

- (1) Number of pages _____
(2) Date of repair _____
(3) Initials of the Referee _____

MADRAS RECORD OFFICE

Government of Madras

Public Works DEPARTMENT

G.O. No.	1911	Press
B.P. No.		Mis.
470-473		
Dated	30. 7.	1873

Not to be folded or roughly handled

*Proceedings of the Madras Government, Public Works Department,
30th July 1873.*

Read the following papers.—

No. 470 From Major J. N. HUNTER, R E, District Engineer, Salem, to Colonel G. W. WALKER, R E., Secretary to Government, Public Works Department, dated Salem, 20th May 1873, No. 30.

I HAVE the honour to submit the following case for the orders of Government

* 8 Mamooties.
2 Pickaxes

1 Copy of letter, No. 360, of 12th August 1872,
with one Enclosure

1 Copy of letter, No. 936, of 21st March 1873,
with one Enclosure

1 Copy of letter, No. 583, of 21st August 1872,
from Executive Engineer, Bangalore.

1 Tahsildar's Arzee.

2. Mr J. W. Taylor, (now Overseer at Bangalore,) when Overseer in charge of the Oosoor Taluq, at the tools marginally* indicated to petty contractor, named Moothna Pillai. A receipt signed by Moothna Pillai was delivered up by Mr. Taylor when he gave over charge of the Oosoor Taluq

3 From the accompanying correspondence, the Government will observe that it is found impracticable to recover the tools from the contractor. The Overseer has failed to obtain an adequate security for their return

4. I request, therefore, that an order may be passed either to write this off to profit and loss, or else that their value may be recovered from Overseer Taylor

No. 471. Endorsement of the District Engineer, Salem, dated Salem, 12th June 1873, No. 42.

From Mr. W. C. S. WEST, Executive Agent, Oosoor Range, to Major J. N. HUNTER, R E., District Engineer, Salem, dated Camp at Tully, 10th June 1873, No. 202.

WITH reference to your memorandum No 166, dated 3rd instant, I have the honour to inform you no money is due to Contractor Moothna Pillay; the tools were lent to him by Mr. Overseer Taylor (who is now in Bangalore) for repairs to tanks under circumstances unknown to the Range Officer, the fact appears to have been found out by the Range Officer immediately after Mr. Taylor was relieved of the Oosoor Taluq and had finally settled with the man.

SUBMITTED to the Chief Engineer, Public Works Department, with reference to his memorandum No 206, dated 28th May 1873

(Signed) J. N. HUNTER, Major, R E,
District Engineer.

No 472. From E. BARCLAY, Esq, Acting Government Solicitor, Madras, to Colonel G. W. WALKER, R E, Secretary to Government, Public Works Department, dated Madras, 8th July 1873, No. 417.

I HAVE the honour to acknowledge receipt of Extract Proceedings of Government, Public Works Department, of the 1st instant, No. 11, and to return herewith the papers which accompanied the same.

2. Unless it can be proved that the contractor has sold the tools in question, or otherwise misappropriated them, I am of opinion that he cannot be prosecuted

*Proceedings of the Madras Government, Public Works Department,
30th July 1873.*

criminally, and, in any case, I think it would be advisable only to sue the contractor for the value of the tools

No 473.

ORDER THEREON, 30th July 1873, No 1,911.

ESTABLISHMENT, No 58

UNDER all the circumstances of the case His Excellency the Governor in Council resolves to hold Mr Overseer

Taylor liable for the value of the tools, and instructs the District Engineer of Bangalore to recover the same from him within the current second quarter of 1873-74 if the tools be not obtained by him within that time

(True Extract.)

Colonel, R.E.,

Secretary to Government.

To the District Engineer, Salem
.. Officiating Controller of Public Works Accounts
.. District Engineer, Bangalore.

Exd S. T. Austin.

Five Copies.

N^o 202 Cofoor Range Office,
Campully, 10th June 1873.

From

The Executive Agent,
Cofoor Range.

The District Engineer,
Salem.

With reference to your Memo: N^o 166 dated 3rd instant, I have the honor to inform you that no money is due to Contractor Mootthi Pillay: the tools were lent to him by Mr. Overseer Taylor (who is now in Bangalore) for repairs to tanks, under circumstances unknown to the Range Officer: the fact appears to have been found out by the Range Officer, immediately after Mr. Taylor's was relieved of the Cofoor Talook, and had finally settled with the man.

I have &c.
(Signed) W. C. S. West,
Executive Agent.

N^o 42 District Engineer's Office.
Salem, 12th June 1873.

Submitted to the Chief
Engineer D. P. W. with reference
to his Memorandum N^o 206
dated 28th May, 1873.

J. W. Sturges. Major, R.E.,

District Engineer.

To The Chief Engineer,
D. P. W.

Compd. J. G.

P. W. 1873 Depart.
From No. 3477
The District Engineer
Salem.

To The Chief Engineer.
D. P. W.

Dated 12th June 1873.
Recd: 16th June 1873.
P. W. 3849/73.
N^o 112

N^o 1911. 30th July 1873.

Submitting copy
of a letter from the
Ex: Agent, Ossoor
Range, stating that
no money is due to
contractor Martha a Day
to whom the tools were
lent by Mr. Overseer
Taylor under circum-
stances which are to
Range Officer.

N^o 471.

N^o 3021. 1/73

Replied to Concord 16 June 1873

3348
347
There being a receipt for the tools signed
by the Contractor in question the District
Engineer of Salem will instruct the
Ossoor Range Officer to take imme-
-diate steps for prosecuting him on
the charge of illegally retaining gov-
-ernment property in his possession.

h. m. w.

I am not so certain that we should
prosecute. Mr. Taylor is responsible for
the Tools to us & should recover from
the contractor. I wd. refer the question to
the Law Officers. M. L.

No. 417.

Madras, 8th July 1873.

From Ernest Barclay
Actg. Government Solicitor
Madras.

To
The Secretary to Government,
Public Works Department,

Sir,

1. I have the honor to acknowledge receipt of Extract Proceedings of Government P.W.D. of the 1st inst. No. 11 and to return herewith the papers which accompanied the same.

2. Unless it can be proved that the contractor has sold the tools in question or otherwise misappropriated them, I am of opinion that he cannot be prosecuted criminally, and in any case I think it would be advisable only to sue the contractor for the value of the tools. -

I have the honor to be,
Sir,

Your most Obedient Servant,

Ernest Barclay
Actg. Government Solicitor.

Answered

P. W. 1873. Depart
From No. 3849.
The Atty. Gen. Solicitor
General
To the Secretary to Govt.
P. W. Depart

Postd 8th
Recd 9th July

No. 417.
Enclosure I.

States that the Contractor
cannot be prosecuted
criminally & thinks that
it would be advisable
only to sue the Contractor
for the value of the tools
and return the papers
relating thereto. -

With Order

Re: 1908 Order all the circumstances of the case & the
Excelling the known in Council Records it is
that the Governor is liable for the value
of the tools and instruments of the District
Engineer of Bangalore to recover the same
from him within the current and account of
of 1873-74, if the tools be not obtained by him
within that time.

MMW 3 22 8
1 C. 2100 1873
Chief to 1873 July 9/73

1/2 3849, 3048 & 3477

The District Clerk
Valencia

30 July 1911

470 @ 473

Calc. Mr. L. L. L. L.

Taylor held liable for
the value of the certain
books & the 1st book.
Taylor was instructed
to recover the same
from him within the
current 2d quarter of
1873/74, if the books be
not paid by him within
time.

Re-
of
in
the