

(1) Number of pages 34-
(2) Date of repair August 86
(3) Initials of the Referencer comp

TAMIL NADU ARCHIVES

GOVERNMENT OF TAMIL NADU

F. W.

DEPARTMENT

G.O. No.	3320	Press.
B.P. No.		Mis.
Dated	20 - 8 - 1978	197 -

Not to be folded or roughly handled

3320

GOVERNMENT OF MADRAS
PUBLIC WORKS DEPARTMENT.

20th August 1878, No 3,320 W

General.
Account

Read the following papers —

No 226 Endorsement of the Chief Secretary to Government in the Judicial Department, dated Ootacamund, 24th July 1878, No 1,310

From R. F CHISHOLM, Esq, Consulting Architect to Government, to the Chief Secretary to Government, dated Chempauk, 22nd July 1878, No. 239

I HAVE the honor to point out that in the opinion of the Government Solicitor, the notification marginally noted and published in the *Fort St George Gazette*, 1877, page 406, does not empower me to sign contract deeds for the supply of materials and, in his opinion, I can only execute such instruments through the

Chief Engineer or Deputy Chief Engineer now absent from Madras with the headquarters of Government. May I solicit the favor of an addition to the notification in question, authorizing me as Consulting Architect to enter into such contracts

TRANSFERRED to the Public Works Department for consideration and disposal

(Signed) D F. CARMICHAEL,
Chief Secretary

No 3,354

MEMORANDUM

No 226-A.

THE Consulting Architect is requested to be so good as to submit, for the information of Government, a copy of the Government Solicitor's opinion referred to in the foregoing letter. It has always been understood that there was no bar to the Consulting Architect signing contracts, &c, on behalf of Government, "all Executive Engineers in charge of District, Ranges or Special Works" being so authorized

2. The attention of the Consulting Architect is called to the irregularity of addressing Government through the Chief Secretary. All communications from the Consulting Architect should be addressed through either the Chief Engineer or the Secretary to Government, Public Works Department

(Signed) W. FAREWELL, Colonel,
Under Secy to Govt, P.W.D.

27th July 1878

No 226-B From R F CHISHOLM, Esq, Consulting Architect to Government, to the Chief Engineer, Public Works Department, Buildings and Roads Branch, dated Chempauk, 31st July 1878, No 264

I HAVE the honor to enclose copy of correspondence referred to in my letter, No 239, dated 22nd July 1878, to the address of the Chief Secretary to Government

2 PUBLIC WORKS DEPARTMENT, 20TH AUGUST 1878, No 3,320 W.

I gather from the Solicitor's letter that the words "Consulting Architect" should be specially mentioned, or a legal difficulty may arise

2 I note the irregularity referred to in your second paragraph, and will in future direct letters as you desire. I may mention that I have occasionally addressed the Chief Secretary to Government direct and have been addressed by him direct for years past, when the subject happened to be outside of departmental routine.

From E BARCLAY, Esq, Government Solicitor, to the Consulting Architect to Government, dated Madras, 5th July 1878, No 265

I HAVE the honor to acknowledge receipt of your letter, dated 3rd July 1878, No 191, together with its enclosure, and in reply to inform you that you are not mentioned in the notification published in the *Fort St George Gazette*, of the 3rd July 1877, as authorized to execute contracts on behalf of the Secretary of State, and have not therefore authority to execute such contracts

From R F CHISHOLM, Esq, Consulting Architect to Government, to the Government Solicitor, dated Chempauk, 3rd July 1878, No 191

With reference to the enclosed letter No 232-T, dated the 6th June 1878, I have the honor to inquire if, in your opinion, the notification quoted gives me the power to legally sign the contract deed drawn out by you between P Doorooga Rajoo and another and the Secretary of State for India

No 232-T
MEMORANDUM

It is not understood why the signature of the Chief Engineer is required to the deed. The Consulting Architect is himself authorized to sign under notification published at page 406 of the *Gazette* of the 3rd July 1877, Part I

(By Order)

FORT ST GEORGE,
6th June 1878

(Signed) P MONTGOMERIE, Major, R E,
Deputy Chief Engineer, P W D.

No 3,474

REFERRED for the opinion of the Advocate-General

2. Under Clause (a) of the Resolution of the Government of India in the Home Department, No 989, dated 23rd June

* Republished in the *Fort St George Gazette*, 1877, * all Executive Engineers in charge of Ranges or Special Works are authorized of 1877, page 406

to execute contracts equally with Executive Engineers in charge of districts. The Consulting Architect is an Executive Engineer in charge of Special Works. In signing contracts he may describe himself as Consulting Architect in executive charge of (naming the work) Perhaps this will obviate the Government Solicitor's objection.

(By Order)

7th August 1878.

(Signed) E A FOORD, Colonel, R E,
Secretary to Govt, P W D.

No 226-C From E BARCLAY, Esq, Government Solicitor, to the Secretary to Government, Public Works Department, dated Madras, 12th August 1878, No. 321

I HAVE the honor to acknowledge receipt of the Order of Government, dated 7th August 1878, No 3,474, Public Works Department, together with its enclosures, requesting the Advocate-General's opinion relative to the execution of contracts on

2
3
320
PUBLIC WORKS DEPARTMENT, 20TH AUGUST 1878, No. 3,320 W.

behalf of the Secretary of State for India in Council by the Consulting Architect to Government.

2 I submitted the matter for the consideration of the Advocate-General, and I now forward, herewith, a copy of his opinion and return the enclosures which accompanied the above order of Government

3 I was not aware when writing my letter of 5th July 1878, No 265, to the Consulting Architect to Government that he is an Executive Engineer, and I think it would be as well if he were described as such in contracts which he may have to sign on behalf of Government.

OPINION

It appears to me that the Consulting Architect may sign contracts in respect of Special Works under his charge. It will probably prevent misconception if the description "in Executive charge of _____ Works" be added

(Signed) P O SULLIVAN,
Advocate-General

MADRAS,
12th August 1878

No 227 ORDER THEREON, 20th August 1878, No 3 320 W.

THE Consulting Architect will be guided by the opinion of the Advocate-General

(True Extract)

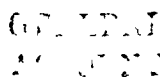
(Signed) E A FOORD, Colonel, R E,
Secretary to Govt, P W D

(True Copy)

Major, R E,
Under Secy. to Govt, P W D

To the Consulting Architect

Exd W H French
Spare Copies



ALLIE FOWLER.

CONFIDENTIAL

Consulting Architects Office
Chapman & 22 July 1878
33/3

From
The Consulting Architect
to Government.

Es
The Chief Secretary
to Government

I have the honor to point out that in the opinion of the Government Solicitor the notification marginally noted and published in the Fort

Proceedings of the Government of India
in the Home Department (Judicial),
under date Simla, the 23rd June 1877,
No. 987, is published for general
information.

Saint George Gazette 1877, page 406

Does not empower me to sign

Contract Seeds for the supply of

materials and in his opinion I can only execute such instruments through the Chief Engineer or Dy. Chief Engineer now absent from Madras with the Head quarters of Government. May I solicit the favor of an addition to the notification in question authorizing me as Consulting Architect to enter into such contracts.

I have the honor to be

then

Yours most Obedt. servant

R. Christensen.

Consgr Architect to Government

Ms. No 121 & 122/17/7/78
122 7

From

The Consulting Architect
to Government

To

The Chief Secretary
to Government

No 239

Date 22nd July 1878

Received

Subject to an addition to
Notes on Proceedings of Govt
of India, Home Department
dated Simla 23rd June 1877 & 1898

No. 121 of 17/7/78
122 of 17/7/78

Transferred to the Public Works Department
for consideration & response.

Chief Secretary

Judicial (1878) DEPARTMENT.
(Contract Road)
From
The Consulting Architect
to Government.
No
239

Dated 22nd July/78.
Received 24th July/78.

No 1984

Requesting that
he may be empowered
to sign contract
deeds for supply of
material as Consul-
tary Architect

Transferred.

No 1310.

A. L. Smith Reply

24th July 1878.3

W. L. Public Works Department.

No 3354 of 27th July 1878. 3320/5

Memorandum.

Endorsement in the Judicial Dept
No 1310 of 24th July 1878 on letter from
the Consulting Architect to Govt No 239
of 22nd July 1878.

The Consulting Architect is
requested to be so good as to submit,
for the information of Govt, a copy of
the Govt Solicitor's opinion referred to in
the foregoing letter. It has always
been understood that there was no
bar to the Consulting Architect signing
contracts &c on behalf of Government.
"all Executive Engineers in charge of
District, Ranges or Special works"
being so authorized.

2. The attention of the Consulting
Architect is called to the irregularity
of addressing Government through the

Chief Secretary. All communications from the Consulting Architect, should be addressed through either the Chief Engineer or the Secretary to Government Public Works Dept.

(Sig.) W. Farewell Colonel
Under Secy to Govt. P.W.D.

To, The Consulting Architect to Govt.
Dated 27-7-78

ROADS AND BUILDINGS

No. 264

14
3320
CONSULTING ARCHITECT'S OFFICE,
Chauk, 31st July, 1878.

FROM
THE CONSULTING ARCHITECT TO GOVERNMENT,
To
THE CHIEF ENGINEER, PUBLIC WORKS DEPARTMENT,
BUILDINGS AND ROADS BRANCH.
SIR,

Enclosures
3 Letters.

I have the honor to enclose copy of correspondence referred to in my letter No. 29 dated 22nd July 1878 to the address of the Chief Secretary to Government. I gather from the Solicitors letter that the words "Consulting Architect" should be specially mentioned in a legal difficulty may arise.

I note the irregularity referred to in your second para and will in future direct letters as you desire. I may mention that I have occasionally addressed the Chief Secretary to Government direct and have been addressed by him direct for years past, when the subject happened to be outside of departmental routine.

I have the honor to be
Sir

Yours most Obedt. servt.

W. M. M. M.

Cons. Archt. to Govt.

for 121 N. 14.7.78.
122 N. 14.7.78
C.E. 3354. 27.7.78

ROADS AND BUILDINGS

From
The Consulting Architect
to Government,

To
The Chief Engineer, P W Department,
Buildings and Roads Branch

No. 264

Dated 31st July 1878
Received

No of ENCLOSURES 3

Submits copy of letter called
for

to 121 N. 14.7.78
C.E. 3354. 27.7.78

N^o 265

Madras 5th July 1878

From

Ernest Barclay
Government Solicitor
Madras

To

R Chisholm Esq
Consulting Architect to Government
Madras,

Sir,

I have the honor to acknowledge receipt of,
your letter dated 3rd July 1878, N^o 194 together with its
enclosure and in reply to inform you that you are
not mentioned in the notification published in the
Fort Saint George Gazette of the 3rd July 1877 as
authorized to execute contracts on behalf of the
Secretary of State and have not therefore
authority to execute such contracts.

I have the honor to be
Sir

Yours most Obedt. servt.
Signed Ernest Barclay
Government Solicitor

True copy

R. Chisholm.

Cons. Archt to Govt.

No. 194

CONSULTING ARCHITECT'S OFFICE,

Chepauk, 3rd July 1878.

From

THE CONSULTING ARCHITECT TO GOVERNMENT

32²⁰/₉

To

THE Government Solicitor
Madras.

SIR,

With reference to the enclosed letter No. 232 dated the 1st June 1878 I have the honor to enquire if in your opinion the notification quoted gives me the power to legally sign the Contract Deed drawn out by you between P^o Dorroga Rajas and another and the Secretary of State for India.

I have the honor to be

Sir

Your most Obedt. servt.

signed/ R. Christolm

Cons. Archt. to Govt.

True Copy

R. Christolm

Cons. Archt. to Govt.

N^o 232 J

Memo

1/12/77
9320/9

From the Consulting Architect to Government
N^o 140 dated 1st June 1878

It is not understood why the signature of the
Chief Engineer is required to the Deed. The Con-
sulting Architect is himself authorized to sign
under notification published at page 406 of the
Gazette of the 3rd July 1877 Part I

(By Order)

signed P. Montgomery Major R.E.
By Chief Engineer P.W.D.

St George
June 1878

To
The Consulting Architect to Govt.
with Bond returned

True copy

R. M. M. M. M.
Consul Architect to Govt.

N^o. 3474 d/7th Aug^r 1878.

332/10

Endorsement in the Judicial Dept^y N^o. 1310
d/24th July/78 on letter from the Cons^y. Arch^t.
N^o. 239 d/22nd July 1878.

Letter from the Consulting Architect
N^o. 264 d/31st July 1878.

Referred for the opinion of the
Advocate General.

*republished
in the Fort St.
George Gazette
of 1877 - page 406

2. Under clause (a) of the Resolution
of the Gov^t of India in the Home Dept^y
N^o. 989 d/23rd June 1877, all Executive
Engineers in charge of Ranges or Special
Works are authorized to execute Contracts
equally with Executive Engineers in
charge of Districts. The Cons^y. Architect
is an Executive Engineer in charge of
Special Works. In signing contracts he
may describe himself as Consulting Architect
in Executive charge of — (naming the
work). Perhaps this will obviate the

Government

Government Solicitor's objection -

(By Order)

(Sij?) E. A. Ford Col. R. E.

Secy: to Govt. P.W.D.

N^o 321.

Madras, 12th August 1878.

From

Ernest Barclay

Government Solicitor

Madras,

To

Colonel E. A. Ford R. E.

Secretary to Government P.W.D.
Pootacamund.

Sir,

1. I have the honor to acknowledge receipt of the Order of Government dated 7th Aug. 1878, N^o 3474 P.W.D. together with its enclosures requesting the Advocate General's opinion relative to the execution of Contracts on behalf of the Secretary of State for India in Council by the Consulting Architect to Government.

2. I submitted the matter for the consideration of the Advocate General and I now forward herewith a copy of his opinion and return the enclosures which accompanied the above Order of Government.

3. I was not aware when writing my letter of 5th July 1878 N^o 265 to the Consulting Architect to Government that he is an Executive Engineer and I think it would be as well if he were known as such in contracts which he may hereafter sign on behalf of Government.

I have the honor to be,

Sir,

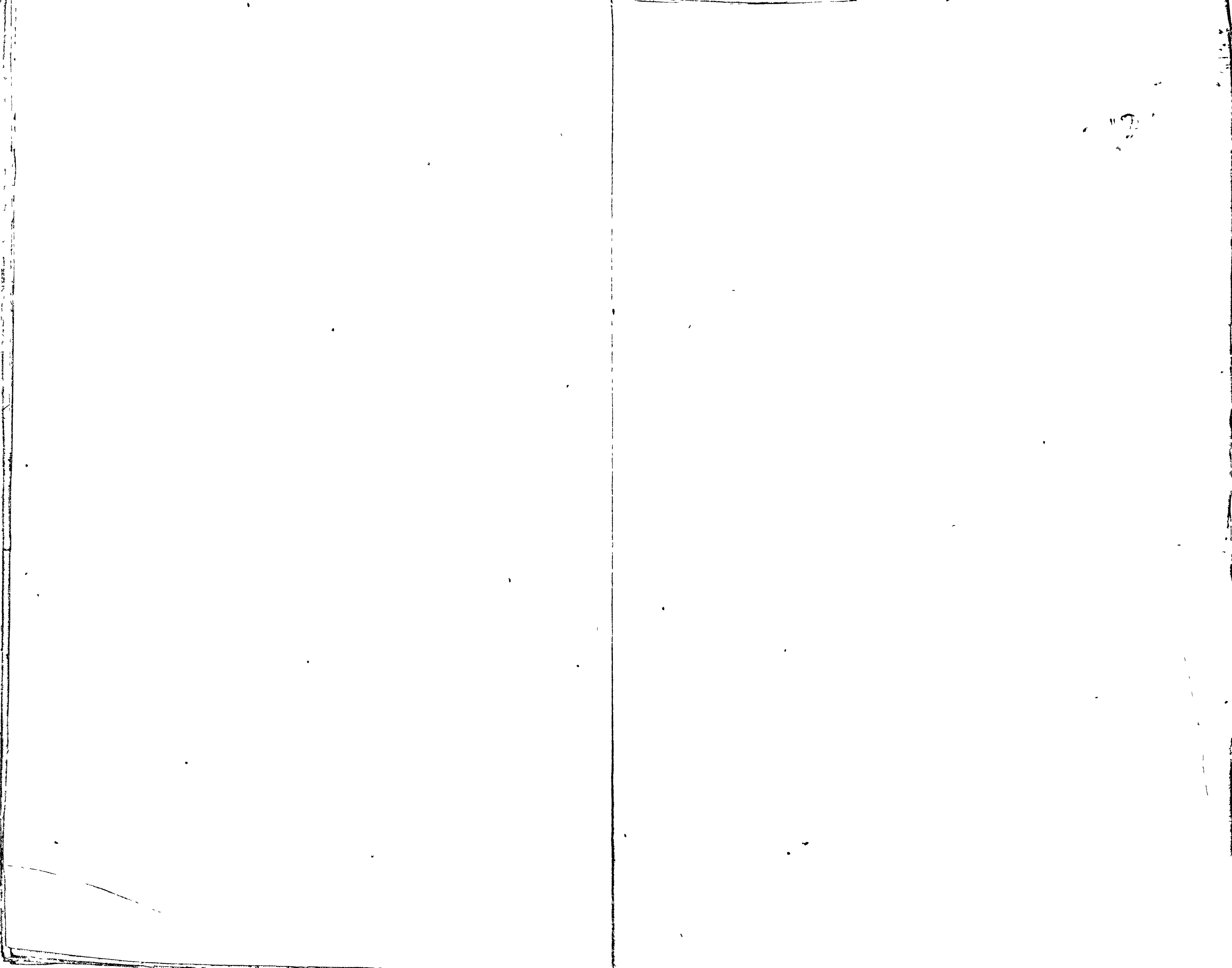
Your most Obedient Servant,

Ernest Barclay

Government Solicitor

To The Govt. Solicitor
with enclos. to be ret'd with reply. ✓

Desd - 7-8-78



Cir 16.8078. Ptd 20.878
o.h. Steel. 5 Augt

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332/5

Endorsement, in the Judicial Dept. N^o 1310 of
24th July 1878 in letter from the Consulting Architect
to Govt. N^o 239 of 22nd July 1878.
Letter from the Consulting Architect to Govt.
N^o 264 dated 31st July 1878.

FOR ORDERS

Under clause (a) of
the Resolution of the Govt.
of India, in the Home
Dept., N^o 989 dated 23rd
June 1877, all Executive
Engineers, in charge of
Ranges or Special Works
are authorized to execute

contracts equally with
the Executive Engineers in charge
as the Supt. in charge of Districts. The Consulting
Architect is an Executive
Engineer, in charge of
Special works. The
Supt. of the Public Works

Reference in letter from
the Government of India to
the Hon. Secy to Government
P. W. D. dated 12th August 1878.
1878

R.L. Con Architect Dr. Baßpⁿ 2-9-78

33²⁰
17

in 16.8.78. Dkt 20.8.78
of Phil: Gant

9374
85/5
25/5

Govt of Madras

PUBLIC WORKS

Chengam

Date

Place

Time

Time

G. O. No. 33204

No. 226

Contract deeds for supply of material

The Govt Architect informed that he will be guided by the opinion of the Advocate General with reference to his signing

Subd. Magr.