24th June 1885, No. 1444, Public.

CONFIDENTIAL.

GOVERNMENT OF MADRAS.

PUBLIC DEPARTMENT.

Read—the following papers :—

From A. MACKENZIE, Esq., C.S., Secretary to the Government of India, Home Department (Public), to the Chief Secretary to the Government of Madras, dated Simla, 3rd June 1885, No. 22-B.

I am directed by His Excellency the Viceroy and Governor-General in Council to enclose a copy of a Resolution on the subject of the premature or unauthorised divulging of official information. I am to request that all officials serving under the orders of the Government of Madras in positions of trust and responsibility may be furnished confidentially with a copy of these instructions. The Resolution is not to be published in the Gazette.

2. The attention of the Government of Madras is specially invited to paragraph 4 of the Resolution.

Enclosure.

Extract from the Proceedings of the Government of India in the Home Department (Public), dated Simla, 3rd June 1885, No. 22-A.

RESOLUTION.

His Excellency the Viceroy and Governor-General has, within the last few months, observed, not infrequently, in the columns of the daily papers items of official information of a confidential character, which can only have reached the Press through an indiscretion or want of reticence on the part of those officers of Government who have had to deal departmentally with the subject-matter of the editorial paragraphs in question. In former days when India was comparatively isolated, when there were no telegraphs, and when newspapers were neither numerous nor widely circulated, the mischief arising from such violations of official reticence may have been less apparent; but now that every statement, however inaccurate or incomplete, which has any bearing upon pending questions of policy or administration, is reported from one end of India to the other and from India to Europe in the course of a few hours, the case is very different, and the embarrassment thus caused to the Government becomes at times a matter of very serious moment.

2. It must be clearly understood that no officer of Government, not specially authorised in that behalf, is at liberty to communicate to the Press, either directly or indirectly, information of which he may become possessed in the course of his official duty. A similar professional reticence should be exercised by all officers of Government in their private and unofficial intercourse with non-official persons, and even with officers of Government belonging to other departments. His Excellency the Viceroy and Governor-General does not for a moment intend to debar officers of Government in private life from the same freedom in the discussion of public events which is enjoyed by all Her Majesty's subjects; but when an officer has, in the course of his duty, become possessed of special information not yet made public, he should always be strictly on his guard against the temptation of divulging it, even to other servants of Government, when these are not officially entitled to his confidence. Irresponsible persons hearing facts of interest mentioned

without reserve in the course of general conversation can scarcely be expected to refrain from repeating them to others, and thus giving them a premature and too often a garbled currency.

3. His Excellency the Viceroy and Governor-General feels sure that he has only to invite the attention of the officers of Government to the importance of this matter to secure their earnest co-operation in putting a stop to such casual and unpremeditated breaches of official confidence. Officers of Government are bound to be as reserved in respect to all matters that may come within their cognizance during the discharge of their public duties as lawyers, bankers, or other professional men in regard to the affairs of their clients.

4. For the due communication to the Press of such information as may unobjectionably be given to it, departmental arrangements must be made under proper authority.

ORDER.—Ordered that a copy of this Resolution be forwarded to all departments* of the Government of India and to the heads of offices subordinate to the Home Department noted in the margin,† for information and guidance.

* Foreign.
Finance and Commerce.
Military.
Public Works.
Legislative.
Revenue and Agricultural.

† Superintendent of Port Blair and the Nicobars.
Sanitary Commissioner with the Government of India.
Surgeon-General with the Government of India.
Registrar, High Court.
Director-General of Statistics to the Government of India.

(True Extract.)

A. MACKENZIE,
Secretary to the Government of India.

ORDER—dated 24th June 1885, No. 1444, Public.

Communicated confidentially to the departments of the Secretariat and to all heads of departments.

(True Extract.)

E. F. WEBSTER,
Chief Secretary.

To the Revenue Department.
,, Public Works Department.
,, Military Department.
,, Financial (L.F.) Department.
,, Heads of offices under the Chief Secretary.

Exd. F. R. Bantleman.

2. Ramachendra Ayar 4th Presy Magte.	46	24	Rs 800
3. P. Ramachendra Rao Personal Asst. to the Salt Comr.	37	21	580
4. M. A. Seenarayanar Acting 1st Asst. Revenue Secretariat.	37	19	470
	Statutory Civilians		
5. V. Jagannadha Rao 4th Class Dy. Collr.	40	19	400

Writing of this order of selection Mr. Hutchins writes

"I know (2) & (5) fairly well & (4) very slightly – As far as I do know this is the right order"

(Sd. P. P. H)

W. Wilson

17-11-85

N.B. The following are the members of the Statutory Civil Service already appointed

(1) C. Mannavedan Rajah	– 1880	2 Mahommedans & 4 Hindus
(2) C. Venkata Jaggarao	– 1880	
(3) Mir Shujaat Ali Khan	1881	
(4) Muhammad Raza Khan	1882	
(5) T. Muttusamy Iyer	1883	
(6) T. Varada Rao	1885	

W

Collr

?ap

Panamalai Ram

Rao. B.L. (Born 29 Jany

Tempy addl master, Zillah Scho

Salem, 18 October 1864; Asstt Master

21st October 1865 to 31st March 1867;

Examination leave without pay

for 4 days in August 1866, and

from 11th to 16 Feby 1867; Leave on

half pay, from 27th to 30 Sep 1866;

out of employ 1st April 1867; Acting

Translator, Collr's office, S. Arcot,

5th February 1868; Ag Second Vernacula

Clerk 1st Decr 1869; out of employ

24 February 1870; Ag Head Clerk,

Head Asstt Collr's Office. S. Arcot, 21st

June 1870; Second Vernacular clerk,

Collector's office 3d Augt 1870; Ag

Head Vernacular clerk from 17th

October 1870 to 16 Jany 1871; Head

Vernacular clerk 1st April 1871; Privilege

leave from 13 March to 12 April 1873; ac

Ag Tahsildar of Trinomalai from 1st

July to 30 Septr 1873; Sub pro tem

Sub Collector's Sarishtadar from 24th ja

to 6' Augt. 1874, and from
1874 to 24th January 1875;
b-division Sarishtadar from
Augt. to 18th Novr. 1874; Ag Head
English Clerk, 2d April 1875; Sub
pro. tem Tahsildar of Tirukoilur
from 14' April to 19' Novr. 1875;
Ag Tahsildar of Tirukoilur, 22d
November 1875 to 20th Jany 1876;
Sub pro: tem Collector's Sarishtadar,
South Arcot 29th April 1876; Sub
pro tem Tahsildar of Trinomalai
28th Jany 1877; Ag Collr's Sarishtadar
7th March 1877; Sub pro tem Sub
Collector's Sarishtadar, continuing
to act as Collr's Sarishtadar,
19' April 1877; Sub pro tem Sub
Collector's Saristadar 28th May 1877;
Tempy addl 4th Class Dy Collr.,
S. Arcot, for famine duties from 30th
July to 21st Sept. 1877; Temporary
Manager, Revenue (Famine)
Secretariat, Govt. Office 26' Sep 1877
to 1st 18 and from 16' July 1878

(4) [illegible]
(5) J. [illegible]

1885

to 31st January 1879; Sub Collr's
Sarishtadar N. Arcot from 2d Ap
to 15' July 1878; Ag Sarishtadar
Collector's Office, Chingleput 1st Fe
Confirmed 4th March 1879; Privileg
leave from 6th Augt. to 8th Sept. 187
Granted a year's additional Service
for Famine duty, 10th Sept. 1879;
Asstt to the Dy Supdt. of Census
Operations, Madras, 20' April 188
Privilege leave from 17' Oct. to 21st
November 1881; Ag Personal Asstt
to the Commr. of Salt Revenue
(Sub pro: tem) on probation, 2d Oct. 18
Privilege leave from 21st October to
5th December 1883.

(2)

Valluri Jaganatha Rao
Pantulu (Born 20th Jany 1844) -
Gumastah, Peddapur [illegible] Godavari,
20th Novr. 1865; 2d Clerk, Head Asstt Collr's
Office, Godavari, 30 July 1866; Ag Head
Clerk, 2d Novr. 1868; confirmed 1st July 186
Ag Sub-division Sarishtadar, Ganjam

h

18 1872; Sub-division

b- dar, Ganjam, 1st Augt 1872;

a ge leave from 13th April to 25th may 1874; Huzur Sarishtadar, Ganjam, 5th Decr 1875; Special Dy Collr, Kurnool from 25th Jany 1877 to 15th January 1878; Granted a year's additional Service for famine duty, 25 Feb 1881; Ag Uncovenanted First Asstt, Revenue Dept, Govt Office, from 16 Jany 1877; Regr Revenue Dept, Govt Office, 6 July 1879; Privilege leave from 1st May to 11th June 1880, and from 29 April to 19 June 1881; On Special duty with the Famine Code Committee, from 16 Jany to 6 March 1882; Third class Dy Collr, in charge of the Treasury, Vizagapatam, continuing as *Sub pro tem* Registrar, Govt Office, Revenue Dept, from 15 May 1883; Dy Coll 4 cl: New Organization, continuing as *Sub pro tem* Registrar Govt Office, Revenue Dept, from

from 1st July 1883 to 13 January 18

Madras, 14 Jany 1885; Dy Coll

r General Duties, Vizagapatam from 26 January 1885; In charge of Senior Asstt Collr's office Vizagapatam in addition to his duties from 18 Feby to 5th March 1885; Fellow of the Madras University, 10 March 188

S. Srinivasa Raghavaiyangar B.A.

(Born 18 July 1849). 3rd Vernacular Clerk, Collector's Office, Tanjore, 1st Feby 1870; Ag 3rd English Clerk, 16 Augt 1870; Ag Head Vernacular Clerk from 1st March to 16 Decr 1871; 2nd Vernacular clerk 1st June 1872; English Head Clerk, Collector's Office, Tanjore 20 Nov. 1872; Leave on private affairs without allowance for 10 days from 20 June 1870; Asstt, Revenue Board Office, 18 June 7 Ag 3rd Uncovd Asstt, L.F. Dept, Govt Office 1st April to 13 July 1876; Hd Asstt, Revenue Bd Office *Sub pro tem*

14 July 1876 to 30 Septr 1876; Agtg Accountant
9 July 1877; Confirmed 1st
March 1878; Agg 2d Uncovd Asstt,
Revenue Board Office 8 July
to 7 Octr 1878 and from 1st
Augt 1879 to 5 Octr [illegible] Manager,
L. F. Deptt; Revenue Bd Office
from 6 Octr 1879 to 5 January 1880;
Agt 1st Uncovd Asstt, Revenue
Board Office 6 Jany to 5 Feb 1880;
Second Uncovd Asstt, 6 Feb 1880;
Agt 1st Uncovd Asstt 7 Feb 1880;
Confirmed 2d Augt 1880; Privilege
leave from 24 Novr 1881 to 6th
Jany 1882 & from 17 Novr 1883 to
16 Decr 1883; Agt 1st Uncovd Asstt,
Govt Office Revenue Deptt from
1st Septr to 30 Novr 1884; Agtg
Sarishtadar, Bd of Revenue,
7th July 1885,

W. Wilson

27-11-85

Public Dept.

No 2784 Mis

C. No: 4732

Despatched with copy of history of service of each candidate 4/12/85

Exd 27/11

To
The Secretary to the Govt. of India - Home Dept.

Sir

I am directed to acknowledge the receipt of your letter No: 1897 of 29 October 1885 intimating that there will probably be one appointment to the Statutory Civil Service available for Madras in the current year, and requesting the submission of the names of three Candidates for the appointment,

As regards the mode of selection to be adopted, the Madras Government are allowed the full discretionary powers accorded by Home Dept. Circular letter No. $\frac{33}{1386-1390}$ dated 5th September 1884.

H. E. the G. in C. has ~~accordingly~~ resolved, on the present occasion, to look to the Uncovenanted Branch of the Service for Candidates to fill the appointment open to this Presidency, and has, after careful consideration of the antecedents, qualifications, and previous service, of the most suitable persons available, selected the following — the names being placed in order of merit.

Acting on this permission the provisions of the policy advocated in this Govt's letter No. (903) of the 12 August 1885

~~having~~

Here refer to our letter on the way in which we wished appts to be made

M

I am to say that in accordance with the terms of para 2 of Govt. of India Resolution of 24th Dec. 1879 No. 59-2324-29 this Govt. would wish ~~[illegible]~~ to appoint the candidate selected by the Rt. Honble. the G. G. in C. to be an Assistant Collr. & Mgte. without requiring him to ~~pass~~ serve for any period of probation

W. Wilson

Gd 30/11

information of the Rt. Hon. the G. G. in Council and,

W. Wilson

27-11-85

(1) Sanamalai Ramachandra Rao. B.L. – Personal Asstt. to the Commr. Salt Revenue Sub: pro tem

(2) Valluri Jagannatha Rao Pantulu – Dy: Collector Vizagapatam.

(3) S. Srinivasa Rajhavaiyangar B.A. 1st Uncovenanted Asstt. Rev: Board office.

A history of the Service of each Candidate is appended for the

Fort St. George.
2d December 1885

Public 2784 Mis.,
Dated 2d December 1885

P Ramachandra Rao

CONFIDENTIAL.

Masulipatam
5th September 1885.

From

W. J. H. Le Fanu Esquire
Ag District Judge
Masulipatam.

To

The Chief Secretary to the
Government of Madras
Ootacamund.

Sir,

It is with regret that I have the honor to request you to lay the following matter before Government in view to the transfer of Major Haleman, the Pension Paymaster at this station, to some other District.

2. Permit me to preface as follows:— I am the oldest friend that Captain Morris, the Master attendant here, has in this station. When he joined the District he stayed for 3 weeks as my guest; our friendship has undergone no diminution up to date; it has been my privilege to do him many little kindnesses, and he owes his child's life, under providence, to me. Major Haleman has a relative named Mercer, who, on his way to join his regiment at Vizianagram, stayed at this station for about a fortnight. He called on me and I treated him with all civility, returned his visit in the middle of the day &c.

3. On the evening of the 26th August I went down to the tennis ground, and found there Mr Inglis D. P. W., Major Haleman and young Mercer. The Court was empty, but Inglis and Mercer had arranged to play a single game, and Inglis said to me "Judge, you had better sit out and we will play." I did so accordingly, and they played a set of 6 to 4. When they were done, Captain Morris and his wife arrived. Inglis and Mercer played Morris and me a set of 6 to 1. Then Inglis and Mercer spun out, Inglis losing, and Morris and I played Mrs. Morris and Mercer. Mrs Morris served first, and as she served mostly faults there was no play. Morris took the return service, but was fooling with a newly invented "cut," and sent both balls faults, short of the net. Seeing that there was no exercise to be got out of this I said to Morris:— "This is all skittles; you play them both; you are quite able to do it," and left the Court. Inglis was sitting on Haleman's left. I took a chair on Inglis' left and lit a cigar. After a couple of minutes I proposed to Inglis that, instead of looking on, we should go and play a single game on the other Court, which we did. I was in perfect good humour. I had not spoken to Mercer, Mrs Morris, or Haleman, and to Morris used only the words abovementioned. When Inglis and I were done playing we returned to the billiard room, but, as the station was empty, there was no whist, and as Inglis was going down to dine in his boat I went home. The above is an exact unvarnished account of what took place. I have shewn it to Mr Inglis who agrees with me.

4. At about 10 A. M. on the morning of the 27th I received from Major Haleman the following letter:—

"Dear Le Fanu,

I witnessed your rude behaviour yesterday evening towards my cousin Mr. Mercer when playing a game of tennis with him and Captain and Mrs Morris. You cannot suppose that you can be permitted to behave thus rudly (sic) to Ladies and Gentlemen without being called upon to account for it - and as I am responsible for my cousin during his stay here, I request that you will send him* a suitable apology. I trust you will see the advisability (sic) of thus settling this unp**les**ant (sic) matter quietly.

yours sincerely

/sd/ F. L. Haleman."

*N.B. Mr Mercer had sailed for Vizagapatam before this letter was sent.

To this I sent the following reply:—

"Dear Haleman,

I have not the slightest idea what you refer to. I was not rude to your cousin, and there was no reason why I should be. If you wish to press the matter further, you had better write to the Secretary and ask him to lay it before the Committee.

Yours very sincerely
(sd) H. Le Fanu."

To this, about 11 A. M. I received the following reply:—

"Dear Le Fanu,

your leaving the court when you have begun a game of tennis is exceedingly rude behaviour and an insult to the other people that you are playing with - and it is for that, that I require your apology. You gave way to a bad temper and you ought therefore to have apologised last night before you left the club. There is no necessity for me to bring this matter before any Secretary. If you now do not offer the apology that is due from you I must decline your acquaintance, and shall shew up your conduct to other Gentlemen, who no doubt will take means to Guard themselves and their wives from similar insult from you.

Yours Sincerely
(sd) F.L. Haleman."

To this I sent no answer.

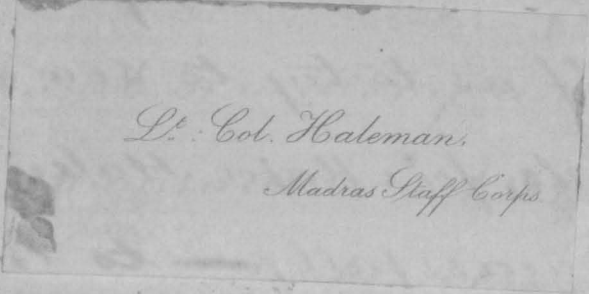
5. That night Major Haleman commenced acting on this threat, selecting for the 1st subject the zillah Surgeon. I have waited for more than a week, to give Major Haleman an opportunity to reconsider his objectionable conduct, but without avail. He visits Bezvada, Kondapilli and Guntoor every month, and starts on his errand of vilification on the 14th. Our community here is very small, and one disagreeable person can spoil all the camaraderie which alone can render such a refugium peccatorum as Masulipatam endureable. The state of things here now is very different from what it was when Colonel and Mrs Lys were here, and the change is entirely attributable to Major Haleman. Government will, I trust, see that they cannot permit an officer in their employ to assume a mission of gratuitous vituperation against the senior officer of the District, and I must request that Government will do me the favor, with the least possible delay, to find employment elsewhere for Major Haleman.

6. Government will I trust perceive that no personal feeling enters into this representation. There really is, on my part, none; for I regard Major

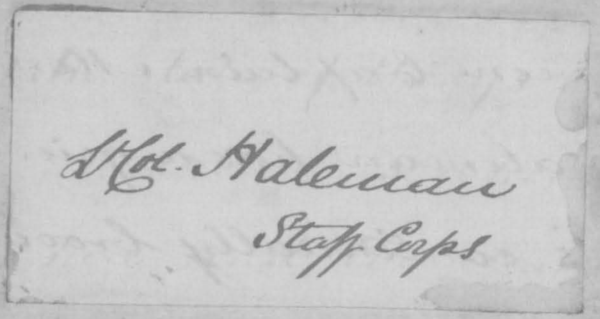
Haleman as a spoilt child. Spoilt children are, however, sent to the nursery; this course cannot be persued with Major Haleman. I would however, all appearance of jesting, and I do not jest, apart, ask Government to realise that the writer of the above foolish letters is — not a fourth — form school boy — but a soldier, well advanced on the road to 50. What can the mental condition of a man of that age be, who can indulge in such unbecoming language, and so far forget himself as to try to sow dissentions between old friends, for Major Haleman has done his best — unsuccessfully — to try and make a quarrel between Captain Morris and myself. — Major Haleman has a grievance against Government. He is continually brooding over this, and, having no regular occupation, I fear that this continued brooding has bred in his mind a certain want of moral perspective. He exaggerates trifles, and regards grave matters as of no importance. For example, for reasons known to Government, Major Haleman's promotion has been retarded. He, as every soldier does, knows perfectly well that promotion in her Majesty's Forces is a prerogative of the Crown. Major Haleman, however, has arrogated to himself this royal prerogative, and promoted himself to the rank of Lieutenant Colonel. This he has done, not only in his public*, but also in his private§ capacity, vide his cards, both printed and in his own handwriting, in the margin. If I were to style myself "Judge of the High Court" or "Member of Council" I think that Government would entertain doubts of my sanity! The truest kindness to Major Haleman would be to transfer him to some place where he would have such regular professional occupation as would leave him no time to brood over his grievances, and also where there will be that continual disciplinary supervision which alone can prevent, what it is now charitable to regard as eccentricities, from developing such grave features as might be fatal to his continued career in the army.

* See enclosed copy of Memo, No. 34, of 11th April 1885, from the Pension Paymaster. I could forward 50 such documents if required.

§



Lt. Col. Haleman,
Madras Staff Corps



Lt. Col. Haleman
Staff Corps

7. I have been obliged with regret to lay this matter before Government, who will perceive that, in the very beginning, Major Haleman refused a reference to the Club Committee, which ordinarily would be the proper tribunal to adjudicate such matters. The offence

* contained in his 2nd letter, however, is one with which no Club Committee can deal, and my friends, whom * have consulted, agree with me that the only course open to me is to lay it before Government.

I have the honor to be
Sir,
Your most obedient Servant.

*
Ag. District Judge.

---

ension Payment Office.

asulip. tam 11th April 1885.

No 34.

	Date Received.	Date Despatched	Initial.
From. Lieutt, Colonel F. L. Haleman In charge of Pensioners, Kistna District.		12th April 85	
To The Collector Kistna District.		22nd Do.	
" — District Judge — do —	23 - 4 - 85	30 - 4 - 85	
" — Superintendent of Police — do —			
" — Superintendent Engineer — do —			
" — Vice President of Municipality Masulipatam			
" — Vice — do — do — Guntoor.			
" — Executive Engineer B.R.S. Railway Guntoor.			
" — Pen. Payment Office Masulipatam.			

Has the honor to forward a list of Pensioner recommended for employment agreeably to instructio received from the Superintendent of Pensions, Fort Sai George.

2. It is requested that this list be copied an a copy kept in each head Office of a Department from which copies could be furnished to subordinat and that it be then forwarded to next Officer

3. Supplementary lists will be forwarded from ti

time showing any deaths, or new arrivals, as also the departments in which any men get Employment.

4. It is requested that when any men in this list are entertained (or dismissed) it may be at once reported to this Office giving the Pension Ticket number, name, Regiment, Rate of Departmental pay and date.

5. Any men discharged from duty (not being required for further Employ) should be furnished with a certificate that their character has been good (or otherwise) during their Employment.

Any men accused of any Criminal Offence will be reported to the Superintendent of Pensions.

7. Any men dismissed from an Office by disobedience or carelessness or incompetency ns'd have their names taken Off the list and t'd be debarred from further Employ.

(Sd) F. L. Heleman Lieut. Colonel
Incharge of Pensioners
Kistna District

(True Copy)
(Sd). K Suryanarayana.
Sheristadar.

(True Copy)
K Suryanarayana
Sheristadar

Compd. M. Sutchiniah
Hd. Clerk

Public

CURRENT NO. 3931

From

The District Judge
Kistna

Confidential

To

№ 5391

The Chief Secretary
to the Government
of Madras.

Extra No 2
Enclosure (one)
Despatched. 6—9—85
Received. 12—9

[illegible] 12 } Sepr
Recd 12

Subject.

Reporting the conduct of Major Haleman for the orders of Government.

Transferred to the
Military Dept-
Osty
12th Sept/85
W
12-9-85

Confidential

No. 5056

Government of Madras.

MILITARY DEPARTMENT,

Fort St. George, the 14 September 1885.

W
15/9/85

Office note

From

The Secretary to Government
Military Department.

To

The Chief Secretary to the
Government of Madras.

From the facts adduced by Mr Le Fanu in this correspondence, it is quite clear that:-

(a) he (Mr Le Fanu) lost his self control at a game of tennis, and suddenly left the court describing the play of those engaged in the game as "skittles".

(b). that Major (Lt. Colonel) Haleman resented this as rudeness to a guest, (a stranger), who was playing, and called on Mr Le Fanu for an apology.

(c) that Mr Le Fanu affected ignorance of the fact that he had, by leaving the game in in the way described, being guilty of rudeness, and declined to make the *amende*.

(d) that a silly quarrel has been the result.

2. Major (Lt: Colonel) Haleman's conduct no doubt shows that he possesses a touchy temperament, and his letters do not exhibit a high order of scholarship, it is nevertheless manifest that Mr. Le Fanu might have easily put matters right had he had the good taste to explain that although he left the tennis court with a contemptuous ejaculation in the middle of the game, he did not, by that strange conduct, intend to hurt the feelings of those with whom he had been playing.

3 Mr. Le Fanu is certainly not justified in describing the course Major (Lieut: Colonel) Haleman threatened to pursue as an "errand of vilification" or a "mission of gratuitous vituperation". Major (Lieut: Colonel) Haleman simply informed Mr. Le Fanu in his second letter that as he (Mr. Le Fanu) would not apologise he (Major Haleman) would "show up his conduct" - i.e. tell others exactly what had occurred:- that Mr. Le Fanu had insulted him and had declined to apologise.

4 There is nothing to warrant the assumption that Major Haleman's

statements

statements would in any way enlarge upon, or distort, the facts of the case.

5 Mr. Le Fanu is altogether wrong in his remarks regarding Major (Lieut: Colonel) Haleman's rank. Major Haleman is quite at liberty to style himself Lieut: Colonel - see page 35 Madras monthly Army List (1st Sept. 1885) and Bengal Quarterly Army List, 1st July 1885, page 51. His name was placed on the list of Lieut: Colonels in the gradation list of the Indian Army in June 1884, although loss of certain service, when on half pay, has retarded his promotion in the Staff Corps.

6 It is difficult to see how Government in the Military Department, can possibly entertain Mr. Le Fanu's request for the removal of Major (Lieut: Colonel) Haleman from Masulipatam, for even if such a course were possible, no grounds whatever have been established for its adoption.

A. Kenney Herbert Lt: Col:
Offg Secy to Government

I
23/9

Control

[illegible]

Public CURRENT NO. 3947

From
The Military Dept.

DISPOSED OF
No. 2215
DATE 23-9-85
BY GOVT ORDER.

G.O. 23 Sep/85 No. 2215 Mis
1. The Govt. are not prepared to interfere in the matter.
15-9-85
2. [illegible]

D 14 } September
R 15 }

Regarding difference between Mr. Le Fanu, C.S., and Major Holbeman.

The Dt. Judge, Kistna } Despd
- Military Dept. } 23/9/85

with order.

[illegible] Reg/c

26th August 1885, No. 1998, Public.

PUBLIC DEPARTMENT.

Letter—from

The CHIEF SECRETARY to the GOVERNMENT of
FORT St. GEORGE,

To

The SECRETARY to the GOVERNMENT of INDIA,
Home Department.

Sir,

In acknowledging the receipt of your letter, dated 27th June 1885, No. 1120, giving cover to a communication from Captain E. A. Campbell, dated 22nd May 1885, I am directed to submit the following remarks for the consideration of His Excellency the Governor-General in Council:

2. In his despatch, noted in the margin, the Secretary of State informed the Government of Madras that he had received a letter from Captain E. A. Campbell containing various allegations against Members of the Madras Government and officers of the Civil Service; and His Lordship drew the special attention of His Excellency in Council to the statements put forward by Captain Campbell to the effect that Mr. H. E. Sullivan, Member of Council, was the owner of 75 acres of land at Ootacamund planted with 80,000 Cinchona, Tea, and gum trees, and that he had for some years derived an income from the sale of the produce of the land. And, further, that the then Chief Secretary, Mr. Master, possessed 50 acres of land planted for commercial purposes with 70,000 Tea, Cinchona, and gum trees.

3rd January 1884, No. 2.

3. In replying* to the foregoing despatch, it was pointed out that Mr. Sullivan did not possess any landed property on these hills, but that his son was the owner of some 75 acres; the nature of Mr. Sullivan's interest in his son's estate, as well as a full description of the Hon'ble Mr. Master's property, known as Elk Hill House, were set forth.

4. In his reply, dated 15th May 1884, No. 24, Revenue, Lord Kimberley expressed his satisfaction at learning that these allegations against Mr. Sullivan and Mr. Master "are without any foundation". To this correspondence, I am to invite the attention of His Excellency the Governor-General in Council.

G.O., No. 747, dated 13th June 1884, Revenue.

5. Copies of the written statements submitted to the Government by the several officers concerned are annexed to this letter, and His Excellency in Council believes that a perusal of them will satisfy His Excellency the Governor-General in Council that Captain Campbell's charges against Colonel Shaw-Stewart and Mr. Grigg are of little importance.

6. With reference to your remark that the Government of India had assumed that the areas held by these officers represented mainly unculturable hillsides, I

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* Dated 25th March 1884, No. 5, Revenue. Copy forwarded to the Government of India on 26th March 1884.

am to explain that almost all the larger houses in Ootacamund are surrounded by grounds planted up with ornamental and useful trees. In fact, the compounds round the houses in Ootacamund are like the compounds in Madras,—small parks rather than gardens. Scarcely any of the ground in Ootacamund or its neighbourhood is of the nature of unculturable hillsides, being, for the most part, a rolling down interspersed with valleys and ravines.

7. His Excellency the Governor in Council is of opinion that the allegations against Colonel Shaw-Stewart have been quite satisfactorily answered. With regard to Mr. Grigg, as far back as 1882 he was directed not to sell any more produce off his land. His irregularity having been pointed out to him, he has now reported that he has followed the instructions of Government on the subject.

I have the honor to be,
Sir,
Your most obedient servant,

Ootacamund,
th August 1885.

Chief Secretary.

Annexure to letter to the Government of India, No. , dated August 1885.

From the Hon'ble C. G. MASTER, to the Chief Secretary to Government, dated 7th July 1885.

I have the honor to submit the following remarks with reference to Mr. Mackenzie's letter of the 27th June last, No. 1120, and the portions of its enclosure in which my name is mentioned.

2. The circumstances connected with my purchase of the property at Ootacamund, known as Elk Hill House, are described in my letter to you, dated 26th January 1884, and in paragraph 3 of Revenue despatch to the Secretary of State, dated 25th March 1884.

3. I had known the situation for years, and when circumstances rendered the acquisition of a residence desirable I took advantage at once of the opportunity afforded me (while at a distance) of buying, without particularly inquiring whether the grounds were extensive or not. The transaction was completed by telegraph, and ultimately, when the title-deeds were handed over, I found that 50 acres or so were conveyed with the house. The land was simply that which the vendor had acquired, with the house, from *his* predecessor, a few years before, and with reference to similar holdings in the neighbourhood is not, I should suppose, of unreasonable extent for the purpose. I offer these observations with reference to the inquiry contained in the former part of paragraph 2 of Mr. Mackenzie's letter.

4. The details of my experiments in planting Tea and Cinchona are described in my former letter. It is certainly not the case that I had 30 acres under cultivation in 1882 or any other year.

Paragraph 13 of Mr. Campbell's letter.

5. In regard to the question whether produce of any kind has been sold off the land during my tenure, it is the fact that Cinchona seedlings have been disposed of (I think in 1881) in the following circumstances:—The nursery I had formed from Government Plantation seed for my own purposes produced superabundantly. After supplying my own wants and free distribution to my neighbours, I gave my son (a planter near Kotagherry) free use of the surplus, and I am aware that several thousands of plants were sold for his benefit. Looking back I now regret that I should have tacitly permitted this, as I might have foreseen the possibility arising therefrom of an accusation such as that now preferred. Personally, of course, I derived no advantage from the transaction. The seedlings were *not* "raised for sale" as alleged in Mr. Campbell's paragraph 9.

6. With reference to paragraph 11 of Mr. Campbell's letter, it is perfectly true that I "openly" planted Tea and Cinchona to the extent already reported. I had nothing to conceal. Sir William Robinson, who was an enthusiast about planting, gave me his advice and help. Mr. Campbell was my next door neighbour, and may have asked for my "custom," though I have no recollection of the fact nor of the conversation which he quotes. Of one thing, however, I am sure. I never could have applied the term "swindle" to any transaction to which Sir William Robinson was a party. I do not remember that Mr. Hudleston took any particular interest in my proceedings. One of his favorite strolls, however, was through my grounds and up Elk Hill behind. This may account for his "repeatedly walking through this extension of cultivation" (to quote Mr. Campbell).

7. The latter part of the paragraph would lead to the impression that *I* had planted the greater portion of my "appurtenance" of 50 acres chiefly with Cinchona; the fact being that my planting operations have affected less than one-fifth of the entire area. I have to thank Nature and my predecessors for the beautiful trees which adorn the grounds.

8. In my former letter I alluded to the "commercial purposes" aspect of the case. It is just possible that my planting may add to the sale value of the place when I retire, but I am by no means sanguine, and hardly anticipate that I shall recover the money I have spent, one way and another, on this house and grounds.

From the Hon'ble H. E. SULLIVAN, to the Chief Secretary to Government, dated The Cedars, Ootacamund, 13th July 1885.

I have the honor to reply to Mr. Mackenzie's letter, dated 27th ultimo, No. 1120, which gave cover to a copy of a letter from Mr. E. A. Campbell, dated 22nd May last, communicated with G.O. dated 9th instant, No. 1590, Public.

2. Mr. Campbell charges me with contravening rules—

(1) by holding lands for agricultural purposes;
(2) by having, in combination with other Government officials, ruined his trade as a nursery and market gardener by selling Cinchona seedlings to the public.

3. Mr. Campbell's statements are made on an entire misapprehension of facts. I do not hold land on the Nilgiris or anywhere else for agricultural purposes, nor have I ever sold Cinchona seedlings to the public.

4. Mr. Campbell is apparently under the impression that I am the owner of the property in Lovedale, known as Richings Lodge. Had he, before preferring these charges, taken the trouble to refer to the Collector of the district, he would have found that my son, Mr. J. F. Sullivan, is the proprietor, that he has been registered as such in the Collector's books for the last fourteen years, that more than half the extent of the property was purchased by him under the Waste Land Rules, whilst I was absent in England, that the title-deeds were granted to him, and to this day stand in his name. An authenticated extract from the Settlement Memoir corroborating this statement is herein enclosed. On the 16th March 1883, my son temporarily transferred the registry of the property to my name. He was then absent from the Hills, and this, to the best of my recollection, was to enable me to sell it for him if opportunity offered. It was retransferred to him in the following month as will be seen from the Collector's endorsement. Although I have built a cottage for my son, another for his overseer, cooly lines and other estate buildings, and have, from time to time, advanced him money to carry on the work, I had not up to last year any lien whatever on the estate, although there was an understanding between us that it was to be liable for the money I had advanced. To protect the interests of the other members of the family in the event of my death, he last year executed a formal agreement to this effect.

5. This being the state of the case Mr. Campbell's second charge falls to the ground. In the year 1882, to the best of my recollection, my son's property was being managed for him in his absence by a relative, an old planter, and, of course, he sold superfluous seedlings and any other available produce for the benefit of the estate. My son continues to sell the produce of his estate, as he has a perfect right to do, and last month I paid him Rs. 103 myself for hay and fodder which he supplied to me.

6. There is one point referred to in paragraph 15 of Mr. Campbell's letter, regarding which a few words of explanation are due. When in April 1882 I was called on, in common with other members of the service, to state, for the information of Government, whether I had any, and if so what, interest in land in this Presidency, I replied that I was the owner of about 75 acres of land within the Municipal limits of Ootacamund. My reason for saying this I explained in a letter to His Excellency the Governor, from which I take the following extract :

"When a statement of lands held by public servants was called for a year or two ago, I returned this as my property, not that it legally was so, but because having built on it, and advanced money on it from time to time, there was an understanding between me and my son that the property was liable to the extent of such outlay, and this it seemed gave me a *quasi*-proprietary right, which ought to be acknowledged to Government. But, as a matter of fact, there is no written agreement to this effect between us. He is *de jure* the proprietor, and if he chose to sell the place to-morrow, I could not legally restrain him. In these circumstances, I do not think I need figure any longer on the public record as a landed proprietor. I really do not own an acre."

7. If any further proof is needed as to the absence of any proprietary right on my part, I may mention that my son, who is proceeding to England, is leaving with me a power-of-attorney to enable me to dispose of the property for him, should an opportunity offer during his absence.

From Colonel the Hon'ble J. SHAW-STEWART, R.E., to the Chief Secretary to Government, dated Ootacamund, 11th July 1885.

In acknowledging the receipt, yesterday, of the Proceedings of Government in the Public Department, under date 9th July 1885, No. 1590, Mis., I have the honor to enclose a statement containing full explanation respecting the accusations contained in Mr. E. A. Campbell's letter.

Statement containing full explanation respecting the Accusations contained in Mr. E. A. Campbell's letter.

In the year 1877 I bought a house in Ootacamund as a residence for my family. The house was surrounded by some 36 acres of bare hillside, which were sold with it.

Wishing to plant out the view of the village of Khandal, I consulted an expert, Mr. Henry, who suggested that I should try *Cinchona officinalis*, which, he thought, might thrive better than anything else in the exposed situation.

I acted on Mr. Henry's advice, and, in 1878, covered a small patch with plants procured from the Government plantation at Dodabetta. The plants seemed to thrive, and in the two following years I got seed from the same source and raised some plants, as the cost of buying them was very high.

I cannot state the exact area which was thus planted, but from first to last it could not have exceeded ten acres.

In the spring of 1881, an acquaintance who owned an estate in the neighbourhood begged me, as a favor, to let him have any seedlings I could spare, urging that he could get none elsewhere, as every young plant in the place was bespoken. I told him that I had none to spare, and that I was on the point of starting for England on leave. However, as he was very pressing,

I said that I would leave instructions with my gardener to hand over to him any plants that he might possibly not require. No mention of price was made, nor did the idea of a sale occur to me. In fact, the matter had long passed entirely from my mind, when, on my return from England, I found much to my surprise that Rs. 600 had been placed to my credit in the Bank, as the market value of 50,000 seedlings which had been delivered.

When my plants were a few years old, I found that they had been put in too near each other, and that it was necessary to thin them. As an experiment to test the value of the young bark, I had a small quantity dried, and sent it on two occasions in 1882, through well-known mercantile firms in Madras, for disposal. After deducting freight, the sums placed to my credit were Rs. 12 and Rs. 53, which did not cover the expenses of the experiment.

The foregoing facts represent the only occasions on which I can tax myself with having received money for produce grown on my land. I had not the slightest idea that any rule was transgressed in what I did. The planting was a great amusement to me, as the experiment of covering an exposed hillside with Cinchona was altogether novel. It was done with the full cognizance of the then Governor of Madras, who often expressed great interest in the experiment.

I may add that the experiment has proved a complete failure, and has cost me a considerable sum. The plants have been almost all killed by frost to such an extent that I question if those which have survived cover one acre. During the last three years, nothing whatever has been done by me in the way of planting more trees, and those which still remain alive have been entirely neglected.

11th July 1885. (Signed) J. SHAW-STEWART, R.E.

From H. B. GRIGG, Esq., M.C.S., to the Chief Secretary to Government, dated Ootacamund, 21st July 1885.

I have the honor to reply to G.O., No. 1590, 9th July 1885, requesting me to answer categorically the accusations contained in Captain Campbell's letter of the 22nd May 1885. Those accusations are (1) that I interfered with his trade as a market gardener by buying Cinchona seed and selling the seedlings; (2) as regards my property "Baikie," that I have extended the cultivation.

2. To the first accusation I give an unqualified denial. I have never sold Cinchona or any other seedlings publicly or otherwise.

3. As regards the second accusation, the following facts will show that although at one time I extended the cultivation, I shortly afterwards greatly reduced the planted area.

In 1874 I purchased the property on which I had resided for some time, in order to secure it as a residence. It then consisted of about 33 acres of land, including the gardens, lawns, and ornamental plantations, and a small thatched cottage. Belts of gums ran along a considerable portion of the boundaries. There was a large patch of old forest, which still remains. On the eastern and southern slopes of the valley in which the house stands Tea had been planted many years before. In it was a small patch of Cinchona,—about 450 trees. On the hill at the head of the valley was a piece of grass land,—in extent about 11 acres,—partly planted with gum trees, the open portion of which I planted up with Cinchonas and gums in 1878-79. Besides this I planted up a few vacant spots,—in all not exceeding an acre,—with Cinchona, gum and other trees.

In 1880-81, in order to reduce the area of the property, I, at some sacrifice, sold the cottage with 5 acres of land, and in the following year, for the same reason, the land on the hill, reducing the total area of the property to 17 acres.

The land which I have retained is absolutely necessary for the privacy of the occupants of the house, and consequently if any portion were sold and occupied by dwellings or opened by paths, the result would be a serious diminution of the value of the existing property.

Thus, so far from extending the area of cultivation, I have reduced it to about one-half of what it was when I purchased the estate.

4. As regards the sale of produce referred to by the Government of India, the facts are as follow :

Tea.—The Tea area (7 acres) was leased when I purchased the property, and whenever practicable, I have continued to lease it; but during two or three years I was unable to do so, and was obliged to have the leaf manufactured, but it has for some time been taken by the proprietor of a large Tea estate in the station. The Tea which I did not require for my own use I sold in Madras or England by public auction through my agents. I would add that the Tea garden has been a constant loss to me, and were it not in close proximity to the house, I would have abandoned it. But I am compelled either to cultivate it or to root it out, and I feel sure that, in the circumstances of the case, it would be held extremely hard to require the latter alternative of me, as it would probably much reduce the selling value of the property.

Cinchona.—In 1876-77, chiefly in order to test the coppicing system, then in dispute, I cut down the few trees which were on the land at time of purchase, and authorised my agents to sell the bark,—a few hundred pounds,—in England. Subsequently I experimented on the coppiced shoots in several ways, and in 1880-81, cut them down and sold the bark,—a smaller quantity,—in the same way. I have not sold the bark of any other trees.

In disposing of this small quantity of produce, I trust that I shall not be held to have overstepped the bounds of the liberty which, I believe, has always been allowed to civil officers in dealing with the produce of land properly falling under the appurtenances of a house used as a residence, whether the property of the occupier or rented.

Regr. No. 8

HOME 1885 DEPT.

[ ]

From the Government of
Fort St. George.

Issued

Recd. *Encl.*

Letter, dated th August 1885,
No. .

AUGUST.

Lands held by Government Officers.

Submitting certain remarks for consideration with reference to the communication from Captain E. A. Campbell regarding the alleged holding of land for agricultural purposes by certain Government officers in the Madras Presidency.

Print

In the year 1877 I bought a house in Ootacamund as a residence for my family. The house was surrounded by some 36 acres of bare hillside, which were sold with it.

Wishing to plant out the view of the village of Khandal, I consulted an expert, Mr. Henry, who suggested that I should try Chinchona Officinalis, which he thought might thrive better than anything else in the exposed situation.

I acted on Mr. Henry's advice, and in 1878 covered a small patch with plants procured from the Government plantation at Dodabetta. The plants seemed to thrive, and in the two following years I got seed from the same source, and raised some plants, as the cost of buying them was very high.

I cannot state the exact area which was thus planted, but from first to last it could not have exceeded ten acres.

In the spring of 1881, an acquaintance who owned an estate in the neighbourhood begged me as a favour to let him have any seedlings I could spare, — urging that he could get none elsewhere, as every young plant in the place was bespoken. I told him that I had none to spare, and that I was on the point of starting for England on leave. However as he was very pressing, I said that I would leave instructions with my gardener to hand over to him any plants that he might possibly not require. No mention of price was made, nor did the idea of a sale occur to me. In fact the matter had long passed entirely from my mind, when on my return from England I found much to my surprise that R600/ had been placed to my credit in the bank, as the market value of 50,000 seedlings which had been delivered.

When my plants were a few years old, I found that they had been put in too near each other, and that it was necessary to thin them. As an experiment to test the value of the young bark, I had a small quantity dried, and sent it on two occasions in 1882, through well-known mercantile firms in Madras, for disposal. After deducting freight, the sums placed to my credit were R12/- and R53/-, which did not cover the expenses of the experiment.

The foregoing facts represent the only occasions on which I can tax myself with having received money for produce grown on my land. ~~[illegible]~~ I had not the slightest idea that any rule was transgressed in what I did. The planting was a great amusement to me, as the experiment of covering an exposed hillside with chinchona was altogether novel. It was done with the full cognisance of the then Governor of Madras, who often expressed great interest in the experiment. W.

I may add that the experiment has proved a complete failure, and has cost me a considerable sum. The plants have been almost all killed by frost, to such an extent that I question if those which have survived cover one acre. During the last three years, nothing whatever has been done by me in the way of planting more trees, and those which still remain alive have been entirely neglected.

V. Maw Stewart

11. July 1886.

Print

To the Chief Secretary
to the Govt. of Madras.

Sir.

In acknowledging the receipt, yesterday, of the Proceedings of Govt. in the Public Dept. under date 9th July 1883, No. 1590 Misc., I have the honour to enclose a statement containing full explanation respecting the accusations contained in Mr. E. A. Campbell's letter.

I have the honour to be. Sir.
Your obedient servant.

J. MacStewart

Ootacamund.
11. July 1883.

(14)

As I understand that C. Ramachandra Aiyar is not anxious to occupy such a position I w[oul]d suggest sending up the name instead of Srinivasa Raghava Iyengar 1st Ast in the Rev Bd office.

24/11

3
1 ~~Cuddalore Ramachandra Aiyar~~
(page 128)

1
2 Panamalai Ramachandra Rao
(page 108

2
3 Valluri Jagannadha Rao
Pantulu
(Page 87)

17/11

Vide History Services Gazetted Officers
1 July 1885

C. No 4732

Page 3 G.O. 30 April 1880 No 626.

The appointment this year being under the rules of 1879 as modified by India Circular letter of 5th Sept 1884 it is not necessary to take into consideration the further modifications referred to in the correspondence connected with the revision of the Rules now awaiting final orders: that is to say the appointment to be made need not be to a precise place or employment but the nominee will come

see in G.O. 27 January 1885 No 214 Public

vide India's letter of 18 June 1885 No 25
G.O. 12 August 1885 No 1903. Public
1874

in at the bottom of the list. Though it wd. be open to Govt to appoint an approved man at once as an Ag Head Assistant or even as Ag Sub Collector - no examinations wd. be necessary if the selection is made from men who have already done good work in the Uncovenanted service. If a man is selected who is already in receipt of Rs 500 or 600 per mensem he must, to avoid loss of pay, step at once into the position of an Ag Head Assistant Collector.

I have noted on a separate paper the names of a few persons whose claims might be considered.

11/11

Hon Mr Master's

Note

5

Print /

Government Office,
Fort St. George, Madras,
7th July 1885

CHIEF SECRETARY
7 JUL 85
GOVERNMENT OF MADRAS

To
The Chief Secretary
to the Government
of Madras

Sir,

I have the honour to submit the following remarks with reference to Mr Mackenzie's letter of the 27th June last No 1120 and the portion of its enclosure in which my name is mentioned.

2. The circumstances connected with my purchase of the property at Ootacamund known as Elk Hill House

are described in my letter to you dated 26th January 1884 and in paragraph 3 of Revenue Despatch to the Secretary of State dated 25th March 1884.

3. I had known the situation for years and when circumstances rendered the acquisition of a Residence desirable I took advantage at once of the opportunity afforded me (while at a distance) of buying, without particularly enquiring whether the grounds were extensive or not.

The transaction was completed by telegraph and ultimately when the title deeds were handed over I found that 50 acres or so were conveyed with the house. The land was simply that which the vendor had acquired, with the house, from his predecessor, a few years before, and with reference to similar holdings in the neighbourhood is not, I should suppose, of unreasonable extent for the purpose. I offer these observations with reference to the enquiry contained in the former part of paragraph 2 of Mr Mackenzie's letter.

4. The details of my experiments in planting Tea and cinchona are described in my former letter. It is certainly not the case that I had 30 acres under cultivation in 1882 or any other year.

paragraph 13 of Mr Campbell's letter.

5. In regard to the question whether produce of any kind has been sold off the land during my tenure it is the fact that cinchona seedlings have been disposed of (I think in 1881) in the following

circumstances. The nursery I had formed from Government Plantation seed for my own purposes produced superabundantly. After supplying my own wants and free distribution to my neighbours I gave my son (a planter near Kotagherry) free use of the surplus and I am aware that several thousands of plants were sold for his benefit. Looking back I now regret that I should have tacitly permitted this as I might have foreseen the possibility, arising therefrom, of an accusation such as that now preferred. Personally, of course, I derived no advantage from the transaction. The seedlings were *not* raised for sale as alleged in Mr Campbell's paragraph 9.

6. With reference to paragraph 11 of Mr Campbell's letter

it is perfectly true that I openly planted tea & cinchona to the extent already reported. I had nothing to conceal. Sir William Robinson who was an enthusiast about planting gave me his advice and help. Mr Campbell was my next door neighbour and may have asked for my 'custom' though I have no recollection of the fact nor of the conversation which he quotes. Of one thing however I am sure. I never could have applied the term 'swindle' to any transaction to which Sir William Robinson was a party. I do not remember that Mr Hudleston took any particular interest in my proceedings. One of his favorite strolls however was through my grounds and up Elk Hill behind. This may account for his 'repeatedly walking through this extension of cultivation' (to quote Mr Campbell).

7. The latter part of the paragraph would lead to the

impression that I had planted the greater portion of my 'appurtenance' of 50 acres chiefly with cinchona; the fact being that my planting operations have affected less than one-eighth of the entire area. I have to thank Nature and my predecessors for the beautiful trees wh. adorn the grounds.

8. In my former letter I alluded to

the 'commercial purposes' aspect of the case. It is just possible that my planting may add to the sale value of the place when I retire but I am by no means sanguine and hardly anticipate that I shall recover the money I have spent, one way and another, on this house & grounds.

I have the honour to be
Sir
Your most obedient servant
C Muster

From

The Honble W. Master

Dated 7 July 1885

From
The Hon Col: Shaw Stewart R.E.

Dd 11 July 1885

CHIEF SECRETARY
11 JUL 85
GOVERNMENT OF MADRAS

The Cedars
Ootacamund
July 13. 1885.

To
The Honble
E. F. Webster
Chief Secretary to Government

Sir
I have the honor to reply to Mr Macken:zie's letter dated 27th Ulto No 1120 which gave cover to a copy of a letter from Mr E. A. Campbell dated 22nd May last communicated with G.O. d/9th Inst No 1590. Public

2 Mr Campbell charges me with con:travening rules,

(1.) By holding lands for agricultural purposes

(2.) By having in combination with other Government officials ruined his trade as a Nursery and market gardener by selling Cinchona seedlings to the public.

3. Mr Campbell's statements are made on an entire misapprehension of facts – I do not hold land on the Nilgiris or anywhere else for agricultural purposes nor have I ever sold Cinchona seedlings to the public

4 Mr Campbell is apparently under the impression that I am the owner of the property in Lovedale known as Rickings Lodge – Had he before pre:

-ferring these charges taken the trouble to refer to the Collector of the district he would have found that my son Mr J. F. Sullivan is the proprietor, that he has been registered as such in the Collector's books for the last 14 years, that more than half the extent of the property was purchased by him under the waste land rules whilst I was absent in England, that the title deeds were granted to him and to this day stand in his name & although I have built a cottage for my son, another for his overseer cooly lines and other estate buildings and have from time to time advanced him money to carry on the work I had not up to last year any lien whatever on the estate although there was an understanding between us that it was to be liable for the money I had advanced. To protect the interests of the other members of the family in the event of my death he last year executed a formal agreement to this effect

An authenticated extract from the Settt. Memoir corroborating this statement is herewith enclosed - On the 16th March 1883 my son temporarily transferred the registry of the property to my name He was then absent from the Hills & then I thought to my recollection was to sell it for him [illegible] if opportunity offered it was retransferred to him in the following month as will be seen from the Collector's endorsement.

5. This being the state of the case Mr Campbell's second charge falls to the ground. In the year 1882 to the best of my recollection my son's property was being managed for him in his absence

but see Mr S letter to Governor in 1882

by a relative, an old planter and in course he sold superfluous seedlings and any other available produce for the benefit of the estate - My son continues to sell the produce of his estate as he has a perfect right to do and last month I paid him Rs 103 myself for hay and fodder which he supplied to me

6. There is one point referred to in para 15 of Mr Campbell's letter regarding which a few words of explanation are due - When in April 1882 I was called on in common with other members of the service to state for the information of Government whether I had any or so what interest in land in the Presidency I replied that I was the owner of about 75 acres of land within the Municipal limits of Ootacamund. My reason for saying this I explained in a letter to His Excellency the Governor from which I take the following extract

"When a statement of lands
"held by public servants was called
"for a year or two ago I returned this as
"my property, not that it legally was
"so but because having built on it
"and advanced money on it from
"time to time there was an under-

:standing between me & my son
"that the property was liable to the
"extent of such outlay and this it
"seemed gave me a quasi proprietary
"right which ought to be acknowledged
"to Government - But as a matter
"of fact there is no written agreement
"to this effect between us - He is de
"jure the proprietor and if he chose to
"sell the place tomorrow I could not
"legally restrain him. In these cir:
:cumstances I don't think I need
"figure any longer on the public record
"as a landed proprietor - I really
"don't own an acre"

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that my son who is proceeding to
England is leaving with me a power
of attorney to enable me to dispose
of the property for him should an
opportunity offer during his
absence -

I have the honour to be
Sir
Your most obedient servant

[0]

C.D.O. No. 340

From H. B. Grigg Esqre.

No.

Dated 1st Augt /85

Received 3rd do.

Enclosures

SUBJECT.

Regarding disposal of produce of tea prior to receipt of do of April /82.

For

Ootacamund
May 4. 1882.

From
The Honble H. E. Sullivan

4/5

To
E. Fowler Webster Esq
Secretary to Government

Sir

In reply to your Official Memorandum No 181. dy. 20th ulto. received yesterday I have the honor to state that I am the owner of about 75 acres of land within the Municipal limits of Ootacamund. About 12 years ago I bought some 30 odd acres with the intention of building and afterwards made it over to my son who added to it by purchase under the Waste land rules and commenced planting tea – not finding this answer he gave it up and the land reverted to me) and during the last 3 years I have had about 25 to 30 acres planted with Chinchona –

My charge ×

2. If my life is spared I propose to settle on these hills at the expiration of my service and in view to this I am commencing building operations on the land in question – I have no interest in any other land in the Presidency but ~~[illegible]~~ propose to acquire

two or three plots adjacent to the above aggregating 30 or 40 acres to complete my boundary

I have the honor to be
Sir
Your most obedient servant

H. C. Sullivan

Hon H E Sullivan

Letters giving account of Mr Sullivans ~~statement~~ of lands ~~held by him~~ on Nilgiris D/ May 4th 1882 & 2nd Augt 1882

N. B.

Mr Sullivans letter d/ 2 Augt 1882 with note by the Govt were sent to H E today by his order F.W 18/5/86

Returned 19/5/86 FW

D.O. from Honble H. G. Sullivan d/ 4/5/82.

Giving particulars of the lands held by him on the Nilgiris

Ootacamund
July 21st 1885

To the Chief Secy. to Govt.

Sir

I have the honour to reply to G.O. No 1590 - 9th July 1885 requesting me to answer categorically the accusations contained in Capt. Campbell's letter of the 22nd May 1885. Those accusations are - (1) that I interfered with his trade as a market gardener by buying chinchona seed and selling the seedlings: (2) as regards my property "Kaikai" that I have extended the cultivation.

2. To the first accusation I give an unqualified denial. I have never sold chinchona or any other seedlings publicly or otherwise.

3. As regards the second accusation the following facts will show that altho' at one time I extended the cultivation I shortly afterwards greatly reduced the planted area. In 1874 I purchased the property on which I had resided for some time, in order to secure it as a residence. It then consisted of about 33 acres of land including the gardens, lawns, & ornamental plantations, and a small thatched cottage. Belts of gums ran along a considerable portion of the boundaries. There was a large patch of old forest, which still remains. On the eastern & southern slopes of the valley in which the house stands tea had been planted many years before.

In it was a small patch of chinchona, — about 450 trees. On the hill at the head of the valley was a piece of grass land, in extent about 11 acres, partly planted with gum trees, the open portion of which I planted up with chinchonas & gums in 1878-79. Besides this I planted up a few vacant spots, in all not exceeding an acre, with chinchona, gum & other trees.

In 1880/81, in order to reduce the area of the property, I at some sacrifice, sold the cottage with five acres of land, and in the following year, for the same reason, the land on the hill, reducing the total area of the property to 17 acres. The land which I have retained is absolutely necessary for the privacy of the occupants of the house, and consequently if any portion were sold & occupied by Badagas or [illegible] the result would be a serious diminution of the ~~selling~~ value of the existing property. Thus so far from extending the area of cultivation I have reduced it to about one half of what it was when I purchased the estate.

4. As regards the sale of produce referred to by the Govt. of India the facts are as follows —

Tea. — The tea area (7 acres) was there when I purchased the property and whenever practicable I have continued to leaf it, but during two or three years I was unable to do so & was obliged to have the leaf manufactured, but it has for some time been taken by the proprietor of a large tea estate in the District. The tea, which I did not require for my own use I sold in Madras or England by public auction thro' my Agents. I would add that the tea garden has been a constant [illegible] to me, and were it not in close proximity to the house, I would have abandoned it. But I am compelled either to cultivate it, or to root it out. And I feel sure that in the circumstances of the case it would be held extremely hard to require the latter alternative of me, as it would materially much reduce the selling value of the property. — Chinchona. In 1876-77 [illegible] in order to test the coppicing system, then in dispute, I cut down the few trees which were on the land at time of purchase, and authorised my Agents to sell the bark — a few hundred pounds — in England. Subsequently I experimented on the coppiced shoots in several ways, and in 1880-81 cut them down & sold their bark — a smaller quantity — in the same way. I have not sold the bark of any other trees.

In disposing of this small quantity of produce I trust that I shall not be held to have ~~transgressed~~ overstept the bounds of the liberty, which, I believe, has always been allowed to Civil Officers in dealing with the produce of land property falling under the appurtenances of a house used as a residence, whether the property of the occupier or rented.

I have the honour to be, Sir,

Your obt. Servt.

H. B. Grigg

[illegible]

Public

CURRENT No. 3316

From

H. W. Grigg Esqre. C.S.

Ootacamund

Dy 28th
by 28/31 } July '85

Subject

Regarding
his landed property
at Ootacamund.

CHIEF SECRETARY
23 JUL 85
GOVERNMENT OF MADRAS

378/31/7

D.O. to Mr Grigg
No. 378 d/ 31/7/85

Ootacamund
June 14th. 1881

My dear Benson.

As I have commenced building operations in Lovedale I am anxious to rectify the boundaries of my property by taking in one or two patches of land adjacent to the same under Rule XVI. In the larger tracing 84 F. 290 F & 289 F belong to me and the owners of 85 F have agreed to sell it to me if I will give them land elsewhere. — Many years ago I applied more than once for the field colored lake as a building site but a it was then in contemplation to buy Bishopsdown for Govt: House I was refused on the ground that it might be wanted for public purposes. As the objection no longer exists I renew my application ~~[illegible]~~ as also for the other small patches marked "Waste land grass" in the tracing and adjoining my land. In the smalle tracing 287 F and 288 F belong to me and I ask for the little patch close lake between the two roads.

I have no wish unduly to exte my boundaries and my object in

pplying for the field on the large
racing is to utilize part as a building
te and to have some land to assign
the Badagas in exchange for 85.7
hich is right in the middle of my
roperty. They wouldn't take money
unless I can give them land in
xchange as well. The Commissioner
as verbally intimated to me that
there was no objection to my having
the field but I should like you to take
his instructions yourself. If I may
have it I should be glad to be put
in possession soon as I have to
plough up the portion I am to assign
the Badagas before giving it over
them and the monsoon is the time
that

As we are going to settle
in Lovedale I am anxious to attract
neighbours and am thinking of
building a cottage on the other part.

Believe me
Sincerely yours
(Sd) H. C. Sullivan

(True Copy)

L R Burrows
Col.
25.7.86

No objection to granting all the application provided they are still Govt. sites.
Sd. M. A. Russell
15.6.81
Offg. Commr.

(True copy)
[illegible]
25.7.86

Return.

75 acres – For building purposes.

Added in a private note by Mr Ellis
Sor.

"This property belonged to his son who has since set up. He (Mr H.C.S.) began building upon it, but has stopped for the present & continues living in his old house."

Statement showing particulars of fields comprised in Richings Estate, Ootacamund Village. Patta No 1113. Mr J. F. Sullivan

Settlement No	Settlement Letter	Name of field	Extent acres	Extent cents	Rate per acre			Amount of assessment			Name of original holder	Present holder	How acquired originally	Remarks
7/84	"	Richings Estate	24	9	"	8	"	12	2	4	Kristnasami Mudali & Kristnasami Naidu	Mr J. F. Sullivan	Waste land Rules.	Title deed No 21 of 1869.
7/85	"		9	6	"	8	"	4	13	3	Badagas Do	Do	Badagas Do Patta.	
7/87	"		8	84	"	8	"	4	7	0	Mr J. F. Sullivan	Do	Waste land Rules.	Title deed No 21 of 1870.
7/287	"		15	59	"	8	"	7	12	9	Do	Do	Do	Do 5 of 1876.
7/288	"		9	13	"	8	"	4	9	"	Do	Do	Do	Title deed No 6 of 187[illegible]
7/289	"		3	51	"	8	"	1	12	1	Do	Do	Do	
7/290	"		0	99	"	8	"	0	7	11	Do	Do	Do	
7.292	A.		9	16	"	8	"	4	9	3	Do	Do	Do	Do 12 of 1884 Rs [illegible]
7/294	A.		9	94	"	8	"	4	15	6.	Do	Do	Do	Do 10 of 1884 Rs 900.
7/293	A.		9	74	"	8	"	4	13	11	Do	Do	Do	Do 11 of 1884. Rs 700.
7/307	A		5	12	2	"	"	10	3	10	Do	Do	Granted at Settt. in 1881-82	
7/308	"		1	06	2	"	"	2	1	11	Do	Do	Do	
7/309	A.		2	64	2	"	"	5	4	6	Do	Do	Do	
		Total	109	70				68	1	3				

Confidential

My dear Webster,

I send you a copy of the memoir of Richings Estate drawn up by the Settlement Officer (Benson) which is correct as far as it goes.

I also send a statement showing the lands now comprised in the Estate and standing in the name of J. F. Sullivan. At the back of this statement I have noted two changes in the registration of some of the lands as gathered from the Office records.

Yours sincerely

29th July 1885 L. R. Burrows

Folio No. 19

The same lands were re-transferred by the Honble H. S. Sullivan to Mrs J. F. Sullivan by means of a deed of relinquishment & acceptance dated 26th & 28th April 1883.

LRB
29-7-85

Memo of
Rickings estate
from Collector
Nilgiris

with Map

Aug 1. 1885

CHIEF SECRETARY
3 AUG 85
GOVERNMENT OF MADRAS

My dear Webster.

I have made an addition at para 4 to my letter in re Mr Campbells allegations which so far as my recollection serves me explains the transfer & retransfer of registry in 1883 but with every desire to state facts my memory often fails me in the absence of any written record.

Referring to my letter of May 4. 1882. you seemed to think yesterday that it wd. be well if I supplied an explanation with reference to the expression "the land reverted to me" and to my speaking of it as my property. It was foolish & incorrect of me to do so but it was written hurriedly the day after I received the cards for the return – In a subsequent letter ~~on which the letter~~ ~~[illegible]~~ having reference to the S.S. despatch d/. 3rd Jan: 1884 Rev: No 2 and on which the letter to Lord Kimberley d/ 25th March No 5 of 1884 was framed I asked that this statement of the land having reverted to me might be corrected – I have only a rough pencil copy which I found by chance today – At

the end of the letter I say "I avail
"myself of this opportunity to
"request you to correct a state-
"ment in my letter replying
"to O.M. d/ 20th April 1882 No
"181 – In it I said that my
"son gave up planting after
"a year or two – this should
"have been '3 or 4 years' – Also
"that 'the land reverted to me'.
"It should have been 'reverted
"'to my charge' i.e. that
"I paid a man to look after
"the place & to prevent its going
"to rack & ruin – As above stated
"I have never had any title
"to the land or legal interest
"therein until my son executed

a mortgage to me 3 or 4 "months ago" – If you will refer to this letter (I can't give the date but it must have been written in Feb: or March 1884) you will find a complete explanation of my hurried reply to the original O.M. and therefore I see no reason for going into the matter in this report. I made a mistake in returning myself as the owner of land but my reason for doing so has been explained & accepted – The public records show that I never hadd held any &c. Mr. Campbell's allega: tions fall to the ground – In this connection I have slightly

modified the concluding portion of the draft G.O.

Tell me frankly if you think any thing else is necessary – I haven't seen Shand Stewart: or Griggs letters but as regards myself & matter I consider that Mr Campbell's charges are completely refuted and so did the S.S.

I don't think the G.I. can have seen this correspondence between us & the S.S. or they wd have hardly lent an ear to a matter which had been disposed of by the Home Govt. Having been thrown over by Lord Kimberley this wretched man thought he would try the effect of pouring his slander into the Viceregal Ear -

Yrs sincy

H Bulwer

Aug 2. 1882.

Sullivan

My dear Sir

You mentioned in a note the other day that Sir Wilfrid Lawson had been asking a question in the House ~~the other day~~ with reference to Civilians holding land in India — Would you kindly give me your advice as to what action I ought to take in regard to my little property in Ootacamund. Before I entered Council I reported to Govt: exactly how matters stood. I purchased the land to build on & amused myself whilst on leave by planting a portion of it with Eucalyptus & tea — I then gave it to my son

m.
25.7.86

1805

Aug 18/

"I found this letter the other day & it had better be put with the other papers. The property in question seems to have been sometimes held as Mr Sullivan's own to be a retreat for his old age sometimes as a provision for one of his sons & to help the rest of the family. There is no harm in either of these ways of holding it that I see. The boy may be a planter if he likes & Mr Sullivan may build a home for his old age on the Neilgherries without blame. I understand that the second project must be considered as quite abandoned & that Mr Sullivan will

leave India. All connexion with his property on his part and then of course absolutely cease if it has not done so ere this. There must not be any possible reproach left for any person however unfriendly to Mr Sullivan to say that he keeps his "firewood" from him

No servant of Mr

Sullivan must directly or indirectly have any thing to do with looking after the property.

Mr Sullivan had better have planted trees of no commercial value on the land if he wanted not to be attacked by people like Capt Campbell; but the

Certainly now
the Secr of State & t
the Govt of India that under no possible circumstances shd any colour be given to the imputation that he has the slightest shadow of connexion with it other than what he has avowed to them.

plan had much better be left to look after itself rather than that any servant of my hon. colleague's should say "that he has gone to his tea estate."

He has assured us that it is not his & we of course implicitly accept what he says; but no chance must be given to evil tongues.

Shewn to Mr Sullivan this day E. Fletcher 19-8-85.

Richings. This Estate is situated between the Upper and Lower Lovedale roads on the North Eastern side of the St Lawrence Lake.

It Consists of Nos $\frac{7}{84, 85, 87, 287 \text{ to } 290, 292}$ & $\frac{7}{307 \text{ to } 309}$, containing together 109.70 acres of which about 37 acres are planted with Chinchona, 21 acres with Tea and Chinchona and 5 acres with Eucalyptus Accacia; A Considerable portion of the remainder being devoted to fodder plants of various kinds.

The Estate appears to have been first formed in 1865 by Messrs Kistnasami Mudalier & Kistnasami Naidu who purchased $\frac{7}{84}$ (24.29 acres) under the Waste Land Rules in that year (vide Deed No 21 of 1869), which the present owner acquired by purchase in 1870. The remainder of the lands (except No $\frac{7}{85}$) were acquired by purchase from Government under the Waste Land

Rules by Mr J. F. Sullivan between 1870 and the present time. $\frac{7}{85}$ (9.66 acres) was obtained in 1883 in exchange for $\frac{4}{78}$ ($\overset{a}{1}\overset{c}{2}$.49) which had been bought under the Waste Land Rules in 1865. Nos $\frac{7}{307 \text{ to } 309}$, containing 8.82 acres, were granted at Settlement subject to an assessment of Rupees 2 per acre per annum.

The Assessment payable on the whole Estate by the proprietor, Mr J. F. Sullivan, is Rupees 68-1-3, exclusive of local Cesses.

(Initialled) R. S. B.

(True Copy).

If I may have it I should [illegible] glad to be put in possession [illegible] soon as I have to [illegible]ugh up the portion I am to assign to the Badagas before giving it over to them & the monsoon is the time to do that.

As we are going to settle in Lovedale I am anxious to attract neighbours & am thinking of building a cottage on the other part.

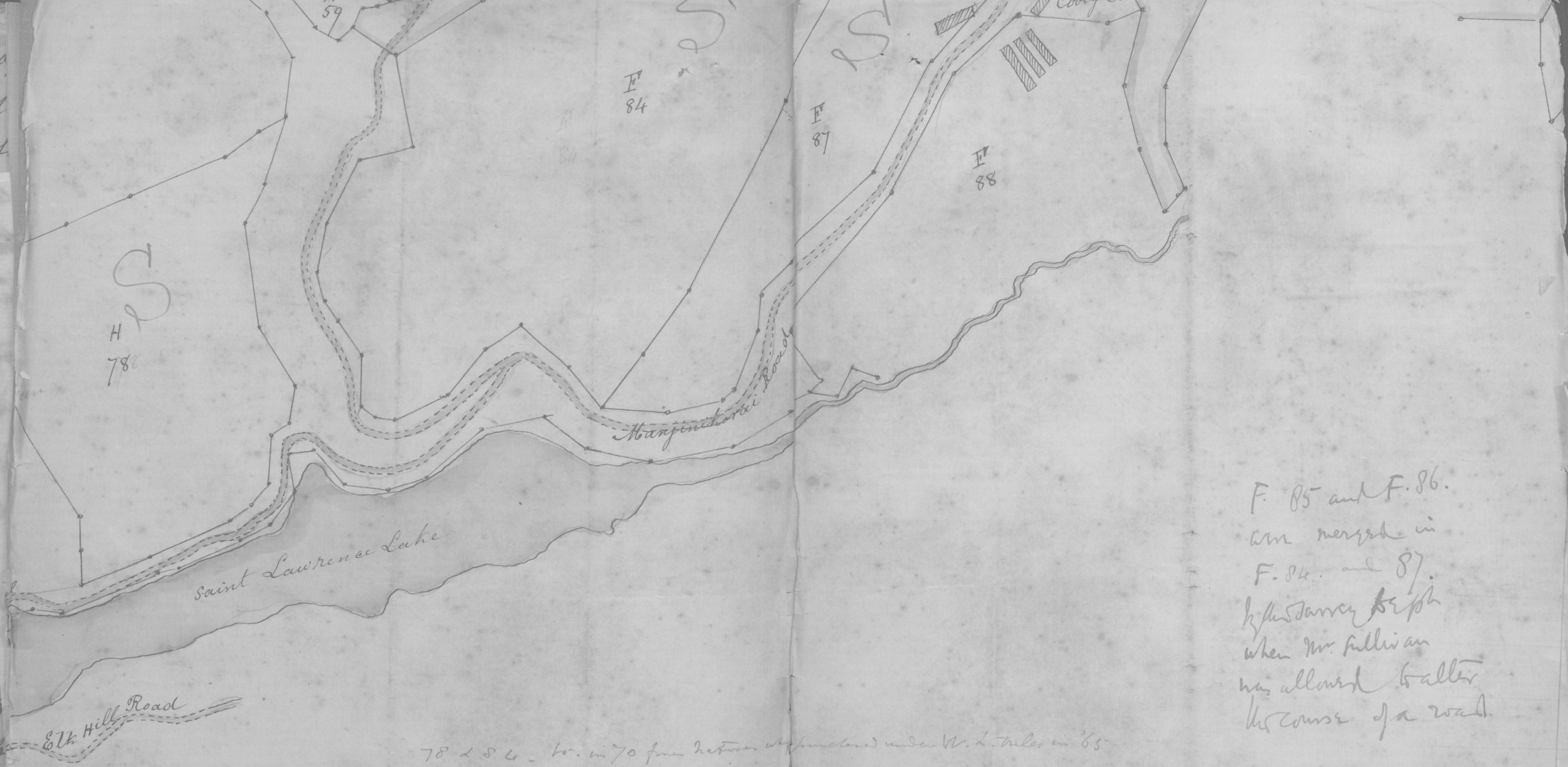
Yrs - H. S. S.

No objection to granting all the applications provided there are still Govt. sites.

N [illegible]
15. 6. 81.

Note. D.O. to Mr Sullivan 15/6/82.
D.O. to Wilson 23. 10. 82.

[illegible] Office note.

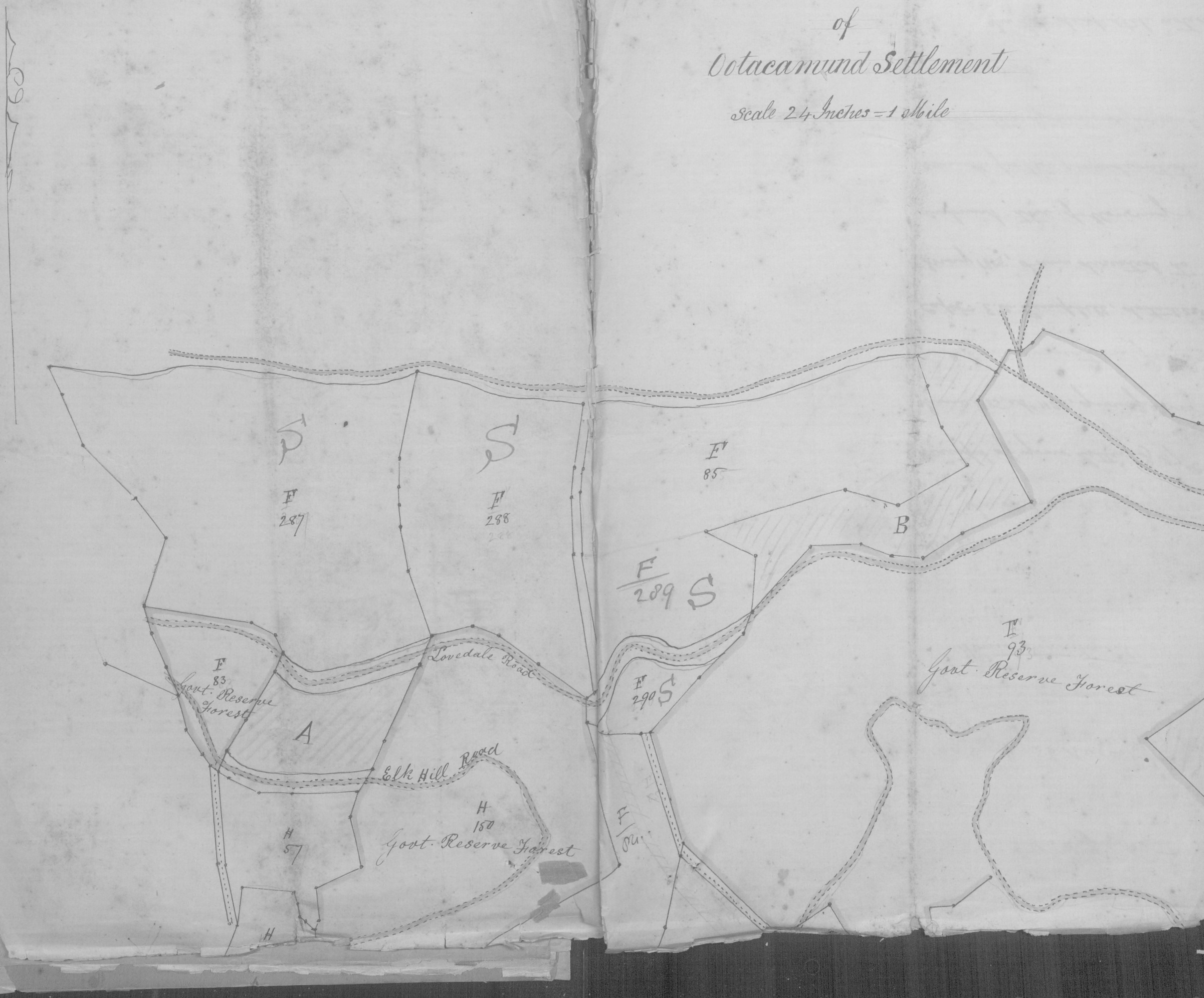


F. 85 and F. 86.
were merged in
F. 84. and 87.
by the survey [illegible]
when Mr. Sullivan
was allowed to alter
the course of a road.

78 & 84 – Sd. in 70 from Returns wh. purchased under W. L. Rules in '65
(86 & 87) – purchased in '70 by J. F. S. under W. L.
& 87-88-89-90 Sd. in 75 by do – do.
A. B. C. school grants made by Bonzell in June '81.

Extract from the Map of Ootacamund Settlement

scale 24 Inches = 1 Mile



F. 85 and F. 86.
are merged in
F. 84 and 87.
by the Survey [illegible]
when the holdings
were allotted to the
the Course for road

Print copies [illegible] all
but not the word
"Confd!" 18/8

Public Department

No. 1998. d/ 26 August/85.

To
The Secretary to the Government of India
Home Department

Qu 15/8

Sir,

In acknowledging the receipt of your letter d/ 27th June 1885, No. 1120, giving cover to a communication from Captn. E. A. Campbell, dated 22d May 1885, I am directed to submit the following remarks for the consideration of H.E. the Governor General in Council.

2. In his despatch noted in the margin, the Secretary of

3d. Jany 1884, No. 2

of State informed the Government of Madras that he had received a letter from Captain E. A. Campbell containing various allegations against Members of the Madras Government and officers of the Civil Service, and his Lordship drew the special attention of H.E. in Council to the statements put forward by Captain Campbell to the effect that Mr H. E. Sullivan, Member of Council, was the owner of 75 acres of land at Ootacamund planted with 80,000 Cinchona,

tea

tea and gum trees, and that he had for some years derived an income from the sale of the produce of the land. And, further, that the then Chief Secretary, Mr Master, possessed 50 acres of land planted for commercial purposes with 70,000 tea, cinchona and gum trees.

3. In replying* to the foregoing despatch, it was pointed out by this Govt. that Mr Sullivan did not possess any landed property on these hills, but that his son was the owner of some 75 acres;

the

* dated 25th March 1884. No 5 Rev: copy forwarded to the Govt. of India on 26th March 1884.

the nature of his father's interest in his son's estate, as well as a full description of the Hon'ble Mr. Master's property known as Elk Hill House, were set forth.

4. In his reply, d/ 15th May 1884, No. 24, Revenue, Lord Kimberley expressed his satisfaction at learning that these allegations against Mr. Sullivan & Mr. Master "are without any foundation." To this correspondence, I am to invite the attention of H.E. the Governor General in Council.

Copies

print

G.O. No. 747 d 13 June/84, Revt

print separately

5. Copies of the written statements submitted to the Government by the several officers concerned are annexed to this letter, and His Excellency in Council believes that a perusal of them will satisfy H.E. the Governor General in Council that Captn. Campbell's charges against Col: Shaw Stewart and Mr. Grigg are of little importance.

6. With reference to your remark that the Government of India had assumed that the areas held by these officers

represented

represented mainly unculturable hill sides, I am to explain that almost all the larger houses in Ootacamund are surrounded by grounds planted up with ornamental and useful trees. In fact the "compounds" round the houses in Ootacamund are like the compounds in Madras, small parks rather than gardens. Scarcely any of the ground in Ootacamund or its neighbourhood is of the nature of unculturable hill sides, being for the most part a rolling down interspersed with valleys and ravines. 7W

7. H.E. the Governor in Council is of opinion that the allegations against Colonel Shaw Stewart have been quite satisfactorily answered. With regard to Mr. Grigg, as far back as 1882 he was directed not to sell any more produce off his land. This irregularity having been pointed out to him, he has now reported that he has followed the instructions of Government on the

Lands held by certain Government officials

the point -
FW 14/8

Hon. Mr Master
Hon. Mr Sullivan

Note
H.E. the Governor
has passed this draft
FW
14/8/85

To be printed very
urgently - [illegible] 17/8

[illegible]

[*Despatch.*]

2
READ AGAIN Order of Government, dated
188 , No. Miscellaneous.

BACK PAPER, No. of 188 .

FURTHER PAPER, No. of 188

ENCLOSURES.

CURRENT No.

STATEMENT WITH DITTO.

Letter
~~ORDER, &c.~~ OF GOVERNMENT.--A.

Annexure - { Hon Mr Master's letter
" " Sullivan's letter
" Col Shaw Stewart's letter
Mr Grigg's letter } print separately - with heading thus:- "Annexure to Letter to the Govt. of India No. dated August 1885."

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

{ Order
Letter 2 proofs -
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.

[1]

Very

PRESS.

Public Department.
~~G.O.~~ Letter dated 26th Aug 1885
No. 1998.

First copy sent to Press. 20/8.

Returned for signature.

Despatched in print.

[Despatch Abstract.]

Lands held by Govt. Officers

Submitting certain remarks for consideration with refce to the communication from Capt. E. A. Campbell regarding the alleged holding of land for agricultural purposes by certain Govt. officers in the Madras Presidency—

26-8-85

Pub. C.W., 3000 [illegible]

[illegible]

Name of the proprietor	Area		Remark
Mr. Sullivan	24	29	
Do.	8	87	
Do.	15	59	
Do.	9	13.	
Do.	3	51	
Do.	0	99	
Do.	12	49	
	74.	87.	
Govt. waste applied for by	2	70	approximate area
Mr. Sullivan under the	5	30	
Settlement rules	30	70	
	38.	70.	