

MADRAS RECORD OFFICE.

Government of Madras.

Rudra DEPARTMENT.

G.O. No.

573
873

Press
Mis.

Dated

22-5-18/7

Not to be folded or roughly handled

No. 143. Read the following letter from R. R. COTTON, Esq., Civil and Session Judge of Madura, to the Chief Secretary to Government, Fort Saint George; dated Madura, 7th May 1867, No. 120.

I have the honor to acknowledge Proceedings of Government, dated 29th April 1867, No. 440, having reference to the raising of funds for presenting me with a testimonial *after* my retirement from the Service, and to inform you that, beyond the *statement* of Mr. Yas Anthony, who read the address presented to me on the 15th ultimo, "that arrangements were being made to present me with a testimonial *in England*," which, as I should then be altogether unconnected with the Service and the Government, I considered there could be no objection to my accepting, I consented to receive, I know *positively nothing*, except what has been published in the newspapers, on which I believe little reliance can be placed. I have not even heard what the testimonial is to be, or who have subscribed towards it.

2. On receiving privately, through you, a short time since, some Proceedings of Government, in which it was stated, in reference to a letter from Mr. Silver, the Government could *not sanction* (but did not prohibit) his acceptance of a testimonial¹ from the people of Tinnevely on his retirement from the Service, I at once forwarded them to Mr. Yas Anthony, requesting him to make known to those who might be concerned that I could not, as a Government servant, accept any testimonial, and I have now forwarded to him the Proceedings of Government under acknowledgment, for the information of those concerned. I do not see in what other manner I can make known the sentiments of the Government.

3. In explanation of my conduct, I would respectfully submit that I have hitherto entertained the opinion, which I believe is very universally held, that the prohibition to accept any tangible testimonial only had reference to servants of Government, and did not affect them after their connection with the Government ceased.

4. Mr. Baynes, Mr. Glass, the late Mr. Morehead, and others, as also Sir William Denison and Sir Bartle Frere, Governors of Madras and Bombay, were presented with testimonials on their retirement to England from the Government Service, and I am at a loss to understand on what grounds exception should be taken to such a testimonial being accepted by me *in England*, or how, after my retirement from the Service, I can be held amenable to its rules.

5. I should feel greatly obliged if you would kindly furnish me with a copy of the rules referred to, the existence of which I can positively state I have hitherto been in ignorance of.

6. From the proceedings of the meeting held to *propose* an address to me on my departure, it would appear that the principal parties who got up the meeting were—

Audemoolum Pillay, the renter, I believe, of the Kannevady Zemindary.

Kristnasawmy Chettiar, a Merchant of Madura.

Keelamathoor Swamiar, a wealthy Mahomedan land-holder.

Vegia Renga Moodelly, Deputy Inspector of Schools.

Somasoondrum Moodelliar, Tahsildar of Madura; and

Mr. Yas Anthony, the Native Surgeon.

7. With none of these, save perhaps the Tahsildar, can I in any way be said to be connected officially. It has been stated in the papers that the address was got up by my Judicial Subordinates, but I believe, if inquiry were made, such would be

*Proceedings of the Madras Government, Public Department,
22nd May 1867.*

found to be altogether unfounded, the truth of the statement having been positively denied to me.

No. 144.

ORDER THEREON, 22nd May 1867, No. 573.

The Governor in Council directs that Mr. R. R. Cotton be furnished with an extract from the Despatch of the Honorable Court of Directors, under date the 30th April 1828, in which the Honorable Court declined to sanction the acceptance by Mr. R. Clarke of a piece of plate which had been tendered to him by a large body of Natives, on the occasion of his retirement from the Public Service.

2. The Governor in Council is aware that it is not in the power either of the local Government or the Secretary of State to enforce the rules of the Service against a Public Officer after his retirement, but he has sufficient confidence in the high sense of honor which has hitherto distinguished the Civil Service of India to feel assured that the members of that Service, as a body, will regard a rule of the nature of that now under consideration to be equally binding upon them, in a moral point of view, after they have quitted the Service, as it is while they still belong to it.

3. His Lordship in Council is satisfied that, with the above intimation of the views of the Home Government before him, Mr. Cotton will not deem himself at liberty to accept the testimonial referred to in his letter, after his retirement.

4. Mr. Cotton is mistaken in regard to some of the cases quoted by him in the 4th paragraph of his letter. The testimonial raised by the inhabitants of Madras and of other parts of the Presidency, on the occasion of the retirement of the late Mr. Morehead from the Public service, was not in the form of a valuable pre-connection with the Presidency College. Sir William Denison declined a present which was offered to him. The testimonial to Sir B. Frere was presented by the members of his own Service, and not by the Native inhabitants of the Presidency or District in which he had served.

(True Extract).

To R. R. Cotton, Esq.

Chief Secretary.

Extract from a Despatch from the Honorable the Court of Directors, dated the 30th April 1828.

Paragraph 22.—We learn with great pleasure the highly favorable impression which

(8). Tender of a piece of plate by a large body of Natives to Mr. R. Clarke, a Member of the Board of Revenue, and Tamil Translator to Government, on the occasion of his departure from India. Court's permission solicited for his acceptance of it.

Mr. Clarke's character and conduct have made upon the Native inhabitants of Madras, and we regard the circumstance as highly creditable to both parties; but the effects which might ultimately arise from our giving sanction to a prac-

tice such as that of which one instance is now submitted to our consideration, compel us, reluctantly, to refuse our consent, as we have already done in several analogous cases which have been referred to us by our other Governments.

Ed. J. H. Burns.

N^o 120
1867

Madras Civil & Session Court
7th May 1867

From

R. R. Cotton Esquire
Civil & Session Judge of
Madras

To

The Honorable A. J. Arbuthnot
Chief Secretary to Government
Fort St. George.

Honorable Sir,

I have the honor to acknowledge Proceedings of Government dated 29th April 1867 N^o 440. Having reference to the raising funds for presenting me with a testimonial after my retirement from the Service, and to inform you that beyond the statement of Mr. Gas Anthony, who read the address presented to me on the 15th ultimo, that arrangements were being made to present me with a Testimonial in England which, as I should then be altogether unconnected with the service, and the Government

Government, I considered there could be no objection to my accepting. I consented to receive. I know positively nothing except what has been published in the newspapers, on which I believe little reliance can be placed, I have not even heard what the testimonial is to be, or who have subscribed towards it.

2 On receiving privately through you, a short time since, some Proceedings of Government in which it was stated in reference to a letter from Mr. Silver, the Government could not sanction (but did not prohibit) his acceptance of a testimonial from the people of Tinnevely on his retirement from the service, I at once forwarded them to Mr. Gas. Anthony requesting him to make known to those who might be concerned that I could not, as a Government servant, accept any testimonial, and I have now forwarded to him the Proceedings of Government under acknowledgement for the information of those concerned; I do not see

in what other manner I can make known the sentiments of the Government.

3 In explanation of my conduct I would respectfully submit that I have hitherto entertained the opinion, which I believe is very universally held, that the prohibition to accept any tangible testimonial, only had reference to servants of Government; and did not affect them after their connection with the Government ceased.

4 Mr. Baynes, Mr. Glap, the late Mr. Morehead, and others, as also Sir William Darnley, and Sir Barth. Freere, Governors of Madras and Bombay, were presented with Testimonials on their retirement to England from the Government service, and I am, I think, at a loss to understand on what grounds an exception should be taken to such a testimonial being accepted by me in England, or, how after my retirement from the service, I can be held amenable to its Rules.

5 I should feel greatly obliged if

if you would kindly furnish me with a copy of the Rules referred to, the existence of which I can positively state I have hitherto been in ignorance of.

6. From the proceedings of the meeting held to propose an address to me on my departure, it would appear that the principal parties who got up at the meeting were

Audumoolam Pillay, the renter I believe of the Kannevady Zemindari.

Krishnasawmy Chettiar, a Merchant of Madura.

Keelamathoor Swamias, a wealthy Mahomedan land holder.

Vegia Renga Moodely, Deputy Inspector of Schools.

Somasoonchum Moodaliar, Tahsildar of Madura and

M^r Gas Anthony, the Native Surgeon.

7. With none of these, save perhaps the Tahsildar, can I in any way be said

said to be connected officially. It has been stated in the papers that the address was got up by my judicial subordinates, but I believe if enquiry were made such would be found to be altogether unfounded, the truth of the statement having been positively denied to me.

I have the honor to be

Honorable Sir

Your Most Obedient Servant

ROOFTON -
Civil and Session Judge

P.S.

Address as above
Club
Madras

Public Department.

Extract from a Despatch from
the Honourable the Court of Directors,
dated the 30th April 1828.

(b). Tender of a piece of plate
by a large body of natives
to Mr. R. Clarke, a member
of the Board of Revenue and
Tamil Translator to Govern-
ment, on the occasion of his
departure from India. Fourth
permission solicited for his
acceptance of it.

22. We learn with
great pleasure the highly
favorable impression which
Mr. Clarke's character and
conduct have made upon
the native inhabitants of
Madras, and we regard the
circumstance, as highly

creditable to both parties: but the effects
which might ultimately arise from
our giving sanction to a practice
such as that of which our instance is
now submitted to our consideration, com-
pel us, reluctantly, to refuse our consent,
as we have already done in several
analogous cases which have been
referred to us by our other governments.

True Extract

Chief Secretary

ES

29 April 1828

Public Dept
29 April 1828

Mr. R. Clarke
The (Tamil) Translator
to Government
Madras

Madras
29 April 1828

Enclosure

100

According to the
order of the Government

to the Secretary to the
Government

to the Secretary to the
Government

to the Secretary to the
Government

to the Secretary to the
Government

to the Secretary to the
Government

Public Department.

PROCEEDINGS of the MADRAS GOVERNMENT.

Read the following letter
from Mr. R. R. Cotton, Civil &
Session Judge of Madras
dated 4 May 1867 No 120.

Order thereon 22 May 1867 No 573.

The Governor in Council
directs that Mr. R. R. Cotton be
furnished with an extract from
the Despatch of the Honble Comr
of Directors under date the 30th
April 1828, in which the Honble
Comr declined to sanction the
acceptance by Mr. Clarke of
a piece of plate which had been
tendered to him by a large body
of natives on the occasion of
his retirement from the public
Service.

2 - The Governor in Council is
aware that it is not in the power
either of the local Govt or the Secy
of State to enforce the rules of the
Service against a public Officer
after

N.
G.
W.

after his retirement, but he
has sufficient confidence in the
high sense of honor which has
hitherto distinguished the civil
Service of India to feel assured
that the members of that Service
as a body, will regard a rule of
the nature of that now under con-
sideration, to be equally binding
upon them, in a moral point of
view after they have quitted the
Service as it is while they still
belong to it

3. - His Lordship in Council is
satisfied that with the above
intimation of the views of the Home
Govt before him, Mr Cotton will
not deem himself at liberty to
accept the testimonial referred to
in his letter, ~~either before or~~ after
his retirement

4. - Mr Cotton is mistaken in
regard to some of the cases quoted
by him in the 4th para of his letter.
The testimonial raised by the
inhabitants of Madras and of other
parts of the Presidency on the
occasion

occasion of the retirement of the
late Mr. Brookehead from the public
Service, was not in the form of a
valuable present, but took the form
of a Law Scholarship founded in
Mr. Brookehead's name in connexion
with the Presidency College. Sir
William Wilson declined a
present which was offered to him.
The testimonial to Sir W. Wilson was
presented by the members of his
own Service and not by the
Native inhabitants of the Pre-
sidency or District in which
he had served.

R. R. Cotton Esq^r ^{Madras Club}
Civil & Supreme Judge of Madras
23/5

24-5-525

23.12.26 ✓

29.5.29 ✓

Mr H. Cotton

Public 1867. Department.

No. 543

PROCEEDINGS OF GOVERNMENT.

Dated. 22nd May 1867

143. 144.