

10
Date of receipt 16.5.3
Initials of officer
M.R.O. 1-29,000-16-10-25

MADRAS RECORD OFFICE.

Government of Madras.

Public DEPARTMENT.

G.O. No.

1705

Press
Mis.

Dated

17-11-

19 15/11

Not to be folded or roughly handled

No. 46. Read the following letter from the Postmaster-General, Madras, to the Chief Secretary to Government, Fort St. George, dated Madras, 27th October 1871, No. 3302-1918:—

In forwarding copies of communications marginally noted, I have the honour to request that Government will be pleased to authorize the Government Solicitor to undertake the institution of a civil suit against Messrs. DeBeaux and Co., with a view to the recovery from them of the sum of Rupees 180, specified in my letter of the 6th instant to them, as they have failed to reply to my letter up to date.

Letter from Government Solicitor,
No. 366, dated 15th September
1871, to the Postmaster-General.
Letter from the Postmaster-General,
No. 2895-1918, dated 6th October
1871, to Messrs. DeBeaux and Co.

From the Government Solicitor, Madras, to the Postmaster-General, Ootacamund, dated Madras, 15th September 1871, No. 366.

I have the honour to acknowledge the receipt of your letter of the 12th of September instant, No. 2271, requesting my opinion as to the expediency of instituting civil proceedings against Messrs. DeBeaux and Co., for the purpose of recovering from them the amount of damages sustained by the Post Office building at Ootacamund in consequence of the recent explosion.

2. I am of opinion that Government has a good cause of action against Messrs. DeBeaux and Co. for the amount of damage sustained by the Ootacamund Post Office. I do not, however, think that Messrs. DeBeaux and Co. will refuse to pay the cost of the repairs to the building, as their Attorney, on the occasion of the recent proceedings at the Town Police Court under the Postal Act, intimated to the Magistrate that they were willing to make amends for the loss sustained by Government. I would, therefore, suggest that, before placing the matter in my hands, you should, so soon as the requisite repairs have been made, write to them stating their cost, and requesting them to pay the amount of them.

3. In the event of Messrs. DeBeaux and Co. refusing to pay for the damages, and it, therefore, becoming necessary to institute civil proceedings against them, I shall require an order of Government authorizing me to sue them.

4. I do not think that, in the claim for damages, you should insert in it the value of the banghy parcels, but leave the owners to sue Messrs. DeBeaux and Co. themselves. In the case of the banghy parcel sent by Mr. A. Mackenzie, I understand Messrs. DeBeaux and Co. have already made good to him the value of it.

From the Postmaster-General, Madras, to Messrs. DEBEAUX and CO., Madras, dated Madras, 6th October 1871, No. 2895-1918.

I beg to inform you that, by the explosion of the powder sent by you in a banghy parcel to Ootacamund on the 4th August, considerable damage was done to the Ootacamund Post Office building and to the office furniture.

2. I have deferred communicating with you on the subject until I could ascertain the exact amount of the damage inflicted. This I now find is to the building Rupees 130, and to the furniture Rupees 50; total Rupees 180, which I request you will be good enough to remit to me.

No. 47. ORDER THEREON, 17th November 1871, No. 1705.

The Governor in Council resolves to authorize the Government Solicitor to institute civil proceedings against Messrs. DeBeaux and Co. in the matter referred to in the correspondence above recorded.

(True Extract.)

To the Postmaster-General.
„ Government Solicitor.
Exd. J. Wright.

Chief Secretary.

No 3302
1918

POSTMASTER GENERAL'S OFFICE,
MADRAS, 27 Oct 1871.

From Lieut Col. A. C. Pears.
Postmaster-General,
Madras.
To The Honble R. S. Ellis
Chief Secretary to Government,
Public Department,
Fort Saint George.

SIR,

I am forwarding copies of communications marginally noted, I have the honor to request that Government will be pleased to authorize the Government Solicitor to undertake the institution of a civil suit against Messrs DeBeaux & Co. with a view to the recovery from them of the sum of Rs 180 specified in my letter of the 6th instant to them, as they have failed to reply to my letter up to date.

I have the honor to be
Sir
Your most Obedient Servant.
A. Pears
Postmaster General

* Letter from Government Collector No. 3302 dated 21 Sept 1871 to the Postmaster General
Letter from the Postmaster General No. 3302 dated 27 Oct 1871 to Messrs DeBeaux & Co

CONF. OF 1871
PUBLIC.
To THE POSTMASTER-GENERAL,
Madras.
Dated November, 17th.
Recd.
G. O. 17th November 1871, No. 1705.
NOVEMBER.
Nos. 46-47.
Authorizing the Government Solicitor to institute civil proceedings against Messrs. DeBeaux and Co. for the recovery from them of the amount of damages sustained by the Post Office building at Government in consequence of the recent explosion.

N. 366 High Court House Madras
15th September 1871

From
H. G. Richard
To Government Solicitor Madras
Colonel A. Pears
Postmaster General C
Ootacamund.
Sir,

I have the honor to acknowledge the receipt of your letter of the 12th of September instant N. 2271, requesting my opinion as to the expediency of instituting civil proceedings against Messrs DeBeaux & Co. for the purpose of recovering from them the amount of damages sustained by the Post Office Building at Ootacamund, in consequence of the recent explosion.

2 I am of opinion that Government has a good cause of action against Messrs DeBeaux & Co. for the amount of damage sustained by the Ootacamund Post Office. I do not however think that Messrs DeBeaux & Co. will refuse to pay the cost of the repairs to the Building, as their Attorney on the occasion of the present proceedings

proceedings at the Town Police Court under the Statute act intimated to the Magistrate, that they were willing to make amends for the loss sustained by Government. I would therefore suggest that before placing the matter in my hands, you should so soon as the requisite repairs have been made, write to them stating their cost & requesting them to pay the amount of them.

3 In the event of Messrs DeBeaux & Co. refusing to pay for the damages, and it therefore becoming necessary to institute civil proceedings against them, I shall require an order of Government authorising me to sue them.

4 I do not think that in the claim for damages, you should insert in it the value of the Bangay parcels, but leave the owners to sue Messrs DeBeaux & Co. themselves. In the case of the Bangay parcel sent by Mr A. Mackenzie, I understand Messrs DeBeaux & Co. have already made good to him the value of it.

I have &c.
Signed H. G. Richard
Government Solicitor

No 2895
1918.
To

Postmaster General's Office
Madras 6 October 1871

Messrs DeBeaux & Co
Madras.
Sirs.

I beg to inform you that by the explosion of the powder sent by you in a Bramley Parcel to Ottacamund on the 4th August, considerable damage was done to the Ottacamund Post Office building and to the Office furniture.

I have deferred communicating with you on the subject until I could ascertain the exact amount of the damage inflicted. This I now find is - to the building Rs 130 and to the furniture Rs 50. Total Rs 180, which I request you will be good enough to remit to me.

I have &c
Wm A Cears
Postmaster General C

/True copies/

Wm A Cears
Postmaster General C

1871.

Public Department.

From

The Postmaster-General,

Madras.

To

The Chief Secretary to Government,

Department,

Fort Saint George.

No. $\frac{3302}{1918}$ No. 2292.

Dated 27 October 1871.

Received 30 - - -

Answered

Subject

Requests that are

referred by Government to their

officers to execute a certificate

against Messrs Messers & Co.

to recover certain damages, and

the Postmaster-General is a resident

of the Government of Madras and is therefore, advised

with order.

Order 17 (Revenue) 1871

The Government in Council orders

to authorize the Postmaster-General

to execute a certificate in accordance

with the order of the Government

in the matter referred to the

Correspondence above

advised.

The Postmaster-General is a resident of the Government of Madras and is therefore, advised with order.

20/11/71
12/5/71

46-47

Cont. of 1871 ~~Adm.~~

Public

To the Postmaster Genl.
per

Dated 17th Nov 1871

Recd

Enc.

G.O. 17th Nov 1871, No. 1705

MO. 46-47

Authorizing the
Government Solicitor
to institute Civil Pro-
ceedings against Messrs.
De Beers & Co. for
the recovery from
them of the amount
of damages sustained
by the Post Office build-
ing at Colacum - in
consequence of their recent

in the matter referred to in
the correspondence above
referred to.

PA

Postmaster General
for Solicitor