

Public (1898) Department.

ORDINARY MS.

G.O., No. 157-8

DATED 31. 1. 98.

INDEXED.

[Despatch Abstract.]

Addressing the G.O. on the subject
of the procedure adopted by H.E.
the Commander in Chief in India
in regard to the action taken
by Surgeon Lieut. ~~Wall~~ Col O'Hara
in connection with Surgeon Lieut.
Wall's recent conduct towards
Col. J.E. Porteous of the 7th
Madras Infantry.

PAPERS.

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

FURTHER PAPERS.

G.O.	No.	Department.	Date.	G.O.	No.	Department.	Date.
CRD	2181/98		948 21-7-98				

Public (189) Department.

D. O. No. 839

H.M. 1898 the Governor

From
Surgeon Major General
C. Sibthorpe C.B.

D. O.

Submitted with ref
to the notes at P. no. 146
of Pub. 11-11-97. The
Surgeon General does not
quote any regulations

No. 291

Dated 15-11-97

Received 15-11-97

Registered 15-11-97

Enclosures

Spare copies

CW.
16/11/97

20 23 Nov 1897
My dear Sibthorpe,
With ref to

SUBJECT.

Your D/O of the 15th
instant regarding
the matter referred
to in f.O. 1469 Pub. 11/11/97,
will you please quote
the orders or regulations
bearing on the case
for Surgeon

CHIEF SECRETARIAT, 5. C. 20. 4. 9. 11. Dated, 23. 11. 1897
--

Surgeon Major Genl C Sibthorpe

CW.
22/11/97

23/11/97

G.O.	No.	Department.	Date

FURTHER PAPERS.

G.O.	No.	Department.	Date



15.11.1897
H.A.

No 291

Nungunbunum
15th Nov 1897.

My dear Crundel,

With reference to your
D.O. of the 11th inst. I have
to state that the Command
in Chief's procedure in
the matter referred to
in G.O. No. 1469 Public
dated 11th November 1897
does not appear to be

against any rule or
practice of the Service.
It must be remembered
that Surgeon General O'Hara
was a member of a
Military Medical Board
and in that capacity
came under the
jurisdiction of the
Military Department.
The Civil was

therefore within his
rights in dealing with
him in that particular
respect without previous
reference to the Civil
Department.

Yours Sincerely
C. S. Thompson

The Hon. Mr. A. T. Arundell, C.S.

G.
9
1,000-19-2-97.

(189

Enclos to D.O.
L. 1903 of 2nd February
Department.

D. O. No.

D. O.

From

C. Sibthorpe Esq.

No. 34.

Dated 26 — 11 — 97.

Received
for 29 — 11 — 97
Registered
(under the 30th Act)

Enclosures one.

Spare copies

30 11 97 C

SUBJECT.

Stating that under a mutual understanding arrived at between the Commander in Chief and the Surgeon Genl Medical officers in Civil Employ are liable to serve on a military medical Board when called upon to do so.

G.O.	No.	Department.	Date.
D.O. 1/10	497 1469	Rule	23-11-97 11-11-97

[illegible]

2. The Surgeon General is now requested to issue a circular to Civil Medical Officers in the terms of the above despatch in order to bring the arrangement into force, and as the accommodation is of mutual advantage to the departments, and is undoubtedly calculated to promote

I have the honor to acknowledge the receipt of your letter of the 10th inst. in relation to the proposed extension of the term of the office of the Secretary of the Board of Education. I have the honor to inform you that the Board of Education has decided to extend the term of the office of the Secretary of the Board of Education for one year, from the 1st of January, 1888, to the 1st of January, 1889. I am, Sir, very respectfully,
 Yours, very truly,
 J. W. Smith, Secretary.

[illegible]

x This runs: - The ordinary of special need boards meet with General Officers & family divisions & districts, on the recommendations of the administrative

no. 311



~~TOP SECRET~~

27 NOV. 1897

GOVERNMENT OF MADRAS

My dear Arundel,

With reference to your
O.O. of the 23^d inst. you will
see from page 1366 A.R.S.
Vol. VI Medical that
General Officers Commanding
Divisions and Districts
are empowered to assemble
Medical Boards, and

under a mutual understanding
arranged between the
Commander in Chief and
the Surgeon General (vide
copy of Cir No. 3 of 2d
February 1887 attached)
Medical Officers in Civil
Employ are liable
to serve on a Military
Medical Board when

called upon to do so
without the previous permission
of the Head of their Civil
Department. By this
arrangement Civil Medical
Officers when so employed
are considered for the
time being and in that
particular capacity under
the direct orders of the

...all as to the ...
...to the ...
...to the ...

Military Authorities.

Yours sincerely/
C. L. Thompson.

enclosed all the force of the
army and the navy of the
United States.

RR

[G.
25]
500-2-9-97.

C 4/12/97. R 4/12/97. R 14/12/97

Public DEPARTMENT

D.O. No. 839 & 872

2 HIS EXCELLENCY THE GOVERNOR.

1 THE HON'BLE SIR HENRY BLISS, K.C.I.E.

THE HON'BLE MR. GROSE, C.I.E.

SUBJECT: Question

Procedure in a small house
arising out of India's conduct
regarding Surgey Col 4521

FOR ORDERS.

I think the position taken up
by the C. in C. an anomalous
one. I had occasion to
find fault with D.O'Hara
he should, I think, have requested
India to draw our attention
to the matter in view to our
passing such censure as an
enquiry we might think de-
served.

RS

4/12/97

I agree with the Hon. Sir H. Bliss. D.O'Hara
not on a Military Bd. in virtue of an
Circular issued on the authority of the
Civil Surgeon General, - not on the
authority of Govt. I think Sir G. White
should be told that he must pass censure
of this kind, in future. Through the Govt
Govt. If he demurs, we will cancel the
Circular.

Submitted with
ref to the notes at P in
J.O. No. 1469 Pubd 11.11.97
The Surgey Col states that the
Comdr-in-Chief's procedure
does not appear to be in
contravention of any
rule or practice of
the service (18-20)
He quotes para 366
A.R.D. vol VI Manual
and a Circular
of 1887 (vide 2d do.)
(given as 1891 in the copy of the Circular)

Cw. R.R.
1.12.97 2/11/97

E.O. No. 1469 D/11.11.97
(flag P) has already
been issued.
RS 13.12.97
2.12.97

submitted all as the copy of the
Circular issued on the authority of the
Civil Surgeon General, - not on the
authority of Govt.

RS

No. 340



Mungumbrakum
16th Dec 97

Dear Sir/Overman,

The date quoted in
my D.O. is correct - It
is 1887 and not 1897
which is probably a
clerical error on the
part of the Clerk who
copied the circular.

Can you kindly return
the papers for office
inquiry? They will
be returned to you
again without delay.

Yours sincerely
J. W. Ellis.

Mr. Fouchman Reg. H.S.

most of them are
with the report of
the post office
and the
post office
and the
post office

Yours sincerely
J. W. Ellis.

Let me know
if you have
any of the
H. E. the Governor

Have you any reason for
saying Surg. Major O'Hara
when the C. in C. calls him
Surg. Lieut. Col.

I suppose the letter on which
the S. G.'s circular was issued
was from the C. in C. of Madras.
H. P. 23. 12. 97

To inform you that the
requests contained in your
letter have been complied
with, and at the same
time to communicate

with original
Send up a clean copy
of the alterations made by the P.S.
H.C.
3/1/98

H.C.
3/1/98

1/1-98

no. 839 7872
e. no. 3600.

To the Secretary to the Government of
India. Home Dept.

Sir,

With reference to your letter No.
1113 dated Sept. 20th 1897 (MEDICAL)
forwarding a copy of a letter from
the Adjutant General in India, commu-
-icating the opinion recorded by H. E.
the Commander in Chief on the action
taken by Surgeon Major O'Hara in con-
-nection with Surgeon Lieut. Wall's
recent conduct towards Col. J. E. Por-
-teous of the 4th Madras Infantry,
I am directed by His
Excellency the Governor in Council,

to make the following
observations on the procedure adopted
by H. E. the Commander
in Chief in the case under reference
Surgeon Major O'Hara
is an officer in the Madras Civil
Medical Department, but it has been
ascertained that a circular was
issued in February 1897 by the Surgeon
General with this Government to the
officers of the Civil Medical Depart-
ment of this Presidency

Commander

With respect to the case which has gone to the present correspondence Lieut Colonel

Surgeon Major O'Hara is an officer of the Civil Medical Department of this Presidency, and ^{is} therefore ~~not~~ under the orders of the ~~Military Department~~ General Officer Commanding, under whose instructions Special Medical Boards are assembled, agreeably to the provisions of Section 1366 A.R.I.

Transfer
here to (X)
on next page.

2. In order to ~~avoid~~ ^{prevent} a difficulty ~~which might be experienced~~ in assembling Medical boards at stations where ~~there~~ ^{was} sufficient ~~Medical~~ ^{Medical} Officers were not available. ~~Where~~ ^{of which} H.E. the Commander in Chief suggested, in letter no. 477 from the Adjutant General, dated 26th August 1880, that ~~it was necessary~~ to secure the despatch of public business and ~~also~~ to facilitate the harmonious working of the Civil and Military Medical Departments, it would ^{be} an advantage if the officers of both departments ~~could~~ ^{could} be made available for boards and similar duties without previous or even subsequent reference to the head-departments concerned.

8
~~was~~ ordering them to act on the orders of the military department placing ~~them~~ them on medical boards without waiting for the formal & sanction of the head of their own department.

~~By this arrangement~~

3. I am ~~to~~ ^{to} point out that ~~a~~ ^a civil ~~officer~~ ^{officer} complying with an order of the Military Department to sit on a ^{special medical} board ~~under~~ ^{complies} under the authority of a circular issued by the ~~Surgeon General~~ ^{under the authority} and not of the Local Government. The arrangement ~~is~~ was made to facilitate the despatch of ~~the~~ public business and to promote the harmonious working of the two ~~known~~ departments. ~~the~~ ^{The} responsibility of the officer ^{in question} to the Local Government is not affected by the fact that he is, in virtue of an inter-departmental arrangement, sitting on a board convened by the G.O.C.

4 (X)

I am, therefore, to say that H.E. the Governor in Council is of opinion that ~~the more suitable~~ ^{the more suitable} course could have been for ~~request the Government of India to~~ ^{request the Government of India to} H.E. the Commander in Chief to call the attention of this Government to the conduct of the officer concerned with a ~~view to~~ ^{being taken} such action as the case ~~appeared to demand.~~

from orders at P. & E.)

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12

610
5600 2.6

[G]
75
4,000-10-0-00.

NOTE FOR THE ^{Asst} UNDER SECRETARY.

These papers can be
withdrawn from
the file circulated
to H.Q. with the draft
letter.

At 20.1.78

D.O. to Surg. Genl.

Dear Sir S. S. Thorpe

With reference to your
no. ~~824~~ ³¹¹ ~~872~~ of Nov
would you be so good
as to inform me if the
Commander in Chief
named in your letter is
the C. in C. Madras? I
presume that this is the
case.

Yours
all
1/8

To
Surgeon Major General C. S. S. Thorpe

For F. in C. me.
M.P.

21

11/1/78

no. 10



Nagambanum
13th July 1898

My dear Conchman,

No presumption in
your D.O. of the 11th inst
is correct.

Yours sincerely
Chinnappa

To Mr. Conchman Esq. I.C.S.

I now find that it was taken
down into the office, and mislaid
there. Fair copy of letter to
India is submitted for
approval.

M.C.
18/7

NOTE FOR THE CHIEF SECRETARY.

The file containing the letter
to the Govt. of India, commencing
the procedure followed by
Commander-in-Chief in connection
with the conduct of Surg. M. L.
O'Hara, in connection with the
medical board on which he
has been taken from my list
and sent up to the P.S. without
my permission.

Before sending it up I wanted
to answer the two questions
asked by the P.S. The reply
to the 2nd has just come.
(1) My calling Dr O'Hara
Surg. Major O'Hara instead of
Surg. M. L. O'Hara was an
error. I have forgot that there
were two officers of the same
name in the Madras P. M. establishment,
and as I happened to know
Surg. Major O'Hara personally, the
name had become associated in
my mind with the rank of
Surg. Major. The mistake has
been rectified in the
fresh copy.

P. T. O.

second question, Is the
mandar-in-chief mentioned
S. G.'s D.O. the Commander-
in-Chief Madras? is
proved by the attached D.O. replying to a D.O. which
wrote to the S. G. saying
as I presumed that the
mandar-in-chief Madras
is intended. The S. G.
pleas that this is so.

M.P.
14 8
1



Nagambakkam
11 Dec 1897

Dear Sir,

The circular you refer to
was issued by Surgeon General
Bride at the instance
of the then C-in-C
who considered that
such an arrangement
was calculated to prove
advantageous to both.

S.O.

Miss O. up

is

to the way, Shulan Mahmud

and the way, Shulan Mahmud

and the way, Shulan Mahmud

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AS

The draft has
been typed.

C 3600 has
already been disposed
of by So. 1469 Paddy 11.97

Theft may be read
at the head of
C 3600

Cir
4/1/95

X.

Please send also the original to A.S. when you send the fair for his signature. He must see the pencil correction in the draft.

Keep file intact

See.
MLC
10/8
1

120
7/1/98

Submitted with fair to
H. S.

W.
10/1/28.

Prof.

1/1/28

Departments, and to
promote the convenience
of the service. As the
Circular did not
appear to embrace
any existing rule
on the subject, no
further authority
for its issue was
apparently considered

necessary.

Wm. T. [unclear]

Phileas F. [unclear]
[Signature]

Public DEPARTMENT.

Papers to be read in Proceedings:—

Again GO., No. , dated 189 .
Again G.O., No. , dated 189 .
Current No. 3600 of 1897, dated 20th Sept, from the Govt. of India Home.
" " " 189 , " , "
" " " 189 , " , "

Order. No. 157 & 31. 1. 98

The Govt. of India will be addressed.
A.H. 25.1.98

H. E. The Governor.

LETTER:—

To
The Secretary to the Govt. of India,
Home Department.

SIR,

With reference to your letter No. 1113, dated September 20th 1897, Home Dept. (Medical) forwarding a copy of a letter from the Adjutant General in India, communicating the opinion recorded by H.E. the Commander in Chief on the action taken by Surgeon ~~Dr. Col.~~ O'Hara, in connection with Surgeon Lieut. Wall's recent conduct towards Col. J.E. Porteous of the 4th Madras Infantry, I am directed by His Excellency the Governor in Council to inform you that the requests contained in your letter have been complied with, and at the same time to communicate the following observations on the procedure adopted by H.E. the

Commander

Commander in Chief in the case under reference.

2. In order to meet a difficulty in assembling medical boards at stations where sufficient medical officers were not available, H. E. the Commander in Chief of Madras suggested, in letter No. 477 from the Adjutant General, dated 26th August 1880, that to secure the despatch of public business and to facilitate the harmonious working of the Civil and Military Medical Departments, it would be an advantage if the officers of both departments could be made available for boards and similar duties without previous or even subsequent reference to the heads of the departments concerned. To carry into effect this suggestion of the H.E. the Commander in Chief, the Surgeon General, Madras, issued a circular dated 2nd February 1887 to the officers of the Civil Medical Department in this Presidency ordering them to act on the orders of the military department placing them on medical boards without waiting for the formal sanction of the head of their own department.

3. I am to point out that a civil officer complying with an order of the Military Department to sit on a Special Medical board so complies under the authority of a circular General, and not issued by the Surgeon, under the authority of the Local Government. The arrangement

was

vide attached D.O.

(From orders at P. & E.)

was made to facilitate the despatch of public business and to promote the harmonious working of the two departments. The responsibility, however, of the officer in question to the Local Government is not affected by the fact that he is, in virtue of an inter-departmental arrangement, sitting on a board convened by the G.O.C.

4. With respect to the case which has given rise to the present correspondence Surgeon Lieutenant ~~Col.~~ Col. O'Hara is an officer in the Civil Medical Department of this Presidency, and is therefore not under the orders of the General Officer Commanding, under whose instructions Special Medical Boards are assembled, agreeably to the provisions of section 1366 A.R.I.

I am, therefore, to say that H.E. the Governor in Council is of opinion that the more suitable course would have been for H.E. the Commander in Chief to request the Govt. of India to call the attention of this Govt. to the conduct of the officer concerned, with a view to such action being taken as the case appeared to demand.

M.C.
18/8

20.1.98

When given for copying 27/1
When copied 28/1
When examined 21/1
When signed _____

189

READ AGAIN G.O., No. _____ DATED _____
189 ,

CURRENT No. _____

ENCLOSURES TO C. No. _____

ORDER OF GOVERNMENT A A A A A A A

LETTER OF GOVERNMENT.

STATEMENT WITH DITTO.

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

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