

Legislative (1897) Department.

ORDINARY MS.

G.O., No. 89

DATED 12-11-97

INDEXED.

6/8

[Despatch Abstract.]

Additional member of Council

Informing the Senate of the University
of Madras that the selection of Mr. H. Stuart for
nomination as _____ has been comd. to H.E. the Gov.

BACK PAPERS.

G.O.	No.	Department.	Date.	G.O.	No.	Department.	Date.

FURTHER PAPERS.

G.O.	No.	Department.	Date.	G.O.	No.	Department.	Date.

Legislative Dept
up (1897.)

FROM

THE REGISTRAR OF THE
 UNIVERSITY OF MADRAS.

CURRENT 319
 50

The Secretary to Govt
Local & Municipal Dept
 No. 1386

Inform him that
he is to address the Dept

no 2407 15/11/97
Submitted in separate
sheet
11/11/97

Dated 8
 Received 10
 November 1897
 Regd. 10 - 11 - 97

E No. 1386

SUBJECT.

W. G. S. Stuart, M.A. —
Reporting that — has been
duly elected and recommending
him to a seat on the Legislative
Council.

E
University of Madras.
No. 1386 OF 1897-1898.
SENATE HOUSE, 8th November 1897.

FROM

THE REGISTRAR OF THE
UNIVERSITY OF MADRAS,

CURRENT N 3/8

TO

The Secretary to Government
Local and Municipal Departments.

SIR,

I am directed by the Syndicate
to report for the information of His
Excellency the Governor that with reference
to G.O. dated 7th September 1897, No. 76
Legislative and received in this office on
the 13th idem, a meeting of the Senate
was held on the 5th instant for the
purpose of electing one to be recommended
to His Excellency for nomination to a
seat on the Legislative Council.

2. 2.

Sixty five fellows were
present at the meeting, the

Vice Chancellor being in the Chair.

3. Two gentlemen were duly proposed and seconded by Fellows as suitable for election, viz. Mr. G. H. Stuart, M.A., and Mr. John Adam, M.A. A ballot was then taken which resulted in forty eight votes in favor of Mr. G. H. Stuart and fifteen for Mr. John Adam.

Mr. G. H. Stuart was then declared to be duly elected by a majority of the Fellows present.

4. I have now to request that Mr. G. H. Stuart's name may be submitted to His Excellency the Governor as the candidate elected by this University and that if His Excellency approves this

recommendation, he will be pleased to nominate Mr. G. H. Stuart to a seat on the Legislative Council.

5. I would beg to add that the procedure adopted by the Senate to elect a representative was in accordance with Section IX of the Act of Incorporation relating to this University.

I have the honor to be,
Sir,

Your most obedient Servant

Alfred Oakley
Registrar.

The University Election.

The election, by the Fellows of the University, of a member to a seat on the Legislative Council would seem to have acquired the interest and the excitement of a political contest. The one event of supreme importance in the annals of the University is, of course, the Convocation to confer degrees on the graduates. But the popular interest and importance of it is derived from the solemn ceremonies of the occasion and from the circumstances of pomp and pageant and oration amidst which the event takes place. Unlike the annual Convocation which is but an academical ceremonial, barring, of course, its more spectacular attractions, there is, perhaps, no other event so supremely important, so intensely exciting as this biennial election which wears, as it does, the complexion of a political duel between the two antagonistic nationalities composing the Senate is significant as an accurate barometer to register the respective strength and weakness of the dualists. The election of yesterday was the third in rotation since the concession of the privilege to the University: and there has been no diminution of interest in it since the first election of 1893 when Dr. Miller and Mr. Ranganadam were opposing each other and polling vote for vote. But at no previous meeting called to elect a member to the Council was the attendance so numerous, so influential and so disproportionately preponderating on one side, as the meeting of last night was. Gentlemen who have never been familiar figures at the meetings of the Senate—officials whose shadows have never been known to have darkened the portals of the University house and who are never known to have manifested any interest in its affairs, nor evinced any particular partiality for election and for representative institutions, persuaded themselves to attend the meeting to fight a political combat. From the list of the Fellows published further down it may be seen that the communities composing it were as hereunder tabulated:—

Europeans	...	...	...	...	44
Indians	...	...	...	...	21

A further scrutiny of the names reveals the following differences in attendance between the official and the non-official communities.

Officials	...	...	...	...	41
Non-officials	...	...	...	...	24

Now, into the strength and significance of these figures, should we look for an explanation for the result of the election held yesterday. While this is a legitimate cause of their victory, we should not forget that their chief strength lay in our weakness. The Native Community never seriously nominated and rallied round a candidate who commanded their unanimous approval. Mr. N. Subramaniam was once proposed to be set up: but his name never evoked enthusiasm, and it soon fell through from cold indifference. When the late lamented Sadhu Seshiah announced himself, there was a prospect of good chance for him as he was pre-eminently a man who possessed the requisite qualifications for that position of honour and distinction which both the communities would have cheerfully agreed to confer upon him. Mr. Adam whom the signal defeat of the last occasion and its significance against him should have discouraged from trying again, ventured: and this time also with a renewed expression of want of confidence in him. Thus by the overwhelming numbers and influence in favour of the official candidate, and what was more fortunate for him, by the rather feeble opposition that was set up against him, Mr. Stuart has won. It is perhaps consoling to remember that the election is by no means final, and that as Mr. Stuart himself had so diffidently put it, his nomination is as much subject to the likelihood of confirmation as of rejection in view to adjusting the balance between official and non-official strength in the Council. I was a very unenviable position to which Mr. Viraragava Chariy reduced the Hon'ble Mr. Justice Shephard when he quoted his own speech against himself and placed before him his own mirror of 1893 when he belauded the non-official merits of Dr. Miller's election. The little incident, comical as it was, contributed very much to the liveliness of the meeting. The election was then proceeded with: but between the rival candidates, there was such a wide disparity in the votes which amounted to a crushing defeat of the non-official candidate. There was then much jubilation over the result announced, the approval having been most pronounced from the official side. Mr. Stuart returned thanks in formal acknowledgment of the honour done to him which he esteemed as a vote of confidence which the Senate bestowed in him as fit to represent them on the Legislative Council.

A Meeting of the Fellows of the University of Madras was held yesterday afternoon at the Senate House to elect a member for the Legislative Council. There were present:—Sir Arthur Collins, Q. C. (Vice-Chancellor), Mr. Justice Subramani Aiyar, C. I. E., The Hon'ble Mr. V. Bhashiam Aiyangar, C. I. E., Mr. Azizuddin Sahib, Mr. E. Marsden, Surg.-Lt.-Col. Maitland, The Hon'ble Mr. C. Sankaran Nair, Rev. F. D. Archibald, Bishop Mayer, R. v. S. Guanamthi, Mr. S. Sathianadhan, Mr. E. H. Elliot, Mr. M. Viraraghava Chariar, Mr. A. Sankariah, Dr. A. G. Bonne, Mr. N. Subramanyam, the Hon'ble Dr. Duncan, Mr. G. H. Stuart, Mr. M. O. Parthasaradi Aiyangar, Mr. J. A. Jones, Mr. John Adam, Mr. T. Ramakrishna Pillai, The Right Rev. the Lord Bishop of Madras, Mr. M. Seshagiri Sastriar, R. v. Father S-well, Mr. C. R. Patrabhigirama Aiyar, His Grace Archbishop Colgan, Mr. B. Hanumantha Row, Mr. T. Logan, Rai Bahadur R. V. Srinivasa Aiyar, Mr. R. L. Jones, Mr. W. Kees, Mr. T. W. Damodaram Pillai, Mr. S. R. R. Chetty, Rev. Mr. Phillips, The Hon'ble Mr. C. Vijayaraghava Chariar, Surg.-Major G. L. VanGeyzel, Mr. V. T. Seshadriachariar, The Hon'ble the Archdeacon W. W. Elwes, Sr. Henry Bliss, C. I. E., Mr. H. C. West, Mr. O. Michie Smith, Brigade-Surg. Lt. Col. W. Browne, Mr. R. B. Michell, Mr. T. Scott, Surgeon-Lt.-Col. A. H. Allison, Rev. W. Skinner, Mr. W. B. Morren, Mr. Justice B. S. Benson, Mr. Sultan Mohideen Sahib Bahadur, Rev. C. Cooper, The Hon'ble Mr. A. T. Arundel, Major H. D. Love, Surgeon-Major J. Lancaster, Mr. R. A. Nelson, Rev. J. Cooling, Mr. Justice Shephard, The Hon'ble Mr. J. S. Surock, Surgeon-General C. S. S. Surock, Mr. Kenworthy Brown, The Hon'ble Mr. J. Grose, C. I. E., Mr. J. B. Bildebeck, R. v. Sir S. R. Masawmy Mudaliar, Kt. C. I. E., R. v. F. W. K. H. Surgeon-Major T. H. Pone, and Mr. A. J. Cooper O. Kley (Registrar).

The Registrar read the letter of Government asking the Senate to elect a member to the Legislative Council.

The Vice-Chancellor then announced that the business before the meeting was to elect, in accordance with a G. O., dated 7th September, 1897, No. 76, Legislative, a representative to be recommended to His Excellency the Governor for nomination to a seat on the Legislative Council, in succession to the Rev. Dr. Miller, who had resigned.

Mr. Justice Shephard proposed the name of Mr. G. H. Stuart as the fit and proper person for the honour, and said that he did so without in any way disparaging to those whose names were likely to be mentioned. In virtue of his distinguished University honours, in virtue of his connection with education both in this country and in England, and in virtue of the position which he held in this country as the head of the principal College, affiliated to the University, he ventured to say that Mr. Stuart was a gentleman eminently fitted to represent the University. He therefore proposed that Mr. G. H. Stuart be recommended to His Excellency the Governor as a fit and proper person in behalf of the University.

Mr. Justice Subramania Iyer, who seconded the proposition, expressed the belief that the University would be most worthily represented by the talented Principal of the Presidency College.

The Hon'ble Mr. C. Sankaran Nair proposed the name of Mr. J. Adam. Rev. Mr. Archibald seconded the proposal.

Mr. M. Viraraghava Chariar said:—Mr. Vice-Chancellor, I have to make one observation with regard to the proposal of Mr. Justice Shephard now before the meeting. Just about four years ago when the Senate met at this Hall to nominate a representative to the Council, Mr. Justice Shephard in proposing the name of the Rev. Dr. Miller in opposition to the late lamented Rai Bahadur P. Ranganada Mudaliar, observed that it would be disastrous for the Senate to elect an official and get the nomination vetoed by Government on the ground that our nominee is an official. To quote his own words:—

"It seems to me there is one point on which a few words will not be thrown away. It occurs to me to be of some importance that our nominee should not be an official, but should be a person untrammelled by any special duties or relations with Government. One reason for that is that the Legislative Council has necessarily amongst its members no less than nine official members; and it would seem to be the intention of Government that the seven members recommended by external bodies should be non-official."

After referring to the regulation, Mr. Justice Shephard concluded thus:—

"We should bear in mind that in recommending a candidate we must see that we recommend a gentleman who is not an official, and if he is an official, our recommendation might be negatived. We must see that it is not disregarded."

Justice Shephard who declared himself so strongly against the selection of an official in 1893 should have now in 1897 come forward to propose an official. As there might be some doubt in the minds of those present here whether we could vote for an official, I appeal to the Chairman to make a ruling on the point.

The Vice-Chancellor:—You can choose any body you like: it is entirely within the discretion of the Senate.

Votes were taken by ballot with the following result:—

	Votes
Mr. G. H. Stuart	48
Mr. J. Adam	15
Blank card	1

Mr. Stuart was declared elected, and the announcement was received with cheering.

Mr. G. H. Stuart returned thanks to the Senate for the honour they had done him. If it should please His Excellency the Governor to accept the recommendation of the Senate, he would show himself unworthy of the confidence placed in him by the Senate. But, if, on the other hand, either for State or other reasons, it should please His Excellency not to accept the recommendation of the Senate, he would at least have the consolation of knowing that he had been chosen by the Senate.

The meeting then separated.

The Hon'ble Mr. Justice Shephard's Declaration against the selection of an official in 1893.

The following is the full text of the speech which the Hon'ble Mr. Justice Shephard delivered on the 20th July 1893 when he proposed the name of Rev. Dr. Miller, C. I. E., to which Mr. M. Viraraghava Chariar referred yesterday:—

GENTLEMEN OF THE SENATE.—I rise to propose the name of a gentleman which, I think, will commend itself to almost all, if not to all, the members of the Senate. I refer to Dr. Miller of the Christian College. It seems to me that we are bound as members of the Senate to recommend to the Governor-in-Council a person who can be fairly said to be a representative of us. What we want, I apprehend, is a man of high character; a man of good standing—if possible a man of long standing—a man who has been actively associated with the work of education and with the work of the University, a man of independent character, a man who is capable of expressing his opinions clearly and emphatically, and a man whose voice is likely to be listened to with respect in the Council of the Governor. These are the qualifications which, I think, we should look to in the gentleman whom we wish to recommend. I think most of those present will agree with me that all these qualifications are to be found in the person that I suggest. It seems to me there is one point on which a few words will not be thrown away. It occurs to me to be of some importance that our nominee should not be an official, but should be a person untrammelled by any special duties or relations with Government. One reason for that is that the Legislative Council has necessarily amongst its members no less than nine official members; and it would seem to be the intention of Government that the seven members recommended by external bodies should be non-official. I gather that from several of the regulations which I have here. The first regulation says—"Of the persons, other than the Advocate-General or officer acting in that capacity, to be nominated additional members of Council by the Governor of Madras for his assistance in making laws and regulations, not more than nine shall be officials." I suppose it means that the rest are to be non-officials. Referring to rule 2, which is the rule under which we have the power to make recommendations, the rule 2, says—" (a) As soon

as conveniently may be after these regulations come into force, seven of the seats held by non-official persons shall be filled up by recommendation under Rule 11." Again, at the end of the second paragraph in the order, it is stated—"The Council contains at present four official additional members (including the Advocate-General) and four non-official. There are thus six official and seven non-official vacancies to be filled up." There may be some doubt perhaps as to the meaning of the word "official" or "non-official" used in connection with the word "vacancy"; but when it is used in connection with members, as in the first paragraph I have read, the Government intended that there should be seven members to the Council not holding office under Government. That intention of Government, it seems to me important that we should bear in mind, because in recommending a candidate, we must see that we recommend a gentleman who is not an official, and if he is an official, our recommendation might be negatived. We must see that it is not disregarded. I

Papers to be read in proceedings:—

Two files linked

Again G.O., No.	dated	189	.
Again G.O., No.	dated	189	.
Current No.	318	of 1897, dated	8 Novr , from the Registrar of the Madras University
" "		" 189 , "	" "
" "		" 189 , "	" "

Circulated to H. H. for information

CRV 15/11/97

ORDER. No 89 dated 12 November 1897
his

The Senate will be informed that the result of the Selection has been communicated to His Excellency the Governor.

11/11/97

Suggesting set out Mr. Chidambaram's name in full

Mr. George Henry Stuart To the Registrar of the Madras University of P. (G+O)

noted CRV 13/11

Note

A minute for Signature by His Excellency in case he approves of the recommendation is enclosed.

HE.

As to the constitution of the Journal at present please see separate note in linked file

11.11.97

15/11/97

seen 12.11.97

then given for copying
copied
examined
then signed

AGAIN G.O., No.
189

RENT No.

ENCLOSURES

ORDER C

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AP

Legis

MINUT

Under the provisions of
and XXV Victoria, Cap. 6
LV and LVI Victoria, Cap
appoint
George Henry
Mr G.H. Stuart,

to be an Additional Member
Fort St. George for makin
lations.

AS

Governor

12 Nov. 1897

Gazette 16/11/97.
Copy Minute sent
to Press
13/11/97

gentleman who is not an official, and if he
our recommendation might be negative
that our recommendation is not di