

MADRAS-RECORD OFFICE.

Government of Madras.

Judicial DEPARTMENT.

G.O. No.

1186

Press

~~MIS~~

260-261

Dated

26.7.1862 49.

Not to be folded or roughly handled

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*Proceedings of the Madras Government, Judicial Department,
26th July 1862.*

No. 230. Read the following letter from G. S. FORBES, Esq., Collector and Magistrate, and Agent to Governor in Ganjam; to A. J. ARBUTHNOT, Esq., Acting Chief Secretary to Government, Fort Saint George, dated Chatterpore, 25th June 1862, No. 152.

Paragraph 1. I had the honor to address you by Telegram regarding the removal of my Acting Principal Assistant Mr. Hooper and the appointment of Captain Grove to succeed him.

2. In what I am about to say, I do not presume to question the acts of Government in providing for the exigencies of the Public Service in Chingleput, but, as the Officer responsible for the administration of this District, I may without failure of respect point out what those exigencies are in the Sub-division of Ganjam and how the present arrangement is unsuited to meet them.

3. The Sub-division constitutes a large and populous charge, in which cases requiring the exercise of the judicial functions of the Revenue Officers are numerous.

4. A Revenue Survey and Assessment are now commencing in the Kimeedy Estate, which forms a portion of the Sub-Collector's charge, and the duty of supervising the demarcation of boundaries and co-operating with the Surveying Officers devolves upon that Officer.

5. If the Goonipooram and Bissemcottah Purganahs of Jeypoor are added to the Magisterial charge of Ganjam as is I hear in contemplation, the Magisterial duties of the Principal Assistant will demand much energy and activity, I require therefore as my Principal Assistant an Officer of mature Revenue and Judicial experience and an active Magistrate. It cannot be said that Captain Grove possesses these qualifications, and it is well known that the Inspector General of Police did not find him efficient as a Superintendent and was anxious to dispense with his services.

6. But more important than any of these objections is the recent law which absolutely prohibits Captain Grove's employment as Assistant to a Collector and Magistrate, the office being one of those reserved to the Civil Service. I request therefore that an efficient Revenue and Magisterial Assistant may be sent me as early as possible. The return of Mr. Hooper would be most acceptable to myself and of advantage to the Sub-Division with which he has made himself thoroughly acquainted.

7. I have no Agency work in the Sub-division for Captain Grove except cases from Pur-lakemedy.

8. Enclosed, I submit copies of a letter addressed to Government by a former Collector Mr. Smollett on this subject and their orders thereon.

From P. B. SMOLLETT, Esq., Acting Agent to the Governor in Ganjam; to the Chief Secretary to Government, Fort Saint George, dated Chatterpore, 1st November 1845, No. 184.

1. In the Extract from the Minutes Consultation of the 30th September received this day, I am directed to report fully in reference to paragraph 43 of my letter of the 6th September last, the considerations that suggest the propriety of filling the appointment of Principal Assistant Agent from the ranks of the Civil Service.

2. The situation adverted to by me was that of Principal Assistant to the Collector and Agent in Ganjam to the Governor of Madras. It is of importance I think that the Officer who holds this appointment should be of the Covenanted Civil Service. It matters not in my estimation who shall hold the post of Principal Assistant to the Meriah Agent in Orissa, or that there should be such an office at all.

3. In the first place a Military Officer cannot hold the office legally of Assistant to the Collector, consequently he is nominated Assistant to the Agent only, and he has no powers except on Zemindaries withdrawn from the ordinary Regulations. He is thus useless as an Assistant beyond those limits and cannot with propriety be employed as Assistant to the ordinary Magistrate.

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4. Neither can he legally assist in the fiscal administration of the Government Talooks in Ganjam nor superintend the Salt or Sea Custom revenues, nor the Post Office. In fact his powers are limited and narrowed and the Chief Assistant ceases to be available for general purposes.

5. Ganjam is a very long and a very straggling district, at one end the Wadadah Government Talook, and the Hill Zemindary of Purlakemedy. At the other the Talooks of Poobacone, and Itchapoor, and the great Zemindaries of Goomscoor, Hautghur and Mohery. Until the Agency was established a Sub-Collector was stationed at Chicacole who Superintended Wadadah and Purlakemedy yielding upwards of three lacs of revenue, besides supervising the Salt Pans and the receipts therefrom. There is also a Treasury at that station of which he had charge.

6. No Officer but a Civilian can hold such a charge, a Military Officer not being Assistant to the Collector or Magistrate.

7. On the occasion too of the Collector requiring leave of absence, or if the District be left without a head from death, or any casualty, the Principal Assistant Agent is not legally competent to assume charge or to carry on the duties of the Collectorate.

8. These and other considerations arising out of the distance of this Province from the seat of Government, and the difficulty of finding a substitute for the Collector on any emergency, constitute in my mind strong reasons for filling the office when vacant, with a Civil Servant of standing and Revenue experience if such a person can be found.

REVENUE DEPARTMENT.

No. 1,364.

Extract from the Minutes of Consultation, under date the 18th November 1845.

Read the following papers:—

From the Acting Agent to the Governor of Fort Saint George in Ganjam.

(Here enter, 1st November 1845, No. 184.)

Paragraph 1. Upon the grounds stated in the letter from the Acting Agent and Collector of Ganjam recorded above, the Most Noble the Governor in Council resolves to nominate a Civil Servant to the Office of Principal Assistant, and it is observed that Mr. Shubrick has been appointed accordingly under this date to that office.

2. His Lordship in Council further resolves to direct that the sanctioned body of Sibbendies be placed under the charge of the Military Assistant to the Agent, Lieutenant Frye.

(A true Extract.)

(Signed) E. P. THOMPSON,

Secretary to Government.

To the Acting Agent and Collector of Ganjam.

(True Copies)

(Signed) G. S. FORBES,

Collector and Agent to Governor.

No. 261.

ORDER THEREON, 26th July 1862, No. 1,186.

Owing to the very small number of Covenanted Civil Servants who have been appointed from Home during the last five years, the numerical strength of the Service has of late been considerably reduced, and in almost every District the Collector has been left with a very inadequate staff of Covenanted Assistants. At the present time in no less than nine Districts the office of Head Assistant Collector and Magistrate is vacant and the office of Assistant Collector and Magistrate is filled in only six Districts. In the extensive District of Bellary there are only two Covenanted Revenue Officers. The case is the same in the Godavery and Kistna Districts, in North Arcot, Tanjore, Madura and in South Canara. A few weeks ago the Collector of South Arcot having been compelled by illness to go away on leave, the transfers which it was found necessary to make in consequence led to the Sub-Collectorate of the Madras District being left vacant, and there was no Covenanted Civil Servant who could be appointed to the vacancy without reducing the already inadequate Agency in some other District.

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2. At this juncture Captain H. L. Grove of the Staff Corps and Superintendent of Police in South Canara, arrived from England. Captain Grove had been employed for nearly four years as Assistant Agent at Kurnool before that District was brought under the ordinary regulations, and in that capacity had acquired experience in the several branches of the Civil Administration, Revenue, Magisterial and Judicial. He had for two years conducted the annual Revenue Settlement of a division of the District, and had proved himself a zealous and efficient Officer. He had previously been employed for four years in the Public Works Department in the Northern Circars and during that time had passed the prescribed examination in the Telugu language. He had also passed as an Interpreter in the Hindustani language, and after the abolition of the Kurnool Agency he had served for nearly a year as Superintendent of Police in the Nellore District. His service in the Telugu country in the three branches of the Civil Administration above referred to extended over a period of nine years.

3. Under the circumstances it was deemed advisable to take advantage of Captain Grove's services in one of the Agency tracts of Ganjam or Vizagapatam, transferring one of the Covenanted Officers employed in these Districts to the vacant Sub-Collectorate of the Madras District, and appointing Captain Grove in his place. Mr. W. S. Hooper was accordingly appointed to act as Sub-Collector and Joint Magistrate of the Madras District and Captain Grove was appointed to act as Principal Assistant to the Governor's Agent in Ganjam. On the appointment appearing in the Gazette, the Agent requested by telegraph that it might be cancelled on the ground that Mr. Hooper could not be spared and that an Officer of Revenue experience was required in the Principal Assistantship. The Governor in Council being satisfied that Captain Grove's experience in Kurnool was quite sufficient to enable him to perform the duties, Revenue and Magisterial as well as Judicial, which devolve on the Principal Assistant in Ganjam, saw no grounds for disturbing the appointment. Two other telegrams were subsequently received from Mr. Forbes in which he represented that Captain Grove could not legally be appointed Assistant to the Collector and Magistrate, and as it appeared that a considerable part of the Principal Assistant's charge was not included in the Agency tracts, it was resolved to re-Gazette Captain Grove and to make his appointment provisional under Act 24 and 25 Victoria, Cap. LIV, reporting it to the Secretary of State for confirmation. In the letter recorded at the head of these Proceedings, the Agent has repeated more in detail the objections urged in his telegraphic communications against the appointment of Captain Grove. He assumes that Captain Grove has had no Revenue experience, apparently overlooking or not being aware of Captain Grove's previous employment as a Revenue Officer in Kurnool, and he then proceeds in a most unwarrantable manner to impugn Captain Grove's fitness for the office in other respects on the ground of reports which he appears to have heard with reference to the manner in which Captain Grove discharged his duties as a Superintendent of Police. Mr. Forbes has since requested by telegram that his protest against the appointment of Captain Grove as explained in his letter and in one of his previous telegrams may be submitted to the Secretary of State.

4. The Governor in Council is constrained to observe that Mr. Forbes has altogether gone out of his province in the course which he has taken in this matter. It was quite right that he should bring to the notice of Government the necessity of having an Officer in charge of the Sub-Division of his District who was legally competent to exercise Revenue and Magisterial functions in all the Talooks included in his charge, and if he entertained doubts as to the legality of the appointment of Captain Grove, he was quite justified in submitting them for the consideration of Government. But it was no part of his duty and was altogether unjustifiable that he should cast reflexions on the efficiency of an Officer who had been selected by Government for a particular office, and of whose previous career he has evidently little or no knowledge. The request, moreover, contained in his last telegram that his protest, as he terms it, should be submitted to the Secretary of State, thus putting himself forward as an appellant against an appointment which after full consideration the Governor in Council has declined to cancel, betrays a singular misapprehension of his position with reference to the Government under which he is employed.

5. One of the arguments urged by the Agent against the legality of the appointment of Captain Grove is that he has not passed the Examinations which Covenanted Civil Servants are

*Proceedings of the Madras Government, Judicial Department,
20th July 1862.*

required to pass. It has been laid down by the Governor General in Council that the tests to be passed by Military Officers appointed to offices in the Civil Department shall be passed after a period of probation, and the Madras Government have recently recommended that the period to be allowed shall be eighteen months. Captain Grove will be required to pass the Assistants' examination according to the 2nd or higher standard, excepting the 2nd language which is not to be required from Officers who have passed for Staff or as Interpreters, within 18 months from the date on which he entered upon his duties as Principal Assistant to the Collector. His confirmation in the appointment in which he is acting, should it become permanently vacant, will depend upon the exigencies of the Service and on his having passed that examination—and meanwhile his retention in the acting appointment will be subject to the approval of the Secretary of State, to whom the appointment will be reported.

(Signed) A. J. ARBUTHNOT,
Acting Chief Secretary.

Exd. F. Cartledge.

Judicial Department.

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PROCEEDINGS of the MADRAS GOVERNMENT.

*Read the following letter
from the Collector and Magistrate
and Agent to the Governor of
Fort St. George in Ganjam.*

(H.O. 25 June 1862 No 152)

Order thereon 26th July 1862 No 1186.

*Swins to the very small
number of Covenanted Civil
Servants who have been ap-
pointed from home during
the last five years, the
numerical strength of the
Service has of late been con-
siderably reduced, and in
almost every District the
Collector has been left with
a very inadequate staff of
Covenanted Assistants. At
the present time in no less
than nine Districts the office
of Head Assistant Collector
and Magistrate is vacant,
and the Office of Assistant
Collector & Magistrate is
filled in only six Districts.*
Su

N. M.

G. M.

In the extensive District of
Ballymore there are only two
Commissioned Revenue Officers.
The case is the same in the
Godavary and Krishna Districts,
in North Arcot, Tanjore,
& Madras, in South Arcot
& in which the Collector
of South Arcot having been
compelled by illness to go
away and leave the District
which it was found necessary
to make in consequence.
Left to the Sub Collector
of the District, the District
being left vacant, and there
was no Commissioned Civil
Servant who could be ap-
pointed to the vacancy
without renouncing the usual
inadequate agency in some
other District.

2 At this juncture
Captain H. L. Grove of the
Staff Corps and Superintendent
of Police in South Arcot
arrived from England on
leave. Captain Grove
had been employed for
nearly four years as
Assistant

Assistant Agent at Bunnell
before that District was
brought under the ordinary
regulations, and in that
capacity, had acquired ex-
perience in the general
branches of the Civil Admini-
stration Revenue, Magiste-
rial and Judicial. He had
for two years conducted the
annual Revenue Settlement
of a Division of the District,
and had ~~from his early & zealous and efficient services~~
~~by the services in which he~~
~~discharged his duties.~~ He had
previously been employed
for four years in the Public
Works Dept. in the Northern
Circars and during that
time had passed the pre-
scribed examination in the
Telugu language. He had also
passed as an Interpreter
in the Hindustani language
and after the abolition of
the Bunnell Agency he
had served for nearly a year
as Superintendent of Police
in the Bunnell District. His
Service

service in the Madras Country
in the three branches of the
Civil Administration above
referred to extended over a
period of nine years.

3 Under the circumstances
it was deemed advisable to
take advantage of Captain
Grove's services in one of
the Agency tracts of Ganjam
or to appoint him, ~~as a~~ ⁱⁿ ~~the~~ ^{the}
service of the Commanded
Officers employed in these
Districts to the vacant Sub-
Collectorate of the Marra
District, and appointing
Captain Grove in his place.
Mr. W. S. Hooper was ac-
cordingly appointed to act
as Sub Collector and Joint
Magistrate of the Marra
District and Captain Grove
was appointed to act as
Principal Assistant to the
Governor's Agent in Ganjam.
On the appointment ap-
pearing in the Gazette the
Agent requested by telegraph
that it might be cancelled
on the ground that Mr. Hooper
could

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that an Officer of Revenue
experience was required in
the Principal Assistantship.
The Governor in Council
being satisfied that Captain
Grove's experience in Burmah
was quite sufficient to enable
him to perform the duties,
Revenue, Magisterial as
well as judicial, which
devolved on the Principal
Assistant in Ganjam saw
no grounds for disturbing
the appointment. Two other
telegrams were subsequently
received from Mr. Forbes
in which he represented
that Captain Grove could
not legally be appointed
Assistant to the Collector
and Magistrate, and as it
appeared that a considerable
part of the Principal As-
sistant's charge was not in-
cluded in the Agency tracts,
it was resolved to re-gazette
Captain Grove and to make
his appointment provisional
under Act 24 of 1825. Sec. Cap.
IV, reporting it to the Sec-
etary of State for confirmation.
In

In the letter recorded at the head of these proceedings the Agent has repeated more in detail the objections urged in his telegraphic communications against the appointment of Captain Grove. He assumes that Captain Grove has had no Revenue experience, apparently overlooking or not being aware of Captain Grove's previous employment as a Revenue Officer in Karnool, and he then proceeds in almost unwarrantable manner to impugn Captain Grove's fitness for the office in other respects on the ground of reports which he appears to have heard with reference to the manner in which Captain Grove discharged his duties as a Superintendent of Police. Mr Forbes has since requested by telegram that his protest against the appointment of Captain Grove as explained in his letter and in one of his previous

previous telegrams may be submitted to the Secretary of State.

The Governor informed is constrained to observe that Mr Forbes has altogether gone out of his province in the course which he has taken in this matter. It was quite right that he should bring to the notice of Govt. the necessity of having an Officer in charge of the Sub-division of his District who was legally competent to exercise Revenue and Magisterial functions in all the Talooks included in his charge, and if he entertained doubts as to the legality of the appointment of Captain Grove he was quite justified in submitting them for the consideration of Govt. But it was no part of his duty and was altogether unjustifiable that he should cast ^{when was} aspersions on the efficiency of an Officer who

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Spots for a particular
Office, and of whose previous
career he has evidently
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His request, moreover, con-
tained in his last telegram
that his protest, as he terms
it, should be submitted to
the Secretary of State, thus
putting himself forward
as an appellant against
an appointment which,
after full consideration,
the Governor in Council has
declined to cancel, betrays
a singular misapprehension
of his position with reference
to the Government under
which he is employed.

5 One of the arguments
urged by the Agent against
the legality of the appoint-
ment of Captain Groves
is that he has not passed
the examinations which,
Covenanted Civil Servants
are required to pass. It
has been laid down by
the

The
the Governor General in
Council that the tests to be
passed by Military Officers
appointed to offices in the
Civil Department shall be
passed after a period of
probation, and the Mi-
nistery have recently re-
commended that the
period to be allowed shall
be sixteen months. Captain
Groves will be required to
pass the Assistants' exami-
nation according to the
2d or higher standard, ex-
cepting the 2d language
which is not to be required
from Officers who have
passed for Staff or as
Interpreters, within 10
months from the date on
which he entered upon
his duties as Principal
Assistant to the Collector.
~~He will not be~~ ^{His} ~~confined~~ ⁱⁿ
in the appointment in
which he is acting, should
it become permanently
vacant, ~~until he shall~~ ^{will depend upon}
have.

the exigencies of the Service
 and on his having passed that exami-
 nation - and ~~meanwhile~~
~~there is still~~ his selection
 in the acting appointment
 will ~~then~~ be subject
 to the approval of the
 Secretary of State, to whom
 the appointment will
 be reported.

[Signature]

the Master Magistrate
 with him & in
 prison of 1st & 2nd in prison
 Captain H. L. from para 5 in the
 words "it has been
 laid down"

as page 28

[Faint handwritten notes and signatures at the bottom of the page]

*W. H. Miller to S. J. B. Smith,
Abilene, 8-8-1882.*

W. H. Miller
Abilene 1862. Department.

No. 1183.

PROCEEDINGS OF GOVERNMENT.

Dated 23rd of Aug 1882.

7/15/1854.

" 8/29/82.

*These contain within
them to the Agent in
charge respecting the
abolition of the School
system of the Agency
for the Suppression of
Slave Labor.*

W. H. Miller

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