M.R.O. 1—32,000—16-10-22.

MADRAS RECORD OFFICE.

Government of Madras.

Judicial DEPARTMENT.

G.O. No.	1584	Press ~~Mis=~~
11-12 Dated	1—11— ~~19~~ 1864	

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Not to be folded or roughly handled

Proceedings of the Madras Government, Judicial Department,
1st November **1864.**

No. 11. Read the following Proceedings of Government in the Revenue Department, dated 22nd October 1864, No. 1948.

Dismissing Overseer Lennon from the Forest Department, as unworthy of confidence, and prohibiting his employment in any civil capacity under Government. (Vide Proceedings, Revenue Dept., dated 22nd October 1864, Nos. 269—271.)

No. 12. ORDER THEREON, 1st November 1864, No. 1584.

To be recorded.

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

Exd. T. Cartledge.

roceedings of the Madras Government, Revenue Department,
22nd October 1864.

Read the following letters:—

From Captain R. H. BEDDOME, Officiating Conservator of Forests, to J. D. SIM, Esq., Secretary to Government, Revenue Department, Fort Saint George, dated Camp Ootacamund, 15th August 1864, No. 1,004.

With reference to paragraph 10 of the Government Order No. 827, of the 14th of May ave the honor to submit a letter from Overseer Lennon forwarded through me.

As to the statement made by Mr. Lennon in paragraph 2 of his letter, I must observe measurement of planks in the Anamallais, whether cut by Axemen or Contractors, has een Dockyard measurement and not outside measurement. Mr. Lennon was fully aware id knew that all planks whether cut by Axemen or Contractors had always been paid for ard measurement.

Mr. Lennon visited the Anamallais when I was up there in July last, he did not then o state that he understood the measurement was to have been outside measurement, vindication he offered was that he was not responsible for the measurements, and that he it when Captain Brine made the contract. I informed Major Brine of Mr. Lennon's , and I herewith forward a copy of Major Brine's reply.

From Captain R. H. BEDDOME, Officiating Conservator of Forests, to C. G. MASTER, Esq., Deputy Secretary to Government, Revenue Department, Fort Saint George, dated Camp Ootacamund, 8th September 1864, No. 1,065.

With reference to your Official Memorandum No. 130, of the 25th of August, I have the orward the original Contract alluded to together with a translation.

may here observe that all planks, whether cut by Axemen or by Contractors, have n paid for by Dockyard measurement, in short no other measurement has ever been in Anamally Forest; even if this had not been the case and if distinct rules had not been in the Forest Manual to regulate measurements, Mr. Lennon's excuse that he under- the measurements were to be outside measurements could not avail him much, as his nts are very greatly in excess of even the outside measurements.

he Contract states that first, second and third sorts are to be paid for at 1 Rupee per t (cubic foot?), this I presume means the first, second and third Bombay classes. nks however were paid for at that rate, and there are many of the fourth and fifth class ny that come under the head of rejected planks.

ORDER THEREON, 22nd October 1864, No. 1,948.

rests, No. 16.

1. With the first of these letters the Officiating Conservator of Forests forwards the explanation which, in paragraph 10 of G. O. 14th May last, No. 827, Overseer Lennon to submit with reference to his alleged falsification of the measurements of certain collusion with the Contractors, whereby the Government were defrauded of a large ey.

. Lennon's defence amounts to this, viz., (1) that his measurements were correct, and (2) ntract was entered into on the understanding that 1 Rupee per cubic foot was to be ing to the actual cubic contents and not according to Dockyard measurement.

support of his first assertion he states that he has re-measured, after a method which to be the most accurate, forty-eight (48) of the planks in question, and that while *rough* measurement (no allusion is made to the *Dockyard* measurement) of the same planks gives 932 feet as the cubical content, his own makes it 1,203 feet or a difference of 271 cubic feet, and he argues from this that were the whole number (469) re-measured, an excess over the difference* which (as he assumes) he has been called upon to account for, would be found to exist in his favor.

erseer Lennon's riginal measure-ment.	Mr. Spring's rough mea-surement.	Difference be-tween columns 2 and 3.
Cubic feet.	Cubic feet.	Cubic feet.
10,858	8,907	1,951*

further names the Officiating Conservator himself as having acknowledged that his easurements were accurate, though sufficient allowance had not been made for This, however, is not borne out by the letter of Captain Beddome's, to which he refers.

5. As to the second point touched in the defence, there is nothing in the Contract (translation and original of which accompany the second letter recorded above) to bear out Mr. Lennon's assertion that payment was to be made on the basis of outside measurement as distinct from Dockyard measurement. On the other hand, Captain Beddome states that "all measurement of "planks in the Anamallais, whether cut by Axemen or Contractors, has always been Dockyard "measurement and not outside measurement," and that Mr. Lennon was fully aware of this, distinct rules on the subject being laid down in the Forest Manual.

6. The Contract merely states that the Contractor was to receive for the first, second and third sorts at the rate of 1 Rupee per square (?) foot. That this might be supposed to refer to outside measure seems to have occurred to Mr. Lennon, as an after-thought, for he never attempted to raise this plea, when he met Captain Beddome on the Anamallais, but merely stated that he was not responsible for the measurements, and that he was away when the contract was made.

7. Even if the excuse that he understood *outside* measurement to be intended could be accepted, the Overseer would not be exonerated, for not only were the measurements on which payment was made greatly in excess of outside measurement, but *all* the planks, though many were of the fourth and fifth classes (instead of the first, second and third) and many unfit to be accepted at all, were paid for at the full rate.

8. The Government have no intention of re-opening the question of measurement, as proposed in paragraph 4 of the Overseer's explanation. The examination undertaken by Mr. Spring was, apparently, of the most careful character, and the mode adopted by him was approved* of by Mr. Cabral, the Bombay Government Timber Agent at Ponani.

* G. O. 14th May 1864, No. 827, paragraph 8.

9. The Governor in Council is satisfied that Mr. Lennon has been concerned in a gross attempt to defraud, which has been successful to a certain extent. There is every reason to believe that the contract was arranged through his means, and there is more than a suspicion that he has benefited largely by it. Under these circumstances he will be dismissed from the Department as unworthy of confidence, and his employment in any civil capacity under Government prohibited.

10. Major Brine, in a letter which Captain Beddome forwards with his first communication above recorded, while declining to prosecute the Overseer on his own account, expresses an opinion that this "should certainly be done by Government on public grounds." He is under the impression that the Secretary to Government had intimated that such course would be followed, in the event of the Overseer's explanation proving unsatisfactory. In this, however, he was mistaken. The Government would have no objection to a criminal prosecution were sufficient proof for a legal conviction attainable, but, as the case stands, they doubt the expediency of attempting it.

(True Extract.)

Secretary to Government.

To the Officiating Conservator of Forests.
" the Judicial Department.
" the Public Department.
" the Educational Department.
" the Political Department.
" the Financial Department.
" the Financial Railway Department.
" the Marine Department.
" the Public Works Department.
" the Military Department.
" the Board of Revenue.
" the Director of Revenue Settlement.
" the Superintendent of Revenue Survey.
" the Inám Commissioner.
" the Superintendent, Chinchona Plantations.

Exd. S. T. Augustin.

Rect. 1st Nov.

Judicial Dep.

Proceedings of Govt. in Revenue Dpartt

No. 1948.

Dated 22 Oct. 64.
Rec'd 27.

No. 2233

Dismissing overseer Lennon from the Forest Dept. as unworthy of confidence, and prohibiting his employment in any civil Capacity under Govt.

To Lodged.
Mad. Mail 29/64.

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