

Public (1896) Department.

ORDINARY MS.

G.O., No. 191

Dated 5th Feb. 1896.

[Despatch Abstract.]

SURGEON-MAJOR CLARENCE SMITH.

Communicating to---a despatch from the Secretary of State declining to reconsider the decision of Sir Henry Fowler, on his case, but directing that as an act of grace, that he be retired on a pension of £200 per annum.

BACK PAPERS.

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

FURTHER PAPERS.

G.O.	No.	Department.	Date.	G.O.	No.	Department.	Date.
D R 182 S R 201 C 1125			10-2-896. 17-2-96 1896				

India Office,
London, 16th January 1896.

Military,
No. 1.

To His Excellency The Right Honourable The Governor
in Council, Fort St. George.

MY LORD,

* No. 54, dated 20th October 1894.
No. 4, dated 31st January 1895.
No. 16, dated 7th November 1895.
M 10,932/95.

I have considered in Council your Excellency's Despatches quoted in the margin,* forwarding memorials from Surgeon-Major F. C. Smith, and the report of the Commissioners, appointed under instructions from my predecessor to investigate and report on the case.

2. After giving full weight to everything that has been urged on Dr. Smith's behalf, I have come to the conclusion that the complaint made against Dr. Smith was substantially true. This being so, I desire to express my concurrence in the view taken by Sir H. Fowler that an officer who had been guilty of the conduct charged against Dr. Smith, more especially when regard is had to the professional relation of Dr. Smith and of the complainant, who was also his guest at the time, could not be allowed to remain in the service.

3. I am, therefore, unable to comply with the prayer of Dr. Smith's memorial that Sir H. Fowler's decision may be reversed, and that he may be reinstated in the service with arrears of pay.

4. I have, however, taken into account the fact that, since my predecessor's decision was given, Dr. Smith, owing to the appointment of a Commission, has been kept in suspense as to his final sentence for a very considerable time, and that, in the course of that time, the period, which would have sufficed to qualify him for pension if he had been allowed to remain in the service, has expired. I have also borne in mind the fact that the concession which I am about to make will more particularly benefit Dr. Smith's family, who must otherwise have suffered very severely on account of his offence.

5. In view of these considerations, and solely as an act of grace, I have decided that Dr. Smith

be retired, with effect from 1st July 1895, on a pension of 2927. per annum. He may be allowed his grade pay (Article 306c, Indian Army Regulations, Vol. 1) for the period between 9th October 1894 (when he resigned) and the date above-mentioned, minus the amount of any compassionate allowance already drawn. Under this decision he will be able to continue his subscription for pension for his family under the Indian Service Family Pension Regulations. The Government of India will be asked to issue the necessary instructions.

6. I request that a copy of this Despatch may be furnished to Surgeon-Major Smith.

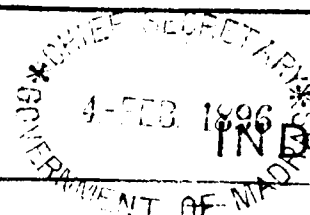
I have the honour to be,

My Lord,

Your Lordship's most obedient humble Servant,

(Signed) GEORGE HAMILTON.

Code
Class.



INDIAN



TELEGRAPHS.

Monthly
Number.

To

(Office)

From

(Office)

Words.

Day.

Hour.

Minute.

Special

Instructions.

To

(Person)

From

(Person)

64 Word Form.

F. C. 2.

Recd. from

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Sent to

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At

Hrs.

Mts. by

At

Hrs.

Mts. by

Telegraph Master.

U. G. P. -- No. 220 T -- 18-9-94-20,00,000.

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Nº 12

Military

16th January 1896

The
Letter to Fort George
Nº 1

G.O. D.º 1918/5 Feb 1896
Comm. to Surgeon
Major F. C. Smith.

F.C.S.
5/2/96.

28
5/2/96.

Surgeon Major
F. C. Smith
Copy to the
Surgeon General

*seen by H. &
and H. H. H.*

India Office,
London, 16th January 1896.

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5. In view of these considerations, and solely as an act of grace, I have decided that Dr. Smith

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be retired, with effect from 1st July 1895, on a pension of 292l. per annum. He may be allowed his grade pay (Article 306c, Indian Army Regulations, Vol. 1) for the period between 9th October 1894 (when he resigned) and the date above-mentioned, minus the amount of any compassionate allowance already drawn. Under this decision he will be able to continue his subscription for pension for his family under the Indian Service Family Pension Regulations. The Government of India will be asked to issue the necessary instructions.

6. I request that a copy of this Despat ~~ch~~ may be furnished to Surgeon-Major Smith.

I have the honour to be,

My Lord,

Your Lordship's most obedient humble Servant,

George Hamilton

is given for copying

on copied

then signed

189

READ AGAIN G.O., No.
189

DATED

CURRENT No.

ENCLOSURES TO C. No.

ORDER OF GOVERNMENT

LETTER OF GOVERNMENT.

STATEMENT WITH DICTO.

PAPERS NOT FILED UP, BEING WANT FOR DESPATCH
IN ORIGINAL.

N.B.

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