M.R.O. 1—77,000—8-6-37.

(1) Number of pages 12.

(2) Date of repair 29-8-38

(3) Initials of the Reference

MADRAS RECORD OFFICE.

Government of Madras.

Revenue DEPARTMENT.

G.O. No. 3207-07A ~~Press~~ Mis.

Dated 1-6- 1886.

Not to be folded or roughly handled

Madras, 13th May 1886.

To the Secretary to Government
Revenue Department.
Ootacamund

GOVERNMENT OF MADRAS
15 MAY 86
REVENUE DEPARTMENT

Sir,

We have the honor to acknowledge receipt of Order of Government dated 7th May 1886, No. 2692, on our claim for Rs 2586. 7. 8 compensation, on account of 60 Bales Government Bark proving not to be of the analysis it was represented by the Government Auctioneers to be, in their Auction catalogue of 7th September 1885.

2. In reply, we beg to state that we have made a claim, and have submitted documents in support of it. If the Government will favor us with a list of what further evidence they wish produced in support of our claim, we will endeavour to obtain it.

3. According to the opinion of the London brokers, who are experts, the amount we have claimed for is correct. We are prepared to submit the matter to arbitration if the Government should so wish, but we have the honor most respectfully to draw your attention to the fact that we have not asked for any favor from the Government, but have merely put forward such a claim as, under similar circumstances, we should have made upon any merchant who had sold us produce of a quality not equal to that represented.

We have the honor to be,
Sir,
Your obedient Servants,
for Wilson & Co
D. B. Leighton.

(1886.)

REVENUE DEPARTMENT.

No. 3821.

From Messrs. Wilson & Co.

Dated 13th & 14th May 1886.

Received 15th May 1886.

Enclosures –

No. –

SUBJECT.

Regarding claim for compensation on account of 600 Bales of Cinchona Bark purchased.

22.5.86.
31.5.86.

REVENUE DEPARTMENT.

C. Nos 3821 & 3877

From Messrs Wilson and Co.
Messrs Arbuthnot & Co.

Dated 13th & 14th May 1886.

FOR ORDERS.

Of course Mr P

Decline to admit any claim. The goods were sold by auction one of the conditions of sale being that they were to be taken with all faults & descriptions. 29/5 H.E.S. 31/-

~~From~~ These letters are the replies of the two firms to the orders of Govt. refusing to entertain their claims to compensation in the matter of their cinchona purchases. Messrs Wilson & Co. state that they will endeavour to obtain further evidence in support of their claim if Govt.

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will inform them what they require.

They also express their willingness to submit the matter to arbitration if Govt. wish it & they point out that the ~~request~~ claim they made is one such as, under similar circumstances, they wd. have made upon any merchant who had sold them produce of a quality not equal to that represented. The reply to this is that in similar circumstances any merchant wd. have treated such a claim in the manner that Govt. has done.

Messrs Arbuthnot & Co. dwell upon the "moral responsibility" of Govt. They also are willing to come to any terms or to submit the matter to arbitration.

The Govt. are saved, as the Advocate Genl says, from legal responsibility and it is submitted that no moral responsibility exists, for it has not been proved, or nearly proved that Mr Hooper's analysis is wrong

In analysing these bales much depends upon the kind of sample selected and it is quite possible the English analyst's samples were not fair ones.

It is submitted the two firms be informed that Govt. are not prepared to submit the matter to arbitration or to entertain their claims in any form.

Thos
20.5

It looks very much as if Messrs. Cruickshank & Wilson & Co were sending us Cinchona bark [illegible] them.

FOR ORDERS.

5

REVENUE DEPARTMENT.

Current No.

From

Dated 188 .

FOR ORDERS.

The papers have evidently a strong suspicion that Govt. have taken legal advice. This present communication is in strong contrast with those with which they opened the discussion. The moral has left Govt. does not appear to be by any means

clear.
The charge of Libel on
the Bench of Justices. It
seems to be the Result
of their having ascertained
that the Legal Authority
is

2/6

Rev. L. 3207 of 1-6-86

To Messrs Arbuthnot & Co
Messrs Wilson & Co.

Gentlemen

In reply to your letter of 14th May 13th May 1886 I am directed to inform you that the Govt. are unable to see that you have any claim upon them and that they decline to consider any proposals having for their object the repayment to you of a refund of the purchase money or compensation in respect of the cinchona bark purchased by you.

Has 1/6/86 L 1/6.

C. 22-5-86
R 31-5-86.

FOR ORDERS.

Claim of Messrs Arbuthnot & Co & Wilson & Co to Compensation on account of cinchona bark purchased by them.

2-c-no 7-29/86.

DISPOSED OF BY GOVT.
Mis. No.
Date

Mis. G.O. L. 3207 of 1-6-86

The Govt. decline to consider any proposals for a refund of the purchase money or compensation in respect of the cinchona bark purchased by Messrs Arbuthnot & Co. & Messrs Wilson & Co. and those firms will be informed accordingly

L 1/6. Has 1/6/86 R.T.O.

I. In the Rev. Botanist Dec 4/6.