

Letter from Messrs. Marden and Co.
Masulipatam, to the Executive Engineer,
Kistna Eastern Division, Berhampore,
No. . dated 23rd March 1891.

With reference to your letter No. 6,139 of
19th Current, we have the honour to inform
you that we, on further consideration,
will stand by our arrangement of landing
the 90 squares for which our quotation^{lot}
was Rupees 2/- per ton. For the 2nd ~~lot~~
of 77 squares landed by S.S. "Sera" we
are charging Rupees 2/8/- per ton which
is our usual rate to general public and
we beg to enclose our bill accordingly.
We will be glad to undertake^W landing
your timbers ~~at this rate~~, i.e. at Rs 2-8-6 per ton
during any part of the year. We have
to point out that in future it would be
advisable to get timber by special
and not by mail steamers, which owing
to their very short stay do not afford
sufficient time for working timber. We
notice that native shippers have their
own timber from Moulmein trans-
shipped at Calcutta to the coasting
boats.

boats and we do not see why the
same may not be done with the
Rangoon timber.

True Copy.

J. M. Captain R.E.

Executive Engineer
Kistna Northern Division.

Atk
2/11 4/11

P.W. En 2 3
9037/95
555

Letter from Messrs. Maiden and Co,
Kasulipatam, to the Executive Engineer,
Kistna Eastern Division, Bezwada,
No. dated 13th December 1892.

NO. 31762
8-NOV-92
P.W.D.

We have the honour to acknowledge
receipt of your letter No. 5/38, dated
8th current attaching copy of telegram
from Rangoon advising shipment of
62 Squares Ex. S.S. Scindia and ins-
tructing us to land and hand it over
to the Tidal Lock Superintendent, and
informing us that you expect about
200 tons more which has our careful
attention. The S.S. Scindia is expected
to arrive here to-morrow.

As our previous rate of landing
charges viz. Rs 2-8-0 per ton, did not
pay us, we have fixed our rate at
Rs 3/- per ton, at which rate we are
charging large importers of timber &c.
We shall be glad to charge your consign-
ments of timber at the same rate.

True Copy.

J. M. Captain R.E.

Executive Engineer
Kistna Northern Division.

Atk
2/11 4/11

Letter from the Executive Engineer,
Ristna Northern Division, to the Super-
intending Engineer, Mysore, No 427 S.E.,
dated 7th November, 1895.

Your endorsement No 1558 S.E.
dated 23rd October, 1895, (herewith returned)

The Government Solicitor in his
note appears to lay considerable
stress on the raising of the rate of
landing timber by Messrs. Maiden
from Rs 2 to Rs 3 per ton, this being
the very amount claimed in their letter
dated 11th March, 1891.

In point of fact the raising ^{of the rate} was
made in two stages:

(1) Letter of 23-3-91 from Rs 2 to 2.50.
This letter is an answer to the letter
of the Executive Engineer, mentioned
in the correspondence in which he noted
that an increased claim for landing
charges made in the letter of 11th March
1891, "is not business" and a copy

P.S. 9037/95
5557

From

The Supg Engineer
Second Circle

To

The Chief Engineer
P.W. Department

Dated 10 } November 1895
Dec'd 16 }

Enclor: 2.

No. 1717 MS

Timber dispute with Messrs
Maiden & Co —

Recommending that certain
points raised by the E.E.
in connection with — be
referred to the Govt. Solicitor
for favour of further opinion

28/11/95

Recd. 18.11.95

No. 3700 C/27 - November
1895

Referred to the Govt.
Solicitor for favour
of further opinion with
advocance to his letter
No. 559 dated 26th
September 1895.

J. B. — Col. R. B.

Secretary to Govt
M.D.

6000
2/55

+
with previous papers
— to be returned.

+ CN 7479 Enclor.

AKW

No. 705

Madras. 30th November 1895.

From,

Ernest Barclay,
Government Solicitor,
Madras.

To,

The Secretary to Government,
Public Works Department,
Madras.

Sir,

1. I beg to acknowledge receipt of your endorsement No. 3700 C dated 27th instant upon copy of a letter dated 7th idem No. 427 S E - from the Executive Engineer Kistna Northern Division to the Superintending Engineer II Circle.
2. In his letter above referred to the Executive Engineer, - referring to my letter of 26th September 1895 No. 559, says that I - appear to lay considerable stress on the raising of the rate of land- - ing timber by Messrs Maiden & Co from Rs 2 to Rs 3 per ton, this being the very amount claimed in their letter dated 11th March 1891. The - Executive Engineer is mistaken in supposing that I laid particular - stress upon this fact, though it is of some importance in coming to a conclusion with regard to Messrs Maiden & Co's present claim, for, - when it is seen that, in March 1891, they asked to be allowed Rs 3 per ton for landing timber which claim was then disallowed and that, when subsequently further timber had to be landed, they contracted to do it for Rs 3 a ton, there is some reason to suppose that Messrs Maiden & Co raised their charge so as to cover any additional expenses they might incur in cases and like that under consideration.
3. From their letter of 23rd March 1891 it appears that Messrs Maiden & Co agreed (as they could hardly help doing) to their charge of Rs 2 per ton which they had quoted for landing 90 squares, but said that, for the second lot of 77 squares, landed ex S S "Sirsa", they were charging Rs 2-8 per ton, their usual rate to the general public, which was

was apparently agreed to. Then, in their letter of 13th December 1892 to the Executive Engineer, Messrs Maiden & Co said (as they had a perfect right to do) that, as their previous rate of landing charges viz Rs 2-8 per ton did not pay them, they had fixed their rate at Rs 3 per ton and that they would be glad to charge the Executive Engineer's consignments of timber at that rate. All this is, in my opinion, evidence to show that, in raising their rates from time to time as Messrs Maiden & Co did, they intended that their rates, so raised, should cover any risks they might incur in the way of extra expenses. It is not conclusive evidence perhaps but it is some evidence which may be of use to Government in the event of legal proceedings being instituted by Messrs Maiden & Co for recovery of their additional claim. They seem to want to have it all their own way, first to increase their rates as they may think fit, as of course they have a right to do before undertaking the landing of any timber, and also to charge any additional expenses they may have been put to in carrying out their contract.

4. I return the papers sent to me &

I have the honor to be,

Sir,

Your Obedient Servant,

Ernest Barclay

Government Solicitor.

Encls: 7
Dated: 3.12.95

Government of Madras.

189.

P. W. DEPARTMENT.

CURRENT No.

DISPOSAL.

9599
Encls. 7

Dec. 3. 12. 95

No. dated

From

The Govt Solicitor
Madras.

No. 705

Dated 30. 11. 95

Received

Encls.

SUBJECT.

Timber for the workshops
at Bezawada: Furnishing
opinion on certain points
raised by the Ex. Engineer
in connection with the
claim of Messrs Maiden & Co.
for landing —

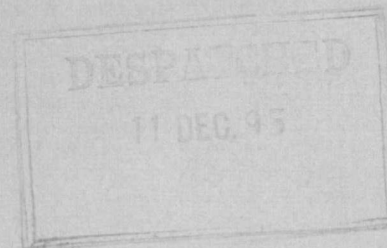
PUBLIC WORKS DEPARTMENT.

No 3158 W of 9th December 1895

PROCEEDINGS OF THE MADRAS GOVERNMENT.

Read the following

Endorsement by the Supt. Engineer
II Circle on letter from the Executive
Engineer, Kistna Northern Division
No 427 S.E. dated 7 November 95 (H.E. No 1717 K.S. d/10 Nov 95)
Letter from the Government Solicitor } (" " 705 d/30th . . .)
Madras }



S. E. II Circle with copy of
letter from the Govt Solicitor
No 705 d/30 Nov 95.

(40-4,000-2-11-95.)

A copy of the Govt
Solicitor's letter No 705 dated
30th November 1895 will be
communicated to the
Supt. Engineer II Circle for
guidance in continuation
of L.O. No 2549 W dated 16
October 1895.

R.S.

CVMS
5/12/95

S. C.

16. 10. 95 P-2549 W.

No 3158 W of 9" Sec. 1895

W. H. H.