suspicions I entertained of his Connection with the outrage, I was in Considerable doubt as to the evidence this Lascar would give.

In this perplexity, it was very necessary for me to have the best legal advice procurable, and I engaged C. Gopalan Nair, who Conducted the Case to an entirely successful result. He has charged me Rs. 300 for fees and costs, a sum I have paid, as per annexed receipt (which I request may be returned to me). The charge may be thought a high one, but Considering the very grave position in which I was placed and from which I have happily issued, I do not Consider it so myself. I had not only to prove satisfactorily that the prisoners were fully guilty, but I had to show that my Conduct gave no Cause whatever for the outrage Committed by the prisoners. I had also in addition to meet Counter Charges of Committing several serious Assaults on the prisoners, who were defended by a Barrister and a Vakeel; and these charges as well as the defence generally, it is needless to say were backed up by several witnesses on oath. Fortunately all this false testimony was broken down by the Vakeel, C. Gopalan Nair, and I feel that probably it is owing to him that I am not now

15

under the displeasure of the Government or perhaps dismissed from the D.P.W. for having given reason in some unknown way for a very Extraordinary and outrageous occurrence. In fact for no fault of mine, I was quite as much on my trial as the prisoners who were actually Committed.

While thanking the Chargés of the Vakeel therefor to be most unreasonable I at the same time, submit, it is rather a hard case upon me to pay them, and under the circumstances I respectfully request my claim to reimbursement may be favorably considered by Government.

I may mention the vakeel had to attend Court for three days in this case and had to give up his own engagements in the Civil Courts in consequence.

I have the honor to be
Sir
Your most obedt Servt
P. Pappachi Nattu Raj
Executive Engineer

35 R

Received from Captain Wood the sum of Rupees Three hundred in payment of my fees & costs for conducting the prosecution instituted by him against Mahomed Sahib & 9 others in Calendar No 3 on the file of the District Magistr of Malabar.

Calicut
22/11/72

C Gopalasawmy Iyen
Vakil Civil Court

Rs 28. 8. 0 1872

Collector's Cutcherry
Forwarding an Appeal
Petition

Rs 300 1/72

Copy of Petition presented to the Sessions Judge of Malabar
Dated 25th November 1872

No. 203

Supg Engineer's Office 7th Div.
Coimbatore 25th November 1872

From,

The Superintending Engineer
7th Division

To,

The Secretary to Government
D.P.W. Madras

Sir,

In forwarding the enclosed letter from Captain Wood R.E., the Salient Range Officer, for the favourable consideration of Government, I have the honor to bring to the notice of Government the very commendable way in which Captain Wood has, under very trying circumstances behaved throughout this matter, and I trust Government will be pleased to pass the expences he has incurred in the prosecution of the parties concerned in the insolent outrage committed on him when in execution of his duty.

I have the honor to be,
Sir
Your most Obt. Servant

W. Ward Lt. Colol
Supg Engineer 7th Div.

No. 296 of 23 Novr 1872.

In a letter from the Supg Engr 7th Div to the Secretary to Govt D.P.W. Enclosing No. 203 of 25th Novr 1872

P.W. 5863/72

Patel Gopalen Nair
Receipt for Rs 30
5/11/72

No 293 To

Calicut 21st Nov 1872

The Superintending Engineer

7th Division

Sir,

In continuation of my No: 278 of 14th Nov 1872 I have the honor to inform you that the Magistrate of Malabar yesterday convicted Mahomed Sahib and eight others of the outrages committed at Pudupady: Mahomed was sentenced to twelve months rigorous imprisonment and a fine of Rupees 300 or in default six months additional simple imprisonment — three others have been sentenced to two months rigorous imprisonment and the remainder to a months simple imprisonment.

In connection with this affair I beg to bring to your notice the conduct of Tahsildar Maistry Canaren of the South Canara District.

Soon after I was stopped on the road by Mahomed and his Coolies, Canaren came to the spot. Knowing him to be in Government employ, I was simple enough to suppose that, this mere fact was in some sort a guarantee that I should find in him a material witness for proving my case against the parties who were ruthlessly me.

I requested him to go to Pudupady station

Dated 25th Nov 1872

Received 27th Nov 1872

Enclosure 2 Commander Cobb's letter and enclosure to me regarding complaint against Mahomed Sahib and others for illegally detaining Canaren and forcibly taking away Government property.

To The Deputy Engineer & Superintendent D. D. Office Calicut

No 1107.

To Lieutenant R. Lewin Asst Dist Supt.

Sir

I have the honor to forward herewith for your information and guidance a letter from Commander Cobb of the Elk dated 23rd instant, and enclosure regarding the detention of Canaren Tahsildar Maistry of the South Canara District by Mahomed Sahib and others.

No 304 of 18th Nov 1872

Dated 23rd Nov 1872

Received 25th Nov 1872

Enclosure 2

Commander Cobb's letter to me regarding complaint against Mahomed Sahib and others for illegally detaining Canaren Tahsildar Maistry of the South Canara District and forcibly taking away Government property.

To Lieutenant R. Lewin Asst Dist Supt.

No 1107.

for the Police, which after being absent for a little while, he reported he had done, but that no one was there, he added however that he had sent his servant on to Tamberchery to bring the Police from that place. This statement eventually proved to be a lie; as no messenger except the peon, I subsequently sent ever reached the Police at Tambercherry.

Whilst the affair at Pudupady lasted I had no reason to think that Sanarew was acting the part of a rogue; but on the next day I found that he had bailed out Mahomed and the other prisoners whom I had made over to the Police. On further enquiry I was told he had a share of the profits in Mahomed's work and this information combined with the fact that he offered bail for Mahomed and the other prisoners on every occasion the case was adjourned by the Magistrate, decided by my legal adviser not to call him as a witness on my behalf.

He was however cited for the prisoner and swore that no restraint whatever had been put upon me at Pudupady.

It came out in evidence that Sanarew was an old friend of Mahomed's and though I have no wish to invoke the aid of superior

Authority for the purpose of interfering with the private friendships of a Taluq Maistry I would still submit respectfully that the ethics of friendship have been in this case a little overstrained.

Taluq Maistry Canaren deliberately perjured himself in favor of the prisoners, who have been convicted of wrongful restraint and intentional insult and he may therefore (if not technically at least) morally be said to have aided and abetted the offence having been present during its commission.

On these grounds I have the honor to request his summary dismissal from the P.W. Department.

I have the honor to be
Sir
Your most obed. Servt.
P. Wood Capt. R.E.
Executive Engineer

Supg Engineer's Office 7th Division
Coimbatore 25th November 1872.

No. 204

From,

The Superintending Engineer
7th Division

To,

The Secretary to Government
P.W.D. Madras.

Sir,

In continuation of my letter No. 196 of 16th November 1872, I have the honor to forward the Calicut Range Officer's letter reporting the result of the Collector's inquiry - Captain Wood's further report upon Mr. Overseer Bond's letter with the Overseer's explanation, shall be forwarded by you as soon as received -

2. The President of the Local Fund Board, South Canara, has been furnished with a copy of Captain Wood's letter regarding Local Fund Talook Mistry M. Canarem now on one year's leave without pay, whom I have requested him to dismiss the service -

I have the honor to be,
Sir
Your most Obt. Servant.

W. Lambert A.M. Inst. C.E.
Supg. Engineer 7th Div.

No. 5691
+ No. 293 of 21 Nov. 1872.

Captain Wood's letter No. 293 of 21st November 1872 forwarding Revenue Board's letter Range Proceedings Collector's report Overseer Connection with Local Fund Collections Asst. Engineer's explanation and Enclosures

Supg. Engineer 7th Division
Coimbatore

Asst. Engineer Calicut

Dated 25th November 1872

Received 28th Do.

Public Works Department

Proceedings of the Madras Government

Read the following:-

3015

From,

The Supg Engr. 1/Dr. } M.E. No. 194 dt/15 Novr 1872

Dr. Dr. } M.E. No. 196 dt/16 Novr 1872

Dr. Dr. } M.E. No. 203 dt/25 Novr 1872

Dr. Dr. } M.E. No. 204 dt/25 Novr 1872

His Excellency the Governor in Council is pleased to order the repayment to Captain Wood R.E. of the expenses incurred by him in prosecuting certain persons for molesting and insulting him in the performance of his duty with a view to prevent his execution of the

M.E.

I think that it is very desirable that Mr. Bond should, if allowed to remain in the service after the enquiry into his conduct is completed, be moved from Malabar. P.M.

From The Supg Engr. 1/Dr. M.E. No. 194 dt/15 Novr 1872

Dr. Dr. M.E. No. 196 dt/16 Novr 1872

Dr. Dr. M.E. No. 203 dt/25 Novr 1872

Dr. Dr. M.E. No. 204 dt/25 Novr 1872

To Lieut. Col. F. Lewin Asst Adjt Genl

Fort St. George

Dated 25th Novr 1872

Rec'd 4th Decr 1872

Mr. 205

Enclosures 4

Commands that the Lieut. Col. Commanding the Malabar Frontier Brigade be informed that the Collector of Malabar has been requested to report for the information of Government the circumstances under which Captain Wood R.E. was obliged to incur the expenses mentioned in the accompanying Memorandum

Memorandum of Expenses incurred by Captain Wood R.E. in prosecuting certain persons for molesting and insulting him in the performance of his duty with a view to prevent his execution of the

No. 3015 dt/8th Decr 1872

Rs. 40 8. —

Lieut. Col. F. Lewin Asst Adjt Genl

the Same - He commends that Officer for the cool- -ness and firmness ex- -hibited by him under very trying circumstances. Salook Mastry Canaren is declared ineligible for further employment in the Government Service. Further report will be awaited on the subject of Mr Overseer Bond's conduct.

GWW

30

To The Dt Engineer Malabar &
" Controller South Canara

Desp: 20/9/72

I would add "from any Result of which he will be Content under this sentence."

GWW

Proof

Permission requested to substitute the following sentence for the last in Mr Secretary's D. O.:-

"The further report on the subject of Mr Overseer Bond's

18.6.06 √

65°KW

Conduct are under consideration
& pending the order of Govt
on them he will Continue
under suspension"

Sd/-

Nos 5691, 5864, 5863 & 5661.

Govt. of {1872} Madr

PUBLIC WORKS.

To

Dated

Recd. Encl.

G. O. 18 Decr. N. 3015.

Nos. 405 & 409.

Capt. Road. R.R. Repayment

Capt. Road of expenses incurred by him in prosecuting certain persons for molesting & insulting him in the performance of his duties, ordered & and the ~~practice~~ employment of Palay Chairmen Canarese in the Govt. Service declared ineligible; further report on the subject of Govt. Overseers Roads conduct awaited.