

Judicial (1897) Department.

ORDINARY PRINTED.

G.O., No. 448-9.

DATED 29-3-97

Press
Print confidentially
but don't mark
it so please
soon please
NB.
29/3/97

[Despatch Abstract.]

M^r S. D. Simpson, Dy. Comm^r of Police, Madras.

Forwarding [to the Govt. of India] a memorial
from — appealing against the order of this Govt
declining to grant him furlough for two years

Press

[omit for letter]

BACK PAPERS.

G.O.	No.	Department.	Date.	G.O.	No.	Department.	Date.
	323	Jud	8-5-97				

FURTHER PAPERS.

G.O.	No.	Department.	Date.	G.O.	No.	Department.	Date.
Cus	1977	897 (copy from 900)					
Cnos	3186 & 3672	7/3/97					

Judicial (1897) Department.

CURRENT No. 969



From The Commissioner of Police,
Madras.

No. 27

Dated 5th March 1897.

Received 5
Registered 6 } 3-97

Enclosures - 5

Spare copies

SUBJECT.

Mr. J. D. Simpson,

Honorary Member
of — to the Govt. of India.

18/3/97

BACK PAPERS.

G.O.	No.	Department.	Date.
	323	8-3-97	1st
	321		29-1-97
	179	f	22-2-97
	264	—	

FURTHER PAPERS.

G.O.	No.	Department.	Date.

rough The Commissioner of Police
Madras.

Madras
4th March 1897.

CURRENT No. 969

From,

S. D. Simpson Esq.

Deputy Commissioner of Police (on leave)
Madras.

To,

The Chief Secretary
to Government
Madras.

Sir,

I have the honor to request the
Government of Madras to kindly
forward, at its earliest convenience,
this my appeal, with enclosures,
to the Government of India
and to send the reply addressed
to me to care of Mr. James Short,
Solicitor, Armenian Street, Black
Town. Madras.

I have the honor to be
Sir

Forwarded to the
Chief Secretary to
Government Madras.

W. A. P. H. M.
S. D. Simpson
5-3-97.

Your most obedient servant
S. D. Simpson
Deputy Commissioner of Police
(now on leave)

C 13/3/97
R 20/3/97

[C 25]

500-3-10-96

Ind. DEPARTMENT.

C. No. 969

W. Simpson's memorial to the
Govt. of India. -

FOR ORDERS.

Agree with the
C.S.

BS
18/3/97

JS
18/3/97

H.54

19.3.97

This memorial appeals against the refusal to grant W.S. the two years furlough for which he applied in his letter in 90. ^{129.J.} 6.2.97

This furlough was refused because Govt. did not think that W.S. was entitled to any further indulgence than that already granted him - viz. that he might take furlough until he was entitled to pension.

It is thus an appeal against the severity of the punishment inflicted upon him for the original fault of being drunk & disorderly at the "sea or land". Such an appeal can hardly be well disposed of until it is decided whether or not the main charges were or were not true, & whether the facts attending them taken all

together merited severe or gentle
treatment. The appeal, in
fact, amounts, it is submitted,
to an appeal on the whole case.

W.S. says he is going to
appeal later on on the whole
case, & this makes it difficult
to now draft a letter to India
on the present appeal for such
a letter would necessarily traverse
the whole case, & yet be unable
to answer Mr. Simpson's
memorial, & a further patch-
work sort of letter would be
necessary when that memorial
was received.

Submitted therefore that Mr.
Port, Mr. Simpson's solicitor, may be
told that the present appeal is
only against an order which
refused to reconsider a previous
order & that the main appeal
against the previous order will
be awaited before sending it on.

If this is done the "Madras
Times" will doubtless say that the
Govt. is preventing his appealing,
but that doesn't seem to matter much.

W.S.

[G.]
26 40
99-14-12-96.

C. No.

DEPARTMENT

E. THE GOVERNOR. (3)

IE HON'BLE MR. BLISS, C.I.E. (1)

IE HON'BLE MR. GROSE, C.I.E. (2)

SUBJECT.

FOR ORDERS.

I submit that the course suggested by
the G.O. is not altogether inadvisable. I
would suggest that the memorial case
be sent to the G.O. with a brief
letter stating that Mr. Simpson had
been in the opinion of the Port-
bury of misconduct such as
to render his retention at the
prison desirable
and that he was accordingly directed
to take furlough until the 5th July
next when he would be qualified
for pension. It might be pointed out
that allowing Mr. S. to remain in
prison for two years and then retire
would be tantamount to letting him
go with much ^{only} increased pension
say from Rs. 272 p.m. to Rs. 387.
It might also be said
that as it appears that Mr. Simpson

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appealing against the order of
this Govt for his case any statement
of the grounds upon which that order
was based will be reserved until
the 20th.

12

12/3/97

W. Simpson's memorial. - 22/3/97

26/3/97 Ind.

DEPARTMENT.

[24.]

500-28-10-96.

Papers to be read in proceedings:-

the Governor

(Letter to India.)

Again G.O., dated

189 , No.

Again G.O., dated

189 , No.

Current No.

969

of 1897, dated

, from

" " " "

" 189 , "

" " "

" " " "

" 189 , "

" " "

Eight of the Court of Police No. 27 of 5 March 1897 from the Commr. of Police, Madras
from Mr. D. B. Simpson, Dy. Commr. of Police, Madras

ORDER. NO 448 of 29-3-97

P.S.

The memorial will be forwarded
to the Govt. of India.

12

22/3/97

per 7/4/97

Commr. of Police. (C.O.)

Letter

NO 449

depts with
intend to do
encls: 7/4/97

to Sec. to G. of I. (H.D.)

in

(for the order of the G. of I.)

I am directed to forward the
accompanying memorial from Mr.
S. D. Simpson, Dy. Commr. of Police, Madras
City, appealing against the order
of this Govt. No. 179. Judicial
6.2.97
Declining
to grant him furlough for two
years.

The explanation of the
circumstances in which the
refusal was made is as follows:-
At Simpson's govt. No.
99. Jud. 21.1.97, a copy of which is attached to

to get the memorial Mr. Simpson was
 found by this Govt. to have been
 fact in a state of intoxication while
 on duty at a public entertainment
 on the 2nd October last, & to
 after have been under the influence
 of alcohol at ~~and~~ ^{at} the
 to some entertainment on the day
 on preceding. It was also found
 that on both days he behaved
 in a manner highly ^{unbecom}ing
 to his position both at the inter-
 me ^{tainment} & elsewhere. Mr. S.
 was an officer of long service who
 formerly ^{was} a good character,
 he & H.E. in C. is desirous of treating
 was him with leniency on this account.
 the order on his case accordingly
 decided that ~~Mr. Simpson~~ ^{he} should
 take furlough until the 3rd July
 1897, by which date he will have
 completed 30 years ^(he is entitled to a pension, & service) service &
 that he should thereafter retire.
 upon such pension as he was
 entitled to.

Note
 This word ~~helpless~~ should be omitted.
 18/11

3. Mr. S. ~~has~~ ^{has} two years
 furlough due to him & his furlough
 allowances ^(Rs 400) & ^{Rs 372.7.5} the pension
 to which he would be entitled on
 the 3rd July & moreover as the

furlough would count as
 pensionable service ^{the grant}
 of it ^{to which he is entitled}
 of the furlough ^{due to him}
 could increase Mr. S's pension ^{by Rs 372.7.5}
 H.E. in C. has, however, of opinion
 that though the circumstances of
 the case against Mr. Simpson were
 such that it would ^{not} be ⁱⁿ equitable to
 permit him to take furlough for
 so long a time as would enable
 him to earn a pension ^{until}
 he was entitled to pension, there
 was no reason why Mr. S. he
 should be ^{granted} ^{any special in-}
 dulgence by being permitted to draw
 furlough pay instead of pension
 for two years & thereafter to retire on
 an enhanced pension. H.E. in
 C. accordingly declined to grant
 Mr. S's ^{request} ~~two years' furlough~~ & it is
 against this order that he now
 appeals.

4. It will be evident to the
 Govt. of India that this appeal is
 practically an appeal against the
^{degree} measure of punishment awarded by
 the Govt. to Mr. S. & so also an

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~~appeal also against the finding upon~~
~~which he was punished.~~ (4) W. S.
states in his memorial that he intends
presenting a separate memorial to H.E.
the G. & C. regarding the finding
of the Govt. that he was intoxicated on
duty, ~~but it appears to this Govt. to~~
~~be impossible to separate the two~~
~~matters with convenience, I am~~
~~accordingly directed to address you~~
~~upon the whole case now - it~~
and this will be forwarded on receipt
by this Govt. with such comment as may
appear to be necessary. The present
appeal is this ^{apparently a protest} ~~an appeal~~ ^{merely} against the
degree of punishment which the Govt.
awarded to Mr. Simpson for his conduct
on the 1st & 2nd Oct.

5. As has been stated above the
punishment was intended by this Govt. to be
lenient, in view of W. S.'s long service
& former good character, H.E. in C.
has accordingly no recommendation
to make in the memorialist's favour.

W. S. 20357.

20/8/97

~~appeal also against the finding upon~~
~~which he was punished.~~ (3) W. S.
states in his memorial that he intends
presenting a separate memorial to H.E.
the G. & C. regarding the finding
of the Govt. that he was intoxicated on
duty, ~~but it appears to this Govt. to~~
~~be impossible to separate the two~~
~~matters with convenience, I am~~
~~accordingly directed to address you~~
~~upon the whole case now - it~~
and this will be forwarded on receipt
by this Govt. with such comment as may
appear to be necessary. The present
appeal is this ^{apparently a protest} ~~an appeal~~ ^{merely} against the
degree of punishment which the Govt.
awarded to Mr. Simpson for his conduct
on the 1st & 2nd Oct.

22/8/97

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Government (1897) of Madras.
JUDICIAL.

Proof submitted to
US for approval.

US
3/4/97
H. S. J.

Recd.

Enclosures

1897.

Regd.

Spare copies

G.O., No. 448, 29th March 1897.

MARCH.

Know
Please strike off & furnish
copies as follows:—
Letter = 31 (one for signature)
order = 2 (one for signature)
Letter order = 25
US
3/4/97

Mr. S. D. Simpson, Deputy Commissioner of Police, Madras City.

Forwarding to the Government of India a memorial from—appealing against the order of
this Government declining to grant him furlough for two years.

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No. 448, JUDICIAL, 29TH MARCH 1897.

GOVERNMENT OF MADRAS.

JUDICIAL DEPARTMENT.

READ—endorsement of the Commissioner of Police, No. 27, dated 5th March 1897, forwarding a memorial from Mr. S. D. Simpson, Deputy Commissioner of Police, Madras City.

ORDER—No. 448, Judicial, dated 29th March 1897.

The memorial will be forwarded to the Government of India.

[Here enter No. 449, Judicial, dated 29th March 1897.]

(True Extract.)

J. F. PRICE,
Chief Secretary.

To the Commissioner of Police.

Exd. S. J. Pereira.

Government { 1897 } of Madras. JUDICIAL.

Recd.

Regd.

Enclosures

1897.

Spare copies

Letter, No. 449, 29th March 1897.

MARCH.

Mr. S. D. Simpson, Deputy Commissioner of Police, Madras City.

Forwarding a memorial from—appealing against the order of this Government declining to grant him furlough for two years.

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No. 449, JUDICIAL, 29TH MARCH 1897.

JUDICIAL DEPARTMENT.

LETTER—from

THE CHIEF SECRETARY TO THE GOVERNMENT OF

FORT ST. GEORGE,

To

THE SECRETARY TO THE GOVERNMENT OF INDIA,

HOME DEPARTMENT.

SIR,

I am directed to forward, for the orders of the Government of India, the accompanying memorial from Mr. S. D. Simpson, Deputy Commissioner of Police, Madras City, appealing against the order of this Government, No. 179, Judicial, dated 6th February 1897, declining to grant him furlough for two years.

2. The circumstances in which this refusal was made are as follow:—In G.O., No. 99, Judicial, dated 21st January 1897, a copy of which is attached to the memorial, Mr. Simpson was found by this Government to have been in a state of intoxication while on duty at a public entertainment to have been in a state and to have been under the influence of alcohol at the same entertainment on the 2nd October last, day preceding. It was also found that on both days he behaved in a manner highly unbecoming his position both at the entertainment and elsewhere. Mr. Simpson is an officer of long service who formerly bore a good character, and His Excellency in Council was desirous of treating him with leniency on this account. The order on his case accordingly directed that he should take furlough until the 5th July 1897, by which date he will have completed thirty years' service and be entitled to a pension, and that he should thereafter retire.

3. Mr. Simpson has two years' furlough due to him and his furlough allowances (Rs. 400) would exceed the pension to which he would be entitled on the 5th July (Rs. 372-7-5), and moreover as the furlough would count as pensionable service, the grant of it would increase Mr. Simpson's ultimate pension to Rs. 387-8-9. His Excellency in Council was, however, of opinion that, though the circumstances of the case against Mr. Simpson were such that it would not be inequitable to permit him to take furlough until he was entitled to pension, there was no reason why he should be afforded any special indulgence by being permitted to draw furlough pay instead of pension for two years and thereafter to retire on an enhanced pension. His Excellency in Council accordingly declined to grant Mr. Simpson's request, and it is against this order that he now appeals.

4. Mr. Simpson states in his memorial that he intends preferring a separate memorial to His Excellency the Governor-General in Council regarding the finding of this Government that he was intoxicated on duty and this will be forwarded on its receipt by this Government with such comment as may appear to be necessary. The present appeal is thus apparently a protest merely against the degree of punishment which this Government awarded to Mr. Simpson for his conduct on the 1st and 2nd October.

No. 449, JUDICIAL, 29TH MARCH 1897.

3

5. As has been stated above, the punishment was intended by this Government to be lenient, in view of Mr. Simpson's long service and former good character, and His Excellency in Council has accordingly no recommendation to make in the memorialist's favour.

I have the honour to be,
Sir,

Your most obedient servant,

Chief Secretary.

FORT ST. GEORGE,
29th March 1897.

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First copy sent to Press.

Returned for signature.

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READ AGAIN G.O. No.
139

DATED

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A = Print in full.
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Order complete with letter. 25

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