

Public Works (1899) Department.

✓ G.O., No. 2120 W

DATED 11 August 1899.

[Despatch Abstract.]

Petition from S. J. Roberts, late, a clerk
P.W. Secretariat. Informing the petitioner
that His Excellency the Governor in
Council sees no reason for reopening
his case -

Indorsed. 14/8

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

P. W. 42-A.
1,000-2-3-99.

Read the following:—

Petition from Mr. S. J. Roberts, late chf. Public Works Secretariat,
dated 25th May 1899.

Endorsement thereon by the Private Secretary to His Excellency the Governor
dated 22nd June 1899.

Mr. Roberts's appeal

Circulated to

H.E. the Governor.

FOR ORDERS

Submitted for orders whether it is
His Excellency's pleasure that the matter
should be reopened.

2. The history of the petitioner's case
will be found in the Note for Orders
dated 29th September 1898. His Excellency
was then pleased to remark that the
petitioner might be declared eligible
for reemployment on probation
for a year in a clerkship where there
is no pecuniary responsibility. Honour-
able members, however, considered
that former orders should be
adhered to and that the petitioner
should not be reemployed in
Government Service. His Excellency
concurring in these remarks, the
petitioner was informed accordingly.

2. Mr. Roberts submitted a
further

o Flag U

Transmission for re-opening the case.

A.H.
58.99

x G.O. 2926 W., 1/8th November 1898.
Flag 0

W. 27/8
P. W. 48.

Further petition to His Excellency on the 26th January 1899 in reply to which he was informed that the order of 18th November 1898 was final, and that further petitions from him would remain unnoticed.

Go. 374W., dated 7th February 1899.
Flag J.

4. He now submits another petition praying for reinstatement, but does not produce any new facts. The remark made at the end of para 5 of his present petition to the effect that all that was necessary for his Schedule was a statement of the attachments on his salary may, or may not, be correct. There is, however, a column for remarks provided in the Schedule and this column was filled up with remarks from which certain inferences, unexpected by the petitioner were drawn in the Secretariat. But ^{remarks were} ~~helpless~~ evidently put forward in the first instance not from any bad motive on the part of the framers of the Schedule, but to influence the Court in the petitioner's favour. They were doubtless intended to show the Court how little actual money the petitioner had received for

for the promotes given in exchange. This would doubtless influence the Court in passing an order for the petitioner's discharge. The Government, however, viewed the matter from a different standpoint. It came to the conclusion that a man, who was capable of signing promotes for such large amounts which he must have known he would be unable to meet, was guilty of "reckless" borrowing, and was thus not a person to be continued in the service in a position of trust, which all clerkships in the Secretariat must necessarily be.

5. Further, Mr. Roberts was not wholly condemned on these remarks. The Analysis of his Schedule, without the aid of any remarks, was sufficient to show the "reckless" character of his borrowings.

6. It may also be remarked that ^{on the part of his brother-in-law} the plea of mala fides was not brought forward till more than 4 years after Mr. Roberts had filed

vide his letter dated 7th November 1895
Flag Q

x 3rd August 1891

R.S.

1. 12.7.86

CURRENT No. 5075

A. A. Luis Esquire &c.
Private Secretary
H. H. Johnson

No.

Order

Dated 22nd June 1899.
Received at Botacane on 23 June 99
Registered at Madras. 26.6.99
Enclosures -
Spare copies -

SUBJECT.

Transfers a petition
dated 25 May 1897 from
Mr. S. J. Roberts, late clerk
P.W. Szeintarnai praying
to be restored to his
former post.

By order

182
Private Secretary

BACK PAPERS.

FURTHER PAPER

To

HIS EXCELLENCY

The Right Honourable

SIR ARTHUR E. HAVELOCK,

G.C.M.C. G.C.I.E.,

Governor of MADRAS.

&c. &c. &c.

The humble Petition of

SAMUEL TURNBULL ROBERTS late Clerk P. W. Secretariat,
Madras.

MOST HUMBLY SHEWETH.

THAT your petitioner very much regrets to have again to trouble your Excellency ; but he is constrained to do so as his former attempts to represent his case failed to be viewed in the light in which they have been put forward.

That your petitioner has urged over and over again that he was deliberately made a victim by his brother-in-law (his late wife's brother) who had the preparation of his Insolvency schedule and who took this opportunity of revenging himself on account of family matters and moreso because of his having misappropriated a sum of Rs. 30 advanced for Court Fee Stamps for the schedule, and delayed the preparation of the same in consequence for which he was severely censured by me.

That your petitioner regrets very much that he finds it very difficult to make his case out more lucid. Here is a man (brother-in-law) whose chief living is by the preparation of Insolvency schedules, affidavits &c., entrusted with your petitioners case. Your petitioner never for a moment distrusting him, places implicit confidence, but at the end finds to his horror and dismay that he has been deceived by him. Your petitioner throws himself on Your Excellency's mercy and very respectfully submits if this is not a *possibility*. It may seem as a romance, but it is a reality crushing your petitioner to the very earth. Your petitioner very respectfully begs leave to submit if throughout the world there are not instances where for family causes utter ruin and destruction are practised by interested members of a family.

4 Your petitioner further in support of his statement that he was wilfully and fraudulently dealt with begs to bring to notice that your petitioner's brother-in-law who attempted to deceive others in almost similar practice was brought to account before the Presidency Magistrate Black Town, Mr. B. H. Chester, and was sent to Jail for two months on 12th July last. Here was retribution with an earnest.

W

C. No 5075

Mr Roberts' petition

In the draft letter for orders, I have gone some-
what beyond the letter
of your instructions.

Mr Roberts' endeavour
to make a point out
of the "remarks" in his
Schedule, tells rather
against him on
close examination,
and it seems only
right that the inference
suggested by the facts
should be clearly
brought out.

R.S.

11 July 99

Seen & filed
12.2.11

For orders

No new facts affecting
his case are brought forward
by the petitioner. The
plea that he was duped
by the man who prepared
his schedule has already
been considered, and
in G.O. 377 Wd of 7 Feb 99,
Mr Roberts was informed
that the previous order
No 2926 Wd of 18 Aug 98
"is final", and that
"further petitions from
him will remain un-
noticed".

R.S.

29 June 99

P.S.

In para 5 of the present
petition, Mr Roberts endea-
vours to make a point of the
fact that the entries in
the remarks column of his
Schedule were "unnecessary".
Whether necessary or not,
they were placed before
the Insolvency Court by
Mr Roberts himself and
are attested by him.
He was condemned on the
analysis of his schedule
principally, and not
on the "remarks".

2

5. Your petitioner very respectfully submits that in dealing with his case Government have simply been guided by the schedule which was fraudulently prepared—(as fully explained in his petition of 27th May 1898—vide G.O. in the P. W. Dept. No. 2926 W. of 18th November 1898—) by his brother-in-law, solely to effect his purpose and which your petitioner wholly and truly confiding in him, accepted and signed same without any doubt. Your petitioner was subsequently informed that the entries in the "Remarks Column" of his schedule, as were made by his brother-in-law were perfectly unnecessary and that they were done so *mala fides* with the express purpose of showing "reckless borrowing." Your petitioner urges in proof that to enable him to prepare his schedule your petitioner obtained from the Small Cause Court through the Chief Engineer P. W. Department, a statement giving particulars of the attachments &c on his salary, the information in which was alone necessary for entering in his schedule. Your petitioner very humbly and respectfully begs a reference to the Chief Engineer, P. W. Department, in support of this, as the original statement would be found in the P. W. Secretariat.

6. Your petitioner never for a moment anticipated the mischief intended him and were the late Mr. Gantz, Barrister at Law, living, he would testify to the fact—and further the only living witness who could corroborate his statement is Mr. Kirmani Saib, who was then the Cash Keeper but now a Clerk in the P. W. Secretariat.

7. Your petitioner's case is a peculiar one and it is all the more hard since he has not only been sent adrift but is also debarred from re-employment and thus shut out from obtaining any appointment whereby to support and maintain a family consisting of a wife and 9 children. Your petitioner and his large family are undergoing the greatest misery owing to his being unemployed at present and humbly appeals to Your Excellency if the period he has been thrown out of service is not sufficient punishment for his misplaced confidence.

8. Your petitioner under all these circumstances now most humbly approaches Your Excellency and earnestly prays that in the prerogative of mercy vested in Your Excellency, Your Excellency will be graciously pleased to extend that mercy to a man who has served the Government for 17 years and who has been the innocent victim of a relative, and save your humble petitioner and his large and growing family from distress and ruin by graciously sanctioning his reinstatement.

9. For which Act of mercy your humble petitioner as in duty bound will ever pray.

MADRAS,
25th, May 1899.

S. J. Roberts.