In the court of the Subordinate Judge of
Nilgiris
Ootacamund.

Civil Suit No 70 of 1883

John Barnard residing in Ootacamund on the
Nilgiris
Plaintiff.

against

J. C. Larminie Esqre Executive Engineer Public
Works Department Ootacamund Defendant

John Barnard the plaintiff above named
States as follows;

1. – That certain premises situated in Ootac-
– camund on Framjee's Hill next to "Bombay
Castle" were leased to him on or about the
1st day of March 1881 by the late Pestonjee
Nesservanjee Bottlewalla for a period of three
years, and plaintiff thereupon entered into and
Continued in occupation since the date of the
said lease.

(2). That on or about the 7th day of april 1883. the defendant wrongfully and illegally entered the said premises threw out the furniture then in the house, and took unlawful possession of the said house.

3. — That plaintiff has thereby suffered loss and damage and therefore prays judgment.

(a). for payment by defendant of Rupees five hundred damages sustained by plaintiff in consequence of having been ousted from him the occupation of the said premises.

(b) for payment of Rupees one hundred and Sixty Nine being value of furniture thrown out, destroyed and broken.

(C) for Rupees ten for Letters of Demand sent to defendant.

(d). and for the costs of and incidental to this Suit, together with Such further or other relief as to the Court may Seem just and equitable.

(Signed) J. Barnard

Affts Pleader

I. John Barnard the plaintiff above named do declare that what is stated herein is true to the best of my information and belief

(Signed) J. Barnard.

Witnessed by

(Sd) L. F. Chapman.

Cotacamund
20th July 1883.

(True Copy)

E. Lawrence
Executive Engineer

SUPG: ENGINEER'S OFFICE
No. 533 N.J.
4 SEP. 83
P. W. D.
FOURTH CIRCLE

Recd 7/9/83

Encl: 2/376/83
S.E. Div

P. W. Department
Nilgiri Division
29th August 1883

Messrs. Rowlandson & Harvey

Dear Sirs

I enclose a Summons and Copy of a plaint brought against me by Mr. John Barnard in my capacity as Executive Engineer and request you to take the necessary steps to defend the suit. Copies of correspondence bearing on the subject are no doubt in your office. The defence is briefly this — It will be in the recollection of your Mr. Harvey that on the 31st of March last I accompanied him to Mr. Chapman's Office and after certain preliminaries had been settled about 3 P.M. that same afternoon Mr. Chapman

and

and Mr. J. Barnard met Lt. Harvey, Sergt. Mac Alister and myself at Bombay Castle when Bombay Castle and premises were formally handed over to me with a verbal agreement (doubtless you have documents to prove it) that Mr. Barnard was (as an act of favor) to be allowed to keep his furniture in some of the out buildings for a few days. Between 31st March and 7th April Mr. Barnard was frequently requested to remove his belongings and in fact he did remove some of them and deputed his son to hand over the Keys on the morning of the 7th April, when accompanied by Sergt. Smith, I went to receive them, but when we came to the Hill Mr. Barnard junr. had not the Keys and made some frivolous excuse for their non-production whereupon I had the locks of the two long godowns forced and told Mr. Barnard (junr.) to remove his furniture, if he has suffered any loss it is all his own fault and supposing the furniture had been damaged Rs. 20 would more than cover such damage. It will further be seen from the accompanying letter from Mr. Schmidt dated 6th April 1883, that Mr. Barnard had no right whatever to the premises where his furniture was kept.

Again. Mr. Barnard claims Rs. 169 which sum represents, vide accompanying letter from Mr. Williams, the full value of the articles so many circumstances the claim would be absurd. Mr. Barnard's written agreement to give up Bombay Castle

and premises was sent to you from my office - vide your receipt dated 25th February 1883.

Yours faithfully

Signed / J. C. Larminie
Executive Engineer

P.S. Neither Sergts. Smith nor Mac Alister are now in Cataraumund.

/ True Copy /

C Larminie 3/9
Executive Engineer

SUPG: ENGINEER'S OFFICE
NO. 2631
-4 SEP. 83
P. W. D.
FOURTH CIRCLE

Encl: 1/376/83
S.E. IV

Encl 1
376/83

SUPG. ENGINEER'S OFFICE 4TH CIRCLE,
Coimbatore, 7th September 1883.

No. 376

From,

The Superintending Engineer,
Fourth Circle.

To, The Chief Engineer
P.W. Department.

Sir,

I have the honor to forward

Enclosures 2.
1 Copy of Plaint & 1 Do of Defence.

copy of the plaint in a suit brought against the Executive Engineer Nilgiris by Mr. Barnard in connection with the purchase of Bombay Castle, and Mr. Larminie's defence; and to request formal permission to defend the case.

I have the honor to be
Sir.
Your most obedient Servt.

J. Beatty Colonel R.E.
Superintending Engineer
4th Circle.

Re. Cir. 7770

No 2609 Way 15 7th Sept/83

From

The Supt. Engineer,
Fourth Circle.

The defence
~~The defence~~
of the suit is
~~Attached~~
sanctioned.
~~Sanctioned~~

W 13/9/83 Cy 11/9

No 2609 Way 15-9-83

Dated 7th
Desp'd 8th } September/83
Rec'd 10

No: 376

Enc: 2.

~~No: 2612 Way 15-9-83~~

Law Suit:—

~~Forwarding~~ copy of
a —— brought against the
Ex: Engineer Nilgiris by
Mr: Bernard; and re=
=questing formal permis=
=sion to defend the case.

Dft 15/9

S.E. Fourth Circle
Ex: P.W. Accts:

Dft

with order
Sent in With order
Receipt Register

Rec'd 11/9 Ord 12-9 Rec'd 15/9