Numbes of Pages : 56

Date of Repair 19.5.88

Initials of Reference bma ✓

TAMIL NADU ARCHIVES.

G.O. Ms. No: 699 W. P.W.D.

dt: 29-2-1888.

S.G.M.

29th February 1888, No. 699 W., Public Works.

699/1

GOVERNMENT OF MADRAS.

PUBLIC WORKS DEPARTMENT.

General.
Establishment.

Read—the following letter from G. B. LAMBERT, Esq., Executive Engineer, Coimbatore Division, to the Superintending Engineer, IV Circle, dated Barur, 16th February 1888, No. 125:—

In forwarding the accompanying copies of correspondence between this office and the Collector of Salem, I have the honor to bring to your notice that a sum of Rs. 49–0–6 is outstanding in the books of this office against Mr. G. McWatters, on account of rent for the Collector's residence at Salem, from the 14th to 29th August 1887, at the rate of Rs. 95 per mensem.

2. On demanding the rent from Mr. McWatters, he states that he does not consider himself liable to pay the rent of the Collector's house during his absence on privilege leave from the 14th August 1887, the house having been placed at the disposal of his successor Mr. Sewell.

3. Mr. Sewell having only taken charge of the building on the 30th August 1887, he paid the rent due from that date up to the date the building was reoccupied by Mr. McWatters.

4. As Mr. McWatters failed to give notice to the Executive Engineer of his vacating the building, he is liable to pay rent up to the date of the reoccupation of the quarters (*vide* Public Works Code, paragraph 1045).

5. Under these circumstances, I have the honor to request you will be so good as to obtain the orders of Government on the subject.

Enclosures.

From G. B. LAMBERT, Esq., Executive Engineer, Coimbatore Division, to the Collector of Salem, dated Coimbatore, 30th January 1888, No. 61.

I have the honor to inform you that Mr. Robert Sewell, Acting Collector of Salem, remitted the rent for the Collector's residence at Salem from the 30th August 1887, the date from which he commenced to occupy the building, and a sum of Rs. 49–0–6 is outstanding against you in the books of this office on account of rent from the 14th to 29th August 1887. I have therefore the honor to request you will be so good as to remit the above amount, viz., Rs. 49–0–6, into the treasury to the credit of Public Works Department.

2. I take this opportunity [illegible] invite your attention to Public Works Code, paragraph 1045, which runs as follows:—

> "An officer occupying public quarters will give timely notice to the Executive Engineer, or Barrack Master, or other Military officer in charge, as the case may be, of his intention to vacate them, otherwise he is liable to be called upon to pay rent up to the date of receipt of notice, or of the reoccupation of the quarters."

From G. McWATTERS, Esq., Collector and District Magistrate of Salem, to the Executive Engineer, Coimbatore Division, dated Salem, 5th February 1888, No. 312.

In reply to your letter, No. 61, dated 30th January 1888, I have the honor to inform you that I do not consider myself liable to pay the rent of the Collector's house during my absence on privilege leave from the 14th August to the 13th November 1887, the house having been placed at the disposal of my *locum tenens*. I had nothing to do with Mr. Sewell's not joining on the 14th August 1887.

No. 61 E.W.

Submitted to the Chief Engineer, Public Works Department, for favor of orders. It is assumed Mr. McWatters did not remove his furniture from the house, for he does not say so in his letter. As apparently he left his furniture in the house, and as he did not give to the Executive Engineer notice that he intended to vacate the house, it is thought he ought to be called on to pay the rent from 14th to 29th August.

Coimbatore,
20th February 1888.

(Signed) J. W. MARTIN,
Offg. Supg. Engineer, IV Circle.

Order—dated 29th February 1888, No. 699 W., Public Works.

The Government consider that Mr. McWatters is liable, under the rules of the Public Works Department, to pay rent for the quarters from the 14th to the 29th August 1887.

2. Orders will issue accordingly in the Revenue Department.

(True Extract.)

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

To the Superintending Engineer, IV Circle.
„ Examiner, Public Works Accounts.
„ Revenue Department.

Exd. J. Henricus.
Spare Copies

GENERAL.
ESTABLISHMENT.

Govt. of 1888 Madras.
PUBLIC WORKS.

Dated February, 29th.

Recd. *Encl.*

G.O., 29th Feb. 1888, No. 689 W.

FEBRUARY.

Rent

Mr. McWatters held to be liable for the — of the Collector's residence at Salem from the 14th to the 29th August 1887.

689/3

GOVERNMENT OF MADRAS.

PUBLIC WORKS DEPARTMENT.

General.
Establishment.

No. 29.

Read—the following letter from J. W. RUNDALL, Esq., Superintending Engineer, Second Circle, to the Chief Engineer, Public Works Department, dated Western Delta, Bank Canal, 16th November 1882, No. 836 N.L. :—

I have the honor to forward the correspondence noted in the margin, regarding the rent to be charged for the Government bungalow at Ongole occupied by the Assistant Superintendent of Police during the absence of the permanent incumbent, Mr. Worsop, on privilege leave.

Copies of No. 58 of 28th October 1882, from the Assistant Superintendent of Police, and No. 419 of 7th November 1882, from Executive Engineer.

2. It appears that Mr. Worsop's *locum tenens* did not occupy the house for the whole period of Mr. Worsop's absence on leave, but has paid rent for the time of his occupancy. Mr. Worsop states that he left his furniture in the house, as a matter of courtesy, for the use of the gentleman acting for him.

3. I do not feel myself competent to remit the rent while the house was actually occupied, and I therefore request the favor of orders on the particular point, and for future guidance, should a similar case occur in regard to other Government bungalows.

No. 30.

Order—dated 5th December 1882, No. 3191 W., Public Works.

In the present case Mr. Worsop is clearly liable for such portion of the rent as was not defrayed by his *locum tenens.*

2. The rule which would govern a private contract must be held to apply in such cases. If an officer leaving his station for a time desires to be freed from the liability to pay rent he must notify his intention and absolutely vacate the premises. If he elects to leave his furniture in the building, whether as a matter of convenience to himself or for the accommodation of the officer acting for him, it is to him that the Government must look for the rent. Any arrangement entered into between him and his *locum tenens*, in regard to payment for the accommodation secured to the latter, is entirely of a private nature, with which the Government can have no concern.

(True Extract.)

(Signed) R. H. SANKEY, Colonel, R.E.,
Secretary to Govt., P.W.D.

To Superintending Engineers.
To the Examiner, Public Works Accounts.
„ Revenue Department.
„ Judicial, &c., Departments.
„ Military Department.

Exd. S. T. Austin.
Spare Copies

Enclosures.

From W. J. TATE, Esq., Acting Sub-Collector to the Executive Engineer, Nellore Division, dated 10th March 1884, No. 97.

In forwarding, herewith, a copy of the Collector's No. 1012, dated 26th February 1884, I have the honor to inform you that I warned you that I vacated the bungalow on the 22nd January last, *vide* my letter, No. 82, dated 6th March 1884, and that if it is necessary to hand over the key to the Public Works Department I will do so at once.

From W. J. TATE, Esq., Acting Sub-Collector of Nellore, to the Acting Collector of Nellore, dated 15th February 1884, No. 106.

I have the honor to forward, herewith, a copy of the Treasury Deputy Collector's letter, No. 385, dated 9th February 1884, and with reference thereto to state that in view of other arrangements I vacated the bungalow altogether on the 22nd January last. I therefore request that from that date, or at least from the date of G.O., No. 168, dated 4th February 1884, I may be relieved from paying for it until my return to the sub-division.

From the Acting Collector of Nellore, to W. J. TATE, Esq., Acting Sub-Collector, Nellore, dated 26th February 1884, No 1012.

Please give notice of your having vacated the building to the Public Works Department, as required by G.O., dated 18th September 1877, No. 749 W. (copy enclosed).

From the Executive Engineer, Nellore, to W. J. TATE, Esq., Acting Sub-Collector, Nellore, dated 22nd March 1884, No. 194 A.

In reply to your No. 97 of 10th instant, received by me on 21st instant, I have the honor to request that the key of the bungalow at Ongole may be handed over either to me or to Mr. Mahony at Ongole.

2 I note that you warned me that you vacated the bungalow on the 22nd January. Unfortunately your warning, which was dated 6th March, did not reach me until the 16th March, nearly two months after you had vacated the bungalow and after I had written three times to you on the subject of the rent due.

3. I am forwarding the correspondence to the Superintending Engineer, II Circle, for disposal, as I think that before you can vacate the bungalow you should give the usual month's notice.

Order—dated 15th May 1884, No. 1239 W., Public Works.

As Mr. Tate failed to give due notice of his intention to vacate the Sub-Collector's bungalow at Ongole, as required by the proceedings of Government quoted in the margin, and, moreover, omitted, on leaving, to hand over the building to a responsible officer of the Public Works Department, he will now be required to pay rent up to the 6th March, the date on which he intimated his intention of vacating the bungalow.

G.O., No. 749 W., dated 18th September 1877.
" " 3191 W., " 5th December 1882.

(True Extract.)

(Signed) J. SHAW-STEWART, Colonel, R.E.,
Secretary to Govt., P.W.D.

To the Superintending Engineer, II Circle.
" Examiner, Public Works Accounts.
" Revenue Department.

Exd. E. Fernandez.
Spare Copies

699/5

GENERAL.
ESTABLISHMENT.

Govt. of (1884) Madras.

PUBLIC WORKS.

Dated May, 15*th.*

Recd. *Encl.*

G.O., 15th May 1884, No. 1239 W.

MAY.

Rent

Mr. W. J. Tate held to be liable for the —
of the Sub-Collector's bungalow at Ongole up to the date on which he intimated his intention of vacating the bungalow, which was long after he had quitted it.

20th April 1885, No. 930 W., Public Works.

699/6

GOVERNMENT OF MADRAS.

PUBLIC WORKS DEPARTMENT.

General.
Establishment.

Read—the following paper:—

From the Superintending Engineer, IV Circle, dated 25th March 1885, No. 138 E.W.

Order—dated 20th April 1885, No. 930 W., Public Works.

The above correspondence refers to a claim for house-rent preferred by the Executive Engineer against Mr. Brodie, Head Assistant Collector, Malabar.

2. It would appear that Mr. Brodie vacated his bungalow at Tellicherry on the 12th October 1884 on transfer to Calicut to take charge of the office of the Collector. He gave no notice of having vacated, and left some furniture (a few boxes and some crockery) in the house, in charge of three servants. He returned to Tellicherry on the 24th November 1884, and reoccupied the building. Mr. Brodie now demurs to pay rent for the period of his absence.

3. It will be pointed out to Mr. Brodie that the same rule governs the contract in the case of a Government building as would be applied in that of a house rented from a private individual.

4. In such case the liability to pay rent would certainly continue until the lessee gave notice of his having vacated the house. In G.O. No. 749 W., dated 18th September 1877, communicated to all departments, it is distinctly laid down that such notice must be given in the case of all Government buildings.

5. In these circumstances, Mr. Brodie's application to have the rent of the Sub-Collector's bungalow at Tellicherry remitted during the time he was away at Calicut cannot be acceded to.

(True Extract.)

(Signed) J. SHAW-STEWART, Colonel, R.E.,
Secretary to Govt., P.W.D.

To the Superintending Engineer, IV Circle.
„ Examiner, Public Works Accounts.
„ Revenue Department.

Exd. E. Fernandez.
Spare Copies

GENERAL.
ESTABLISHMENT.

Govt. of (1885) Madras.

PUBLIC WORKS.

Dated April, 20th.

Recd. Encl.

G.O., 20th April 1885, No. 930 W.

APRIL.

House-rent

Orders on claim for — preferred by the Executive Engineer against Mr. Brodie, Head Assistant Collector, Malabar.

No 22

District Court, South Canara
Mangalore, 26th October 1885

699
7

From

The Ag: District Judge
South Canara

To

The Chief Secretary to Govt.
Fort St. George

Sir,

The Executive Engineer of Tinnevelly has called upon me to pay Rs 17-11-10 as rent of the Sub. Collector's bungalow at Tuticorin from July 24th (the date on which I left Tuticorin on transfer to Mangalore) to August 1st the date on which the house was occupied by my successor.

Vide para 2 of G.O. No 904 W of 15-4-85 - SF 13-11-85

2. It appears that under para 1228 of the Public Works Code I ought to have given notice to the Executive Engineer of my having vacated the building and that I am liable to be called on to pay the rent, for the interval between my departure and the advent of my successor, as a penalty for failing so to do.

3. I ought doubtless to have remembered Rule 1228, but, as a fact, I

did

didn't, and as I quitted the house, not of my own motion, but under the orders of my landlord (the Government) it did not strike me that any notice was necessary.

Without presuming to dispute my liability as a matter of right, I beg respectfully to request that, under the circumstances, the Government will be pleased to remit the penalty.

I have the honor to be,
Sir,
Your most obedient Servant.

H. M. Winterbotham
Ag District Judge

Compd. M.T.

Judicial DEPARTMENT.

Reference on No. 4047 of 1885.
In replying the above should be quoted.

CHIEF SECRETARIAT. MADRAS

629
26

READ the following from the District Judge, South Canara, dated 26th October 1885 No. 22.

No. 1930

Transferred to the Department of Public Works.
(By order)

Fort St. George
12th November 1885

H A Stuart
Ag. Asstt. Secretary

To
The Public Works Department.

904 W of 15 Ap/85
930 W of 20 Ap/85
1239 W of 15 May/85

No. 2779 Wd/ Nov 21st 1885

B

Mr. Winterbotham having failed to give notice of his having vacated the Sub Collector's bungalow at Tuticorin, the demand of the P.W. Dept for rent from 24th July to 2nd August 1885, must be complied with under para 1228 of the P.W. Code, & Pros of Govt No 930W dated 20th April 1885.

14/11/85

16.11.85

Judl Dept with copy of G.O. No 930W of 85

P.S. G. VI Circle

Exam P.W. Accts

Desp 21/11/85

Incl 9844

13 N

Recd 13/11/85

No. 2779 Wd/ Nov 21st 1885

C No 706/889 –

With order

No. 381 C of 29-1-86
G.O. 924 W of 18-4-85
" 280 W of 6-2-85
" 2136 W of 29-4-84
" 1310 W of 26-5-84
" 3191 W of 5-12-82
" 2779 W of 21-11-85
" 904 W of 15-4-85
" 1239 W of 15-5-84
" 930 W of 20-4-85
" 1597 W of 27-6-81

Tm 9/2

Idl 8/2

No. 4976

Government of Madras.

PUBLIC WORKS DEPARTMENT.

Chepák, 6th Feby 1886

OFFICE NOTE.

From
The Secretary to Govt P.W.D

To
The Secretary to Govt Military Dept.

In returning Office Note No. 601, dated 27th January 1886, and enclosures, the undersigned has the honor to state that, with reference to para 1228 of the P.W. Code, he is unable to agree to the proposed refund from to Major Clerk of the house rent paid by him for his quarters when absent on privilege leave.

It has been frequently laid down that the same rule governs the contract in the case of a Govt building as would be applied in the case of a house rented from a private individual. In this view, the refund asked for by Major Clerk is inadmissible.

(Sd) J.S.S.

Desp(d) 6-2-86.

GOVERNMENT OF MADRAS.

MILITARY DEPARTMENT.

12th February 1886, No. 943.

Pay and Allowances—House-rent.

Read the following paper:—

No. 123. *From Major D. J. S. McLEOD, Deputy Quarter Master General, to Lieutenant-Colonel A. KENNEY-HERBERT, Secretary to Government, Military Department; dated Ootacamund, 8th January 1886, No. 73-A.*

Forwarded to Government with the recommendation of the Provincial Commander-in-Chief that, under the circumstances stated, the rent of Major Clerk's quarters for the months of September and October 1885 may be remitted.

From Major R. M. CLERK, Deputy Assistant Adjutant-General, to the Quarter Master General, Ootacamund; dated Madras, 14th December 1885.

With reference to the enclosed copy of letter No. 4160, dated 8th December 1885, from the Executive Engineer, Presidency Division, I have the honor to request you will kindly lay before His Excellency the Governor in Council, for his favorable consideration and orders thereon, this my petition for a refund on account of house-rent deducted from my pay for August, September and October 1885 during my absence in England. The circumstances under which I pray for a refund are as follow.

When I proceeded to England on ninety days' privilege leave early in August last I made arrangements with Captain Forbes Taylor, Commanding, Royal Artillery in Fort St. George, to carry on the duties of my appointment as Deputy Assistant Adjutant-General, and placed my official residence at his disposal. Shortly after I left the country Captain Taylor received orders to hold himself in readiness to join the depôt at Woolwich; he therefore did not think it worthwhile to move from his quarters in the fort to those belonging to me, which he had originally intended to do. On Captain Taylor leaving for England, Lieutenant-Colonel Shelley, Staff Officer and Superintendent of Details, was appointed to act as Deputy Assistant Adjutant-General, and, as he was already occupying "free quarters" in the fort, he did not move into mine, which, therefore, were vacant for three months.

I am aware that when an officer wishes to vacate his quarters temporarily he should give notice to the Barrack Master, but in my case I was unable to do so, for when I left for England I was under the impression that Captain Forbes Taylor would occupy my quarters, and it was not until I returned to the fort that I was aware that they had remained vacant.

No. 5024.

Forwarded.

(Signed) A. JOHNSON, Brigr.-Genl.,
Commanding, Eastern District.

FORT ST. GEORGE,
21st December 1885.

No. 124. **ORDER THEREON, 12th February 1886, No. 943.**

The Right Honorable the Governor in Council regrets that he is unable to exempt Major R. M. Clerk from the payment of house-rent for the period of his absence on privilege leave.

2. The Government have frequently ruled in the Public Works Department that, as in the case of private houses rented for occupation, sufficient notice of intention to vacate public quarters must be given to ensure release from liability for payment of rent.

3. Notice not having been given by Major Clerk, his request for a refund is inadmissible.

(True Extract.)

A. R. Kenney Herbert Lt.-Col.,
Secretary to Government.

To the Quarter Master General, with 1 enclosure.
,, Controller of Military Accounts.
,, Public Works Department.

Exd. E. C. Shunker.

699/VI

Mil 1237 ✓

Gobt. of {1886} Madras.

MILITARY.

To
THE QUARTER MASTER GENERAL,
&c., &c., &c.

10 S.C

Dated February, 12th.

Issued

Recd. 16/2/86 Encl.

G.O., 12th February 1886, No. 943.

FEBRUARY.
Nos. 123-124.

No. 454 W/ Feby 23rd 1886

Pay and Allowances—House-rent.

Clerk, Major R. M., Deputy Assistant Adjutant-General.—Claim of — to a refund of house-rent deducted from his pay for the period of his absence on privilege leave, disallowed.

B

Recorded.

16/2/86

20.2.86

Nos	497 C.	6.2.86
	381 C.	29.1.86.
	924 W.	8.4.85
	780 W.	6.2.85
	2136 W.	29.8.84.
	1810 W.	26.5.84
	3191 W.	5.12.82
	2779 W.	21.11.85
	904 W.	15.4.85

A. G. V C. ✓

Esq. P. W. A. for infor.n

1239 W. 16.5.84
930 W. 20.4.85
1597 W. 27.6.84

Despd
23/2/86

8/3

Cur. 4862

To W

639/62

The disposal in this Case might perhaps be simply to confirm the Supdg. Engr's action in remitting the rent in the circumstances stated.

It will perhaps not be desirable to go into the question whether the order directing the Battery to proceed on field service was a sufficient notice to the P. W. Dept. If the principle be admitted, every civil officer occupying public quarters might argue that the Gazette notification granting him leave or transferring him, is a sufficient notice of removal to the P. W. Dept.

2.2.86

No 2454 W a/Foley 23 1885

Dir.

[illegible]

In accordance with para 1228 of the Code an Officer vacating his Govt quarters without giving notice is liable for the rent of the quarters for such time as they remain unoccupied.

Standing Order No: 130 of 1885 says that an Officer can, during temporary absence on duty, retain without rent, for a period not exceeding one month the public quarters he has occupied. After one month

No 454 W Ashby 23 188

the quarters are to be considered available for others unless the officer consents to pay for and retain them.

So that in the latter case no notice appears to be necessary. The two rulings do not appear to be on all fours; and it seems as if Lieut Lang's case falls within the meaning of the standing order.

For orders
FB
28.6.6.

No. 454 d/ Feby 23 18

Lieutt. Lang R.A. was ordered to Burmah and vacated his quarters in the Fort without giving notice and C therefore contends that he is liable to pay rent during his absence by Code para 1228.

The Dy: Asst. Quarter Master General considers that the publication of the order directing his Battery to proceed on Service was sufficient notice.

I agree with this Officer and if a Regiment is in orders to move, it is unnecessary for each Officer to give notice.

28/6/86

No. 1090/85.

From
The Examiner
P. W. Accounts Madras.
To
The Superintending Engineer
5th Circle
Madras 4 June 1886

Sir

I have the honor to forward for favor of orders the papers noted in the margin relating to a claim against Lieutenant Lang. R.A. for Rent of quarters in Fort St. George, vacated by him on the 3rd November 1885. when proceeding on Service to Burmah.

Extract from Audit Note on accounts of Presidency Divn. for January 1886.

Copy of Correspondence between the Dy. Asst. Quarter Master General Eastern District & the Executive Engineer Presidency Division

Executive Engineer Presidency Divn. Endorsement No. 677 dated 28 May 1886

As Mr. Lang omitted to give notice to the Barrack Master of his vacating the Quarters he is apparently liable to pay Rent for the period of his absence (Vide para 1228 A. G. O. No. 930 of 20 Apl/85) Para 1442 A does not affect the case as it Refers to Reduction of quarters.

I have &c.
(Sd.) D. C. Gordon
Examiner

True Copy

Col. R.E.

Superintg. Engr. 5th Circle

No. 1308 1689/17

SUPERINTENDING ENGINEER'S OFFICE,
V CIRCLE, MADRAS,

Chepâk, 21 June 1886.

From

THE SUPERINTENDING ENGINEER,
V CIRCLE,

To

THE Chief Engineer
P.W. Dept.

SIR,

Enclosures.

A question has arisen between the Examiner P.W. Accounts and myself as to the propriety of my charging Lieutenant Lang Rat. Rent for the Quarters previously occupied by him in November last & subsequent months under the following circumstances.

Lieutenant Lang was ordered to Burmah on duty with, as I understand, power to take

take a portion only of his Barr-rack furniture & kit & he embarked in a great hurry I believe on 3rd November 1886. After he had been absent one month the Barrack Master Fort St. George in ignorance as usual of the conditions under which Officers hold their quarters when absent on duty or otherwise reported to me the Exe-cutive Engineer Presidency Division that "the quarters were still occupied by Lieutenant Lang R.A." and Lieutenant Lang was consequently (I not knowing at the time any particu-lars) debited with the rent thereof subsequent to the 3rd November. When the matter was fully disclosed to

to the Executive Engineer by most emphatic remon-strances received from Major Broadfoot R.A. the Officer Commanding Lieutenant Lang's Battery on Field Service in Bur-mah and also by the fact that Lieutenant Lang was found to have left no written consent with the Barrack Master to pay for and retain the quarters for him. I withdrew the Claim for rent under the terms of P.W.D. Code Chapter X paras 1442 et seq for

(1) the quarters had become, by absence of any written Re-quest to retain them, available for occupation by other Officers and

(2) no rent was due for the 1st month

month the Officer in question was absent on duty.

On the other hand the Examiner P.W. Accounts thinks that Rent is due to P.W. Deptt for the whole time the Officer was absent viz from 1st November until return of Major Broadfoot's battery from Field Service in Burmah.

I enclose Examiner's letter× No 109d/C.S. on the matter

×with its two enclosures to be returned

I have the honor to be
Sir
Your most obedt Servt

WH Hinton
Colonel R.E.
Superintg Engr
5th Circle

699/19

G. 6. No 930 W 20. 4. 85
B. No 454 W. 23. 2. 86
No 497 C. 6. 2. 86
" 381 C. 29. 1. 86
B. No 2779 W 21. 11. 85
G. 6. 904 W 15. 4. 85
" 1239 W 15. 5. 84
" 3191 W 5. 12. 82

No. 1698 W. d/ 6th July 1886.

B

In the circumstances stated, the action of the Supdg: Engr. in withdrawing the claim against Lieutt Lang for rent for public quarters during the period of his absence on field service, is confirmed –

2. 7.

S. E. V Circle with 2 Encls.
Examiner P. W. A/c

Dec 5/7

Agd. 16/4/6
6. 30-6-86

6/7/86

---

(6) M.Ch. 4852 ✓

From

THE SUPERINTENDING ENGINEER,

V CIRCLE,

To

THE Chief Engr.
P. W. D.

Dated 21st June 1886
Recd. 24

ENCLOSURES. 3.

No. 1698 W. d/ 6th July 1886

No. 1308.

Rent of Quarters.

Forwards copies of correspondence relating to a claim against Lt. Lang, R.A. for in Fort St. George with his views on the subject

Entd. with R.A. 16/7.

Executive Engineer's Office,

Camp Barur 16th February 1888.

No. 123

699/50 50 /R

FROM

G. B. Lambert Esq.

EXECUTIVE ENGINEER,

COIMBATORE DIVISION.

TO

THE Superintending Engineer
Fourth circle

SIR,

Enclosures

In forwarding the accompanying copies of correspondence between this office and the Collector of Salem, I have the honor to bring to your notice that a sum of Rs. 49-0-6 is outstanding in the books of this office against Mr G. MacWatters, on account of rent for the Collector's residence at Salem, from the 14th to 29th August 1887, at the rate of Rs 95 per mensem.

2 On demanding the rent from Mr MacWatters, he states that he does not consider him-self

himself liable to pay the rent of the Collector's house during his absence on privilege leave from the 14th August 1887, the house having been placed at the disposal of his successor Mr. Sewell.

3 Mr. Sewell having only ~~took~~ taken charge of the building on the 30th August 1887, he paid the rent due from that date up to the date the building was re-occupied by Mr MacWatters.

4 As Mr MacWatters failed to give notice to the Executive Engineer of his vacating the building he is liable to pay rent up to the date of the reoccupation of the quarters vide P.W. Code para 1045.

5 Under these circumstances I have the honor to request you will be so good as to obtain the orders of Government on the subject.

I have the honor to be
Sir.
Your most obedt servant
E.V.B. Lambert
Executive Engineer

No. 61/Enl.

Enclo: 2

Submitted to the Chief Engineer P.W. Department for favor of orders. It is assumed Mr. MacWaters did not remove his furniture from the house, for he does not say so in his letter. As apparently he left his furniture in the house, and as he did not give to the Executive Engineer notice that he intended to vacate the house, it is thought he ought to be called on to pay the rent from 14th to 29th August.

L. W. Walker
Offg. Sup. Engineer, 4th Circle

Coimbatore
20th Feby: 1888

SUPDG: ENGINEER'S OFFICE
No. 118 C.I.
18 FEB. 88
P. W. D.
FOURTH CIRCLE

P. W. D.

FROM

G. B. Lambert Esqr.

Executive Engineer,
Coimbatore Division.

Dated 16
Despatched 16 } February 1888
Received

No. 123

Enclosures. 2 -

SUBJECT.

Collectors residence at Salem.

Brings to notice the amount due by Mr G. Macwatters as rent for the - & requests to obtain orders of Govt for its recovery from him -

699/22

P.W.C. No. 1771

No. 1698 W d/ 6.7.86.
" 3191 W d/ 5.12.82
" 1239 W d/ 15.5.84
" 930 W d/ 20.4.85
" 2779 W d/ 21.11.85
" 497 C d/ 6.2.88
" 454 W d/ 23.2.86.

From
The Offg Supg Engineer
Fourth circle.

Dated 20th February 1888

No. 61
Genl.

Encs: 2.

Rent due on the Collector's residence, Salem.

Submitting for orders letter from the Executive Engineer, Coimbatore Dn, requesting to recover the amount of — from Mr. MacWatters, Collector of Salem, for the period viz from 14th to 29th August, for reasons stated-

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No. 61 Executive Engineer
Coimbatore 30th January

From
688/673
3 8P
G. B. Lambert Esq
Executive Engineer
Coimbatore Division

To
G. MacWatters Esq
Collector of Salem

Sir,

I have the honor to inform you that Mr Robert Sewell Ag Collector of Salem, remitted the rent for the Collector's residence at Salem from the 30th August 1887, the date from which he commenced to occupy the building, and a sum of Rs 49-0-6 is outstanding against you in the books of this office on account of rent from the 14th to 29th August 1887. I have therefore the honor to request you will be so good as to remit the above amount viz Rs 49-0-6 into the treasury to the credit

R/S 24/2/88 24.2.88

t of P. W. D.

2 I take this opportunity to invite your attention to P. W. Code para 1045 which runs as follows:
" An officer occupying public
"quarters will give timely notice
"to the Executive Engineer, or barrack
"master, or other military officer
"in charge, as the case may be,
"of his intention to vacate them,
"otherwise he is liable to be called
"upon to pay rent up to the date
"of receipt of notice, or of the reoccu
-pation of the quarters."

I have the honor &ca
(Signed) G. B. Lambert
Executive Engineer

(True Copy)

G. B. Lambert
Executive Engineer
16-2-88

699/24

24/2/88

24.2.88

SUPG: ENGINEER'S OFFICE
NO. 2/1182.9
18 FEB.88
P.W.D.
FOURTH CIRCLE

E.2
Rd. 1771/88

No 312 Salem Collector's Office
5th February 1888.

688/23 4 SP

From

G. MacWatters Esq
Collector and District
Magistrate of Salem

To

The Executive Engineer
Coimbatore Division

Sir,

In reply to your letter No 61 dated 30th January 1888, I have the honor to inform you that I do not consider myself liable to pay the rent of the Collector's house during my absence on privilege leave from the 14th August to the 13th November 1887, the house having been placed at the disposal of my locum-tenans. I had nothing to do with Mr. Sewell's not joining on the 14th August 1887.

I

24/2/88

24.2.88

I have the honor &ca

(Signed) M. Suriamurthy
Pillay

For Collector.

(True copy)

G. B. Lambert
Executive Engineer
16-2-88

SUPG: ENGINEER'S OFFICE
No. 118 C.L.
18 FEB. 88
P.W.D.
FOURTH CIRCLE

E. 1
P.W. 1774/88

PUBLIC WORKS DEPARTMENT.

699/29

READ the following:— 5

From the Superintending Engineer Fourth Circle } No. 61. E.W. of 20th February 1888.

FOR ORDERS.

Whether Mr McWatters should be required to pay rent for the quarters from the 14th to the 29th August 1887, he having failed to give the notice required by Code rule.

For precedents, please see the cases decided in the following Orders of Government.

No. 3191 W. of 5th December 1882.
" 1239 W. " 15th May 1884
" 930. W. " 20th April 1885
" 2779 W. " 21st November 188
" 943. of 12th Febry: 186. (Military

Undoubtedly Mr McWatters is liable. Because Govt is his landlord he is not exempted from the ordy liaby of a tenant.

PPH
25 Feb

Apparently Mr McWatters must be held liable for the rent not paid by his locum tenens

24/2/88

24.2.88

A

Store Orders

GOVERNMENT OF MADRAS
29 FEB 88
PUBLIC WORKS DEPARTMENT

No. 699 W d/ 29th February

Wrmt

The Government consider that Mr. McWatters is liable, under the rules of the Public Works Dept to pay rent for the quarters from the 14th to the 29th August 1887.

Orders will issue accordingly in the Revenue Dept.

MCS
27.2.88

28/2

27/2/88

27/2

The S.E. IV Circle
" Ex. P.W.A.
" Rev. Dept.
The Secretary to Govt. Rev. Dept. for
[illegible]

Desptd
6/3/88

HM 24.11.88

RS 27.11.88

699/28

Govt. of (1887) Madras.

PUBLIC WORKS.

Dated

1/13

Recd.

Encl.

G.O., 27 July 1887, No. 6

Rent

Mrs Mackellar [illegible]

[illegible]

the [illegible]

[illegible] from the 14

to the 27 August 18

7D/4X