

(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.	249	Press
B.P. No.		Mis.
Dated	28 - 1	4875- 195

Not to be folded or roughly handled

*Proceedings of the Madras Government, Public Works Department,
28th January 1875.*

Read the following papers :—

No. 510. From Lieutenant-Colonel J. F. FISCHER, R.E., District Engineer, Madura, to Colonel G. W. WALKER, R.E., Secretary to Government, Public Works Department, dated Madura, 9th September 1874, No. 2,521.

ADVERTING to paragraph 2 of G. O., No. 215, under date the 24th July 1874, I have the honor to state that the Madura Range Officer, in his letter No. 462, of the 8th instant, informs me that a contract bond had not been obtained from the late contractor of the new Civil Debtor's Jail at Madura, and that his predecessor (Assistant Engineer Mr. G. R. Leggatt) should be held responsible for the omission, inasmuch as he has failed to procure the bond when the work was given on contract, although it was entered into by Colonel R. A. Roberts, R.E.

2. The Range Officer further informs me that when Colonel Roberts discovered the bad work, he ordered Rupees 51-11-2 to be withheld from the contractor's bill with a view to rectifying the same, and that this has been accordingly withheld and remitted into the treasury.

3. Under these circumstances, it will be observed that the contractor's liability has ceased, and that the extra amount now required to complete the work should be provided for in the manner specified in paragraph 1 of the Government Order above quoted.

No. 511. From District Engineer, Ganjam, dated 12th October 1874, No. 59.

No. 512. From Supg. Engr., 5th Divn. (on leave), dated 16th Dec. 1874, No. 2.

No. 513. ORDER THEREON, 28th January 1875, No. 249.

CIVIL WORKS, No. 35.

It will be explained to the Judicial Department, with reference to paragraph 8 of Order No. 1,237, of 8th July 1874, that recovery in full was made from the contractor for the Civil Debtor's Jail at Madura on account of bad work executed by him in connection with that structure.

2. With reference to the correspondence that has arisen in the course of the inquiry made at the request of the Judicial Department, His Excellency the Governor in Council has simply to observe that Lieutenant-Colonel Roberts' conduct in practically directing the employment as contractor for any Government work, without reference to the opinion of the Range Officer responsible for such work, of a dismissed subordinate of the Public Works Department, who had been declared by G. O., No. 957 of 12th April 1872, to be "wholly unfit for the conduct of executive duty," was wholly unjustifiable. Mr. Leggatt's statements, writing as he did from memory and without access to documents, may possibly be incorrect as to certain details; but the fact remains that Colonel Roberts is responsible for the employment of an unfit man, and that Lieutenant Greer was the Range Officer under whom he was first employed. His Excellency the Governor in Council accepts Mr. Leggatt's explanation.

Proceedings of the Madras Government, Public Works Department,
28th January 1875.

3. It appears to His Excellency the Governor in Council that the selection of contractors should as a rule rest with Range Officers, the District Engineer only retaining the power of refusing to ratify contracts entered into with men of whom he disapproves.

4. His Excellency the Governor in Council cannot approve of the tone of Lieutenant-Colonel Roberts' communication.

(True Extract.)

Colonel, R.E.,

Secretary to Government.

To Superintending Engineers.
To District Engineers.
To the Executive Engineer, Wynaad.
„ Judicial Department.

Enclosure A. No 4056.

District Engineer's Office
Madras 7 December 1874

Memo

The Assistant Engineer Madras Range is informed in continuation of this office Endorsement, No 3025, dated 3rd October 1874, on G.O. No 2232 dated 20 September 1874, that a copy of the Revised Plan and of the Estimate made of Rs 7500 for constructing 4 roads for the Civil Station at Madras, and Specifications herewith forwarded for information and guidance in carrying out the work accordingly.

To save delay a separate copy of each of these documents has been made for the use of Mr. Martin who consents to carry out the work at the estimated rates and with whom a contract should be made in the prescribed form -

Signed A. A. Roberts Esq. M.A.
District Engineer
Madras
(True copy)

Recd. Note. Lento Coll. Dr.
Supd. Engineer 5th Dec. on leave

Enclosure B. No 2890 District Engineers Office
Madurai 7 October 1873

Memorandum
The Executive Engineer,
in charge Madurai Range, is
informed that the District
Engineer, on visiting the med
ical works this morning finds
that scarcely any work
whatever has been done there
during the past fortnight
and not only this but the
work recently done to the floors
is probably carried out, that
the white parts are already
appearing. It is difficult to
understand how Mr. Veggatt
could have allowed such work
to be done to one floor after
another, in direct contravention
of the specification.

Copy of Enclosure
Engineers Office
No 2890 added to
December 1873.
Mr 9983/74

Enclosure A
dated 16th December 1873
to the Secretary & Co.
P.M.D.

No 2521.

District Engineer's Office of
Madras 9th September 1874.

From Lieutenant Colonel J. F. Fischer. R.
District Engineer of Madras

To

Colonel C. W. Walker. R.E.

Secretary to Government P.W.D.
Madras.

Sir,

Adverting to para 2 of G.O. No 215
under date the 24th July 1874, I have the
honor to state that the Madras Range
Officer, in his letter No 462 of the 8th Instant
informs me that a Contract Bond had
not been obtained from the late Con-
tractor of the New Civil Debtors' Jail
at Madras, & that his predecessor (Aspi-
-tant Engineer Mr. C. R. Leggart) should
be held responsible for the omission, in
as much as he has failed to procure
the Bond, when the work was given
on contract, although it was entered
into

Enclosure 13

in letter No 2

dated 18th December 1874.

To Mr. Secretary & Co.

P.W.D.

Copy of Receipt

Received from No 2521

Dated 9th October 1874.

Mr. 2521/74.

11

into by Colonel A. A. Roberts R.E.

2 The Range officer further informs me that when Colonel Roberts discovered the bad work he ordered Rs 51-11-2 to be with-held from the Contractors Bill with a view to rectifying the same, & that this has been accordingly with-held and re-mitted into the Treasury.

3 Under these circumstances it will be observed that the Contractors liability has ceased and that the Extra Amount now required to complete the Work should be provided for in the manner specified in para 1 of the O.S. above quoted.

I have the honor to be

Sir

Your most obt. Servt

W. T. Tucker

Scott Coll R.E.
District Engineer, Madras.

DISTRICT ENGINEER'S OFFICE, GANJAM.
Camp, Berhampore
12 October 1874.

No. 59

From

THE DISTRICT ENGINEER,
GANJAM.

To

The Chief Engineer

SIR,

With reference to your
Memo dated the 11th September
1874 No. 15 I have the honor
to forward Mr. Regatta letter
(in original) reporting why no
bond was taken by him from
the Contractor of the Aul Seitor
Jail at Ladura.

The Enclosures that accom-
panied your under reference
are herewith returned.

I have the honor to be
Yours most obedt
W. M. M. Major D.
Off. District Engineer

Enclosures
B. M. 1874
10:0 p.m.

Encls: 5 59 12 Aug.

20th 1874
S. M. 1874
10:0 p.m.

Off. District Engineer

Received

Off. District Engineer

Received

Received

Received

Received

MS 50

MS 50

MS 50

Madras 15

16th December 1874

Desd: 79-16

No 2

From

Lieutenant Colonel R. A. Roberts
Superintending Engineer
Division,
on leave.

Colonel E. W. Walker R.E.
Secretary to Government
Madras.

Sir, In reference to your Memorandum
No. 59 dated 12th December 1874, referring
to a report on letter from Engineer
Mr. L. R. Leggall, submitted to
Government with letter No 59 dated 12th
October 1874 from the District Engineer
Bangalore, on the subject of the Contractor
employed on the Civil Debtors Jail at
Madras, I have the honor to state
that Mr. Leggall's letter is so full of
mis-statements that instead of reporting
on these, one by one, it appears preferable
to give a short and concise resume of
all the circumstances connected with
the employment of Contractor Mr. Martin
and thus leave the Government to decide
how far Mr. Leggall is justified in



W. M. 1874-20
From
No: 6718

THE DISTRICT ENGINEER,

GANJAM.

To
The
Chief Engineer

Madras

No 59

Dated

Despatched 15th Dec 1874

Received

Enclosures 3

No 249-28-1-25

Madras

Leggall's report

are found was to E

from the Civil

at Madras

Mr. 2983/74

6718-20

1874

20/10/1871

submitting, as he has done, almost a direct charge against me for employing the Contractor under notice.

2. Without further preamble therefore, I proceed to state that the Government are well aware of the whole of the circumstances connected with Mr. Martin's dismissal from the service.

vide G.O. noted in the margin.

In Paras 3 and 4 of my letter printed with G.O.

19th July 1871, No 1907, I have particularly pointed out that

Mr. Martin, from his notorious fits of instability, was not a

proper person to be placed,

as he had been, in charge

of a Range completely isolated in its position

and visited by his Superior Officer only

once in 5 years; that nothing else but

confusion could be anticipated from such

an arrangement, and I strongly urged

therefore that Mr. Martin might not be

G.O. 4th May 1871 No 1240.

19th June 1871 No 1639.

27th June 1871 No 1972.

19th July 1871 No 1907.

21st September 1871 No 2407.

27th October 1871 No 191.

23rd November 1871 No 166.

12th April 1872 No 957.

14th May 1872 No 1283.

was simply dismissed the service.

3. Mr. Martin, thus finding himself thrown on his own resources, set to work in earnest to make a living for himself. - After inspecting his brick and lime kilns, I consented to employ him on piece work, i.e. he was paid for work actually turned out and approved.

In this manner he built for the Municipality what is called the "Saracenic Latrine", and for Government the "Cemetery Lodge".

4. As regards the Cemetery Lodge, I may mention that Mr. Chisholm, the Government Architect said, on inspecting the building, that it was the best piece of work that he had seen executed up country. - So much for Mr. Martin's alleged unfitness (see para 10 of Mr. Leggatt's letter) for the post of Contractor. There is certainly no other Contractor at Madras who could have turned out such satisfactory work. Mr. Leggatt was Range Officer at the time, and he paid for this work on his certified measurements for the same. He should

be well aware therefore of Mr Martin's capabilities and as Mr Martin was

Subsequently, when the new Civil Docks Jail at Madras was sanctioned, Mr Martin offered to undertake the work at the estimated rate.

Accordingly in my Memo, No 4036 dated 7th December 1872, in forwarding to Mr Leggatt the Plan and Estimate for execution of the work, he was informed of Mr Martin's offer and directed to prepare a Contract Bond with Mr Martin in the prescribed form. This totally disproves the statements contained in Para 4 of Mr Leggatt's letter. —

6. Instead of attending to this order, Mr Leggatt allowed Mr Martin to proceed with the work without entering into any contract for the same.

7. Our Lieutenant Green returned to Madras from the Goodaloom Chant, he was directed by me, under date 28th February 1873, to take charge of the Madras Town Works, and so long as

Lieutenant Green superintended the same, Mr Martin carried out vigorously the work under notice. When, however, Lieut Green had to return to Goodaloom, the Supervision of these works had unfortunately again to revert to Mr Leggatt, who reported his taking charge of the same on the 30th June 1873.

8. From this date, the Contractor began to lag, and what was worse, to put in bad work. Mr Leggatt rarely visited the work and was quite incompetent to give any definite or useful instructions when he did visit it, as will be seen from my Memo, No 2890 dated 7th October 1873, directing the work to be taken out of Mr Martin's hands, and to be carried out by Amang. Mr Leggatt never made any representation on the subject as misstated in para 9 of his letter.

9. In closing up Mr Martin's accounts adequate deductions were made from his accounts for every instance of defective work, so that

be such work might be done properly
Cayenne again. No pecuniary loss what-
soever was therefore sustained by
the Government in consequence of Mr
de Martin. Mr Leggatt, as disbursing
officer, must be well aware of this
fact.

7th 10. With this narrative before
me, and the explanation afforded
for in my letter printed with G.O. 8th July
1874 No 1237, as to the real causes of
the success of the estimate, causes which
I went into very carefully with Lieut
Greene before submitting to Government
the revised estimate that accom-
panied that letter, it assuredly must
be no matter of surprise to Government
to have received such a letter as Mr
Leggatt's under notice.

11. That Mr Leggatt should put
his name, as he has done, to a tissue
of mis-statements, and deliberately
declare that the success of the estimate
under notice is due to my employing
against his strong protests, a dishonest

drunken Contractor utterly unfit for the
work, is so serious a charge against me,
that I can but trust that the Govern-
ment will not allow it to pass unnoted.

12. If Mr Leggatt had really
held such strong objections, as he now
professes, to Mr Martin's employment,
it appears strange that he should have
never brought the subject to my notice.
There is not a word, however, in record
on the subject. The fact is, that the
statement is untrue, and Mr Leggatt's
letter is simply an abridgement of spite
at being turned out of the Madras
District owing to my representations.

13. If Lieutenant Greene could only
have remained in charge of the work
there can be no doubt but that Mr
Martin, with the encouragement that
he would have received from that
officer, would have brought the work
to a satisfactory conclusion - although
not for the reasons explained, within
the period of the original estimate.
During the four months that Lieut
Greene was in charge, he held work

to the amount of Rupees 5,754, against the sum of Rs 3,698 billed by Mr. Leggatt, in the six months during which he, Mr. Leggatt, was in charge.

14. Mr. Leggatt was under my orders for about 3 years, and I may truly say that never in the whole course of my professional career have I come across such an incompetent Departmental Officer of his long standing in the service. See concluding para of my letter printed with G.O. 22 July 1974, No 1966. - I have long since come to the conclusion, and I have no hesitation in expressing the opinion, that it would be far more economical to the Government and more advantageous to the Public Service, for the Government to place him upon the Prussian Establishment, rather than to retain him in the service in a position such as he now holds, where he has the power of squandering vast sums of Public Money, of the control of which he is simply incapable, owing to

professional incompetence added to thoroughly idle habits. -

15. I now leave the matter with confidence in the hands of Government, feeling satisfied that they will not allow to pass unmeasured such a highly improper letter as that under notice, wherein Mr. Leggatt has not hesitated to make a direct attack upon me, as uncalculated for as it is unscrupulous. -

I have the honor to be,

Sir,

Yours Most Obedt Servt.

Pier J. Robert Esq. Lt Col
Superintendent Engineer S. D.

Mr. Leggatt
18th July 1974

No. 1966

It will be explained to the Judicial Department with reference to para 8 of Order No 1237 of 8th July 1874, that recovery in full was made from the contractor for the civil debtors' jail at Madras on account of bad work executed by him in connection with that structure.

2. With reference to the correspondence that has arisen in the course of the inquiry made at the request of the Judicial Department, His Excellency the Governor

12
agreed

060572

in Council has simply to observe that Lieut Colonel Roberts' conduct in practically directing the employment as Contractor for any Govt. work, without reference to the opinion of the Range Officers responsible ^{for such work} of a dismissed subordinate of the Public Works Department, who had been declared by G.O. No. 957 of 12 April 1872 to be "wholly unfit for the conduct of executive duty", was wholly impracticable. Mr. Leggatt's statements, writing as he did from memory and without access to documents may possibly be incorrect as to certain details; but the fact remains that Colonel Roberts is responsible for the

27
the employment of an unfit man and that Lt. Greer was the Range Officer under whom he was first employed. His Excellency the Governor in Council accepts Mr. Leggatt's explanation.

3. It appears to His Excellency the Governor in Council that the detection of contractors should as a rule rest with Range Officers, the District Engineer only retaining the power of refusing to ratify contracts entered into with men of whom he disapproves.

4. His Excellency the Governor in Council cannot approve of the tone of Lieut Colonel Roberts' communication.

to Supy Engineers ✓
• District Engineers ✓
• the Exec. Engr. Wynne ✓
• Judicial Dept ✓

Despatch to all 29/1/75.

Lyons

Letter from District Engineer, Madras,
No. 3521, dated 9th Sept 1844.

Letter from District Engineer, Ganjam,
No. 59, dated 12th October 1844.

For Orders.

Ch^o 6718 Refo to Lt. Col. Roberts 5/11/44. Circulated for orders.

This order is to Col. Roberts for explanation. Mark 3/11/44. Secy: to Government S.H.C.

Per No 5780w full
the 11th inst 1874

Sept 31

Proceedings of the Magistrate

Read the following

At Engineer Madras - (No 2521 99 Sept 1874)
do - Ganjam - (No 59 12 Oct)
Supt Engr 5th Div on leave - (No 2 16 Dec)

It will be explained

I hope the
to the Judicial Depart-
ment with reference to
para 8 of Order No 1237
of 8th July 1874 that res-
toring in full was made
from the Contractor for
the Civil Works Jail

at Madras on account
of etc had work executed
by him in connection
with the Jail

with that structure;
And that no portion of
the career of the revised
edition of the original
sanction was due
to his failure, which
appears to have been
mentioned incidentally
and unnecessarily by
the District Engineer
in reporting on the sub-
ject.

2. With reference to
the correspondence that
has arisen in the course
of the inquiry made at
the request of the Judi-
cial Department, His
Excellency the Governor

Conducted in June 1872
employed

I feel much in
doubt about the
case & would
prefer merely
say in the at last
this was not put to
rest in a practical
filing the contract
to a law on whom
the party had his
written - and
that the latter party
of his letter - from 14 -
is most in proper & reliable on any
unbecoming.

Ed. J.
8/1

in Council, 38
to observe that the
Colonel Robert
-cedure in selecting
Contractor for any
Government work
-out reference to the
opinion of the
Officer responsible for
such work, a decision
Subordinate of the Pub.
the Works Department
who has been declared
by G.O. 957 of 12th April
1872 to be wholly unfit as
"for the conduct of his
active duty, was unjust"
that the former was
in no way
That the former was

for the purpose of...

But Col Robert W. the
 Sprague of the he
 Regt I am afraid -ble
 made another mistake a
 was the wrong off him
 road. He is the
 riding. I wi
 caught Mr. Lafferty in
 the road. R

more by the notorious
example of his protégé.

It appears to Her Highness
the Governor in
Council that the selec-
tion of Contractors
should rest with Range
Officers, the District
Engineers only retaining
the power of refusing
to ratify contracts enter-
into with him of whom
he disapproves.

7983 5780 6718
Govt. of (1874) Madras.
PUBLIC WORKS.

To

The Superintendents.

Dated

Recd.

Encl. 6

a. o. 28 Jan. 5 No. 249

Nos. 570-573.

Civil Works Rail
at Madras Passing

orders on correspondence
relating to the employ-
ment of a dismissed
subordinate of
the P & R Dept. as
Contractor for the
Rail Works.