ORDINARY, MS.

Public Department.
G.O., dated 4. 3. 89.
No. 217



ORDINARY, MS.

Public Department.
G.O., dated 26-2-89
No. 192A/192B.

Confidential No. 42 A
1889.

*When given for copying*

---

[Despatch Abstract.]

Memorials Ordering that Memorial from Mr. C. L. Cole of the Madras Civil Service be forwarded to the Secretary of State and the Under Secretary of State informed that Mr. Cole has been requested to furnish the India Office with two additional copies of the Memorial.

BACK PAPER, No. OF 188 .

FURTHER PAPER, No. OF 188 .

READ AGAIN ORDER OF GOVERNMENT, dated
188 , No. , MISCELLANEOUS.

ENCLOSURES.

CURRENT No.

STATEMENT WITH DITTO.

ORDER OF GOVERNMENT .. .. .. A A

STATEMENT WITH DITTO.

PAPERS NOT FILED UP, BEING MEANT FOR DESPATCH IN ORIGINAL (not paged).

*N.B.*—
A = Copy in full.
B = Not to be copied.
P = Copy abstract only.
Q = Copy heading only.

Order No 192A. of. 26. 2. 89.

The Memorial will be forwarded to the Secretary of State

2. Mr. Coyle will be requested to furnish the India Office with two more copies of his Memorial

To
C. S. Coyle Esqre
C.S.
c/o India Office

Dated 5/3/89

Letter No 192B. of. 26. 2. 89. Dated 5/3/89

To.
The Under Secretary of State
for India

Sir,

With reference to the Despatch to the Secretary of State No 6. of. 27. Jany 89 forwarding a Memorial from Mr. C. S. Coyle of the Madras Civil Service, I have the honor to inform you that as Mr. Coyle has is in England ~~left this country on leave without furnishing the sufficient number of copies of the Memorial to enable this Govt. to supply you as usual with the usual copies~~, he has been

Received 30 January 1889

Enclosures 1

3 C. copies sent
1 sent to Chief Secy
1 sent to Secy of State
2 required for Secy of State
" " Govt of India

SUBJECT.

Forwarding a Memorial to the Secy of State appealing against exercise of ordinary patronage.

To be sent for the present

[With order

BACK PAPER, No. of 188 .

READ AGAIN ORDER OF GOVERNMENT, dated
188 , No. , MISCELLANEOUS

ENCLOSURES.

CURRENT No.

STATEMENT WITH DITTO.

ORDER OF GOVERNMENT .. ..

STATEMENT WITH DITTO.

PAPERS NOT FILED UP, BEING MEANT FOR DESPATCH IN ORIGINAL (not paged).

N.B.—
A = Copy in full.
B = Not to be copied.
P = Copy abstract only.
Q = Copy heading only.

Memo to Secy. Mint
H.S.

GOVERNMENT HOUSE.

OFFICE SECRETARY OF STATE 9 FEB 89 GOVT. OF INDIA

Circulate.

I do not see that it is necessary to do anything but forward the Memorial to the Secretary of State.

Of course if Lord Cross wishes for explanation upon any particular points we can give them —

Perhaps it might be well in our despatch forwarding the memorial to say that the facts have been laid upon the Secy of State to

CURRENT No. 359.

[ 9 ] Public DEPARTMENT.

Order No 192A. dt. 26. 2. 89.

The Memorial will be forwarded to the Secretary of State

2. Mr. Croke will be requested to furnish the India Office with two more copies of his Memorial

From

C. S. Croke Esqre.
M.C.S.

To

C. S. Croke Esqre C.S. } Dated 5/3/89
c/o India Office

No.

Dated 29th } January 1889
Received 30th }
Enclosures 1

3 C. copies of Memo

SUBJECT.

1 for in C. Chief Secy
1 sent to Secy of State
2 required for Secy of State
1 " " Govt of India

Forwarding a Memorial to the Secy of State appealing against exercise of ordinary patronage.

Letter No 192B. dt. 26. 2. 89. Dated 5/3/89

To,
The Under Secretary of State
for India

Sir,

With reference to the Despatch to the Secretary of State No 6. dt. 27. Feb 89 forwarding a Memorial from Mr. C. S. Croke of the Madras Civil Service, I have the honor to inform you that as Mr. Croke has ~~left this country on leave without furnishing the sufficient number of copies of his Memorial to enable this Govt. to supply you as usual with two spare copies~~, he has been

To be sent for the present

572

[ With order

requested ~~directed~~ to forward ~~them~~ to the India Office ~~direct~~ to make up the usual number.

two additional copies of this Memorial

## Abstract of Memorial to The Right H
## able The Secretary of State for Ind
## Council, from C. S. CROLE, M
## Civil Service.

Petitioner appeals against the manner in whi
Secretary of State's orders for his reinstatement ha
carried out by the Local Government. He bri
notice the indignity, injury, and pecuniary loss t
he has been subjected since January 1886.

GROUNDS OF APPEAL:

In consequence of Petitioner having been comp
report the late Senior Member of Council for ir
ties, owing to which he was eventually obliged t
the Service, Government

(*a*) transferred Petitioner from his appoin

(*b*) subjected him to social ostracism,

(*c*) suspended him from office,

(*d*) allowed an attempt to be made to
him in a case of dacoity,

(*e*) through Mr. Thomas, attempted
charges of corruption against him.

(*Vide para.* 6, *a* to *j*.)

Such treatment of a servant of the Crown
done his duty, as the Secretary of State has
absolutely without precedent.

*After* the Secretary of State had cancelled the
transfer and suspension, which were then alone be
Government further punished Petitioner by removing him
from the Executive Department, in which he had served
for 23 years, and sending him to a District Judgeship,
which was, in no way, the equivalent of the post which he
had lost. (Paras. 9, 10 & 11.)

Petitioner has not ceased, most deferentially, to press on
the consideration of the present Government the injury
thus inflicted upon him. His efforts have been in vain.

Petitioner's being maintained as a Judge is viewed as a
punishment by all concerned.

The refusal of promotion, long ago earned, is also view-
ed as showing that Government considers this punishment,
as well as what preceded it, just and deserved.

Petitioner had, years ago, earned the right to promotion
by his services as a Collector, and quotes the written pr
mise of Sir M. E. Grant Duff.

He has lately been repeatedly superseded by junior
officers, and, in spite of the Secretary of State's direc-
tions, his position and prospects are far worse than they
were in 1885.

It is contended that, even if Petitioner's services had
been as commonplace, as they have been proved (paras. 13

requested to forward two additional copies of the Memorial

Office direct to make up the usual number.

GOVERNMENT OF MADRAS

FORT ST. GEORGE

1889

Mr Chas Rees.

I believe a

from Croke to the S of S and

after it has been perused

with his permission with

and take his instructions as

to the dealt with.

Mr Stokes has seen the Memo

the course suggested above has

Yours

Your most obedient servant

C.S. CROLE

madras civil service

## Abstract of Memorial to The Right Honorable The Secretary of State for India in Council, from C. S. CROLE, Madras Civil Service.

Petitioner appeals against the manner in which the Secretary of State's orders for his reinstatement have been carried out by the Local Government. He brings to notice the indignity, injury, and pecuniary loss to which he has been subjected since January 1886.

GROUNDS OF APPEAL:

In consequence of Petitioner having been compelled to report the late Senior Member of Council for irregularities, owing to which he was eventually obliged to resign the Service, Government

(*a*) transferred Petitioner from his appointment,

(*b*) subjected him to social ostracism,

(*c*) suspended him from office,

(*d*) allowed an attempt to be made to implicate him in a case of dacoity,

(*e*) through Mr. Thomas, attempted to bring charges of corruption against him.

(*Vide para.* 6, *a* to *j*.)

Such treatment of a servant of the Crown for having done his duty, as the Secretary of State has decided, is absolutely without precedent.

*After* the Secretary of State had cancelled the orders of transfer and suspension, which were then alone before him, Government further punished Petitioner by removing him from the Executive Department, in which he had served for 23 years, and sending him to a District Judgeship, which was, in no way, the equivalent of the post which he had lost. (Paras. 9, 10 & 11.)

Petitioner has not ceased, most deferentially, to press on the consideration of the present Government the injury thus inflicted upon him. His efforts have been in vain.

Petitioner's being maintained as a Judge is viewed as a punishment by all concerned.

The refusal of promotion, long ago earned, is also viewed as showing that Government considers this punishment, as well as what preceded it, just and deserved.

Petitioner had, years ago, earned the right to promotion by his services as a Collector, and quotes the written promise of Sir M. E. Grant Duff.

He has lately been repeatedly superseded by junior officers, and, in spite of the Secretary of State's directions, his position and prospects are far worse than they were in 1885.

It is contended that, even if Petitioner's services had been as commonplace, as they have been proved (paras. 13 to 34) to be exceptional, the public interests require that special consideration should be shown to him.

The cases of Mr. (Sir Charles) Trevelyan, K.C.S., and Major Templer, R.E., are cited in support of the following,

PRAYER:

(1) That the Secretary of State pass ORDERS on the whole case, now for the first time presented;

(2) That SUBSTANTIAL COMPENSATION in money be awarded to Petitioner, as a *solatium* for the indignities, injuries, pecuniary loss, and intolerable mental suffering inflicted on Petitioner.

(3) That, in recognition of the necessity for public redress, the Government of Madras be instructed to provide a SUITABLE APPOINTMENT for Petitioner.

prays Your Lordship to take the facts, now set forth, into consideration with the view

(*a*) That YOUR LORDSHIP may pass ORDERS on the manner in which Petitioner has been caused to suffer after doing his plain duty :

(*b*) That SUBSTANTIAL COMPENSATION in money may be ordered to be paid to him, as some compensation for his pecuniary losses, for the indignities to which he has been submitted, and for the intolerable mental suffering which he was made to undergo for no fault of his own.

(*c*) That the Government of Madras be instructed to provide a SUITABLE APPOINTMENT for Petitioner, in recognition of his previous services, as well as of the mistake which was committed by the late administration.

And Your Lordship's humble Memorialist, as in duty bound, shall ever pray.

CHITTOOR,
15*th December* 1888.

Mr. Sir Charles Trevelyan's case.

46. There happens to be a very similar case on record. The treatment of the officer concerned by the Governor-General, Lord William Bentinck, stands out in startling contrast with that of which Petitioner complains. Mr., afterwards Sir Charles Trevelyan, when Assistant Resident at Delhi, reported the Resident for corruption. The inculpated officer happened to be a man of considerable influence. Every effort was made to stifle enquiry. The European community sided with the Resident, and Mr. Trevelyan was outcasted. The charges were, however, substantiated, and the Governor-General considered it to be his duty to confer on Mr. Trevelyan a substantial mark of the approval of Government by the offer of a superior appointment, as some compensation for what he had suffered in the discharge of his duty. But Mr. Trevelyan had not been suspended, or submitted to one tithe of the indignities, which Petitioner has shown to have been inflicted on him.

Reported Resident of Delhi.

Case of Major Templer, R. E.

47. It is, moreover, a standing rule of British administration to compensate in money public officers, who have suffered owing to the action of their superiors. It is only necessary to cite a recent case in order to prove this. Major Templer, R.E., received, it is believed, £4,000, as a *solatium* for having been made to stand a Court Martial, in consequence of his supposed disclosure of official secrets, connected with the Ballooning Department of the Army. But here again, the officer concerned had no grievance at all approaching that set forth by Petitioner. His position, also, was much inferior to that held by Petitioner; and, at all events, he was not refused the advantage of a Public Enquiry in order to clear his character, which has been denied to Petitioner.

Money compensation granted.

Petitioner sacrificed to exigencies of Government by refusal of enquiry.

Claim to substantial pecuniary compensation.

48. It was thought desirable, in the public interests, to avoid an enquiry in Madras, and Petitioner's honour and reputation were sacrificed to the exigencies of Government. It is most respectfully submitted that, in this view, Petitioner has a valid claim to substantial money compensation, as well as to the marked recognition of the Secretary of State.

49. In place of this, he has been turned out of the Department, to which he belonged. His claims to advancement have been denied. He is being superseded by junior officers.

50. All through this Memorial Petitioner has confined himself to facts on record. If, in any instance, the Government of Madras, through which it is forwarded, considers that he has gone wrong, it will doubtless set him right in the same way by reference to facts on record. Petitioner's career has all along been absolutely unsullied. Not a single order in any way reflecting on him has ever emanated from superior authority. On the contrary, up to the date of the Sullivan incident, he was always led to believe that he had earned the approbation, and that he possessed the entire confidence of Government.

Prayer.

51. Petitioner, on all the grounds set forth in this MEMORIAL, humbly



He desires me to add that he has watched your work for the last two years with interest, and remembers the wish that you expressed to him that you should again receive a Collectorship. Although he makes it a rule never to promise, he hopes that before many months elapse, he may have an opportunity of posting you to a district in the line for which you have expressed a preference.

Believe me,
Yours sincerely,
(Signed) J. D. REES.

---

CHITTOOR,
*26th November* 1888.

Petitioner's reply.

MY DEAR REES,

My acknowledgments are due to His Excellency for your letter of the 18th instant. But I would most respectfully beg that I may not be appointed to a Collectorate. I made the same request to the Chief Secretary in January 1888, and he promised to bring it to notice.

The object of my submission to His Excellency of the 14th instant, was to ask for promotion in the Executive line, to which I belonged for 23 years, founded on exceptional service *as a Collector*, which was at one time acknowledged as constituting a valid claim. I took the liberty, also, of bringing to His Excellency's notice that this claim had been rendered immeasurably stronger, owing to the action of the late Government towards me in 1886, and I submit, with all deference, that the various despatches of the Secretaries of State in regard to it, may fairly be construed as supporting this view.

As between Collectorate and Judgeship, I have no longer any preference for the former. It is true that I, at one time, begged His Excellency to remove the stigma which had been placed upon me in August 1886, by my compulsory transfer to the Judicial Branch. But, other considerations apart, it will be remembered that this was before it could fairly be asserted that it was the intention of Government to supersede me, and to permit juniors to reap advancement, which it was admitted by the late Governor in the Chief Secretary's letter of September 1885, previously quoted, I had then already earned. My standing in the service has changed very materially in the interval. I am at present practically 15th on the Civil Service List. The effect of posting me to a Collectorate—welcome instalment of redress, as it would have been, two years ago—would now be, that I should have to serve under Juniors, deprived, as far as can be discerned, of all prospects, and it would entail the sacrifice of my qualifying service for the High Court, which is approaching completion.

My apologies are due for continuing this correspondence, but gratitude for His Excellency's kindly intentions requires me to render a candid explanation.

Yours sincerely,
(Signed) C. S. CROLE.

Obvious intention of Government to stop all promotion.

44. The obvious intention of Government therefore is to do "before many months" what the Secretary of State directed to be done 2½ years ago, to ignore the change in Petitioner's standing in the service which has taken place in the interval, and to entirely repudiate the distinct promise made by the late Governor so long ago as 1885, which was based on the clear admission that Petitioner had (before the Sullivan case) earned the right to be promoted to Headquarters.

Effect of that decision.

45. In point of fact, the decision of Government comes simply to this, that everything is to be forgotten, except that Petitioner reported a Member of Council, and that Rules of increased stringency have been issued by the Government of India in consequence; that, although in the public interests, a full enquiry, by which Petitioner is the only person who would have gained, has been refused, the *fiat* has gone forth that there is "*something*" against Petitioner; and that the circumstances of the case demand no reparation on the part of Government.

out injustice. It is perfectly clear that, if the late Governor had carried out his written promise, as he most undoubtedly would, but for the Sullivan incident, Petitioner would certainly have obtained an appointment in the interval of 15 months before Sir M. E. Grant Duff left Madras, which would have taken it out of the power of the present administration to ignore Petitioner's claims. Petitioner simply asks to be placed in the position which, on an unbiassed view of the above facts, he would have held, but for the transfer and suspension orders, which ha since been cancelled by your Lordship.

Apology for above recital.

39. Petitioner would far rather have been spared the above long recital, which, for obvious reasons he would have preferred to avoid. It has been forced on him by the necessity for showing that, on the date of his suspension, his claims to promotion, owing to the facts above set forth, were undeniable and admitted.

The reason for it.

Self-respect, and truth also, seem alike to require that the assertion, express and implied, to the effect that Petitioner has done no more than the ordinary run of Collectors, should be distinctly traversed, and as plainly disproved. He would respectfully ask whether the real interests of the public service are consulted, or the demands of good policy deferred to, by the wiping out of a record such as that above disclosed, by the exclusion of Petitioner from the advancement admittedly earned, and by the unavoidable implication that an officer must accept such disabilities, as the consequence of the honest, and fearless, performance of unpleasant and dangerous duty.

The peculiar circumstances entitled Petitioner to special consideration.

But superseded by juniors.

40. If Petitioner's services had been as commonplace, as they have been shown to be exceptional, it is humbly submitted that the hardships, indignities, disgrace, pecuniary loss, and indescribable anxiety, inflicted by the action of the Madras Government, were more than sufficient to have justified Government in passing over, in his favour, the claims of officers otherwise superior. But the reverse has been the case. Petitioner has lately been superseded by junior officers with no special claims at all, and Petitioner challenges refutation of the assertion, that no officer of recent years, promoted to Head-quarters, has possessed a record of services superior to his.

Has repeatedly addressed Lord Connemara in vain.

41. Petitioner has not ceased to represent the circumstances temperately, as he trusts will be admitted, to the present Governor, Lord Connemara, since December 1886. He recognised the necessity of patiently waiting the convenience of Government, and he believes that the moderation of his conduct is acknowledged. But now, that the appointments of Mr. Galton to be Revenue Secretary, and Mr. Sturrock to officiate as 4th Member of the Board of Revenue, have clearly shown the final determination of Government to exclude him from the advancement, to which his seniority and services, if nothing else entitled him, he feels compelled reluctantly to appeal to the Secretary of State for intervention on his behalf.

No danger of personal feeling on Petitioner's part affect

42. It may perhaps be urged, as a reason for Petitioner's supersession, that difficulties might arise in official intercourse with a certain limited number of



members of the Civil Service, whose connection with land has rendered them obnoxious to the Rules, and of others, their sympathisers, especially in view of the very stringent regulations recently laid down, in that regard, by the Government of India. But this, it is submitted, constitutes no valid reason for action injurious to Petitioner. As to the likelihood of friction arising in practice, owing to Petitioner being influenced in conduct by what is past, there is no foundation for it, and Petitioner is aware that his moderation for the last two years has been acknowledged by a Member of the present Government. Petitioner most positively asserts on honour, that, from first to last, he has been actuated by no personal feeling whatsoever.

ing official relations.

But susceptibilities of civilians whose conduct has compromised them, no valid reason for superseding Petitioner.

Disclaimer of personal feeling.

43. The following letters have lately passed between His Excellency's Private Secretary and Petitioner. They show how the matter at present stands.

Correspondence with Lord Connemara's Private Secretary.

---

CHITTOOR,
14*th November* 1888.

MY DEAR REES,

Letter of Petitioner to Private Secretary.

I feel ashamed of importuning Lord Connemara again with reference to the application for advancement, made to him personally, and by letter, in July 1887. But it is a matter of vital consequence to me, to obtain reinstatement in public estimation by Government at recognition of my services. Arrangements recently announced, which are, I understand, about to be followed by others, from which also I am omitted, will close the avennes to promotion for many years to come. My object in again addressing His Excellency is, to appeal to his kindly consideration, which I feel certain, from past experience, will not be withheld, to the fact that, since August 1886, I have been superseded by juniors on five occasions, that three of these have reference to appointments which I was considered fit for, so long ago as 1879 and 1880, and that, under the terms of the Chief Secretary's demi-official letter to me of 7th September 1885, it is certain that, but for the Sullivan incident and others flowing out of it, I should be now occupying a very different position from that of District Judge. The enclosed cutting from a Memorial, laid before the Viceroy in 1886, summarises my claims to consideration up to that time, and the substantial accuracy of the statements contained in it has never, so far as I am aware, been impugned by the Madras Government.

The Secretary of State has seen fit to completely vindicate my conduct in Mr. Sullivan's matter, and I have come out scatheless from enquiries into my character, totally unprecedented in the history of British administration. What I feel is—and perhaps His Excellency will not deem the feeling altogether unreasonable—that honourable and efficient as my career has been, it is considered that there is "something" against me, which justifies my exclusion from those appointments, to which it was admitted at one time that I had established a good claim. I appeal therefore to His Excellency, as the fountain of honour, to relieve me from the false position in which I find myself placed, owing to circumstances, which I can only guess at but for the existence of which I can hardly be charged with any blame.

Yours sincerely,
(Signed) C. S. CROLE.

P. S.—The Chief Secretary's demi-official above alluded to, was in reply to a claim preferred by me to the Revenue Secretaryship, which was implicitly admitted, and not resented, by the late Governor.

C. S. C.

---

GOVERNMENT HOUSE, MADRAS,
18*th November* 1888.

MY DEAR CROLE,

Letter of Private Secretary to Petitioner.

I have laid your letter and enclosure before His Excellency.

He desires me to say that the appointments, which he has lately made in the Secretariat are those he considered to be most desirable in the interests of the Public Service, and this consideration is the only one, which has the slightest weight with him in the disposal of patronage.

"him for the enlightened sympathy, with which he received all measures of reform, "and for his continued support to every effort made to ensure the proper adminis- "tration of Local Funds."

Scheme of water-supply for the city of Madura.

32. Again, Petitioner designed and carried out a scheme of water-supply for the city of Madura, which, when Petitioner left, was supplying, roughly, two-thirds of 80,000 people with pure drinking water. Up to that time, Madura had been one of the most unhealthy towns in Southern India. The problem of its water-supply, on the solution of which a large sum had been spent, had been given up as insoluble. Yet, without imposing one anna of debt, or resorting to extra taxation, Petitioner supplied the boon of pure water to the inhabitants, who reaped the benefit of it from the day the first pipe was laid. Petitioner has reason to believe that the most marked effect on the health of the city has been the result, and that cholera has, since 1884, been kept practically at bay. Government approved and sanctioned this scheme, but, it is understood, that it still remains in the same incomplete state, as when Petitioner delivered over charge. The designing and working out of this water-supply scheme represented an enormous amount of labour, and great responsibility, which Petitioner devoted to the public without any remuneration whatsoever.

"Prince of Wales' Bridge."

33. Petitioner obtained the sanction of Government to the erection of a bridge over the Vigay River at Madura, at the joint cost of Provincial and Local Funds. The object was to provide, on the North bank of the river, room for the extension of the rapidly growing City in a healthy direction. The foundation-stone was laid by His Excellency the Viceroy, a few weeks after Petitioner had given over charge, and the structure was named after the Prince of Wales, in order to commemorate his visit to Madura.

Periyár Project.

34. As a consequence of two tours in Madura of Sir M. E. Grant Duff, who took up the subject very warmly, the well known Periyar Irrigation Project received the sanction of the Government of India during Petitioner's tenure of office.

35. Since the year 1869, Irrigation questions have constantly occupied Petitioner's attention. At page 680, Vol. III of the Report of the Famine Commission, as well as elswhere, reference is made to this subject. On the 15th November 1883, the Madras Board of Revenue forwarded to Government the last of a series of papers written b[illegible]ioner on this subject, with the remark that it contained "*a valuable c[illegible]olution to the Policy*" to be pursued with reference to that all important question.

36. Lastly, when a deputation from the Government of India, headed by Sir Evelyn Baring, visited Madras in connection with the Provincial (Financial) contract, the Home Secretary, Mr. A. Mackenzie, C.S.I., was deputed to confer with two Collectors. The Officers selected were the Hon'b[illegible]r. Stokes, now Member of Council, and Petitioner.



Correspondence with Chief Secretary in 1885 regarding promotion.

37. The following correspondence, between Petitioner and the Chief Secretary, explains itself, and it proves beyond possibility of cavil, that, when the Sullivah incident occurred, Petitioner was first on the roster for promotion to Head-quarters. These letters are quoted here, because doubts are now cast on the assertion that any promise was ever made by Sir M. E. Grant Duff.

---

CAMP AMMAYANYAKANUR,
31*st August* 1885.

MY DEAR WEBSTER,

* * * * *

Now, pray, read the following to His Excellency.

Letter to Chief Secretary.

I ask permission to say another word regarding the personal question—as to my being promoted out of the Madura District. I respectfully, but most earnestly, beg that you will bring my application to be allowed to act as Revenue Secretary, when you are away, to the consideration of His Excellency, along with what measure of support you are able to give it. My plea for advancement is based solely upon sheer, hard, work, and on the various successes which have followed it. I shall say nothing regarding what I have been the means of doing for legislation, irrigation, water for towns, and Local and Municipal administration. I ask you simply to call for the Revenue Board's reports to Government on the collection of the Revenue in the Madras Presidency. You will find there that Madura has been first for three years running, and that I closed this year, ending 30th June 1885 with *cent. per cent.* collected, the same figure having been reached in more than one of the months preceding. No Collector has ever done this before. I leave it to you to say what must have been the anxiety, daily drudgery, and exposure necessary for thus carrying out the orders of the Madras Government—oft repeated, but never hitherto fulfilled—in a District composed of six huge Government Taluqs, and some 29, mostly bankrupt, Zemindaries. I shall not weary you with more examples—*ex uno disce omnia*. But as the first Collector in the Presidency for the past 3 years, it is hard to see less successful men preferred before me for the Revenue Officer's prize. If, however, His Excellency adjudges it away from me, I most earnestly crave an appointment in Madras. Fever and sunstroke which I got during the famine in Nellore and Kurnool, and the accident to my lung two years ago, brought on by exposure in Madura, it is submitted justify me in asking for this concession at least, after more than 7 years' service as Collector, much of which has been of an abnormal kind. I made a mistake when, in reply to your remark that I would not now take (the Directorship) of Agriculture, I said, "No." What, on consideration, I feel that I should have said was that it would be my duty to do so, in order to escape risk to my health.

* * * * * *

Yours sincerely,
(Signed) C. S. CROLE,

---

OOTACAMUND,
7*th September* 1885.

MY DEAR CROLE,

Letter from Chief Secretary.

I have laid your note of the 31st ultimo before H. E. the Governor, and I am to say that H. E. is aware that you have worked hard, but that, in filling up places vacant in consequence of my taking furlough, the claims of men who have also done good work have to be considered, and as you will have seen, the Acting Revenue Secretaryship, and the Directorship of Agriculture, &c., have been given to officers senior to you.

Petitioner promised promotion by Sir M. E. Grant Duff.

His Excellency has noted your request for a change of work, in view to meeting your wishes when a good opportunity offers.

Yours sincerely,
FOSTER WEBSTER.

Meaning of above letter discussed.

38. The most austere of Petitioner's critics can hardly maintain, in the face of the Chief Secretary's letter, that, at the very least, it does not contain a distinct admission that Petitioner could not be passed over by any *junior* officer with-

Petitioner, which supplied the want. The cost was met altogether out of the voluntary subscriptions of its inhabitants, a committee of whom carried out the works.

Experimental and Model Farm and Farmer's Club.

25. From public subscriptions also, an Experimental and Model Farm was established on the outskirts of the city of Madura. It was managed by a committee of the Farmer's Club, also established by Petitioner, to which it belongs. It received the support and approval of Government, and it is the only institution of the kind in India which has ever paid expenses. It is still in existence.

Annual Agricultural Show.

26. In connection with this Farm, an Annual Agricultural Show was established. It was held at the time when the ryots of the District crowd into Madura for the Grand Festival and the Cattle Fair. Government contributed to this purely non-official institution, and it has, since Petitioner left the District, expressed its regret that it should have been found, by his successor, impossible to continue it.

There are no similar institutions in any other part of the Presidency.

Voluntary Sanitary Associations.

27. A vast network of Voluntary Sanitary Associations, in which the inhabitants took great personal interest, was established, and paved the way for the smooth working of the New Local Fund Act.

Schemes for water supply of various towns.

28. When Petitioner was removed, he was engaged on several schemes for the water-supply of Towns, and in floating a local company to construct and work two Light Railways, over 100 miles in length, without any guarantee from Government.

"The Dufferin Park."

29. The *Dufferin Park*, which was eventually opened by the Viceroy, Lord Dufferin, was laid out by Petitioner, and presented to the city of Madura by private parties.

Union "Club."

30. A *Native Club* was established and a handsome building erected. The Governor became its Patron. The management is purely native, and a considerable sum was subscribed by the members.

Valedictory Resolution passed by Local Board.

31. The successful evocation of the public spirit which prompted the above and similar works was solely due to the personal influence acquired by Petitioner, and to the confidence reposed in him by the population of the Province. The following very unusual Resolution was unanimously passed at a Meeting (14 members present) of the Local Fund Board, composed of Europeans and Natives, belonging to both the Official and Non-official classes. The Meeting was held after Petitioner had been removed, and had left the District. It speaks for itself.

"The Members of the Board resolve to place on record their grateful ap-
"preciation of the deep interest which Mr. Crole evinced in the affairs of the Board
"as its President, and the marked ability with which he administered its funds.
"They take this opportunity of acknowledging the many lasting benefits conferred
"by him on the Agricultural Classes of this District, and their thanks are due to





other recommendations from Madras were very high, and wide of the mark. The important bearing of the question on State expenditure during future Famines need hardly be indicated.

Collector of Madura.

17. On his return from furlough in March 1882, Petitioner was appointed Collector of Madura, at that time the most difficult charge in the Madras Presidency, owing to the huge mass of arrears outstanding, and various other causes, some of which have been brought to notice in Petitioner's Memorial, dated 10th January 1886.

18. When Petitioner was suddenly removed from that District in January 1886, several of his schemes for its material development had only begun to bear fruit, while others were incomplete. But he is entitled to rely with pardonable pride on the following facts, which are, it is submitted, sufficient to render notable any four years' tenure of office.

Arrears of Revenue liquidated.

19. All arrears of Revenue were liquidated, and a system of punctual collection introduced, the effect of which was to relieve the inhabitants from a heavy tax for interest and process fees, which had weighed down the Province for many years.

Madura, first in the collection of Revenue for 3 years running.

No balance whatever at end of Revenue year 1884-85.

Madura stood *first* on the Returns of Government, for 3 years running, in the matter of the collection of Revenue. It is the only District, which has ever shown a clean balance-sheet at the end of a Revenue year. To this unique position, Petitioner had brought his charge in the year previous to his removal.

20. The state of the disposal of public business of all kinds was equally exceptional.

Local Self-Government.

21. Petitioner had, owing to special facilities permitted to him by the late Governor, made successful efforts to enlist the co-operation of the non-official community in the management of Local Affairs, as a pioneer experiment towards the introduction of Lord Ripon's scheme of Local Self-Government. The people responded in the most satisfactory manner, and, *as a mark of the appreciation of Government*, the non-official Chairman of the Madura Municipal Council was appointed a member of the Legislative Council at Madras.

Works of public utility.

22. Various works of great public utility were executed by voluntary effort.

Clearing of space round famous Temple in centre of the city.

23. Under this head, Petitioner would quote the removal of the unsightly buildings which surrounded the famous Madura Temple, situated in the crowded centre of the city, and the laying out of the space thus acquired as an Ornamental Garden, surrounded with lamps and iron railings, a work that cost the private citizen, who executed it, an immense sum.

Water-supply for Dindigul.

24. Dindigul, a town which had always suffered severely from scarcity of water, was supplied with a tentative working scheme, designed entirely by

other recommendations from Madras were very high, and wide of the mark. The important bearing of the question on State expenditure during future Famines need hardly be indicated.

Collector of Madura.

17. On his return from furlough in March 1882, Petitioner was appointed Collector of Madura, at that time the most difficult charge in the Madras Presidency, owing to the huge mass of arrears outstanding, and various other causes, some of which have been brought to notice in Petitioner's Memorial, dated 10th January 1886.

18. When Petitioner was suddenly removed from that District in January 1886, several of his schemes for its material development had only begun to bear fruit, while others were incomplete. But he is entitled to rely with pardonable pride on the following facts, which are, it is submitted, sufficient to render notable any four years' tenure of office.

Arrears of Revenue liquidated.

19. All arrears of Revenue were liquidated, and a system of punctual collection introduced, the effect of which was to relieve the inhabitants from a heavy tax for interest and process fees, which had weighed down the Province for many years.

Madura, first in the collection of Revenue for 3 years running.

No balance whatever at end of Revenue year 1884-85.

Madura stood *first* on the Returns of Government, for 3 years running, in the matter of the collection of Revenue. It is the only District, which has ever shown a clean balance-sheet at the end of a Revenue year. To this unique position, Petitioner had brought his charge in the year previous to his removal.

20. The state of the disposal of public business of all kinds was equally exceptional.

Local Self-Government.

21. Petitioner had, owing to special facilities permitted to him by the late Governor, made successful efforts to enlist the co-operation of the non-official community in the management of Local Affairs, as a pioneer experiment towards the introduction of Lord Ripon's scheme of Local Self-Government. The people responded in the most satisfactory manner, and, *as a mark of the appreciation of Government*, the non-official Chairman of the Madura Municipal Council was appointed a member of the Legislative Council at Madras.

Works of public utility.

22. Various works of great public utility were executed by voluntary effort.

Clearing of space round famous Temple in centre of the city.

23. Under this head, Petitioner would quote the removal of the unsightly buildings which surrounded the famous Madura Temple, situated in the crowded centre of the city, and the laying out of the space thus acquired as an Ornamental Garden, surrounded with lamps and iron railings, a work that cost the private citizen, who executed it, an immense sum.

Water-supply for Dindigul.

24. Dindigul, a town which had always suffered severely from scarcity of water, was supplied with a tentative working scheme, designed entirely by



Petitioner, which supplied the want. The cost was met altogether out of the voluntary subscriptions of its inhabitants, a committee of whom carried out the works.

Experimental and Model Farm and Farmer's Club.

25. From public subscriptions also, an Experimental and Model Farm was established on the outskirts of the city of Madura. It was managed by a committee of the Farmer's Club, also established by Petitioner, to which it belongs. It received the support and approval of Government, and it is the only institution of the kind in India which has ever paid expenses. It is still in existence.

Annual Agricultural Show.

26. In connection with this Farm, an Annual Agricultural Show was established. It was held at the time when the ryots of the District crowd into Madura for the Grand Festival and the Cattle Fair. Government contributed to this purely non-official institution, and it has, since Petitioner left the District, expressed its regret that it should have been found, by his successor, impossible to continue it.

There are no similar institutions in any other part of the Presidency.

Voluntary Sanitary Associations.

27. A vast network of Voluntary Sanitary Associations, in which the inhabitants took great personal interest, was established, and paved the way for the smooth working of the New Local Fund Act.

Schemes for water supply of various towns.

28. When Petitioner was removed, he was engaged on several schemes for the water-supply of Towns, and in floating a local company to construct and work two Light Railways, over 100 miles in length, without any guarantee from Government.

"The Dufferin Park."

29. The *Dufferin Park*, which was eventually opened by the Viceroy, Lord Dufferin, was laid out by Petitioner, and presented to the city of Madura by private parties.

Union "Club."

30. A *Native Club* was established and a handsome building erected. The Governor became its Patron. The management is purely native, and a considerable sum was subscribed by the members.

Valedictory Resolution passed by Local Board.

31. The successful evocation of the public spirit which prompted the above and similar works was solely due to the personal influence acquired by Petitioner, and to the confidence reposed in him by the population of the Province. The following very unusual Resolution was unanimously passed at a Meeting (14 members present) of the Local Fund Board, composed of Europeans and Natives, belonging to both the Official and Non-official classes. The Meeting was held after Petitioner had been removed, and had left the District. It speaks for itself.

"The Members of the Board resolve to place on record their grateful ap-
"preciation of the deep interest which Mr. Crole evinced in the affairs of the Board
"as its President, and the marked ability with which he administered its funds.
"They take this opportunity of acknowledging the many lasting benefits conferred
"by him on the Agricultural Classes of this District, and their thanks are due to

Petitioner, which supplied the want. The cost was met altogether out of the voluntary subscriptions of its inhabitants, a committee of whom carried out the works.

25. From public subscriptions also, an Experimental and Model Farm was established on the outskirts of the city of Madura. It was managed by a committee of the Farmer's Club, also established by Petitioner, to which it belongs. It received the support and approval of Government, and it is the only institution of the kind in India which has ever paid expenses. It is still in existence.

Experimental and Model Farm and Farmer's Club.

26. In connection with this Farm, an Annual Agricultural Show was established. It was held at the time when the ryots of the District crowd into Madura for the Grand Festival and the Cattle Fair. Government contributed to this purely non-official institution, and it has, since Petitioner left the District, expressed its regret that it should have been found, by his successor, impossible to continue it.

Annual Agricultural Show.

There are no similar institutions in any other part of the Presidency.

27. A vast network of Voluntary Sanitary Associations, in which the inhabitants took great personal interest, was established, and paved the way for the smooth working of the New Local Fund Act.

Voluntary Sanitary Associations.

28. When Petitioner was removed, he was engaged on several schemes for the water-supply of Towns, and in floating a local company to construct and work two Light Railways, over 100 miles in length, without any guarantee from Government.

Schemes for water supply of various towns.

29. The *Dufferin Park*, which was eventually opened by the Viceroy, Lord Dufferin, was laid out by Petitioner, and presented to the city of Madura by private parties.

"The Dufferin Park."

30. A *Native Club* was established and a handsome building erected. The Governor became its Patron. The management is purely native, and a considerable sum was subscribed by the members.

Union "Club."

31. The successful evocation of the public spirit which prompted the above and similar works was solely due to the personal influence acquired by Petitioner, and to the confidence reposed in him by the population of the Province. The following very unusual Resolution was unanimously passed at a Meeting (14 members present) of the Local Fund Board, composed of Europeans and Natives, belonging to both the Official and Non-official classes. The Meeting was held after Petitioner had been removed, and had left the District. It speaks for itself.

Valedictory Resolution passed by Local Board.

"The Members of the Board resolve to place on record their grateful ap-
"preciation of the deep interest which Mr. Crole evinced in the affairs of the Board
"as its President, and the marked ability with which he administered its funds.
"They take this opportunity of acknowledging the many lasting benefits conferred
"by him on the Agricultural Classes of this District, and their thanks are due to





*supra*, as he purchased from the late Sir Vere Levinge an Estate on the Pulney Hills, part of which is devoted to the cultivation of commercial products.

I beg to apologise, if I have allowed any undue expression of the indignation which is in me, to escape in this letter. It has been couched in demi-official form, because I am not sure whether I should be warranted, in the face of the prohibition of the Government of India, in making a formal complaint.

I would suggest for the consideration of Government, that I should either be allowed to take criminal proceedings in regard to the present matter, or that Government should institute an enquiry into the allegations made against me.

I am, yours truly,
(Signed) C. S. CROLE.

---

FORT ST. GEORGE,
*November* 18, 1887.

MY DEAR CROLE,

Pending fina disposal of Koteisámi Dévar's suit, Government decided to defer answering your letter. I am now directed to say that Government have ascertained that the affidavit of the guardian of the minor Gantamanayakanúr Zemindar was filed under legal advice, and that this course would be for the latter's benefit. This being so, and the suit having been finally withdrawn, Government will neither sanction nor take any further proceedings.

Government rejects Petitioner's complaint.

Yours sincerely,
(Signed) H. E. STOKES.

---

It will be observed that although the case made by Petitioner was unanswerable, Government refrained from condemning the conduct of the officers implicated in this unworthy transaction, and expressed not the smallest sympathy with Petitioner.

No condemnation expressed.

There is no ground for saying that this is a mere local incident of an ordinary suit in the Courts between private parties, for it attracted very wide public attention, and was the subject of a question in the House of Commons on the part of a member unknown to Petitioner or his friends.

Incident attracted notice in Parliament.

The episode is now brought to notice in support of the contention that, owing to Petitioner's conduct not having yet received from the Local Government that full and generous vindication which the public interests, as well as plain justice, demand, reckless attacks upon him continue to be made.

7. Meanwhile, on Petitioner's appeal, the Secretary of State had cancelled the transfer and suspension orders of the Madras Government, and ordered all arrears of salary to be refunded. The Secretary of State reinstated Petitioner in his position in the service, and, with reference to his complaint of having been transferred (in January 1886) to the inconvenient and unimportant District of Anantapúr, Lord Kimberley directed his re-appointment to a post equivalent in position and emolument with the Collectorate of Madura. It is perfectly clear that His Lordship did not consider that Anantapúr, in any way, fulfilled the conditions. It now remains to be seen how these orders have been carried out.

Meanwhile Petitioner reinstated by Secretary of State.

Orders how carried out.

8. In August 1886, Government appointed Petitioner as District Judge of North Malabar (salary, Rs. 2,333) although the Collectorate of Tanjore (Rs. 2,850), on which Petitioner, owing to having previously officiated, had a claim, was vacant at the time. A junior officer was appointed, who had never before been a Collector. Petitioner had not only suffered heavy pecuniary loss, by having to break up his establishment in Madura at a moment's notice, and by the expenses incident to his suspension and appeal, but, through the loss of the above and other

Removed from the Executive, and appointed District Judge.

Secretary of State's order not carried out.

Heavy losses.

appointments, he has been mulcted in a sum which can be calculated with ease, and which is certainly not less than Rs. 30,000. He has, moreover, been maintained as a District Judge ever since, being now in North Arcot.

The position of Collector and Judge in Madras compared.

9. A District Judgeship in Madras, while theoretically on a par with a Collectorate is, notoriously, not so. The Collector of the Madras Presidency corresponds to a Commissioner in other Provinces in every single essential, except salary, while, in that latter respect, he is quite differently dealt with from a Collector, say, in Bengal whose pay is lower than that of a Judge. As a fact, Judgeships in Madras are believed to have been *used* by Government as appointments for men not fit to be Collectors, or who are in disgrace. On the other hand, it is a very rare and marked compliment when Government offers a Collectorate to a Judge. It is considered to mean that he is too good for the Judicial Branch. Within the last 12 or 15 years, there have been two instances of such transfers. Both officers eventually filled the office of Chief Secretary to Government.

Injury to Petitioner by appointment to Judgeship.

10. In Petitioner's case especially it is impossible to assert that a Judgeship was equal in position and emolument with the post he had lost. Petitioner had already officiated in, and had a claim on, the Collectorates of Tanjore and Madras, and the Commissionership of Salt and Abkarry, all appointments much superior to a Judgeship. A Judge, in fact, can look for nothing except the chance of filling one of two appointments on the High Court Bench, whereas a Collector has many prospects.

11. But, be that as it may, it seems too plain for argument that to transfer a man, whose whole service of 23 years had been in the Executive, to the Judicial Branch of the service, against his wishes, implies a slur which all the world can, and will, appreciate. It signifies, in plain language, that he has to begin life over again, relinquish the fruits of the hard work of years, and take his place, as regards any prospects in the Judiciary, below the most junior occupant of the Bench. Is this not disgrace and punishment? It is hard to see what other course Government could have adopted, had he really been guilty of a breach of Rules, or given marked proofs of want of nerve, or of administrative incapacity. The question which is now, most respectfully, submitted for the decision of the Secretary of State is, whether it was his intention, when reinstating Petitioner, that such a stigma should be allowed to be fastened on him.

12. The hardship, however, does not end even here. For the whole of his service in the Executive Branch, and the claim to advancement accruing from it, have been lost. Petitioner has, as a fact, been informed that his previous services are all "ancient history" now. He would again most respectfully ask whether this, too, is no punishment.

Petitioner's record of services blotted out for reporting Mr. Sullivan.

13. What these services have been, Petitioner will now proceed, as briefly as possible to detail; and he would most respectfully ask, whether it is possible to disconnect his reporting a Member of Council and his vindication of the integrity of the Civil Service Covenant, from the action of the Madras Government in excluding him from all advancement, and superseding him by junior officers.



Account of Petitioner's services.
Head Assistant Collector.
Officiating Small Cause Court Judge, Acting Sub-Collector.
In charge of Trichinopoly District.

14. Petitioner's rise in the service was rapid. He was made a Head Assistant Collector in 1866, after only 2½ years' service, over the heads of many seniors. In April 1867, he was appointed to officiate as a Small Cause Court Judge. A few months afterwards he was translated to a Sub-Collectorate. From thence he was, soon after, sent to Trichinopoly, nominally as Head Assistant Collector, but really for the purpose of taking charge of that District from a Collector, whose acts had endangered the peace of the District, and for which he was reduced as a punishment. It is somewhat curious to note that Petitioner's assistants, during that time, were two men of his own year. Petitioner successfully brought the great Srirangam Festival to a conclusion, without the outbreak, which had been threatened, and which was apprehended by Government. Petitioner also attracted favourable notice from the Secretary of State (Duke of Argyll), in regard to an investigation of the condition of the Trichinopoly District, which was threatened with scarcity. In recognition of what Petitioner had done, he was offered the post of Assistant Secretary to Government. Petitioner, having been subsequently offered the Sub-Collectorate of Madras, which carried a higher salary, held it against the claims of senior officers for more than 7 years. In the interval, Petitioner twice officiated as Collector, and, in 1869, as Sub-Secretary to the Revenue Board, being the youngest officer who ever held that appointment. While Sub-Collector, Petitioner wrote the *Manual of the Chingleput (Madras) District*, and, in addition to the commendation of Government, accompanied by a honorarium of Rs. 2,500, was honoured by a long and favourable notice of the book by the "*Saturday Review.*"

Commended by Secretary of State.
Offered post of Assistant Secretary to Government.
Acting Sub-Collector of Madras.
Twice officiated as Collector.
Acting Sub-Secretary, Board of Revenue.
Wrote Manual of Chingleput (Madras) District.

In charge of Famine.
Collector of Kurnool.
Received thanks of Government, &c.
* Petitioner appointed.
Acting Collector of Tanjore, salary Rs. 2,900.
Acting Collector of Madras and Protector of Emigrants, (twice) Rs. 2,600.
Acting Commissioner of Salt.
Report on affairs of Kurnool Irrigation and Canal Company.

15. On return from furlough (February 1877) Petitioner was appointed to charge of Famine operations in the Nellore District, and subsequently to the same duty, as Collector of Kurnool, the most severely affected tract in the Presidency. For these services Petitioner received the thanks of Government, and the repeated, and special, approval of the Duke of Buckingham, followed by every favourite and lucrative appointment* which became vacant, until the end of 1881, when Petitioner, owing to ill-health, produced by repeated attacks of sunstroke and fever during the Famine, was compelled to take furlough to Europe.

Petitioner would also bring to notice that, when in Kurnool, he took up the intricate question of the state of the Kurnool Irrigation and Canal Company, and, although, at first, Government hesitated to deal with the matter, that undertaking was eventually wound up, and taken over by Government, on the very lines indicated. This report will be found printed among the papers subjoined to the Report of the Famine Commissioners.

Report on Famine Ration.

16. Again Petitioner's recommendations on the vexed question of the proper Famine Ration almost exactly corresponded with that, which was finally adopted in the Report of that Commission. This is proved by the printed papers, and Petitioner has no doubt that Sir Charles Elliot, with whom he had the advantage of considerable personal communication, will bear out this statement. All the

other recommendations from Madras were very high, and wide of the mark. The important bearing of the question on State expenditure during future Famines need hardly be indicated.

Collector of Madura.

17. On his return from furlough in March 1882, Petitioner was appointed Collector of Madura, at that time the most difficult charge in the Madras Presidency, owing to the huge mass of arrears outstanding, and various other causes, some of which have been brought to notice in Petitioner's Memorial, dated 10th January 1886.

18. When Petitioner was suddenly removed from that District in January 1886, several of his schemes for its material development had only begun to bear fruit, while others were incomplete. But he is entitled to rely with pardonable pride on the following facts, which are, it is submitted, sufficient to render notable any four years' tenure of office.

Arrears of Revenue liquidated.

19. All arrears of Revenue were liquidated, and a system of punctual collection introduced, the effect of which was to relieve the inhabitants from a heavy tax for interest and process fees, which had weighed down the Province for many years.

Madura, first in the collection of Revenue for 3 years running.

No balance whatever at end of Revenue year 1884-85.

Madura stood *first* on the Returns of Government, for 3 years running, in the matter of the collection of Revenue. It is the only District, which has ever shown a clean balance-sheet at the end of a Revenue year. To this unique position, Petitioner had brought his charge in the year previous to his removal.

20. The state of the disposal of public business of all kinds was equally exceptional.

Local Self-Government.

21. Petitioner had, owing to special facilities permitted to him by the late Governor, made successful efforts to enlist the co-operation of the non-official community in the management of Local Affairs, as a pioneer experiment towards the introduction of Lord Ripon's scheme of Local Self-Government. The people responded in the most satisfactory manner, and, *as a mark of the appreciation of Government*, the non-official Chairman of the Madura Municipal Council was appointed a member of the Legislative Council at Madras.

Works of public utility.

22. Various works of great public utility were executed by voluntary effort.

Clearing of space round famous Temple in centre of the city.

23. Under this head, Petitioner would quote the removal of the unsightly buildings which surrounded the famous Madura Temple, situated in the crowded centre of the city, and the laying out of the space thus acquired as an Ornamental Garden, surrounded with lamps and iron railings, a work that cost the private citizen, who executed it, an immense sum.

Water-supply for Dindigul.

24. Dindigul, a town which had always suffered severely from scarcity of water, was supplied with a tentative working scheme, designed entirely by



3. Why he did not warn (Crole) the Collector of the District that the Vice-President of the Local Fund Board had "voluntarily" charged him (the Collector) with soliciting bribes from the Vice-President.

4. Why he did not give the information during the progress of the Garstin Dacoity case, the Defamation case against Mr. Garstin and the minor in the Police Court, or the Thomas Mission, in all of which he knew that it would have been considered extremely valuable by those concerned.

5. Why Mr. Grahame's information was not brought forward when the case against Mr. Garstin was withdrawn.

6. How the Plaintiff came to volunteer such a serious charge to Mr. Grahame, an utter stranger, whom he had never seen in his life before.

7. Why the Plaintiff should have told a senseless and objectless falsehood, which he knew to be liable to immediate discovery, to the effect that I "did not like him"—the fact being that he was, at the moment, receiving every mark of encouragement and kindness from me, as was notorious.

Again, I have communicated with the Plaintiff by telegram, and he informs me that he never said what is imputed to him. Copies are appended.

I suppose that I must submit to the degradation, but I also deny that there is a word of truth in the affidavit, in so far as I am concerned. I assert, on honour, that I have never solicited or received a bribe in my life, nor have I ever placed myself under pecuniary obligation of any kind, either to Koteisámi Dévar, or any other native of India.

I challenge any one to disprove these assertions.

Secondly, I ask the protection of Government, because the allegation is really launched against me, and not against the Plaintiff.

It must be remembered that the suit is brought by Plaintiff against the minor Zemindar for telling Mr. Garstin that Plaintiff had given me (Crole) a bribe, which, in some unexplained way, caused the Zemindar of Bodinayakanúr to dacoit Mr. Garstin. It is sought to escape the consequences of this by asserting that Plaintiff (K.) told Mr. Grahame, in June 1884, that I took bribes, and that he (Plaintiff) had refused to give me any. Now, the point or bearing of this on the defence is quite incomprehensible. Every lawyer knows that, unless the minor knew that Plaintiff (K.) had said this, when he made his statement to Mr. Garstin, which he admittedly did not, the alleged statement of Plaintiff that I received bribes is not admissible in evidence. Again, Plaintiff is made to say, that, although solicited for a bribe by the Head of the District, he refused to give anything, and braved his displeasure. Surely, the only possible effect of this must be, to defeat the defence, and enlarge the damages, for it would go to establish Plaintiff's incorruptibility.

I submit, therefore, that the minor's interests have been very imprudently dealt with, and his chance of success in the suit seriously jeopardised by Mr. Hammick's affidavit, and by the application for a fresh issue on such allegations.

Again, what could a guardian *ad litem* want more, if he was acting solely in his ward's interests, than the dismissal of the suit against his ward with costs. Before the affidavit was filed, Mr. Hammick had notice that the Plaintiff was not going to proceed. What possible end, then, could be served by filing that scandalous and dangerous affidavit. The result must, almost inevitably, be to sacrifice the success, of which he was certain, to the chances of a contested suit, on the same facts, which have already secured the criminal conviction of the minor?

I submit, therefore, that I have grave reason for claiming the intervention of Government, in regard to what seems to be a mere repetition of the tactics adopted in the Garstin Dacoity case.

Acting partly on your advice in January last, I have, for 8 months and more, entirely desisted from pressing the consideration of certain matters in which I considered that I had cause for complaint. I have left myself entirely in the hands of Government. I may add that in the interval I have had no communication with Koteisámi whatever, and that I have declined to be mixed up in any way with his legal proceedings, when addressed by his advisers. I had thus merely anticipated the wishes of the Government of India, communicated to me in June last, in which I was desired to "consider the whole of the case closed." As far as I was concerned, by-gones were allowed to be by-gones. Now, just at the time when I had some reason for believing that the last sign of, what appeared to me, the displeasure of Government was about to be removed by my appointment to another position, there comes a repetition of the imputations, regarding which I had complained in my appeal to the Government of India, and regarding w' ich, those making them are aware that my mouth is now closed.

With reference to Mr. Grahame, as it is a fact which might hereaf become important, I suppose that I should mention that he is one of the persons affected, in a way, b action alluded to in para. 4

Transferred.

(*b*) On 1st January 1886 Government transferred Petitioner to an inferior District for alleged insubordination. His accuser was Mr. J. H. Garstin, Member of the Board of Revenue. He was one of the promoters of the North Travancore Land Company, and was also a landholder.

Appealed to Viceroy.

(*c*) On the 10th January 1886, Petitioner appealed to the Viceroy.

Suspended.

(*d*) On the 4th February 1886, without any enquiry, Government suspended Petitioner for one year for reporting Mr. Sullivan as aforesaid.

Appealed to Secretary of State.

(*e*) On the 22nd February 1886, Petitioner appealed to the Secretary of State.

Attempt to connect Petitioner with crime.

(*f*) In March 1886, Government permitted Mr. Garstin, and their subordinate officers to connect Petitioner in a criminal prosecution, conducted by Government, arising out of Mr. Garstin having been attacked by dacoits in the Madura District, when returning from the Planting District of Devakulam. For several months, and until the falsity of the charge was demonstrated by the acquittal of the prisoners, Petitioner was held up to ignominy in the public prints as the originator of attempted murder and robbery.

The "Thomas' Mission."

(*g*) On the 12th March 1886, without any communication with Petitioner, Government appointed Mr. H. S. Thomas, a cousin of Mr. Sullivan, to proceed to Madura, and enquire into Petitioner's administration and character, behind his back; there being, at the time, no complaint against him, of any sort or kind, so far as Petitioner has ever been able to learn.

In spite of Petitioner's protests, and his repeated demands for a formal public enquiry, Government maintained Mr. Thomas at Madura, along with a special detective staff, in the attempt to get up charges of bribery against Petitioner. This lasted for 8 months. His operations were conducted in secret, every artifice was employed, and no stone was left unturned in order to furbish up charges against Petitioner. Although backed by all the power of Government, and although Petitioner was kept in disgrace, and in ignorance of what was being done behind his back, and prevented from taking any measures for his protection, Mr. Thomas' mission utterly failed. It is extraordinary, but nevertheless true, that Mr. Thomas was unable to obtain a single complainant out of the $2\frac{1}{4}$ millions of people in the Madura District. A significant incident of that time deserves to be quoted. Petitioner's Agent and Banker, who had been cognizant of his affairs for many years, went to the Chief Secretary, and offered to obtain his consent to show his books. He did this, as a friend of Sir M. E. Grant Duff, for the purpose of saving Government from the scandal of futile effort against a subordinate officer. Asked to lay this offer before Government, the Chief Secretary used the words, "*I dare not.*" Government has never, up to the present moment, by any act or word, made the slightest amends to Petitioner for these unprecedented proceedings, which formed the subject of condemnation by every public journal in India.

Social ostracism.

(*h*) In addition to all this, Petitioner, who was living in Madras, was struck off the Government House list (before his suspension) which, in a society mainly official, entailed social ostracism. The two Civilian Members of Council (Messrs. Sullivan and Master) headed an abortive movement to abstain from attending the annual Civil Service Dinner, because Petitioner was going to be there. Both these officers were interested in land, and the incident took place while the Sullivan matter was still *sub judice*. It was considered not only bad form, but even dangerous, for any official to be supposed to keep up good relations with Petitioner, and natives were afraid to approach him.

Appeal to Viceroy regarding irregularities in Dacoity Case.

(*i*) On the conclusion of the Dacoity Trial, Petitioner having drawn the attention of the Local Government to the improprieties committed in regard to it, with special reference to the totally unjustifiable attempt made by Mr. Garstin and others to drag in his name, brought the matter under the notice of the Viceroy in a Memorial (July 1886). This was disposed of, in May 1887, by a Despatch from the Viceroy to the Government of Madras, requesting it to desire Petitioner to consider the whole of the case closed. Petitioner gathering from the above Despatch, that the grievous injustice suffered by him was considered to be proved, and that compensation for it was, at last, on the point of being rendered, in an informal but substantial manner, refrained from further pressing on the consideration of the Secretary of State, as he was then engaged in doing, his claims for compensation. Petitioner trusted, at least, that all fear of further persecution was over: He was mistaken.



Attempt to connect Petitioner with bribe taking.

(*j*) The Zemindar, Koteisámi Tévar, who had been the original informant against Mr. Sullivan, having successfully prosecuted the minor Zemindar of Gantamanaikanúr for defamation in the Police Court, had withdrawn two actions for damages pending in the Madras High Court against Mr. Garstin and the minor Zemindar. After both actions were off the file, the Court of Wards, consisting of Mr. Garstin and another, who conducted the defence of the minor, through their Secretary, Mr. Hammick, filed an affidavit of which the following is a copy:—"That some months, subsequent to the date of the settlement of issues herein, I for the first time heard that Mr. W. F. Grahame, Civil and Sessions Judge of Tinnevelly, had met the plaintiff at Madura, on or about the month of June 1884, and that, in the course of conversation between them, the plaintiff had voluntarily informed the said W. F. Grahame that Mr. Crole, the then Collector of Madura, was in the habit of taking bribes, and that the reason why the plaintiff was not liked by Mr. Crole was that he would not give him a bribe. That I am advised by Counsel that it is very doubtful whether any of the issues which have been settled herein will cover the above evidence, and that it is necessary that a further issue should be raised as to whether the action of the plaintiff himself has not contributed to the existence or to the prevalence of the rumours which the infant defendant, in his statement of the 5th March 1886, before two of the members of the Court of Wards, stated were common in the Madura District, and whether, if so, such statement was not justified or excused so far as the plaintiff is concerned, and the defendant exempted from liability in respect thereof."

False affidavit.

The fact that there was, at the time, no suit upon the file, *which can be proved*, together with the total irrelevancy of the matter set forth, convinced Petitioner that the above affidavit was merely a continuation of former attacks, and caused him to bring the subject under the notice of the Local Government. The following correspondence passed between the Chief Secretary and Petitioner.

It will be observed that Mr. Justice Kernan rejected the application accompanying the affidavit as irrelevant, and that Mr. Koteisámi Tévar repudiated *in toto* the truth of the allegations contained in it.

---

CHITTOOR,
11*th August* 1887.

DEAR STOKES,

Letter of protest to Chief Secretary.

I would beg leave to draw the attention of Government to the affidavit of Mr. M. Hammick in the case of Koteisámi Dévar *v.* the minor Zemindar of Gantamanayakanúr.

For the sake of convenience, I subjoin a cutting from the "Madras Times," which purports to give a report of the proceedings in the High Court. The leader, also sent, shows how the matter can be distorted.

Now, I submit that the allegation therein made is utterly false, and is without a shadow of foundation or excuse as regards me.

Since I felt compelled to take action in regard to irregularities, which, to my knowledge, were bringing discredit upon the service, both here and in England. I have been assailed, by a certain limited number of interested persons, with accusations of doing "fishy" things, and on two public occasions, of which the present is one, of bribery.

In the present instance, this aspersion has been cast on my character in the course of what, is, practically, an official (Court of Wards) defence of a civil action, in which I have no *locus standi* whatsoever, I submit that the circumstances surrounding the case, which I need not, perhaps, more distinctly specify, seem to justify me in seeking the protection of Government.

I make this request on two grounds:—

1*st*. Because the allegation in question is untrue;

2*nd*. Because it is really launched against me, and not against the Plaintiff at all.

I say that the allegation contained in the affidavit is untrue, because, on the face of it, it is absurd, and because it bears internal evidence of untruth. If Mr. Grahame supports Mr. Hammick it will, in order to secure credence for the story, have to be explained.

1. Why the information has been kept back for more than 3 years.

2. Why, if Mr. Grahame thinks it important enough to communicate now, he refrained from informing Government at the time.

CHIEF SECRETARY 30 JAN 89 GOVERNMENT OF MADRAS

*The humble Memorial of* Charles Stewart Crole, *Madras Civil Service, to The Right Honourable* Viscount Cross, *G.C.B., Her Majesty's Secretary of State for India in Council.*

MOST RESPECTFULLY SHEWETH THAT :—

This is an appeal in continuation of that disposed of in Petitioner's favour by Your Lordship in the Despatch dated 13th January 1887.

2. Petitioner apologises for the length of this Memorial, but the decision arrived at by the Madras Government leaves no alternative but to go into some detail.

Order of Secretary of State not carried out.

3. Petitioner most humbly brings to notice that the order of the Secretary of State as to his reinstatement has not been carried out, either in the letter, or in the spirit.

This is no appeal against exercise of ordinary patronage.

4. In order to meet the objection which will be taken by the Madras Government, Petitioner submits that this is not a protest against the exercise of ordinary patronage by the Madras Government, or of its discretion in selecting for the offices under its control, the persons, who in its opinion are best qualified, in the interests of the public service, to hold them. The case is as exceptional as the treatment received by Petitioner from the late Madras Government was unprecedented. This fact is not recognised by the present administration, to which Petitioner has most deferentially appealed in vain for that generous consideration which seemed to be called for, in order to remedy the very serious injury inflicted by Sir M. E. Grant Duff's Government, and which Government alone can repair.

Summary of Facts.

5. Petitioner begs leave to ask attention to the following summary. He believes that there is no precedent to the facts disclosed in the entire annals of Indian administration. This may partially explain the inability of the present Government to deal with the case in a satisfactory manner, while it seems to justify Petitioner in again addressing the Secretary of State.

6. The sequence of the events is instructive.

Petitioner reported Mr. Sullivan.

(*a*) In September 1885, after consultation with the Chief Secretary, Petitioner reported for the Governor's private information certain irregularities, regarding land and dealing with a Native, committed by the Honourable Mr. Sullivan, the Senior Member of Council. This matter had been brought to the Chief Secretary's notice *verbally* 8 months before. The confidential report to His Excellency was a purely official act, performed at the instance of the Chief Secretary, and referred to matters which had come to Petitioner's official notice.

Proceedings of the
(Land Re
Dated 23rd Jan
No. 342
N.S. The Board of Revenue
W.S.
venue).

READ the following
Fris:
North Arcot, dated mas Esq: F.L.S. F.Z.S.
Whiteside Esq:

I h
letter from the Collector
any objection to
26th November last
among the office
It seems desira
Should know ab
2. I may
Government of
already appear
and that th
treating it as

ecember 1888, No 67
the honor to ask if
Proceedings No 974
Confidential - being
Establishments of
ble that all Public
out it.
add that the rulin
India in questio
ed in local news
can be no objecta
Confidential"

Resolute

Proceedings of the

(Land Re Board of Revenue

Dated 23rd Jan (venue).

No. 342

N.S. Thomas January 1889

W.S. — Inis:

[illegible] Esq. I.L.S. I.Z.S.

READ the following [illegible] Whiteside Esq:

North Arcot, [illegible] letter from the Collector

Ip 21st December 1888, No 67

any objection to [illegible] the honor to ask [illegible]

26th November last Proceedings No. 974 a

among the office[illegible] Confidential. being

It seems desira[illegible] Establishments of the

should know abo[illegible]le that all Public [illegible]

2. I may [illegible] out it.

Government of [illegible]dd that the rulin[illegible]

already appear[illegible] India in questio[illegible]

and that there[illegible]d in local news[illegible]

treating it as "C[illegible] can be no objecta[illegible]

"Confidential"

Resolut[illegible]

The Govt of India in a confidential Circular desired that steps might be taken to prevent the participation of Public Servants in the collection of Subscriptions for political purposes. It cannot have been supposed sufficient to communicate this to heads of departments and to leave them to promptly suppress any tendency of proceedings of the kind that might come to their notice. However (Drafted by the Hon. Lt. Malcolm Lyall) an order was issued which has put been taken to mean that heads of departments should issue general instructions to all their subordinates in the sense of the above Govt of India circular; and we have thus the absurdity of a highly confidential warning being directly communicated to all persons in the service of Govt and fast published to the world. I think this is to be regretted, and that the mistake should now be corrected as far as possible. I would therefore suggest in this reference direct that the proceedings be sent round among the subordinates to explain that all that was intended was that the heads of depts (with the advice of the Govt of India in view to their using their influence to prevent or repress political movements to which Govt of India referred to in any Circular

[illegible]

Endorsement 915.

Transferred to the Public Department with reference to Order in that Department dated the 8th November last, No. 1056.

(By order)
H. A. Stuart
Under Secretary to Govt.

CHIEF SECRETARY 13 FEB 89 GOVERNMENT OF MADRAS

Fort St. George
12th Feby 1889

For orders

Lee
15/2

X

Since original of 8th Nov. 1888. I think it went beyond the intention of the Govt. of India that this Govt. should be responsible for the absurdity of issuing a confl. order which is to be communicated to all persons in the service of Govt.

M.O.

X Submitted 8 1889.

Public C. No. 540. C 86

Revenue 1889. Deptt.

# Board of Revenue

(Land Revenue),

MADRAS.

No. 606.

To

The Secretary to Government,

R.D.

Rec'd 25 Jany.

Proceedings, dated 23rd January 1889.

No. 342 Mis. Routine. Enclosures.

Rec'd 13/2/89

25 JAN 89 GOVERNMENT OF MADRAS PUBLIC DEPARTMENT

Subject.

Submitting for orders the letter from the Collector of N. Arcot inquiring if there is any objection to Bd's Pro. 2974, 26th November last prohibiting participation by public servants in the collection of subscriptions intended to promote political purposes of any kind whatever, being circulated among the office establishments of the District.

Public DEPARTMENT.

[5]

Papers to be read in Proceedings :—

Confidential.

Again G.O., dated 188 , No.

Again G.O., dated 188 , No.

Current No. 540 of 1889, dated 23 Jany from The Bd of Rev.

Current No. of 188 , dated from

Confidential

Order of 26.2.89 No. 192.

Ps.

G.O. 8th Nov. 1888 No. 1055 Rev. was intended to expound the views of the Govt. of India, the views of the Govt. of India in view to their issuing their sanction to prevent a repetition of the kind referred to in any case that might arise. The order should be circulated to subordinate

(From Order

Lee
25/2/89. 22/2

To The Bd Dept.
" Mem Dept of the Secretariat
all Revenue Depts.

*CONFIDENTIAL.*

GOVERNMENT OF MADRAS.

PUBLIC DEPARTMENT.

---

Read—the following paper:—

Endorsement, dated 12th February 1889, No. 915, Revenue.

---

Order—dated 26th February 1889, No. 192.

G.O., dated 8th November 1888, No. 1055, Public, was intended to acquaint Heads of Departments with the wishes of the Government of India, in view to their using their authority to prevent or repress proceedings of the kind referred to in any case that might arise. The order should not be circulated to subordinates.

(True Extract.)

(Signed) J. F. PRICE,
*Chief Secretary.*

To the Revenue Department.
" Departments of the Secretariat.
To all Heads of Departments.

Exd. E. Fernandez.

# Govt. of {1889} Madras.

PUBLIC.

CONFIDENTIAL.

*Issued*

*Recd.* *Encl.*

**G.O., 26th February 1889, No. 192.**

**FEBRUARY.**

## Public Servants.

Informing Revenue Department and all Heads of Departments that G.O., dated 8th November 1888, No. 1055, Public, should not be circulated amongst subordinates.

READ AGAIN Order of Government, dated 188 No.

ENCLOSURES.

CURRENT No.

STATEMENT WITH DITTO.

ORDER, &c., OF GOVERNMENT—A.

PAPERS KEPT OUT OF FILE FOR DESPATCH IN ORIGINAL (not paged).

NUMBER OF COPIES ACQUIRED. { Order complete. / Letter only. / Order complete with Letter.

*N.B.*—
A = Print in full.
B = Not to be printed.
P = Print abstract only.
Q = Print heading only.
R = Print, but not for monthly volume.

BACK PAPER, No. of 188

FURTHER PAPER, No. 134 of 8. 2. / 1058 of 8. 11. 88.

Confidential

ORDINARY, PRINTED.

Public DEPARTMENT.

G.O., DATED 26-2-89.

No. 192

Confidential No 41
1/89

First copy sent to Press.

Returned for signature.

Despatched in print. 14/3/89.

Distributed as G.O. 2. 11.88
No 1055.

[Despatch Abstract.]

Public Servants

Informing Revenue Dept. and all heads of Departments that G.O. Jy. 8. Nov. 88 No. 1055 Public should not be circulated amongst subordinates.

Confidential

இரா. க. எண் 24—3,98,906—12—9—75.

துறை.

குறிப்பீட்டளர் பொறுப்பிலிருக்கும் பதிவுக் கட்டுகளின்றும் எடுக்கப்பட்ட தாள்.

அச்சு / பலவகை / வாலாயம்

எண் _____ , தேதி _____ 197 .

| எடுத்த தேதி | எதன் பொருட்டு. துறை. | நடப்பு எண். | ஆண்டு. | தாள் எடுக்கும் எழுதுதர் அல்லது சிறுதெழுத்தர் சருக்கொப்பம். | திருப்பிக் கொடுத்த தேதி. | சிற்றெழுத்தரின் சருக்கொப்பம். |
|---|---|---|---|---|---|---|
| | | | | | | |
| | | | | | | |
| | | | | | | |
| | | | | | | |
| | | | | | | |
| | | | | | | |
| | | | | | | |
| | | | | | | |
| | | | | | | |
| | | | | | | |