Confidential

PRESS.

Public Department.
G.O. dated 23 May 1863
No. 1034
1034

First copy sent to Press.

Returned for signature.

Despatched in print.

[Despatch Abstract.]

Civil Servants suspending
Mr J. Wallace, Dt and
Sessions Judge, Cuddapah
for insult offered to
Hon ~~Mr~~ Mr. Carmichael
the Senior Member of Council.

[*Despatch.*]

READ AGAIN Order of Government, dated
188 , No. Miscellaneous.

ENCLOSURES.

CURRENT No.

for Secretary
D.S. to & from
the Wallace.

STATEMENT WITH DITTO.

ORDER, &c. OF GOVERNMENT—A.

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

Order 20
Letter 20
Collection

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 1882.

FURTHER PAPER, No. OF 1882.

EXAMINATIONS FOR THE CIVIL SERVICE OF INDIA.

Regulations for the Open Competition of June, 1883.

N.B.—The Regulations are liable to be altered in future years.

1. On the 1st June, 1883, and following days, an Examination open to all qualified persons, will be held in London (*a*). Not fewer than persons will be selected, if so many shall be found duly qualified; viz., for the Lower Provinces of Bengal (including Assam); for the Upper Provinces of Bengal (including the Punjab and Oudh); for Burma; for Madras, and for Bombay (*b*).

2. No person will be deemed qualified who shall not satisfy the Civil Service Commissioners:—

(i.) That he is a natural-born subject of Her Majesty.

(ii.) That his age will be above seventeen years and under nineteen years on the 1st January, 1883. [*N.B.—In the case of Natives of India this must be certified by the Government of India, or of the Presidency or Province in which the Candidate may have resided.*]

(iii.) That he has no disease, constitutional affection, or bodily infirmity unfitting him, or likely to unfit him, for the Civil Service of India.

(iv.) That he is of good moral character.

(v.) That he has paid the fee of £5, prescribed under the provisions of the Order in Council of the 22nd March, 1879 (*c*).

3. Should the evidence upon the above points be *primâ facie* satisfactory to the Civil Service Commissioners, the Candidate will be admitted to the Examination. The Commissioners may however, in their discretion, at any time prior to the grant of the Certificate of Qualification hereinafter referred to, institute such further inquiries as they may deem necessary; and if the result of such inquiries, in the case of any Candidate, should be unsatisfactory to them in any of the above respects, he will be ineligible for admission to the Civil Service of India; and if already selected will be removed from the position of a Probationer.

4. The Examination will take place only in the following branches of knowledge:—

	Marks.
English Composition	300
(*d*) History of England—including a period selected by the Candidate	300
(*d*) English Literature—including books selected by the Candidate	300
Greek	600
Latin	800
French	500
German	500
Italian	400
(*e*) Mathematics (pure and mixed)	1,000
Natural Science: that is, the Elements of any two of the following Sciences, viz.:— Chemistry, 500; Electricity and Magnetism, 300; Experimental Laws of Heat and Light, 300; Mechanical Philosophy, with outlines of Astronomy, 300.	
Logic	300
Elements of Political Economy	300
(*f*) Sanskrit	500
(*f*) Arabic	500

Candidates are at liberty to name any or all of these branches of knowledge, No subjects are obligatory.

(*a*) An order for admission to the Examination will be sent to each Candidate on the 18th of May.
(*b*) The numbers will be announced hereafter.
(*c*) The fee will be £5, payable by means of a special stamp according to instructions which will be communicated to Candidates.
(*d*) A considerable portion of the marks for English History and Literature will be allotted to the work selected by the Candidate. (See notice on p. 4.) In awarding marks for this, regard will be had partly to the extent and importance of the periods or books selected, but chiefly to the thoroughness with which they have been studied.
(*e*) The Examination will range from Arithmetic, Algebra, and Elementary Geometry, up to the elements of the differential and integral calculus, including the lower portions of applied Mathematics.
(*f*) The standard of marking in Sanskrit and Arabic will be determined with reference to a high degree of proficiency, such as may be expected to be reached by a Native of good education.

5. The merit of the persons examined will be estimated by marks; and the number set opposite to each branch in the preceding regulation denotes the greatest number of marks that can be obtained in respect of it.

6. The marks assigned to Candidates in each branch will be subject to such deduction as the Civil Service Commissioners may deem necessary (*g*), in order to secure that "a Candidate be allowed no credit at all for taking up a subject in which he is a mere smatterer."

7. The Examination will be conducted on paper and *vivâ voce*, as may be deemed necessary.

8. The marks obtained by each Candidate, in respect of each of the subjects in which he shall have been examined, will be added up, and the names of the several Candidates who shall have obtained, after the deduction above mentioned, a greater aggregate number of marks than any of the remaining Candidates, will be set forth in order of merit, and such Candidates shall be deemed to be Selected Candidates for the Civil Service of India, provided they appear to be in other respects duly qualified. Should any of the Selected Candidates become disqualified, the Secretary of State for India will determine whether the vacancy thus created shall be filled up or not. In the former case, the Candidate next in order of merit, and in other respects duly qualified, shall be deemed to be a Selected Candidate. A Selected Candidate declining to accept the appointment which may be offered to him will be disqualified for any subsequent competition.

9. Selected Candidates, before proceeding to India, will be on probation for two years, during which time they will be examined periodically, with a view of testing their progress in the following subjects:— (*h*)

	Marks.
1. Law	1,250
2. Classical Languages of India—	
Sanskrit	500
Arabic	400
Persian	400
3. Vernacular Languages of India (each)	400
4. The History and Geography of India	350
5. Political Economy	350

In these Examinations, as in the open competition, the merit of the Candidates examined will be estimated by marks, and the number set opposite to each subject denotes the greatest number of marks that can be obtained in respect of it at any one Examination. The Examination will be conducted on paper and *vivâ voce*, as may be deemed necessary. The last of these Examinations will be held at the close of the second year of probation, and will be called the "Final Examination," at which it will be decided whether a Selected Candidate is qualified for the Civil Service of India. At this Examination Candidates will be permitted to take up any one of the following branches of Natural Science, viz.—Botany, Geology, or Zoology, for which 350 marks will be allowed.

10. Any Candidate who, at any of the periodical Examinations, shall appear to have wilfully neglected his studies, or to be physically incapacitated for pursuing the prescribed course of training, will be liable to have his name removed from the list of Selected Candidates.

11. The Selected Candidates who, at the Final Examination, shall be found to have a competent knowledge of the subjects specified in Regulation 9, and who shall have satisfied the Civil Service Commissioners of their eligibility in respect of nationality, age, health, and character, shall be certified by the said Commissioners to be entitled to be appointed to the Civil Service of India, provided they shall comply with the regulations in force, at the time, for that Service.

(*g*) Marks assigned in English Composition and Mathematics will be subject to no deduction.
(*h*) Full instructions as to the course of study to be pursued will be issued to the successful Candidates as soon as possible after the result of the Open Competition is declared.

12. Persons desirous to be admitted as Candidates must apply on Forms, which may be obtained from "The Secretary, Civil Service Commission, London, S.W." at any time after the 1st December, 1882. The Forms must be returned so as to be received at the office of the Civil Service Commissioners on or before 31st March, 1883 (*i*).

The Civil Service Commissioners are authorized by the Secretary of State for India in Council to make the following announcements:—

(1.) *Selected Candidates will be permitted to choose, according to the order in which they stand in the list resulting from the open competition, so long as a choice remains, the Presidency (and in Bengal the Division of the Presidency) to which they shall be appointed; but this choice will be subject to a different arrangement, should the Secretary of State, or the Government of India, deem it necessary.* (*k*)

(2.) *The Probationers, having passed the necessary Examinations, will be required to report their arrival in India within such period after the grant of their Certificate of Qualification as the Secretary of State may in each case direct.*

(3.) *The seniority in the Civil Service of India of the Selected Candidates shall be determined according to the order in which they stand on the list resulting from the Final Examination.*

(4.) *An allowance amounting to £300 will be given to all Candidates who pass their probation at one of the Universities or Colleges which have been approved by the Secretary of State, viz., the Universities of Oxford, Cambridge, Glasgow, Edinburgh, St. Andrew's, and Aberdeen; Trinity College, Dublin; University College, London; and King's College, London; provided such Candidates shall have passed the required Examinations to the satisfaction of the Civil Service Commissioners, and shall have complied with such rules as may be laid down for the guidance of Selected Candidates.*

(5.) *All Selected Candidates will be required, after having passed the first periodical Examination, and before receiving the first instalment of their allowance, to attend at the India Office for the purpose of entering into an agreement binding themselves, amongst other things, to refund in certain cases the amount of their allowance in the event of their failing to proceed to India. A surety will be required.*

(6.) *After passing the Final Examination, each Candidate will be required to attend again at the India Office, with the view of entering into covenants, by which, amongst other things, they will bind themselves to agree to such Regulations for the provision of pensions for their families as may be approved by the Secretary of State for India in Council. The stamps payable on these covenants amount to £1.*

(7). *Candidates rejected at the Final Examination of 1885 will in no case be allowed to present themselves for re-examination.*

(*i*) These forms should be accompanied by evidence on the first four of the points mentioned in Regulation 2, and by a list of the subjects in which the Candidate desires to be examined. Evidence of health and character must bear date not earlier than 1st March, 1883. Applications for leave to alter or add to the list of subjects named will not be entertained unless received on or before the 5th of May.
(*k*) This choice must be exercised immediately after the result of the Open Competition is announced, on such day as may be fixed by the Civil Service Commissioners.

[Despatch.]

Notice respecting the Examination in the History of England, and English Literature.

History of England.

For the guidance of Candidates who may have a difficulty in making their selections for special study under this head, the following list is given as indicating the character and amount of reading that would be regarded as satisfactory.

Any one of the following periods, to be studied generally in "Bright's History," and particularly in portions, selected by the Candidate, of the Text books named:—

1. **Henry II. to Edward III., A.D. 1154–1377.**—Stubbs' Select Charters; Stubbs' Constitutional History of England.

2. **The Tudors, A.D. 1485–1603.**—Hallam's Constitutional History of England; Froude's History of England.

3. **The Stuarts, A.D. 1603–1714.**—Hallam's Constitutional History of England; Macaulay's History of England.

4. **A.D. 1714–1805.**—Lord Stanhope's History; Sir T. E. May's Constitutional History; *either* Massey's Reign of George III. *or* Lord Stanhope's Life of Pitt.

English Literature.

Under this head there will be (besides the general paper) a special paper on the following books:—

1. **Chaucer.**—Prologue to the Canterbury Tales, with the Knight's Tale.

2. **Shakespeare.**—The Tempest, Richard II.

3. **Byron.**—Childe Harold, cantos iii. and iv.

4. **Bacon.**—Essays, xxvii. to lviii. inclusive.

5. **Johnson.**—"Six Chief Lives of the Poets," viz.:—of Milton, Dryden, Swift, Addison, Pope, and Gray; with Macaulay's Biography of Johnson.

The oral examination in English Literature will have reference chiefly to such works, not included in the foregoing list, as the Candidate may offer for the purpose.

Harrison and Sons, Printers in Ordinary to Her Majesty, St. Martin's Lane.

CONFIDENTIAL.

GOVERNMENT OF MADRAS.

PUBLIC DEPARTMENT.

Read—the following papers:—

Minute by His Excellency the Governor, dated 16th May 1883.

On the afternoon of the 14th I received the following statement from my Honorable Colleague Mr. Carmichael:—

"*Wallace*, the Cuddapah Judge, came here half an hour ago to see me, and became at last so exceedingly insolent that I was obliged to ask him to leave the house. When I tell you what he said, I believe you will consider that the Government should punish him.

"To begin at the beginning. On Friday evening I got the enclosed note from him:—

[*Belmont*, 11*th May* 1883.

Dear Carmichael,—I think it would be well if you and I had some conversation. Let me know when you can see me after 12 to-morrow.

Yours truly,

(Signed) JOHN WALLACE.]

"I replied, begging him to come to see me about noon, Saturday.

"He came accordingly; he spoke about his not getting a transfer from Cuddapah. I said he was posted to Cuddapah, as far as I recollected (and he admitted I was right) not by way of punishment, but because he was the senior for promotion when that Court became vacant; that *somebody* must be there; that he got away during the two hottest months each year, in the vacation, and had always kept his health there; and that I did not see what grievance he had. All passed off quietly; he had given me his hand on coming and gave it again when he left.

"Well, this morning, without any second notice, he came again, said he felt he was very hard used, and meant to get Mr. O'Donnell to put a question to the Secretary of State about his case in the House of Commons. I said we should not fear this. He then got warmer and exclaimed, 'I am convinced it is *your personal hostility* that prevents justice being done me.' I assured him I harboured no such feeling, had never reason to do so—what did he mean? 'Oh yes,' he replied, 'if I *had only given two handsome presents to your daughters at their marriage.*'

"Here, of course, I jumped up and begged him to leave the house, adding that I should report him to the Government.

"You will agree with me, I am sure, that Members of the Government must be protected from such ruffianly attacks."

2. I have taken time to consider what ought to be done, and have examined the only papers in the Chief Secretary's office which relate to any transaction of this kind,—the case of Mr. Rice, who was suspended for grossly insulting Mr. Wedderburn (a gentleman who has now retired, but who was at that time Collector of Coimbatore). The Government in that case was thought to have acted, as the despatch from the Secretary of State will show, with great lenity, and we should, I think, in this case imitate their forbearance.

Despatch to England, 12th November 1877, No. 44, Public.

Despatch from England, 27th December 1877, No. 15, Public.

3. The present, however, is a far graver matter. Mr. Rice was comparatively young and inexperienced. Mr. Wallace entered the service on 26th August 1863, and is in the very high position of a District Judge, while Mr. Carmichael is altogether of a different status from Mr. Wedderburn, as being the senior Member of the Civil Service in the Government, drawing near the end of a long and exceptionally distinguished career.

4. Then, although Mr. Rice's imputations against Mr. Wedderburn were couched in language even coarser than that used by Mr. Wallace, none of them were so serious as that which he conveyed, nor, so far as I can ascertain, had Mr. Rice, before his attack upon Mr. Wedderburn, drawn down upon himself the grave displeasure of Government.

5. This is unhappily not the case with Mr. Wallace, for, on 14th August 1869, the Acting Collector of Tinnevelly reported to the Board of Revenue very unfavorably of Mr. Wallace, complaining not only that his revenue work was performed in a dilatory and perfunctory manner, and that, although he had been 4 years in Tinnevelly, he had not passed the Second Standard, but likewise bringing to notice that the District Judge and the High Court had noticed with displeasure the arrears of criminal work in Mr. Wallace's office. The Board of Revenue then addressed Government, pointing out that he had been nearly 6 years in India, was doing his current work badly all round, and proposing that he should be suspended until he passed the Second Standard. The Government, then directed by Lord Napier, informed Mr. Wallace,—through Mr. Dalyell, then Acting Secretary to Government,—that he had incurred their serious displeasure, and he was suspended.

G.O., 15th September 1869, No. 2582, Revenue.

6. In 1876 Mr. Wallace memorialised the Secretary of State regarding the slowness of his promotion and other imagined grievances. The Secretary of State (Lord Carnarvon) agreed* with this Government in thinking that he had not been treated with any injustice at all.

* Despatch, dated 25th January 1877, No. 1, Public.

7. In February 1877 Mr. Wallace, being then only about 13 years' standing, addressed a demi-official letter to the then Chief Secretary,—a letter in which the following passage occurred:—"*I desire to know what the intentions of the Government are with regard to providing me with a suitable appointment. After so long and studied neglect of my claims, the Government owe me substantial amends. I consider that my claims for services rendered are superior to those of a considerable number of my seniors. I must also point out that my reputation of itself makes me a mark for envy, as Mr. Irvine's case,—not the first,—will convince the Government. I am not in my proper place in a subordinate position in a district.* It is the interest of Government as much as mine that I should be placed in a position for which (*sic*) my services and efficiency equally suggest."

8. Again, shortly afterwards he wrote, "I must press upon the Government their obligations towards me. Their neglect of my claims has naturally exasperated me beyond measure."

9. In May 1877, the Duke of Buckingham being Governor, Mr. Wallace was, for gross insolence to the District Judge of South Arcot, reported to the Government by the High Court, and by the Government *degraded from being Sub-Collector and Joint Magistrate to be Head Assistant. Vide* G.O., 1st May 1877, No. 1112, Judicial.

10. This was for judicial misconduct; but a little afterwards his conduct, as a Revenue officer, was considered so improper that the Government threatened to *suspend him from all employment. Vide* G.O., 12th May 1877, No. 666, Public.

11. Again a little later, in regard to his proceedings as a Magistrate, he was told (*vide* G.O., 23rd May 1877, No. 1265, Judicial) that he had incurred the *severe displeasure of the Government.*

12. It appears, from what I have mentioned, and the Government Orders referred to, that Mr. Wallace, in the first 14 years of his service, incurred the displeasure of the Government, *first*, as a careless student; *secondly*, as a careless Assistant Collector; *thirdly*, as a careless Assistant Magistrate; *fourthly*, as Joint Magistrate considered unworthy to hold that position and degraded to be a Head Assistant; *fifthly*, that he was warned that, if as a Head Assistant, he behaved as badly as he had done as a Sub-Collector, he would be suspended from all employment; *sixthly*, he was told that his conduct as Joint Magistrate had been so bad as to create

grave doubts as to the propriety of entrusting him with magisterial powers for the future.

13. In spite of all this, thanks to the extraordinary forbearance of the Government, he had,—after some absence from India during which his peculiarities had been partially forgotten,—climbed up, by seniority not merit, to the very responsible position of District Judge of Cuddapah, when my attention was first called to his proceedings.

14. It was called to them in 1882 by a violent attack (addressed to the Government) which he made upon the High Court with reference to a murder case, in which they had censured his judicial conduct.

15. For this proceeding he only received a rebuke from us; but, so far from seeing that he had been dealt with very mercifully after his long series of transgressions, he appealed to the then Secretary of State, Lord Hartington, who told* us in reply that Mr. Wallace's letter to us was most improper and called for rebuke.

* Despatch, dated 3rd August 1882, No. 11, Judicial.

16. While his appeal to the Secretary of State was pending, he took the extraordinary step of appealing to the Viceroy, because the Madras Government had not given him an appointment which he fancied more than that of District and Sessions Judge at Cuddapah,—not apparently having the least idea that the question with the Government of Madras was, not whether he should be rewarded by being transferred to the precise spot which he fancied, but whether they were not carrying forbearance too far in keeping him in the service at all. Of course, he was informed by the Government of India that the question which he raised in his memorial was one, the settlement of which was entirely within the competence of this Government.

Proceedings, 27th July 1882, Nos. 637, 637-A, Public.

G.O., 4th September 1882, No. 881, Public.

17. In connection with his complaint about not being moved from Cuddapah, it must be remembered that he was transferred to Masulipatam, and ordered to join there by 2nd July 1881, and was only allowed to remain at Cuddapah *in consequence of his own special request.*

18. Later, quite recently, he renewed his application to be sent to a District which he fancied.

19. He has now taken the opportunity of his presence here, during the vacation of his Court, to adopt the course which is detailed in Mr. Carmichael's statement, quoted at the commencement of this paper, which is only a worse exhibition of the same passions which made him address a grossly insolent letter in 1881 to the High Court,—which he was ordered to withdraw,—and the question now is what we ought to do.

Vide letter from the Registrar of the High Court, dated 10th September 1881, No. 1865, (page 26, Proceedings of Government, 8th June 1882, No. 419, Judicial.)

20. I have no hesitation in saying that, if I thought Mr. Wallace a man of perfectly sound mind, I would press, and press strongly, that he should be dismissed the service.

21. But I do not consider him a man of sound mind. I think he is eccentric, almost to the verge of insanity, and nothing but a distinct order from superior authority would induce me to employ him again in such high positions as those which he has recently filled.

22. To reduce him to a much lower position in the service is an alternative which I have considered, but, as at present advised, have rejected, because it would be extremely difficult to find any Collector who could supervise him so continuously as to make it safe to employ him.

23. I think, then, that the kindest, and, on the whole, the justest, course will be to give him an opportunity of quietly resigning and leaving the country in which he has failed so sadly, if any means can be discovered for obtaining him a pension.

24. If he is unwilling to resign, I fear there is nothing for it, but immediately to suspend him and to address the Secretary of State, with a view to his eventual removal from the public service.

25. If no means of getting over the pension difficulty presents itself to those who know the rules bearing upon it better than I do, we should suspend him for an indefinite period, I think, and communicate all the facts to the Secretary of State in Council.

May 16th, 1883. (Signed) M. E. GRANT DUFF.

From the Chief Secretary to Government, to J. WALLACE, Esq., M.C.S., dated 18th May 1883.

The Government, having considered your behaviour to the Honorable Mr. Carmichael on Monday, May 14th, as reported officially to them by him, together with the long series of acts of misconduct for which you have incurred the displeasure of the Government throughout your service, propose to suspend you and to take the pleasure of the Secretary of State on what has occurred. I am directed to ask whether you have any observations to offer before the order issues.

From J. WALLACE, Esq., M.C.S., to the Chief Secretary to Government, dated Belmont, Ootacamund, 18th May 1883.

In a private interview, I confided to the Hon. Mr. Carmichael my opinion that the adverse proceedings of Government (with which I connected my long term of service in Cuddapah) were due to bias, as I could not find that I had given adequate occasion for them. I said that I thought Hudleston was offended with me for complaining against his friend Irvine. And I said that I thought I had a good case for an appeal to Parliament.

2. Carmichael then asked me to what I attributed his bias. I said I supposed it was due to my omission to make presents at his daughters' weddings.

3. This, I presume, is the *gravamen* of Carmichael's official report.

4. But what does it amount to? Bias even though unconscious is still bias. Does Carmichael suppose that I charged him with anything more—that I did more than tax him with the not unnatural (nor unjustifiable) coolness which might involuntarily arise against a guest who had the bad taste to be present at a wedding without the customary gift? The omission was a piece of want of consideration on my part, for which I afterwards blamed myself.

5. I trust this explanation will abundantly serve to clear me from the imputation of misconduct contained in your letter.

Order—dated 23rd May 1883, No. 1034, Public.

The Right Honorable the Governor in Council has given Mr. Wallace an opportunity of explaining the circumstances under which he offered to the Honorable Mr. Carmichael the gross and scandalous insult, described in the papers read above, but regrets to find from the reply that Mr. Wallace has apparently no conception of the impropriety of which he has been guilty, and that he justifies rather than excuses his conduct.

2. The Government have given this painful case the fullest consideration, and having regard to what has now passed in conjunction with Mr. Wallace's previous career, they feel that the only course open to them is to suspend Mr. Wallace from his appointment, pending the orders of the Secretary of State, to whom the case will at once be reported for orders.

3. Mr. Wallace, who is now District and Sessions Judge of Cuddapah, will accordingly be suspended from the date of this order and placed on the subsistence allowance of his rank.

(True Extract.)

C. G. MASTER,
Chief Secretary.

Exd. F. R. Bantleman.

Govt. of {1883} Madras.

PUBLIC.

Issued

Recd. *Encl.*

G.O., 23rd May 1883, No. 1034.

MAY.

Civil Servants.

Suspending Mr. J. Wallace, District and Sessions Judge, Cuddapah, and addressing the Secretary of State on the matter.

Confidential

A/

Minute

On the afternoon of the 14th. I received the following statement from my Honorable Colleague Mr. Carmichael

"Wallace, the Cuddapah Judge, came here "half an hour ago to see me, and became at last "so exceedingly insolent that I was obliged to "ask him to leave the house. When I tell "you what he said, I believe you will consider "that the Government should punish him.

"To begin at the beginning – On Friday "evening I got the enclosed note from him"

[Belmont 11. May 1883.

Dear Carmichael

I think it would be well if you and I had some conversation. Let me know when you can see me after 12 tomorrow

Yours truly

(Signed) Jno Wallace]

"I replied begging him to come to see me "about noon, Saturday.

"He came accordingly – he spoke about "his not getting a transfer from Cuddapah.

"I said

"I said he was posted to Cuddapah, as far
"as I recollected (and he admitted I was right)
"not by way of punishment, but because he
"was the senior for promotion when that
"Court became vacant:— that somebody
"must be there, that he got away during
"the two hottest months each year, in the
"vacation; and had always kept his
"health there — and that I did not see
"what grievance he had. All passed off
"quietly; he had given me his hand on coming
"and gave it again when he left.

"Well, this morning, without any second
"notice, he came again — said he felt he was
"very hard used and meant to get Mr.
"O'Donnell to put a question to the
"Secretary of State, about his case, in
"the House of Commons. I said we
"should not fear this. He then got
"warmer and exclaimed "I am convinced
"it is your personal hostility that

"prevents

"prevents justice being done me". I
"assured him I harboured no such
"feeling, had never reason to do so —
"what did he mean? — "Oh yes" — he replied —
"if I had only given two handsome presents
"to your daughters at their marriage" —

". Here of course I jumped up and begged
"him to leave the house — adding that I should
"report him to the Government.

"You will agree with me, I am sure,
"that Members of the Government must be
"protected from such ruffianly attacks"

I have taken time to consider what ought to be done and have examined the only papers in the Chief Secretary's office which relate to any transaction of this kind — the case of Mr. Rice who was suspended for grossly insulting Mr. Wedderburn (a gentleman who has now retired but who was at that time Collector

Despatch to England 12 Nov 77 No 44 Public

Despatch from England 27 Dec 1877 No 15 Public

Collector of Coimbatore). The Government in that case was thought to have acted, as the despatch from the Secretary of State will show, with great lenity and we should I think in this case imitate their forbearance.

The present however is a far graver matter. Mr. Rice was comparatively young and inexperienced. Mr. Wallace entered the Service on 26 August 1863 and is in the very high position of a District Judge, while Mr. Carmichael is altogether of a different status from Mr. Wedderburn as being the Senior Member of the Civil Service in the Government, drawing near the end of a long and exceptionally distinguished career.

Then

Then although Mr. Rice's imputations against Mr. Wedderburn were couched in language even coarser than that used by Mr. Wallace, none of them were so serious as that which he conveyed, nor, so far as I can ascertain, had Mr. Rice before his attack upon Mr. Wedderburn drawn down upon himself the grave displeasure of Government.

This is unhappily not the case with Mr. Wallace, for, on 14th August 1869, the acting Collector of Tinnevelly reported to the Board of Revenue very unfavorably of Mr. Wallace, complaining not only that his revenue work was performed in a dilatory and perfunctory manner and that, although he had been four years in Tinnevelly, he had not passed the

G.O. 15 Sept 1869 No 2582 Revs.

the Second Standard, but likewise bringing to notice that the District Judge and the High Court had noticed with displeasure the arrears of Criminal work in Mr. Wallace's office. The Board of Revenue then addressed Government pointing out that he had been nearly Six years in India, was doing his current work badly all round and proposing that he should be suspended until he passed the Second Standard. The Government, then directed by Lord Napier, informed Mr. Wallace, through Mr. Dalyell, then acting Secretary to Government — that he had in= =curred their serious displeasure and he was suspended.

In 1876 Mr. Wallace memorialized the

the Secretary of State regarding the Slowness of his promotion and other imagined grievances. The Secretary of State (Lord Carnarvon) agreed with this Government in thinking that he had not been treated with any injustice at all.

In February 1877 Mr. Wallace, being then only about 13 years standing, addressed a demi-official letter to the then Chief Secretary — a letter in which the following passage occurred — "I desire to know "What the intentions of the Government are "with regard to providing me with a "suitable appointment. After so long "and studied neglect of my claims "the Government owe me substantial "Amends. I consider that my claims

" By

* Despatch dy 25 January 1877 No 1. Public

Note I believe Lt C. was senior S. of S. for India; but he signed his despatch in the absence of the Indian Secy — according to the Act of Parliament wh directs every Indian despatch to be signed by a S. of S.

Note was acting at the time

"for services rendered are superior to those
"of a considerable number of my seniors. I
"must also point out that my reputation
"of itself makes me a mark for envy, as
"Mr. Irvine's case — not the first —
"will convince the Government. I am
"not in my proper place in a sub=
"=ordinate position in a district. It
"is the interest of Government as much
"as mine that I should be placed in
"a position for which my services and
"efficiency equally suggest."

Again shortly afterwards he wrote
"I must press upon the Government
"their obligations towards me. Their
"neglect of my claims has naturally
"exasperated me beyond measure."

During the Govern the Duke of Buckingham
In May 1877, Mr. Wallace was,
being Governor,
for gross insolence to the District Judge
of South Arcot, reported to the Government
by the High Court, and by the Government
degraded

degraded from being Sub Collector and
Joint Magistrate to be Head Assistant
— vide G.O. 1st May 1877 No. 1112 Judicial.

This was for Judicial misconduct:
but a little afterwards his conduct
as a Revenue Officer was considered so
improper that the Government threatened
to suspend him from all employment
— vide G.O. 12th May 1877 No. 666 Public.

Again a little later in regard
to his proceedings as a Magistrate he
was told — vide G.O. 23rd May 1877 No. 1265
Judicial — that he had incurred the
Severe displeasure of the Government

It appears from what I have
mentioned and the G.Os referred to,
that Mr. Wallace in the first 14 years
of his Service incurred the displeasure
of the Government first as a careless
student, secondly as a careless Assistant
Collector,

Collector, thirdly as a careless Assistant Magistrate, fourthly as Joint Magistrate considered unworthy to hold that position and degraded to be a Head Assistant, fifthly that he was warned that, if as a Head Assistant he behaved as badly as he had done as a Sub-Collector, he would be suspended from all employment, sixthly he was told that his Conduct as Joint Magistrate had been so bad as to create grave doubts as to the propriety of entrusting him with Magisterial powers for the future.

In spite of all this, thanks to the Extraordinary forbearance of the Government, he had—after some absence from India during which his peculiarities had been partially forgotten—

climbed

climbed up, by Seniority not merit,
to the very responsible position
of District Judge of Cuddapah, when
my attention was first called to his
proceedings.

It was called to them, in 1882, by
a violent attack (addressed to
the Government) which he made
upon the High Court with reference
to a murder case in which they
had censured his judicial conduct.

For this outrageous proceeding
he only received a rebuke from us;
but, so far from seeing that he had
been dealt with very mercifully
after his long series of transgressions,
he appealed to the then Secretary
of State — Lord Hartington — who
told us in reply that Mr. Wallace's
letter

Despatched
August 1882
No 41 Judicial

letter to us was most improper and
called for censure.

While his appeal to the Secretary
of State was pending he took the
extraordinary step of appealing to the
Viceroy because the Madras Government
had not given him an appointment
which he fancied more than that of
District and Sessions Judge at Cuddapah -
not apparently having the least idea
that the question with the Government
of Madras was, not whether he should
be rewarded by being transferred to
the precise spot which he fancied; but
whether they were not carrying
forbearance too far in keeping
him in the Service at all. Of
course he was informed by the
Government of India that the
question

Pro: 27 July 1882 Nos 637, 637A. Public

G.O. 4 Sept 82 No 881 Public

question which he raised in his Memorial was one, the settlement of which was entirely within the Competence of this Government.

In connection with his complaint about not being moved from Cuddapah, it must be remembered that he was transferred to Masulipatam, and ordered to join there by 2nd July 1881, and was only allowed to remain at Cuddapah in consequence of his own special request.

Later, quite recently, he renewed his application to be sent to a District which he fancied.

He has now taken the opportunity of his presence here during the vacation of his Court to adopt the course which is detailed in Mr. Carmichael's Statement.

Statement quoted at the Commencement of this paper, which is only a worse Exhibition of the same passions which made him address a grossly insolent letter in 1881 to the High Court – which he was ordered to withdraw – and the question now is what we ought to do.

vide letter from the Registrar of the High Court d/ 10 Sept 1887 No 1865 (page 26 Prov: & Govt 8 June 1882. No 419 Judicial)

I have no hesitation in saying that, if I thought Mr. Wallace a man of perfectly sound mind, I would press, and press strongly, that he should be dismissed the Service.

But I do not consider him a man of sound mind. I think he is eccentric almost to the verge of insanity, and nothing but a distinct order from superior authority would induce me to employ him

again

again in such high positions as those which he has recently filled.

To reduce him to a much lower position in the Service is an alternative which I have considered best, as at present advised, have rejected because it would be extremely difficult to find any Collector who could supervise him so continuously as to make it safe to employ him.

I think then that the kindest, and on the whole the justest, course will be to give him an opportunity of quietly resigning and leaving the Country in which he has failed so sadly, if any means can be discovered for obtaining for him a pension.

If he is unwilling to resign I

I fear there is nothing for it,
but immediately to suspend him
and to address the Secretary of
State with a view to his removal
removal from the Public Service.

If no means of getting
over the present difficulty present
ing to those who know the
facts bearing upon it better than
I do, we should suspend him
for an indefinite period, I think,
and communicate all the facts
to the Secretary of State in Council.

(Signed) M. E. Grant-Duff.
May 16. 1868

I fear there is nothing for it but immediately to suspend him and to address the Secretary of State with a view to his eventual removal from the Public Service.

If no means of getting over the pension difficulty presents itself to Men who know the Rules bearing upon it better than I do, we should suspend him for an indefinite period & Communicate all the facts to the Secretary of State in Council

A.R. Grantham

May 16th 1883

Mr. Wallace should be required to leave the Service - or be suspended pending the orders of the Secretary of State.

17.5.83 J.R.

18 May 1887.

Dear Mr Wallace

The Treasury
Considered your
letter
Re Mr [illegible]
as ~~Inspector~~
Monday May
14th

as upon the offi
cially to them
by him to fulfill with
the duty devolves
of acts of gross
conduct for
which from him

I remember a case which will serve as a precedent. Devien who was at that [illegible] under Sullivan & myself, a doing very badly in the Pan was transferred to Lower Ba of Bengal – to give him a ch of beginning a more successful and was there ultimately ma Dr. Fudge. He was as idle a & at last the Native Bar of Complained that he was en in the hands of his Sanskrit drafted all his judgts fro frequently forcing them to re was suspended & his case s -tant for the orders of the S. of S. allowed him to retire on a p -timate pension. He had s so long as he entitled t £900 a year, or somethi

2.) As it is a kindness to do so, I recollect anot came before the Court. We had one Civilians as Single Comm in sundry large towns in B He became S.C. Judge at Tellicherry; almost immediately the returns showed that the C.C. had hitherto no business coming before it. It turned out that he so terrified & bullied plaintiffs, branding them indis -criminately as perjurers & forgers, that they thought it best not to go near him. He was removed to another port, but has always counted what he did as quite a feature in his case. This proceeding must be recorded in the Govt. Office. I forget the date, but I think I have heard Wigram take the Oath very fully, when was then Registrar in the High Ct.

F.T.H. - 14/5/3

If I see to
On the difficulty
as what has occurred
from Chittagong
to the Secretary
I was directed
to ask whether
to have any
Collector
to Office
Court of Justice
upon the Orders issued
yours truly
C.M.

till in close he came retained in the service - see that on the 26 Aug he will have put in 20 years service more than 17 years residence & that if [illegible] to a superintendentship he will have quite enough time. I do not anticipate that the Govt will grant him any [illegible] making such concession if the facts of the case are clearly put before them -

H.S.

17/5

18th May 1883.

Dear Mr Wallace.

The Government have considered your behaviour to the Hon. Mr Carmichael on Monday May 14th as reported officially to them by him together with the long series of acts of mis-conduct for which you have incurred the displeasure of the Government throughout your service, propose to sus-pend you and to take the pleasure of the Secretary of State on what has occurred - I am directed

to

to ask whether you have any observations to offer before the order issues.

Yours truly.

/s/ C. G. H.

Confidential

Public Department.

Belmont
Oct
18 May 1883.

ENT.

READ the following

My dear Mr Master

In a private interview, I confided to the Hon. Mr Carmichael my opinion that the adverse Provs. of Govt. (with which I connected my long term of service in Cuddapah) were due to bias, so I could not find that I had given adequate occasion for them. I said that I thought that Mr Eaton was offended with me for complaining of his And I said that I thought I had a good

May 1883.

Mr Wallace,

Cuddapah, 9/18

1883 No. 1034

the Honorable
in Council has
Wallace an oppor-
tunity of explaining the
circumstances under which
he offered to the Honble
Mr Carmichael the gross
and scandalous insult
described in the papers
read above, but regrets
to find from the reply

that

Confidential

Public Department.

s GOVERNMENT.

READ the following

nor, 3 & 6 May 1883.

and from Mr. Wallace,

dge of Cuddapah, 3 &

May 1883 Vo. 1034

The Right Honorable

ernor in Council has

Mr. Wallace an oppor-

-tunity of explaining the

circumstances under which

he offered to the Honble

Mr. Carmichael the gross

and scandalous insult

described in the papers

read above, but regrets

to find from the reply

that

care for an appeal to Parlia-
-ment.
Carmichael then asked me
to what I attributed his bias.
I said I supposed it was
due to my omission to
make presents at his daughter's
wedding.
This, I presume, is the gra-
-vamen of Carmichael's
Official report.
But what does it amount to?
Bias even though unconscious
is still bias. Does Carmichael
suppose that I charged him
with anything more — that I
did more than tax him with
the most unnatural (even on
justifiable) coolness which
might involuntarily arise
against a guest who
had the bad taste to be
present at a wedding
without the customary gift?
The omission was a piece
of want of consideration
on my part, for which
I afterwards blamed myself.
I trust this explanation will
abundantly serve to clear
me from the imputation
of misconduct contained
in your letter

Yours very truly
John Wallace

Confidential

Public Department.

Mr Wallace
d/18th May 83
Recd 9/5/83

This does not improve matters
What a strange view for a judge
to form? Of what value can his
opinion of such a man be. Bias
for such a cause not unjustifiable!
Then when justifiable?
Silly

Circulate

I should suspend Mr Wallace
pending the orders of the
Secretary of State. He is evidently unfit
on the Service. J.R.
14.5.83 E.C.

CHIEF SECRETARY
GOVERNMENT OF MADRAS
19 MAY 83

PROCEEDINGS of the MADRAS GOVERNMENT.

READ the following

Minute by H.E. the Governor, d/16 May 1883.

Read letter to and from Mr. Wallace
District and Sessions Judge of Cuddapah, d/15
May 1883.

Order. 23 May 1883 No. 1034

The Right Honorable
the Governor in Council has
given Mr. Wallace an oppor-
tunity of explaining the
circumstances under which
he offered to the Honble
Mr. Carmichael the gross
and scandalous insult
described in the papers
read above, but regrets
to find from the reply

that

that Mr. Wallace has apparently no conception of the impropriety of which he has been guilty and that he justifies rather than excuses his conduct.

2. The Government have given this painful case the fullest consideration, and having regard to what has now passed in conjunction with Mr. Wallace's previous career they feel that the only course open to them is to suspend Mr. Wallace from his appointment pending the orders of the Secretary of State to whom the case will at once be reported for orders.

3. Mr. Wallace, who is now District and Sessions Judge of Cuddapah, will accordingly be suspended from the date of this order and placed on the subsistence allowance of his rank.

Draft prepared

John Wallace Esq.
Skelton: the Judges of the High Court } order only Desp 23/5
with C.L.

~~Para~~ to Accountant General - para 3 of order only Desp 23/5