M.R.O. 1—77,000—8-9-37.

(1) Number of pages 8

(2) Date of repair 25-8-42

3 Initials of the Referencer

MADRAS RECORD OFFICE.

Government of Madras.

Public Works DEPARTMENT.

G.O. No. 1310 Press Mis.

1287-189.

Dated 16-1- 1892.

Not to be folded or roughly handled

Proceedings of the Madras Government, Public Works Department, 10th June 1862.

No. 188. Read the following Proceedings of the Madras Government in the Military Department, dated 5th June 1862, No. 2,019 :—

Requesting to call upon the District Engineer, Presidency, to account for the delay which has occured in carrying out the alterations in the Store buildings. } (Vide Military Proceedings, 5th June 1862, Nos. 70 @ 74.)

No. 189. ORDER THEREON, 10th June 1862, No. 1,310.

1. Communicated to the Acting Deputy Chief Engineer, Central Circle, for early report, with reference to the latter clause of paragraph 2.

2. The Government observe that in their Proceedings, No. 2,352, dated 21st December 1861, sanction was accorded for the expenditure of Rupees 5,000 during 1861-62 in carrying out the alterations to the Medical Store buildings at the Presidency provided for in the estimate for Rupees 8,250, submitted with the Chief Engineer's letter No. 7,882, dated 3rd December 1861, and for the entry of the balance, viz., Rupees 3,250 in the Budget of the current year.

3. Lieutenant-Colonel Ouchterlony will now be good enough to ascertain and report the progress made in the execution of the work.

(Signed) W. H. HORSLEY, Lieut.-Colonel,
Secretary to Government.

MILITARY DEPARTMENT.

PROCEEDINGS OF THE MADRAS GOVERNMENT.

Read the following papers:—

From the Principal Inspector General Medical Department, Fort Saint George, 1st May 1862, *No.* 83; *to the Secretary to Government, Military Department.*

Military Department, No. 1348, 11*th April* 1862.

Referring to my letter, No. 66, dated 26th March 1862, and Proceedings of Government thereon, I have the honor to report that the Lascar named Mootoosawmy was found guilty of stealing Quinine, and has been sentenced to fifteen months' imprisonment.

Watching Peon Chellumbrum, Lascars Permalloo and Veerasawmy.

2. The evidence of complicity, on the part of the persons marginally named, does not appear to have been sufficient to secure their conviction, and they were acquitted.

From the published Reports of the trial, I am not aware that any new light has been thrown upon the robbery of the eleven Bottles of Quinine found to be missing. It seems very desirable however that some changes should be effected in the Store Establishment, and that the suspected persons should not again have access to the Stores. I await the orders of Government on my letter, No. 66 of 26th March 1862, before proceeding to submit a recommendation for the discharge of certain persons employed on the Store Establishment.

Proceedings of the Madras Government, Judicial Department.

Read the following Extract from a letter from the Advocate General, 26th April 1862; *to the Chief Secretary to Government, Fort Saint George.*

Para. 2. "In No. 3, the first Prisoner Mootoosawmy, a Lascar employed at the Medical Stores, was convicted of stealing two 1-lb. bottles of Quinine, value Rupees 380, the property of Government, and sentenced to 15 months' imprisonment with hard labor. The other three Prisoners, charged with aiding and abetting the theft, by permitting Mootoosawmy to pass unsearched, were acquitted. The evidence that led to their acquittal was of a very unsatisfactory nature. Dr. Mayer deposed, clearly and distinctly, that the chief and express duty of the Peons and Lascars on guard was to search every Native on his leaving the Medical Stores; and had his evidence stood alone, the three Prisoners would have been convicted. Mr. Lynsdale, however, an Apothecary in the Stores, stated that during the day, Natives could and did pass freely in and out, particularly by the back door, without any search at all; that he had seen this, and never noticed or reported it; that at night he had on more than one occasion found Peon and Lascars all fast asleep and took no notice of it, not thinking it any crime, and considering that the Peon's chief duty was to be there to receive any emergent messages, if sent, and to forward them on by one of the Lascars. The Tindal of Lascars, Mooneappen, an old stupid man was still worse; he maintained that the orders for the Peon and Lascars were to sleep all night; that the Medical Stores provided mats for their use, and that he had got a kind of wooden pillows made, and he gravely assured the Chief Justice that the Peon's duty was to sleep there, and that of the Lascars to assist him in doing so. On this evidence, the Chief Justice put it to the Jury, that the Peon and Lascars, in keeping a careless watch, only did what their superiors were well aware of and in fact had acquiesced in, till the practice had become habitual, and such as could hardly be considered a breach of duty. I must say thatApothecary Lynsdale's evidence warranted the remark. As the evidence showed that 13 bottles of Quinine, value Rupees 2,080, had thus been abstracted, the necessity of treating the duty of watching and searching somewhat more seriously will be apparent. When this case was first brought to my notice, the Government Solicitor, at my request, endeavoured to obtain a Court of Inquiry upon an Apothecary, who was found to have recently sold considerable quantities of Quinine, at a price much below the market rate, to some of the Druggists in Madras; his own account being that he had bought the Quinine in China—not a very satisfactory story. Nothing however was done, why, I do not know. The Peons at the Fort Gate acted straightforwardly and honestly in apprehending Mootoosawmy with the two bottles under his arm, but it is to be regretted that he was not allowed to pass on, and followed to his destination, whereby his employer or instigator might have been detected. Mootoosawmy

implicated Tindal Veerasawmy Chetty as having desired him to carry off the bottles, which had, he said, been previously stolen, and hid under a mat on the stairs. This seems not improbable; it appears clear that more than one has been concerned in this systematic pillage of this most expensive and valuable medicine."

ORDER THEREON, 7th May 1862, No. 754.

Paragraph 2 of this letter will be communicated to the Military Department, and paragraph 3 to the Accountant General and the Civil Paymaster.

2. It is presumed that the Government will receive a Report from the Clerk of the Crown on the case referred to in paragraph 6.

(True Extract.)

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

Memorandum from the Principal Inspector General Medical Department, Fort Saint George, 16th May 1862, No. 96.

Forwarded to the Secretary to Government, Military Department, for submission to His Excellency the Governor in Council, with reference to the Proceedings of a Committee for investigating the circumstances of the robbery at the Medical Stores.

(Signed) ROBERT COLE,
Principal Inspector General Medical Department.

From the Medical Store-keeper, Fort Saint George, 13th May 1862, No. 19; to the Secretary to the Principal Inspector General Medical Department.

I have the honor to forward, for the inspection of the Head of the Department, the accompanying Chubb's Lock with a key, made by Artificer Lee of the Arsenal, by means of a wax impression taken in my presence from the original key, which from that time he never saw again.

The value to be attached to this fact, will, I think, be best seen by considering in the first place, such other facts connected with the possible means of getting at the Quinine, as are known; it was stated by Mr. Lynsdale, in his evidence given to the Committee named for investigating the robbery, that Coolies, Lascars, or others employed to take Quinine down stairs to be put up on Indent—afforded an opportunity for robbery—a statement, not only received by the Committee, but one to which they seemed to attach considerable importance; yet nothing can be more directly opposed to daily practice than such an assertion on supposition, unless Mr. Lynsdale meant to say, that either he himself who received, or the Manager who sent the medicine down stairs, were untrustworthy or careless; this it is to be presumed he did not mean—what then did he mean? knowing as he well did, that he had the same list of articles and quantities as the Manager to go by—his statement is as unaccountable as it is inconsistent with actual practice. That it was admitted for a moment by the Committee only shews how little acquainted they must have been with the practice and working of the Stores. Having disposed of this singular statement, the consideration of possible means of getting at the Quinine, returns; and to disembarrass it as much as possible, it may be needful to inquire, whether a Chubb's lock can be picked? In answer to this, I need scarcely bring to mind, that the most accomplished lock-picker living, was occupied three days in this way, before he succeeded, in addition to which, the picking a lock and locking it again are two different things; further, no Store lock has ever been found unlocked, and finally two of the best Mechanists in Madras, Messrs. Lee and Thompkinson, immediately after the robberies most minutely and carefully inspected those rooms in the Store Premises from which Quinine had been abstracted; every door on these rooms, every lock, bolt, hinge, screw and nail, about them underwent a close scrutiny; they both came to the opinion that the locks had been opened by means of keys, and in no other way; and supposing the original keys to have been obtainable, only very rarely, and during very short periods of time, barely sufficient perhaps for taking wax impressions, they believed, that the keys employed were false ones, made as above stated. The Committee and the Principal Inspector General appear to be of opinion, that the robbery was effected by the use of the original keys and during Store

hours and they probably base this opinion on Mr. Lynsdale's deposition before the Magistrate: but whether, during the hours of business or during the night, it appears to be conceded on all hands, that the robbery could only have been effected, by means of the original keys, or by means of false keys; and if this be so, then the question of how was the robbery effected? is protonta answered; seeing that the thieves could not have got possession of the keys even for half a minute (which is about the time required to take a wax impression) had there not been want of care on the part of some one. By the orders laid down for the guidance of the Store Department, the Manager holds the keys. I have ascertained that is the practice in Bengal, and as I am informed in Bombay also, I have given my testimony in the Manager's favor, never having observed any want of care on his part, but during the Manager's absence, by the same orders the next senior holds the keys. From all that has been adduced, it is beyond question that the Store-keeper could not by any conceivable means have prevented the robbery, as he was not aware that the keys had ever been allowed to go out of the hands of those appointed to hold them.

In conclusion, I cannot forbear expressing regret that the Committee should have thought it needful to encumber the real questions at issue, with such an overwhelming mass of matter, as that embodied in the evidence placed before Government. From having been permitted on the 11th instant, to read in the Office of the Principal Inspector General the remarks of the Committee, I see that they attach blame to me in reference to certain points of Store management, which till then I was ignorant of; I will not imitate their example by overloading this letter with any vindication, contenting myself with stating that I am perfectly prepared to answer, in reference to the points on account of which I have been blamed, should the Government consider it necessary; and I have now only to beg that the Principal Inspector General will do me the favor to forword this letter with the lock and key to the Military Secretary, for submission to His Excellency the Governor in Council, with as little delay as may be.

Memorandum from the Principal Inspector General Medical Department, Fort Saint George, 16th May 1862, No. 97.

Transmitted to the Secretary to Government, Military Department, with reference to his memorandum of the 9th instant.

From the Medical Store-keeper, Fort Saint George, 12th May 1862, No. 15; to the Secretary to the Principal Inspector General Medical Department.

In reply to the memorandum from the Secretary to Government, Military Department, dated 9th instant, I have the honor to state that the hours of attendance at the Stores are from 10 A. M. to 5 P. M., but that though the Store-keeper's presence, in order to avoid any delay in the transaction of business is generally necessary during the hours named, he has daily a certain portion of time that is not occupied by any Store business, such intervals, he has generally devoted to the transaction of Medical Fund business, and has hitherto found them amply sufficient for the work required. It is scarcely necessary to notice Quarterly Fund Meetings, as they are so rare and are held in the Principal Inspector General's Office close by, nor even Trustee Meetings—as these do not commence until 3½ or 4 P. M., and occur on average not oftener than twice or thrice in a month.

These however are the only instances I know of that can be referred to, as taking up the Store-keeper's time—all his other duties are conducted either before or after Store hours—for example—the hours before breakfast which I used to devote to the Lunatic Asylum, are now devoted to making any analysis that may be required of me as Chemical Examiner. I breakfast at 8 A. M., the hour for attending the Medical College is from 9 to 10 A. M., and with the exception of one session, always has been, and is in future to be the hour of teaching Chemistry. The duties of Superintendent of Gas Works, are attended to after 5 P. M., in fact the supervision of the lights renders this for the most part a necessity—any letters required for this Department, are written in the evening at my own house.

ORDER, No. 2019, *5th June* 1862.

In the foregoing correspondence, the circumstances connected with the recent robbery of certain bottles of Quinine from the Medical Stores, are fully reviewed, and from them the Governor in Council learns:—

I. That the Manager and the Second Apothecary attached to the Stores, are chargeable with certain neglect and departure from rule in regard to the safe custody of the keys.

II. That many of the lower Subordinate servants are closely related, and that there are strong grounds for suspecting some, or all of them, of complicity in the theft, and

III. That owing to the delay in carrying out the alterations in the Store Buildings, sanctioned in the Order of Government marginally noted, the Store property has not been placed in that degree of security which Government had a right to expect.

No. 3578, dated 5th October 1860.

2. The parties referred to in Clause I of the preceding paragraph, will be warned to pay more strict attention to their duty in future, and it will further be discretional with Dr. Mayer to apply to the Principal Inspector General for their immediate removal from the Department, should it appear to him desirable. As regards the lower Subordinates referred to in Clause II, the Governor in Council directs that Dr. Mayer will at once peremptorily dismiss all to whom suspicion of connivance or negligent breach of duty attaches, and that care be taken to exclude members of the same family from employment in the Department in future. The subject of Clause III, will be referred to the Department Public Works, in view to the District Engineer being called upon to account for the delay, which has occurred in giving effect to the Order of Government, No. 3578, dated 5th October 1860.

3. In addition to the causes adverted to above, Dr. Cole attributes laxity of supervision to the Store-keeper, and further considers that he is so burdened with multifarious and incompatible duties as to render it difficult, if not impossible, for him to give the necessary time and attention to all.

4. In these views the Governor in Council is unable to concur. Dr. Mayer appears not only to have carried out fairly the Rules prescribed for his guidance, but Dr. Cole himself states that there has been no absolute dereliction of duty on his part, while Dr. Mayer shews satisfactorily in his letter, No. 15, dated 12th May 1862, that his other duties are mainly conducted either before or after Store hours.

5. Adverting to the Rules for the custody of the keys and Stores however, it appears to Government that they may be susceptible of improvement—and in this view His Excellency considers the constitution of the Committee, which investigated the circumstances of the robbery, to have been defective. The question at issue was not a *Medical* one, and had the Committee comprised amongst its Members some Officers practically acquainted with the custody of Stores, it may reasonably be inferred that some useful suggestions on these points would have been offered by them.

6. Nevertheless, as observed by Dr. Cole, the Store-keeper must be declared to be responsible to Government for all Stores committed to his charge, such responsibility however can only be fairly enforced when coupled with full power to control, and regulate his Department. It is stated that the Store-keeper already possesses the power to dismiss as other Heads of Offices, but it does not appear whether this power extends to the Medical Subordinates attached to the Stores,—if not, His Excellency is of opinion that this power should now be conceded to him, but subject to the approval of the Principal Inspector General, and that in like manner, the Store-keeper should recommend for appointment to vacancies in these grades subject to the same condition.

7. With the above powers, and with liberty to suggest from time to time, such modifications in the Rules prescribed for his guidance, as may appear to him desirable, together with the several alterations to the Buildings, sanctioned in Proceedings of Government marginally noted, the Governor in Council is of opinion, that the Store-keeper's responsibility may fairly be rendered *effective*, and that he should thereafter be liable to make good all deficiencies in the Stores under his custody, whether originating in defective preventive arrangements, or from neglect of the Rules in force.

No. 3578, dated 5th October 1860.
„ 4621, „ *17th December* 1861.
„ 1943, „ *29th May* 1862.

8. From the Extract Proceedings in the Judicial Department, recorded in these Proceedings, Government observe that Lascar Mootoosawmy has been convicted of stealing two-1-lb bottles of Quinine, the property of Government, and sentenced to fifteen months' imprisonment with hard labor, while the other Prisoners have, on evidence of a very unsatisfactory nature, been acquitted. It further appears that the Government Law Officers endeavoured unsuccessfully to obtain a Court of Inquiry upon an Apothecary, who was found to have recently sold considerable quantities of Quinine, at a price much below market rate, to some of the Druggists of Madras; his own account being that he had bought the Quinine in China. Government desire to be furnished with full particulars of this case, and of the reasons why the Apothecary in question was not brought before a Court of Inquiry as suggested.

9. In concluding these remarks, it only remains for Government to refer to the undue length of the investigation into the circumstances connected with this robbery,—the Committee having continued their sittings daily, from Monday the 10th, to Saturday the 22nd February inclusive, (the 14th excepted) from 1 to 5 or 6 P. M., His Excellency fails to perceive why so protracted an inquiry should have been necessary, and considers that it must be due either to the admission of irrelevant matter, or from inexperience in the conduct of such proceedings on the part of the Officers concerned. Under this view, and with reference to the Order of Government marginally noted, the Governor in Council would suggest for the consideration of the Commander-in-Chief, that in any future investigations of this description, a mixed Committee of specially qualified Officers, (Military and Medical) should be employed.

Proceedings of Government, No. 414, dated 4th February 1862.

(True Extract)

Secretary to Government.

To the Principal Inspector General Medical Dept.
„ Public Works Department. With Letter Copies
„ Adjutant General.
„ Judicial Department.
„ Controller of Military Finance.

Exd. J, E. Cashart.

21st Dec. 1861. & 282–285.

viz: Rs. 32,50 in the Budget of the Current year.

Sir H. Ball. Archdeacon will now be good enough to ascertain and report the progress made in the execution of the works.

Chelsea
10th June 1862

To Chief Engr
Mil. Dept.

No. 87 Nos. 188. 189

P.W. Mil. Department
Rec. Rochester Row
No. 1741

Pro. Madras Govt. in the Military Department.

Dated 5 June 1862
Rec. 16 June 1862

No. 2019.

Requesting to call upon the Director Engineer Officers to account for the delay which has occurred in carrying out the alterations in the Medical Stores Buildings

William Mulcaster

No 1310 - 10 June

No 1310
1862

Communicated to the Acting Deputy Chief Engineer Central Circle for early report with reference to the latter clause of para 2.

The Govt observe that in their Proc. No 2,352 dated 21st Dec. 1861, sanction was accorded for the expenditure of Rs. 5000 during 1861/62 in carrying out the alterations to the Medical Stores Building at the Presidency provided for in the Estimate for Rs. 8,250 submitted with the Chief Engrs letter No. 1882 dated 3rd December 1861, & for the entry of the Balance viz: