

MADRAS RECORD OFFICE.

Government of Madras.

Judicial DEPARTMENT.

G.O. No.	197-198	Press
	60-62	~~Mis.~~
Dated	18-2-	19 18.60

Not to be folded or roughly handled

197-98-97

10.

*Proceedings of the Madras Government, Judicial Department,
for the month of February 1860.*

Read again letter from the Government of Bengal, recorded in Proceedings, 20th December 1859, No. 1695.

No. 60. Read also the following letter from G. S. FORBES, Esq., Collector of Ganjam; to T. PYCROFT, Esq., Chief Secretary to Government, Fort Saint George, dated 25th January 1860, No. 27.

I have the honor to submit for the information of Government the accompanying letter from Captain Smith the late Assistant Agent in Ganjam, dated Vizagapatam, 9th January 1860, affording the explanation called for in the Order in the Judicial Department of the 20th December last, No. 1695, respecting the non-adjustment of an advance made to the Sumbulpur Sibandy Levy in 1858.

2nd. Captain Smith with his Yadi or vernacular letter of the 1st February 1858, sent a Muster Roll and an abstract of pay of the Sumbulpur Sibandi Levy for January amounting to Rupees 566-3-2, and requested that this amount might be advanced to him. In the same Yadi he also requested an advance of Rupees 1,260, on account of pay for February. These two advances were made to him, of the amount of Rupees 566-3-2, he refunded on the 20th March, Rupees 4-15-9, being undisbursed pay of a certain Sibundi for January, thus reducing the first advance to Rupees 561-3-5. At the request of Mr. W. Knox the then Agent, he also rendered an Account Current of the amounts advanced to and disbursed by him. Subsequently the amount of the 2nd advance viz., Rupees 1,260, was remitted by a Bill. Captain Smith therefore is in no way to blame.

3rd. The non-adjustment of the amount of Rupees 561-3-5, was not discovered until Captain Dun called for an Account Current between him and this Office and excluded this amount from his account on the ground that it was an advance made to his predecessors and that it should be therefore recovered from them.

4th. Through an oversight no measures were adopted by the Sherista Department of my Office for the adjustment of this advance, as was stated in my letter to the Commissioner of Cuttack dated 13th October last, No. 128. The heads of the Sherista Department have been twice changed since the advance was made. No blame is due to the present heads of that Department.

5th. Captain Smith is also, as I have observed above, completely exonerated, and is justified in objecting to the language used by Captain Bird and Mr. Cockburn in reference to him.

6th. I therefore request that the Commissioner of Cuttack may be directed to remit the above sum to me by means of a Bill.

From Captain C. SMITH, 2nd European Light Infantry, late Assistant Agent in Ganjam; to G. S. FORBES, Esq., Agent and Collector to the Governor of Fort Saint George in Ganjam, dated Vizagapatam, 9th January 1860.

I have the honor to acknowledge the receipt of your letter, No. 1, under date the 3rd January 1860, enclosing a printed paper of correspondence received from Government, calling upon me to afford explanation in respect to the delay in not recovering the advance made to the Sumbulpur levy on account of their pay for January 1858. In reply I beg to offer the following remarks.

1st. In December 1857, Mr. Commissioner Cockburn addressed me privately requesting me to render him assistance in raising two complete Companies of Sibundies for emergent service in Sumbulpur. This letter I considered proper to forward to Mr. William Knox, then Agent and Collector in Ganjam for his information, and I lost no time in acceding to Mr. Cockburn's wishes and all requisite advances were most readily made by Mr. William Knox.

2nd. In January 1858, the sum of Rupees 561-3-5 being due to certain men as pay for January, was disbursed by me; about the middle of February of the same year Captain Bird took over charge of the two Companies with the sum of Rupees 1,260, which amount was subsequently remitted to me and forwarded to the Agent in Ganjam.

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for the month of February 1860.*

3rd. I regret that Mr. Cockburn in his letter to Captain Bird, No. 206, dated 20th October 1859, paragraph 4, should infer that I am to blame, and the language the Commissioner of Cuttack has thought proper to employ I respectfully submit appears to me most unusual, unwarrantable and offensive, and should Government concur I trust they will seek to obtain for me such redress as they may deem proper.

4th. I perfectly remember informing Captain Bird, that the sum of Rupees 561-3-5 had been paid to his men as pay due for January, and I distinctly asked him what he intended doing with regard to the adjustment of the same, when he replied that as January's pay had been advanced by Mr. William Knox and disbursed by myself before he assumed charge, he thought it best for the Agent in Ganjam to recover the amount from the Commissioner of Sumbulpur; this apparently has escaped Captain Bird's memory. I accordingly communicated this to the Agent and lost no time in forwarding pay abstracts and true copies of all payments made by me, I never from that time heard anything further regarding the matter, and the circumstance never occurred to me again for I naturally concluded that this sum had long ago been adjusted.

5th. I must observe that I was rather surprised to receive a yadust from you in August 1859 about this subject and I replied to it accordingly.

6th. If I may be allowed to offer an opinion, I think it possible that the delay might have been occasioned by Mr. William Knox having been appointed to another district and the sundry changes that unavoidably followed, which are well known to the Government.

7th. In conclusion, I beg most emphatically to deny that any omission or delay has been occasioned by myself in this case, as erroneously supposed by the Bengal Government. The printed correspondence which accompanied your letter under reply is herewith returned.

No. 61. ORDER THEREON, 18th February 1860, No. 197.

The above correspondence originated with a demand made in August 1859, by the Agent in Ganjam, on the Commandant of the Sibandi Levy, Sumbulpur, for the adjustment of a sum of Rupees 561-3-5, disbursed in February 1858, by Captain Smith, the then Military Assistant, as pay, due for the previous month, to the men of two Companies of the Sibandis, raised, at the request of the Commissioner of Cuttack, for service in the Sumbulpur country.

2. With that advance, another of Rupees 1,260, had at the same time been made out of the Ganjam Treasury as pay of the two Companies for February following, but as Captain Smith delivered charge of the levies to their Commandant during the month, the money, remaining undischarged, was made over to the Commandant, and by him duly adjusted by a remittance back.

3. In submitting the charge for sanction to the Bengal Government, comments were made, 1st as to whether the pay had really been disbursed, and 2^d as to the lengthened delay before a claim for its adjustment was made—an advance for the pay of the month following that for which the claim had been preferred, having been duly adjusted. The Government of Bengal in intimating that they have sanctioned the amount, remark that at this distance of time, Captain Smith is bound to vouch for its correctness, as well as to the fact of its having been disbursed, and request to be furnished with an explanation from him.

4. An explanation from that Officer has accordingly been submitted by the Agent in Ganjam. He observes that no blame attaches to his late Assistant. That Officer duly rendered to the Agent an account of the amounts advanced to and disbursed by him, but, through an oversight, no measures were adopted by the Sherista Department of the Collector's Office for the adjustment of the advance.

5. The Government resolve to furnish the Government of Bengal, as requested by their letter of the 2nd December last, with copies of Mr. Forbes' letter recorded above and of Captain Smith's letter appended to it. They consider that that Officer's explanation is quite satisfactory, and that his conduct is not such as it has been characterised in Mr. Commissioner Cockburn's letter.

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for the month of February 1860.*

6. The Agent will furnish Captain Bird, Commandant of the Sibandi Levy, Sumbulpur with a copy of Captain Smith's Account Current, to which allusion is made in paragraph 2, of his letter, together with any vouchers that may have accompanied it.

7. It will be pointed out to Mr. Forbes, in reference to the concluding paragraph of his letter, that the Government of Bengal have sanctioned payment of the amount claimed; and that there will be no difficulty now in obtaining a remittance of it from Captain Bird.

(Signed) T. PYCROFT,
Chief Secretary.

No. 62. To the Secretary to the Government of Bengal; dated Fort Saint George, 18th February 1860, No. 198.

I am directed to acknowledge receipt of Under Secretary Lord H. U. Browne's letter, 2nd December last, No. 6916, covering correspondence, which originated with a demand made in August 1859, by the Agent in Ganjam on the Commandant of the Sibandi Levy, Sumbulpur, for the adjustment of a sum of Rupees 561-3-5, disbursed in February 1858 by Captain Smith, the then Military Assistant, as pay, due for the previous month, to the men of two Companies of the Sibandies, raised at the request of the Commissioner of Cuttack, for service in the Sumbulpur country.

2. With that advance, another of Rupees 1,260, had at the same time been made out of the Ganjam Treasury, as pay of the two Companies for February following, but as Captain Smith delivered charge of the levies to their Commandant during the month, the money remaining undischarged, was made over to the Commandant, and by him duly adjusted by a remittance back.

3. In submitting the charge for sanction to the Bengal Government, comments were made 1st as to whether the pay had really been disbursed, and 2^d as to the lengthened delay before a claim for its adjustment was made, an advance for the pay of the month following, that for which the claim had been preferred, having been duly adjusted. In intimating that the Lieutenant Governor had sanctioned the amount, it was remarked that at this distance of time, Captain Smith is bound to vouch for its correctness, as well as to the fact of its having been disbursed, and an explanation from him was requested to be furnished.

4. An explanation from that Officer has accordingly been submitted by the Agent in Ganjam. He observes that no blame attaches to his late Assistant. That Officer duly rendered to the Agent an account of the amounts advanced to, and disbursed by him, but, through an oversight, no measures were adopted by the Sherista Department of the Collector's Office for the adjustment of the advance.

5. In transmitting copies of Mr. Forbes' letter and of Captain Smith's explanation appended to it, I have to state that Government consider that officer's explanation to be quite satisfactory and that his conduct is not such as it has been characterised in Mr. Commissioner Cockburn's letter.

6. The Agent has been instructed to furnish Captain Bird, Commandant of the Sibandi Levy, Sumbulpur, with a copy of Captain Smith's Account Current, to which allusion is made in paragraph 2 of his letter, together with any vouchers that may have accompanied it. The Agent has been informed, that, as the Government of Bengal have sanctioned payment of the amount claimed, there will be no difficulty now in obtaining a remittance of it from Captain Bird.

(Signed) T. PYCROFT,
Chief Secretary.

Exd. F. Cartledge.

Judicial.

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Proceedings of the Madras Govt.

Read against letter from
the Govt. of Bengal — Recorded in Proceedings,
20 Decem^r 1859 No. 165.

Read also letter from the
Agent in Ganjam — Enter 25 Jan^y 1860 No. 27.

Order — 10 February 1860 No. 177

[Handwritten signature and initials]

The above correspondence
originated with a de-
mand made ^{in Aug^t 1859} by the
Agent in Ganjam on
the Commandant of
the Sibandi Levy, Sum-
bulpur, for the adjust-
ment of a sum of Rs. 51.3.5 disbursed in
February 1858 by Captain
Smith, the then Military
Assistant, as pay, due
for the previous month,
to the men of two Com-
panies of the Sibandis,
raised ^{at} the request of the
Commissioner of Cuttack,
for service in the Sum-
bulpur

Sumbulpur Country.

2. With that advance, and then of Rs. 1260 had at the same time been made out of the Ganjam Treasury as pay of the two Companies for February following, but as Captain Smith delivered charge of the levies to their Commandant during the month, the money, remaining undischursed, was made over to the Commandant, & by him duly adjusted by a remittance back.

3. In submitting the charge for sanction to the Bengal Govt., comments were made - 1^o as to ^{whether} the pay had ^{really} been dis-
chursed, & 2^o as to the lengthened delay before

a claim for its adjustment was made - an advance for the pay of the month following that for which the claim had been preferred, having been duly adjusted. The Govt. of Bengal in intimating that they have sanctioned the amount, remark that at this distance of time, Captain Smith is bound to vouch for its correctness, as well as to the fact of its having been dis-
chursed - & request to be furnished with an explanation from him.

4. An explanation from that officer has accordingly been submitted by the Agent in Ganjam. He observes that
no

no blame attaches to
his late Assistant.
That officer duly
rendered to the Agent
an account of the ac-
counts advanced
to & disbursed by
him - but, thro' an
oversight, no measures
were adopted by the
Shroveton Depart-
ment of the Collector's
Office for the adjust-
ment of the advances.

The Govt. resolve to
furnish the Govt. of
Bengal, as requested
by their letter of the 2
Decr. last, with copies
of Mr. Forbes' letter re-
corded above & of
Captain Smith's
letter appended to
it. They consider

that that officer's ex-
planation is quite
satisfactory, & that
his conduct is not
such as it has been
characterised in
Mr. Commissioner
Lockburn's letter.

6. The Agent will furnish
Captain Bird, Com-
mandant of the Si-
bandi Levy, Sumbul-
pur, with copy of Cap-
tain Smith's Account
Current, to which allu-
sion is made in para-
2. of his letter, together
with any vouchers that
may have accompan-
ied it.

7. It will be pointed
out to Mr. Forbes, in
reference to the con-
cluding para. of his
letter

letter, that the Govt
of Bengal have sanc-
tioned payment of
the amount claimed
— & that there will
be no difficulty now
in obtaining a permit-
tance of it from Cap-
tain Bird.

[Signature]

The Govt. Agent, Gangam. Sept 23^d

Sept 23^d

Judicial.

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N^o: 198-

The Secretary to the Govt. of Bengal.

Sir,

[Signature]

[Signature]

[Signature]

I am directed to ac-
knowledge receipt of
Under Secretary Lord
H. W. Brown's letter,
2^d Decr. last N^o: 6916,
covering correspon-
dence which origi-
nated with a demand
made in August 1859
by the Agent in Gan-
jam on the Com-
mandant of the Si-
bandi Levy, Sumbul-
pur, for the adjust-
ment of a sum of Rs
561. 3. 5 disbursed
in February 1858 by
Captain Smith, the
then Military Assistant,
as pay due for the
previous month, to

the men of two Com-
panies of the Sibandies
raised at the request
of the Commissioner
of Cuttack, for service
in the Sumbulpur Coun-
try.

2. With that advance, ano-
ther of Rs. 1260 had at
the same time been
made out of the Ban-
gam Treasury as pay of
the two Companies for
February following—
but as Captain Smith
delivered charges of the
leaves to their Command-
ant during the month,
the money, remain-
ing undischarged, was
made over to the
Commandant, &
by

him duly adjusted
by a remittance back.

3. In submitting the
charges for sanction
to the Bengal Court,
comments were made
1^o as to whether the
pay had really been
disbursed, & 2^o as to
the lengthened delay
before a claim for
its adjustment was
made — an advance
for the pay of the
month following
that for which the
claim had been pre-
ferred, having been du-
ly adjusted. In inti-
mating that the Lieut.
Governor had sanctioned
the amount, it was
remarked that at this
distance

distance of time, Capt. Smith is bound to vouch for its correctness, as well as to the fact of its having been disbursed, & an explanation from him — was requested to be furnished.

An explanation from that officer has accordingly been submitted by the Agent in Gwalior. He observes that no blame attaches to his late Assistant. That officer duly rendered to the Agent an account of the amounts advanced to & disbursed by him — but, thro' an oversight, no measures were adopted by the Sheristah Department of the Collector's office for the ad-

adjustment of the advance.

In transmitting copies of Mr. Forbes' letter & of Captain Smith's explanation appended to it, I have to state that Govt. consider that officer's explanation to be quite satisfactory & that his conduct is not such as it has been characterised in Mr. Commissioner Cockburn's letter.

6. The Agent has been instructed to furnish Captain Bird, Commandant of the Simbandi Levy, Simbulpur, with a copy of

Captain Smith's Ac.

Count Current, to which
allusion is made in pa-
ra 2 of his letter, toge-
ther with any vouchers
that may have
accompanied it. The

Agent has been informed
that, as the Govt. of Ben-
gal have sanctioned
payment of the amount
claimed, there will be
no difficulty now in ob-
taining a remittance
of it from Captain
Bird.

Fort St. George
18 February 1860

J.P.

Gangai Collector's letter
and Encls to follow.

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From: of Apr 20 July..
Judicial 1870 Weymouth

14/198

To The Secretary to the
Government of
England

Dated 18th July 1882

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