

(1) Number of pages 18
(2) Date of repair 29.8.86
(3) Initials of the Referencer kur

TAMIL NADU ARCHIVES

GOVERNMENT OF TAMIL NADU

PW DEPARTMENT

GO. No	3630 W	Press
BP No		Mis.
Dated	13 9 1878	127

Not to be folded or roughly handled.

3630
1

GOVERNMENT OF MADRAS
PUBLIC WORKS DEPARTMENT

13th September 1878, No 3,630 W

General
Establishment.

Read the following papers:—

No 156. From Major H. R. MILAD, R.E., District Engineer, South Arcot, to the Chief Engineer, Public Works Department, dated Cuddalore, 5th September 1878, No 204

I HAVE the honor to report that I have received a summons from the Small Cause Court of Cuddalore, for the 15th October 1878, on account of a suit entered against me and the late Sub-Overseer

	RS	A	P	
* Claim	135	7	8	
Interest	29	11	4	
Total	165	3	0	Ethmajulu Naidu

2. The circumstances of the case are as follows

3. In May 1874 an estimate for Rupees 306 was sanctioned by the Local Fund Board for the repairs of the Sayer Station tank at Madhaput. There was great delay in the commencement of this work, it was finally taken up by Ethmajulu Naidu under Mr. Anderson's orders and Mr. Wiffen's sanction. The estimate was prepared wrongly by the Sayer Station Superintendent, and by Mr. Wiffen's order the work was not carried out as estimated.

4. Two bills were prepared by Mr. Anderson and presented by the contractor, the rate for earthwork being entered as 1 Anna a cubic yard; this rate was reduced by Mr. Wiffen to 10 Pies per cubic yard, and the bills were accepted by the contractor and the amount paid to him.

5. In September 1876 a third bill was prepared by Mr. Anderson and presented to me, then in charge of the range, by the contractor. The original rate for earthwork was entered in this bill, and also an item for Rupees 25 for levelling, &c., under turfing. I declined to pay either of these amounts, the first, because the earthwork account had been already closed and paid for a reduced rate; the second, because no item for levelling, &c., under turfing was allowed for in the estimate, and the rate for turfing included any necessary work of this sort. The contractor refused to accept the balance, Rupees 78, due to him, and now twenty-three months afterwards has commenced this suit.

6. The following statement will show clearly the transactions:—

Particulars	Rs.	As.	Pais.	Total
1. 1,000 0 0	1,000	0	0	1,000 0 0
2. 1,000 0 0	1,000	0	0	1,000 0 0
3. 1,000 0 0	1,000	0	0	1,000 0 0
4. 1,000 0 0	1,000	0	0	1,000 0 0
5. 1,000 0 0	1,000	0	0	1,000 0 0
6. 1,000 0 0	1,000	0	0	1,000 0 0
7. 1,000 0 0	1,000	0	0	1,000 0 0
8. 1,000 0 0	1,000	0	0	1,000 0 0
9. 1,000 0 0	1,000	0	0	1,000 0 0
10. 1,000 0 0	1,000	0	0	1,000 0 0
11. 1,000 0 0	1,000	0	0	1,000 0 0
12. 1,000 0 0	1,000	0	0	1,000 0 0
13. 1,000 0 0	1,000	0	0	1,000 0 0
14. 1,000 0 0	1,000	0	0	1,000 0 0
15. 1,000 0 0	1,000	0	0	1,000 0 0
16. 1,000 0 0	1,000	0	0	1,000 0 0
17. 1,000 0 0	1,000	0	0	1,000 0 0
18. 1,000 0 0	1,000	0	0	1,000 0 0
19. 1,000 0 0	1,000	0	0	1,000 0 0
20. 1,000 0 0	1,000	0	0	1,000 0 0
21. 1,000 0 0	1,000	0	0	1,000 0 0
22. 1,000 0 0	1,000	0	0	1,000 0 0
23. 1,000 0 0	1,000	0	0	1,000 0 0
24. 1,000 0 0	1,000	0	0	1,000 0 0
25. 1,000 0 0	1,000	0	0	1,000 0 0
26. 1,000 0 0	1,000	0	0	1,000 0 0
27. 1,000 0 0	1,000	0	0	1,000 0 0
28. 1,000 0 0	1,000	0	0	1,000 0 0
29. 1,000 0 0	1,000	0	0	1,000 0 0
30. 1,000 0 0	1,000	0	0	1,000 0 0
31. 1,000 0 0	1,000	0	0	1,000 0 0
32. 1,000 0 0	1,000	0	0	1,000 0 0
33. 1,000 0 0	1,000	0	0	1,000 0 0
34. 1,000 0 0	1,000	0	0	1,000 0 0
35. 1,000 0 0	1,000	0	0	1,000 0 0
36. 1,000 0 0	1,000	0	0	1,000 0 0
37. 1,000 0 0	1,000	0	0	1,000 0 0
38. 1,000 0 0	1,000	0	0	1,000 0 0
39. 1,000 0 0	1,000	0	0	1,000 0 0
40. 1,000 0 0	1,000	0	0	1,000 0 0
41. 1,000 0 0	1,000	0	0	1,000 0 0
42. 1,000 0 0	1,000	0	0	1,000 0 0
43. 1,000 0 0	1,000	0	0	1,000 0 0
44. 1,000 0 0	1,000	0	0	1,000 0 0
45. 1,000 0 0	1,000	0	0	1,000 0 0
46. 1,000 0 0	1,000	0	0	1,000 0 0
47. 1,000 0 0	1,000	0	0	1,000 0 0
48. 1,000 0 0	1,000	0	0	1,000 0 0
49. 1,000 0 0	1,000	0	0	1,000 0 0
50. 1,000 0 0	1,000	0	0	1,000 0 0
51. 1,000 0 0	1,000	0	0	1,000 0 0
52. 1,000 0 0	1,000	0	0	1,000 0 0
53. 1,000 0 0	1,000	0	0	1,000 0 0
54. 1,000 0 0	1,000	0	0	1,000 0 0
55. 1,000 0 0	1,000	0	0	1,000 0 0
56. 1,000 0 0	1,000	0	0	1,000 0 0
57. 1,000 0 0	1,000	0	0	1,000 0 0
58. 1,000 0 0	1,000	0	0	1,000 0 0
59. 1,000 0 0	1,000	0	0	1,000 0 0
60. 1,000 0 0	1,000	0	0	1,000 0 0
61. 1,000 0 0	1,000	0	0	1,000 0 0
62. 1,000 0 0	1,000	0	0	1,000 0 0
63. 1,000 0 0	1,000	0	0	1,000 0 0
64. 1,000 0 0	1,000	0	0	1,000 0 0
65. 1,000 0 0	1,000	0	0	1,000 0 0
66. 1,000 0 0	1,000	0	0	1,000 0 0
67. 1,000 0 0	1,000	0	0	1,000 0 0
68. 1,000 0 0	1,000	0	0	1,000 0 0
69. 1,000 0 0	1,000	0	0	1,000 0 0
70. 1,000 0 0	1,000	0	0	1,000 0 0
71. 1,000 0 0	1,000	0	0	1,000 0 0
72. 1,000 0 0	1,000	0	0	1,000 0 0
73. 1,000 0 0	1,000	0	0	1,000 0 0
74. 1,000 0 0	1,000	0	0	1,000 0 0
75. 1,000 0 0	1,000	0	0	1,000 0 0
76. 1,000 0 0	1,000	0	0	1,000 0 0
77. 1,000 0 0	1,000	0	0	1,000 0 0
78. 1,000 0 0	1,000	0	0	1,000 0 0
79. 1,000 0 0	1,000	0	0	1,000 0 0
80. 1,000 0 0	1,000	0	0	1,000 0 0
81. 1,000 0 0	1,000	0	0	1,000 0 0
82. 1,000 0 0	1,000	0	0	1,000 0 0
83. 1,000 0 0	1,000	0	0	1,000 0 0
84. 1,000 0 0	1,000	0	0	1,000 0 0
85. 1,000 0 0	1,000	0	0	1,000 0 0
86. 1,000 0 0	1,000	0	0	1,000 0 0
87. 1,000 0 0	1,000	0	0	1,000 0 0
88. 1,000 0 0	1,000	0	0	1,000 0 0
89. 1,000 0 0	1,000	0	0	1,000 0 0
90. 1,000 0 0	1,000	0	0	1,000 0 0
91. 1,000 0 0	1,000	0	0	1,000 0 0
92. 1,000 0 0	1,000	0	0	1,000 0 0
93. 1,000 0 0	1,000	0	0	1,000 0 0
94. 1,000 0 0	1,000	0	0	1,000 0 0
95. 1,000 0 0	1,000	0	0	1,000 0 0
96. 1,000 0 0	1,000	0	0	1,000 0 0
97. 1,000 0 0	1,000	0	0	1,000 0 0
98. 1,000 0 0	1,000	0	0	1,000 0 0
99. 1,000 0 0	1,000	0	0	1,000 0 0
100. 1,000 0 0	1,000	0	0	1,000 0 0
Total	1,000	0	0	1,000 0 0

Amount in Rs. As. Pais.

7 The corrections printed in large type are those made on the bills
 8 The work was inspected and measured by me on the 5th of September 1876, and in Mr Anderson's measurement book at the time of inspection I struck out the items I declined to pass

9 The contractor bases his claim on the bill signed by Mr Anderson. I believe that this, unless passed by a superior officer, is useless, and I request permission to defend the case

10 I may add that for this transaction Mr. Anderson received a severe reprimand which is entered in his service register, and on account of this and other things against him he was not re-employed after his sentence of one month's imprisonment by the Session Court

No 156-A. From the same Officer, dated Cuddalore, 6th September 1878, No 205.

In continuation of my letter of the 5th instant, No 204, I have the honor to forward a translation of the plaint of the contractor therein alluded to, together with my draft answer

No 157 ORDER THEREON, 13th September 1878, No 3,630 W.

THE SALT MAY BE DEFENDED

(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 District Engineer, South Arcot
 " Examiner of Public Works Accounts

Exd T D Ryan
 Spare Copies

SOUTH ARCOE. No. 244.

Car

Cuddalore

Dated

5th September 1878.

FROM

THE DISTRICT ENGINEER,

SOUTH ARCOE.

Roads and
Buildings.

TO

THE CHIEF ENGINEER

D. P. W.

Enclosures

Sir,

I have the honor to report, that I have received a summons from the Small Cause Court of Cuddalore for the 15th October 1878 on account of a suit entered against me and the late Sub. Engineer Mr. Anderson for Rs. 165-3-0 by Ettirajulu Naidu.

The circumstances of the case are as follows:—

In May 1874 an Estimate for Rs. 306 was sanctioned by the Local Fund Board for the repairs of the Sayer Station Tank at Madalapur. There was great delay in the commencement of this work it was finally taken up by Ettirajulu Naidu under Mr. Anderson's orders and Mr. Wippen's sanction. The Estimate was prepared wrongly by the Sayer Station Superintendent and by Mr. Wippen's order the work was not carried out as estimated.

Two bills were prepared by Mr. Anderson and presented by the Contractor, the rate for Earthwork being entered as 1 anna a C^{ft}. This rate was reduced by Mr. Wippen to 10 pice per C^{ft} and

* Amount Rs. 135-7-8
Interest Rs. 29-11-4
Total 165-3-0

SEPTEMBER

NO. 156-157.

and the amount paid is

In September 1876 a 3rd bill was prepared by Mr. Anderson was presented to me. I was in charge of the Camp by the contractor, the original rate for earthwork was entered in this bill, and also an item for \$25 for levelling ^{the} under turping. I declined to pay either of these amounts the 1st because the earthwork accounts had been already closed and paid for a reduced rate the 2nd because no item for levelling was under turping was allowed for in the estimate and the rate for turping included any necessary work of this sort. The contractor refused to accept the balance of \$78 due to him and now 23 months afterwards has commenced this suit.

The following statement will show clearly the transactions.

Items	Estimate		1 st B. 11. paid		2 nd B. 12. received		3 rd B. 13. not paid	
	Quantity	Rate	Amount	Quantity	Rate	Amount	Quantity	Rate
Earthwork	1600	1.3125	2080	1450	1.450	2092.50	1450	1.450
Brick & chumam	864	2.108	1820.32	864	2.108	1820.32	864	2.108
Expenses	1600	.650	1040.00					
Superintendence		15						
Materials		8						
Profiting								
			306			900		
							1557.4	
Amount							20	
Amounts paid							1557.4	

The corrections in red are those made on the bills.

The work was inspected and measured by me on the 5th of September 1876, and on Mr. Anderson's measurement book at this time.

of expense on to go. The contractor based his claim on the Bill signed by Mr. Anderson & he believed this useful, passed by a superior officer as useful, and I request permission to defend the case.

I may add that for this transaction Mr. Anderson received a severe reprimand which is entered in his service register, and on account of this and other things against him he was not reemployed after his sentence of 1 months imprisonment by the Defense Court.

I have the honor to be,
Sir,
Your most obedient servant
W. M. Reed Major R.E.,
District Engineer.

TH ARCOÛT. No. 200

Cult. *Convolvulus*
Date d 6th September 1878.

FROM

THE DISTRICT ENGINEER,
SOUTH ARCOT.

10

THE CHIEF ENGINEER

D. P. W.

Enclosures

Su

Insulation of
Plaint
to res by.

Sir,

In continuation of my letter
of the 5th Instant, No. 204, I have
the honor to forward a translation
of the plaint of the Contractor
therein alluded to together with
my draft answer

Yours &c

I have the honor to be
Sir,

Your most obedient servants

M. Hunt Major R.E.,
District Engineer.

Court — Under the
 circumstances set forth
 requesting sanction to defer
 a — for Rs. 150 and 1/2
 in the Small Cause Court.
 Court orders against
 District, Bangalore and the
 late Sub. Registrar Mr.
 Anderson by the Contract
 for repairing the Square.
 Bank at Madras and
 other stations, and Bangalore City.

288 - 2nd Street
 E. P. G. & Co. 227-228
 17/8

Road and Buildings

FROM DISTRICT ENGINEER,
SOUTH ARCOI

No 205

Dated 6th
Despatched 6th
Received } September 7/78

No. of Enclosures Two

Suit filed in the Court of small causes Cuddalore by Contractor employed for the repair of a tank at the Madalapur Sayer Station—
Forwarding in continuation of letter No. 204 of 5th Instant. Copy of plaint and Draft reply in connection with the—

Plaintiff

Defendants.

To Cettirajulu Naidu, residents of Tripapuliyei, Cuddalore Taluk, Kaveri District, caste, occupation Trade, Age 40
Mr W F Anderson late Local Engineer, Cuddalore, and present Sayer Engineer of Saker, Kinnell District, Major Sayer District Engineer, Cuddalore, residing at Fort Saint David, Cuddalore, Age 40

I, Cettirajulu Naidu, the Plaintiff, bring the following to the notice of the Court.

- (1) That as per orders of the 2^d Defendant, the 1st Defendant gave to the Plaintiff a Letter on the 10th May 1876 together with a copy of Estimate of Rs 306 sanctioned by Government for repairing the Pond adjoining the Madalapur Sayer Station in the Cuddalore Taluk, to enable the Plaintiff to execute the work.
- (2) The work that was executed and finished on the 2^d September 1876 in accordance with the orders of the 2^d Defendant and as per sanctioned Estimate, has been accepted by the 1st Defendant, entered in his measurement Book as usual, and a Bill given to the Plaintiff for being paid as sanctioned.
- (3) The above Bill was presented for payment to the 2^d Defendant who was in charge of the Range at that time, and who after disallowing Rs 25 being the sloping charges and 2 pias for every Cubic Yard posed the balance, which the Plaintiff did not accept.
- (4) The Plaintiff requests that unless the balance of the previous Bills, that is, minus the amount paid by cheques after deducting the usual percentage is not disbursed together with Rs 25 being sloping charges, he may be paid by the Defendants for Earthwork at 1anna 4 pias per Cy² as sanctioned.

The above sum was borrowed by the Plaintiff on interest and the work completed.

The Earthwork done by the Plaintiff as per Estimate, Cft^s 1000 at 12 annas per Cft = 125-0-0
Brickwork in chumam 864 Cft at 2 annas per Cft = 108-0-0
1600 Square ft^s Surfing at 6 pias per Sq ft = 50-0-0
Sundries = 8-0-0
Total = 291-0-0

Received by cheque on the 19th June 1876 on Bill issued by the 1st Defendant after usual stoppage in the 2^d Defendant's Office = 75-8-4
do on 31st August 1876 on do do = 80-0-0
Total = 155-8-4
Balance Rupees = 135-7-8

Interest for the above sum from 2^d September 1876 the day on which the work was completed at 1 per cent = 29-11-4
Total Rupees = 165-3-0

The plaintiff also demands subsequent cost and interest from the Defendants.
/ Signed / Hs. Eutturajulu Naidu

/ True Translation /

M. M. — Major R.E.,
District Engineer.

No 1
 Enclosure in a letter from
 the District Engineer of
 South Arcot to the Chief
 Engineer D. P. No 205
 of 6th September 1878.

Copy of Planis

Draft reply to a suit filed in
 the Courts of Small Causes, Madras,
 by K. S. Chinnaiyudu Naidu of Tripapuli,
 late contractor for repairing the square
 tank at the Madalapat Sayer Station.

The Bill signed by Sub Engineer
 Mr. Anderson is subjected to the approval
 of his Superior Officer.

On 2 occasions (see 1st & 2nd bills)
 the Contractor has allowed this in having
 accepted the alterations made.

The work was not done as estimated.

The measurement 1450 cyp^s and
 the rate 10 pies per cyp for the Earth
 work has been accepted by the
 Contractor the amount paid and the
 account closed.

On account of Brickwork and turping
 there is no dispute.

With regard to sloping there is no separate
 item for this in the Estimate, and the
 rate for turping includes any petty work
 required in levelling under it.

Sundries are not due, it is not usual
 to allow Contractors Sundries.

The Contractor's Account is as follows

Earthwork	1450 at 10 pies	R. 75-8-4
Brickwork	864 at 2 annas	" 108-0-0
Turping	1600 at 6 pies	" 50-0-0
Amount paid		233-8-4
Balance due which has been offered & refused		155-8-4

M. M. M. — Major P. C.,
 District Engineer.

No 2

Enclosure in a letter from
the District Engineer of
Southbrook to the Chief
Engineer D. P. M. No 205 of
6th September 1878

Draft reply to plan

477
100/13

A. E. Lincot

10.13 Sept 1917. N. 3630W

Sc 14-6-17

Sub

The District Engineer South
Arcot authorized to defend the
— brought against him &
the late sub overcast Mr.
Anderson by one Ethrajalar
Kandoo, a contractor

Sw. D. K. R.