

MADRAS RECORD OFFICE.

Government of Madras.

Revenue DEPARTMENT.

G.O. No.	1180	Press Mis.
Dated	20-2-	1860.

Not to be folded or roughly handled

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*Proceedings of the Madras Government, Marine Department,
for the month of March 1860.*

No. 29. Read the following letter from Captain W. F. MARRIOTT, Acting Secretary to Government, Bombay, to the Secretary to Government, Fort Saint George, dated Bombay Castle, 5th March 1860, No. 221.

I have the honor to forward copy of a Memorial from Senior Lieutenant H. A. Fraser of the Indian Navy, dated 31st January last, in explanation of his alleged uncourteous conduct while in Command of the steamer "Coromandel" to certain Native Officials, together with copy of the Resolution recorded thereon by His Lordship in Council.

To the Right Honorable the Secretary of State for India.

The Memorial of HUGH ALEXANDER
FRASER, Senior Lieutenant, H. M's. Indian
Navy.

HUMBLY SHEWETH,

1. That your Memorialist having been severely censured by the Governments of Madras, Bombay, and Bengal; and lastly by your Excellency, for having refused cabin accommodation to a Native Deputy Collector, without an express Order from Government, and also for having treated another Native Deputy Collector, with "no more consideration than a common cooly." Your Memorialist respectfully begs to lay before your Excellency, the following plain statement, which he trusts may exonerate his conduct from the culpability attached to it.

2. On the 1st of July 1859, in pursuance of the Orders of the Government of Madras, your Memorialist, then commanding the steamer "Coromandel," called at Tranquebar on his way to Madras; while there, he was requested by the Collector of district, to receive as a *Deck* passenger to Madras, a Native Deputy Collector, proceeding to join the Inam Commissioner, which your Memorialist accordingly did.

3. On the 19th of the same month, your Memorialist received the following Order from the Government of Madras, through the Chief Secretary, Mr. Pycroft, "Resolved that the Commander of H. M's. steamer "Coromandel," I. N. be directed to receive on board his vessel, and convey to Masulipatam, the establishment, horses, office furniture, baggage, &c., of Mr. G. N. Taylor, Inam Commissioner."

4. Your Memorialist begs to observe that in the above Order, no mention whatever, is made of a Deputy Collector, nor was he at the time aware, that such a person was to embark. He was at the same time ignorant of the status and social position of Native Deputy Collectors, and no rules or instructions were furnished for his guidance on such subjects.

5. Your Memorialist has been for upwards of 20 years an officer of the Indian Navy, and during that period, never knew an instance of any person, Native or European, of the acknowledged rank of a gentleman, being included in the "Establishment" of any Official of whatever rank; the term "Establishment," being solely applicable to Clerks and other Office subordinates.

6. Your Memorialist, therefore, could only conclude, that all persons included in Mr. Taylor's establishment, were only entitled to the accommodation usually accorded in such cases, and on becoming aware that a Native Deputy Collector was so included, the fact, together with the precedent already established by the Collector of Tanjore, confirmed your Memorialist in the belief that a Native Deputy Collector was not entitled to Cabin passage.

7. Had, however, your Memorialist been better informed, it was still out of his power to grant Cabin accommodation to any person without a Special Order to that effect. In such a case, your Memorialist possessed no discretionary power. No Officer of the Indian Navy is authorized, while in the presence of superior authority, to grant either Cabin or Deck passage to any person of whatever rank without specific orders, and had the Inam Commissioner himself, applied for passage, in the absence of a definite order to receive him, it would have been your Memorialist's duty to have refused it.

8. On your Memorialist being informed by Mr. Franklin, Superintendent of Marine at Madras, that a Native Deputy Collector was included in Mr. Taylor's establishment, and on being requested by that gentleman to give him a Cabin, (not in the plea that he was entitled to one in

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virtue of his rank, but because he was a "respectable person," and there were numerous vacant Cabins;) influenced by the reasons already stated, your Memorialist deemed it his duty to negative Mr. Franklin's request, (which was purely a private one), and on Mr. Franklin pressing the point beyond what your Memorialist considered due bounds, he intimated that he would not give Cabin accommodation to any Native of whatever rank, without an express Order from Government.

9. It is evident that this intimation was given, to check what your Memorialist considered an undue assumption of authority on the part of Mr. Franklin, as your Memorialist at the same time asked him, (what he appears to have omitted to state in his report), why he did not apply to the proper authorities, to obtain the necessary order for the accommodation of the Deputy Collector, but this he declined to do.

10. Your Memorialist most respectfully begs to submit, that as on the one hand, the Government of Madras were not aware, apparently of his inability to grant Cabin accommodation, without their special sanction, and on the other hand, your Memorialist was ignorant of the Native Deputy Collector's right to it. Mr. Franklin (being apparently the only person who saw and understood the mistake), as the adviser and referee of Government in all Naval matters, should at once have referred the subject to Government, instead of making a private application to your Memorialist, who under any circumstances, could only abide by the Orders he had received, and would in no case have been justified in exceeding them. Why Mr. Franklin declined to adopt this course, when suggested to him by your Memorialist, it is for him to explain; had he done so, your Excellency would have been spared the necessity of inflicting, and your Memorialist the pain of receiving the severe censure passed on him.

11. In admitting in his letter to the Government of Madras, that Mr. Franklin had not mis-represented your Memorialist's sentiments, your Memorialist meant simply that he had used the expressions attributed to him by Mr. Franklin, the term was doubtless ill-chosen, as it was mis-constructed, but it was used in the hurried exculpation of his conduct, when your Memorialist first became aware that he had been accused, judged, and condemned on *ex parte*, and to a great extent false, evidence, without having been informed of the charges against him, or having been afforded an opportunity of refuting them.

12. The false evidence referred to by your Memorialist, is, that he is accused by direct implication, of having treated a Native Deputy Collector (the gentleman embarked at Tranquebar), not only with marked discourtesy, but "with no more consideration than a common cooly."

13. Notwithstanding your Memorialist having expressed his readiness utterly to refute this calumnious charge, it still remains on record, and its originator goes unpunished, nor are the injurious and unmerited expressions contained in Mr. Taylor's letter, withdrawn; your Memorialist therefore, cannot but feel, that he has not received that consideration in this instance, which apart from his rank and long service, he is in common justice entitled to.

14. Submitting his case to your Excellency, to be judged according to its merits, in the hope that your Memorialist's conduct may be relieved from the stigma attached to it, your Memorialist as in duty bound, will ever pray.

Given under my hand, this 31st day of January 1860, at Kotergherry.

(Signed) H. A. FRASER,
Senior Lieutenant, I. N.

No. 219 of 1860.

RESOLUTION OF GOVERNMENT.—This Government in their observations on Lieutenant Frazer's conduct, fully accepted his denial of uncourteous treatment of the Native Officer received on board at Tranquebar, and carefully avoided any expression of opinion whether, all circumstances considered, he was right or wrong in declining to receive the Deputy Collector on board, without an Order from Government. This Government only animadverted upon the sentiments towards the Natives of this country avowed by Lieutenant Frazer and on his conduct on the occasion of the request that he should receive the Deputy Collector on board in so far as it was guided by such sentiments.

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2. Lieutenant Frazer's representation in his present Memorial, that he has not received the consideration which he is in common justice entitled to, can have therefore, no relation to the part taken by this Government.

3. Lieutenant Frazer now states that in admitting that Mr. Franklin had not mis-represented his sentiments towards the Natives, he only meant that Mr. Franklin had not mis-represented his expressions, that the term (sentiments?) was ill-chosen and mis-constructed, and that he used the expressions in consequence of Mr. Franklin pressing his private request beyond due bounds.

4. His Lordship in Council hopes that he rightly understands this as conveying a dis-avowal of the sentiments which the expressions directly implied, but if such dis-avowal were intended it would have been better had it been made explicitly.

5. The Memorial will be forwarded to the Government of India, with a view to subsequent submission to the Secretary of State. A copy will be sent to the Madras Government.

(Signed) W. F. MARRIOTT, Captain,

Acting Secretary to Government.

(True Copies.)

(Signed) W. F. MARRIOTT, Captain,

Acting Secretary to Government.

BOMBAY CASTLE,
5th March 1860.

No. 30.

ORDER THEREON, 20th March 1860, No. 118.
To be recorded.

(Signed) T. PYCROFT,

Chief Secretary.

Exd. T. S. Augustin.

Pro: 10th Jan'y 1860 No 16 @ 18.

Pro: 20th March.
Marine 1860 Depart

From
The Actg. Secretary
to the Govt. of Bombay
No 221

9/5th 1/2nd March 1860
12/12

1 Encl:

No 99

Forwards copy of a
Memorial from Senior
Lieut. H. A. Fraser of the
Indian Navy in expla-
nation of his alleged im-
courteous conduct, while
in command of the steam
"Comander", to certain
native officials, together
with a copy of the Resolu-
tion recorded thereon by
the Govt. of Bombay.

To be recorded
20th Mar/60.

29-30

C 13 March
1860