(a) No. 25 I 86

~~Confidential~~

Police Commissioner's Office.

Madras 25 January 1886

No. 3.

Mr. Symonds' Case

Memorandum

Refer to "Madras Times" of following dates regarding Correspondence &c between "Civil Debtor" (Howard) and the "Times", and Mr. Symonds.

31. December 1881.	"Civil Debtor's" Correspondence Commences.
3. Jany. 1882	- Continues.
4th. Jany. "	Two Cols: short paras: under heading "Roulette" - on things in general. (Written by Howard as "Zero". In same paper appears a letter by X. Y. Z. (not Howard) apparent defending the Coroner in rega made to a death in the Civil Jai nd
5th. Jany. -	Reply by "Civil Deb alleg edor n2

7th January } Further letter on the general
1882. } subject of imprisonment for debt and signed "the Ghost" (not written by Howard)

10. January – Letter by "Scape Goat" professing to seek "Zero's" (Howard) address with rider by "Zero" – (Howard).

11th January – Further letter from "Civil Debtor".

18th – – Correspondence closes with a letter signed "Qui docet, discet" intimating, deprecatingly that the Enquiry made by the ~~Civil~~ ~~debts~~ Official Visitor into the Complaints of "Civil Debtor" was perfunctory –

Note – Howard arrested, ^18th Jany. – first hearing of charge^ 9th Feb:/82 on Criminal Charge. Convicted 24th Feb:/82.

On 15th March 1882 appeared in the Times – incorporated in an Editorial headed "Bombastes Furioso" – Mr Symond's letter attacking the Editor for alleged "base desertion" of Howard

To The Chief Secretary

(a)

Commissioner
[illegible]

1

26-1-88

Madras. 26. January. 1886.

From: The Inspector General of Jails.
Madras.

To The Chief Secretary to Governt.
Fort. St. George.

Sir. I have the honor to forward for the information of Government with reference to their order of the 21st instant: No. 128. Mr. Symonds replies to the queries put to him by me regarding the prisoner Howard.

Mr. Symonds denies having had any communication with the prisoner Howard during his incarceration, also denies having paid his fine or any portion of it.

In reply to the 3d query Mr. Symonds states he is unable to explain the allusions made in the prisoner's letter addressed to him. or his right to address him in such terms be-

Mr. Howa

JMy
Recd [illegible] 1.86

4/26-1-86

Salem. 2
25th January 1886.

H. R. Grimes Esq
Inspector General of Jails
Madras.

Sir

In obedience to the Order of Government (No 128 of the 21st inst.) I have the honor to reply to the queries you have put to me regarding the prisoner Howard.

2. (1) I deny having had any communication with the prisoner Howard during his incarceration.

(2) I deny having paid his fine or any portion of it.

(3) I am unable to explain the allusions in his letter or his right to address me in such terms beyond the fact that some time ago I befriended him when in difficulties. Mr Howard had seen better days

& who was connected with the Press, & having thus had occasion to meet me (I having been the Secretary of the Friend in Need Society & of the Madras Literary Society & Auxiliary of the Royal Asiatic Society, & otherwise a public character), he subsequently communicated to me some of his grievances & troubles.

I have now answered

3.

your queries, — but I have done so only as a loyal subject & in obedience to constituted authority.

So thoroughly, however, am I convinced that the principle on which I have stood upon from the first was right, & that your action was an infringement of British right & usage, that I feel I should have been justified in appealing to His Excellency the Governor General or (if need be) to the Secretary of State, before admitting ye right to place me in the false position to which such "categorical questioning" might lead.

I must now again, & with

4.

For

all respect, protest against what I cannot but regard as the unfair way in which you connect me with the prisoner, & ye implication that I had relations with him as a "defamer of the Government." He is not in jail as such, nor accused thereof; & yet, to one not behind the scenes, your letters read as if your accusation were that I, the Supt. of the Penitentiary, having in charge a political convict (which he is not), who was punished with fine for defaming the Government (which he was not), had paid that fine, & had compromised myself as a Govt. official by having relations with the "convict" as such.

Now that I have explained what my "relations" with him were, & adverting to ye reference to the familiar terms in which he addresses me, I may state that I can place you in possession of some further information regarding Mr Howard. Amongst the matters that, as a grievance — more per, he communicated to me were copies of his correspondence with the Chief Secretary to Govt. I append a copy of a letter he wrote to that Official in my last. There, surely, you have most defamatory & threatening language to Govt as represented by its Chief Secretary. And what were the subsequent "relations" of that high Official with him? Did he scout his offers & threats, & forbid him access to his presence? No, the Chief Secretary granted the "defamer" the desired interview, & many more interviews, & on public occasions shook hands with the "convict." ???

6. I cannot add more here I not addressing you officially; & besides Govt have sometimes a strange way of dealing with their friends.

One word more & I have done.

7: I understand that my recent transfer

from being Supt. of Prisons for the Town of Madras to that of an up-country jail is due to my having expressed my opinion that the Govt. of Madras had acted unjustly by Dr. Thomas (since reinstated by the Govt. of India). If such personal motives influence the proceedings now taken against me, & the apparent desire to compromise my official position, I must submit that it is unworthy of a representative of the great Party which has given us freedom of opinion & liberty of the Press.

I have the honour to be,
Sir,
Your most obedient Servant
W. A. Symonds
Supt. Central Jail, Salem.

(1) Mr. Symonds then admits that he expressed the opinion -openly I presume - that the Govt. of which he is a servant had done injustice

(2) This seems to me a gross insult to the Head of the administration
27-1-86

For

[5ob327/86

Judl CURRENT NO. 327

~~Jail~~ (188) Department.

From

The INSPR.-GENERAL OF JAILS,

To

The CHIEF SECRETARY TO GOVT.,

Fort St. George.

These papers were
shown to and read by
Hon. Members
after Council yesterday

W
27-1-86

Dated 26
Received 26 } January 1886.

No.

Enclosure. One.

Subject.

Forwards Mr. Symonds's answers to the queries put to him regarding the prisoner Howard in obedience to G. O. dated 21st January 1886 No. 128.

NO. 327

We know that Mr. Symonds is a bitter enemy of the Madras Government, under which he serves, but, for the present, it is perhaps unnecessary to go into that. Mr. Rees' note will require to be completed in various particulars.

I think we had best for the moment say nothing about Mr. Symonds' newspaper attacks, but order him to obey implicitly, and fully, the orders sent to him by the head of his Department, with no cavil or reservation of any kind, adding that this must be done immediately, and that his explanation must be in the hands of the Chief Secretary not later than Monday next.

Draw the order, take, and show this, as well as, it, to Mr. Sullivan and

---

[9]

DEPARTMENT.

D.O. 18

From

H. R. Grimes, Esqr.
Inspr. Genl. of Jail

No.

Dated 6 } January 1886
Received 7 } January 1886
Enclosures

SUBJECT.

Regarding Mr. Sym

DEPARTMENT.

. D. 19

From

H. R. Grimes. Esqr
Inspr General of Jails

Z/ for
22/1/6

No.

Dated 7th }
Received 8' } January 1886

Enclosures

SUBJECT.

Regarding convict Howard not being put to hard labour during the time Mr. Symonds was Supdt of the Penitentiary.

For

Confidential

From
Commissioner of Police
Madras

To Chief Secretary to Govt.
Fort St George

Dated 2. January
Recd 21st Jany } 1886

No 2/P.

Mr W. A. Symonds
Case.

Y

Jany
22/1/86

Sym

Confidential

No 2.

From The Commissioner of Police
Dated 21st January 1886. at Madra

In re.
Mr Symonds

Howard immediately previous to his conviction on 24. February 1882, was a prisoner in the Civil Jail; during which imprisonment Howard wrote severa letters in the "Madras Times" (under the nom de plume "Civil debtor") attacking the administration o Jail affairs; and articles based on those letters appeared in th journal. Mr Symonds was at tha time very indignant and calle on the official visitors to enquire in the allegations made agains

2. On 16th May 1882 - three we after Howard's transfer to th Criminal Jail - an article h the heading "Bombastes Fur appeared in the "Madras

Commenting on a letter (printed in full) addressed by Mr. Symonds to the Editor of the Times, upbraiding the Conductors of that journal for deserting Howard in his need, and generally implying – in anticipation of the decision of the High Court on Howard's appea then pending – that Howard had been unjustly convicted. The attention of the Inspector General of Jails was it is believ directed to that letter.

3. Mr. Symonds'* replies to the above mentioned article bu the "Times" refused, [illegible] a "Noti Contributors," "to gratify his w by publishing six pages of m "more nonsensical," and re Mr. Symonds to the "Bangalor

"if he still wished to rush into print."

4. Following this appeared an article in the "Daily Post" on the same subject, (Hazard) the authorship of which is ascribed to Mr Seymonds.

The Clerk Rajamanaru Chetti.

5. This man was entertained as a Clerk in the Office of the Friend-in-need Society in 1879. by Mr. Seymonds who was then Hon: Secretary. He was then appointed a temporary Clerk in the Jail Office without prejudice to his duties in the office of the Friend-in-need Society. Subsequent appointed (Jail) Schoolmaster o a salary of 14 Rs: per mensem. Subsequently (G. O. 3853 d/ 2 Dec: 1883) permanently appoi to the Jail Staff on the strong recommendation of Mr. Seym on a salary of Rs: 25. per mens This is a very intelligent man

Sye

was placed at Howard's disposal when the latter was living at Vatters Garden and was paid small sums by Howard. Who, on his part, received money from Mr. Symonds. Rajalummaru Chetti used to be sent with papers to Howard. Many natives came to Howard to get petitions drawn up. Mr. Symonds frequently visited Howard and Mr. Wallace who had adjoining quarters. Among papers brought by the Clerk to Howard were, a petition by Mirasidars of Cheyur Chingl appealing against the operati of the Salt Dept. A petition by village Munsiff against Crole, Collector of Madura Petitions by Venkatasubba (Sheristadar) Vencatramani Tahsildar) a Clerk in the Co Office and the Town Sub.

all concerned in the Salem case. Petition by Satur Seshagherri Row afterwards Proprietor of the "Telephone" Venture: and from various dismissed Employés.

---

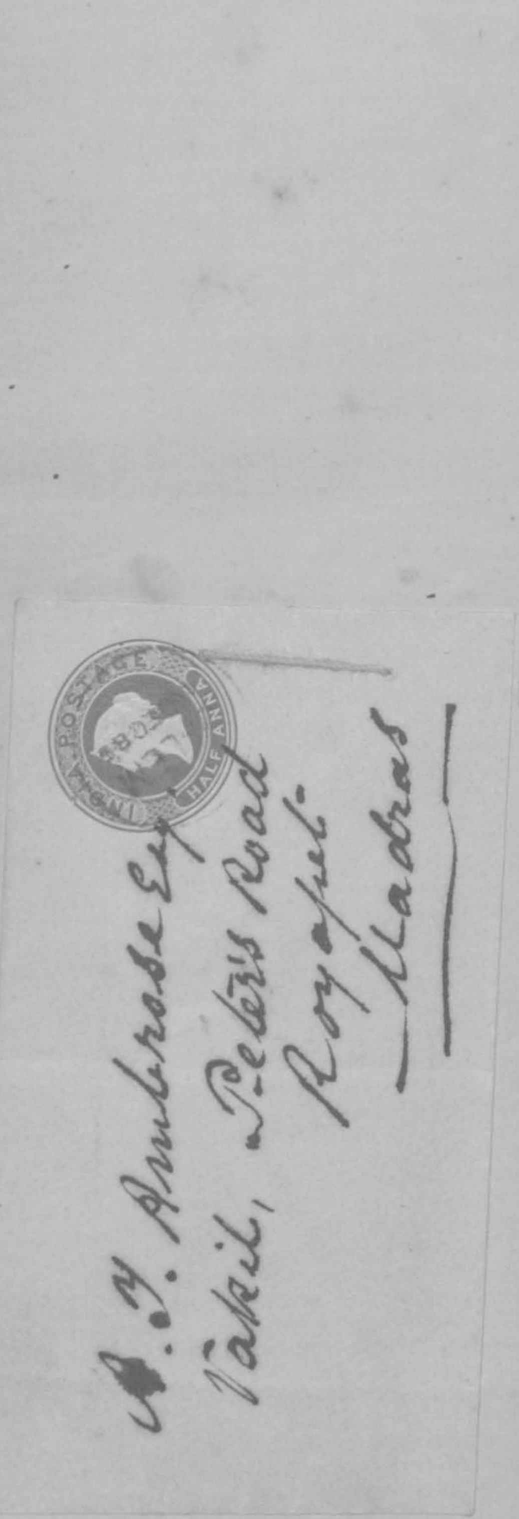
6. Howard after his release had long interviews in the office of the Supt. of Prisons with Quigam Lakshmaji - and was provided by the Supdt. with a teapoy, chair &c to take down the instructions of the prisoner. Howa received from the Convict, by hundis, two sums of 50/. and 5 for alleged Expenses.

---

7. Owing to the present time, Mr. Ambrose a Vakil of the Court was employed by the ~~to undertake~~ the Conduct of Howard's affa

Sye

The correspondence - or some of it - between Ambrose and Howard is in possession of the Jail officials. Ambrose did not in the first instance communicate with Salem whence his instructions (and fees) came. The letters received by Ambrose are in a feigned (disguised) hand as he supposes, some of them apparently written by a lady. As it is presumed that Govt. have been made fully acquainted with the contents of Mr. Ambroses letters to Howard further detail as regards them is unnecessary. On 15th December Ambrose received a currency no for Rs: 50/. from Howard's up coun friend (admittedly Mr. Symonds least Ambrose certainly recei the 50 Rs: and 15th December date he gives by production Envelope which is attached and which he alleges covered



A. J. Ambrose Esq
Vakil, Peter's Road
Royapet
Madras

Remittance. Mr. Ambrose states
that the letter itself - with all
other letters from the same
source - was destroyed, as he
was requested so to do when the
correspondence began. Mr.
Ambrose's statements must
be taken with some qualification.
The envelope produced may or may
not have contained the particular
remittance referred to. It certainl
was posted at Salem. Unfortunat
it is now impossible to trace th
currency note which has passed
through many hands since, a
in no case was the number tak
The note was paid into the Peniten
thence sent to the Ezmoor May
Court, there paid away - to w
unknown.

8. It is not expected th
Enquiry regarding Mr. Ro

Kistnamachary and Appadoraí Mudelliar will lead to any information material to this case not already in the possession of Government, and which would justify further delay in submitting this report. Nevertheless such enquiry will be made and if the result be worthy of report it will be communicated.

Madras
21st January 1886

Weldon
Commissioner of Police

To
The Chief Secretary to Government
Fort St. George

W No. ~~Confidential~~

POLICE COMMISSIONER'S OFFICE,
Madras, 20th January 1886

FROM

The COMMISSIONER OF POLICE,
Madras,

TO

THE CHIEF SECRETARY TO GOVERNMENT,

Memorandum

Subject
S. Howard
Cum
W. A. Symonds.

Instructions were receiv
on 14th Instant directing th
undersigned to make
inquiries as to the relation
past or present between
Stevens Howard (alias Ho
and Mr. W. A. Symond
lately Superintendent of
Prisons in Madras with
especial reference to the
treatment of Howard
when he was a prisoner
in the Penitentiary und
sentence of rigorous im-
-sonment in 1882.

2. It is understoo
that Colonel Guthri
has already submitte

full report on the Career of Howard.

3. Howard was convicted on 24th February 882 and sentenced to six months' R. I. He of course appealed but his conviction was confirmed by the High Court. During the arly part of his sentence t became my duty to isit the Penitentiary as e official visitor for the onth; the date of such isit will be recorded in the Jail Books. A emark was made by me egarding the large proportion of European nd East Indian prisoners n half labour. Howard s one of those so employed n the European block. I cannot call to mind f I ever again saw oward at work. My npression is I did ot.

Independent enquiry w elicits that as a fact, ich Government may cept, Howard was ployed on light bour during the rst month only of

6

his imprisonment. The remainder of his term he spent in the Prison Office ostensibly for the purpose of writing his appeal but supposed really to be employed on some private work of the Superintendent. If a visit from the Inspector General of Jails or other Officials ~~visitor~~ was expected Howard was taken to the Ward for the sake of appearance and when the visitor left was relegated to the Office. I was at first under the impression that this exceptional treatment of Howard was only at the time when his Appeal to the High Court was pending; but I have ascertained that it was not so — the special favour shown to him increased as time went on until at his discharge he had established himself as the intimate coadjutor of the Superintendent for apparently literary purposes.

5. Subsequent to Howard's release he visited the Jail partly on business connected

with the Superintendent partly as the Agent of Dr. Cline who was, in a legal capacity, interested in a well known convict named Laxmayi Pandit.

6. Howard in July 1883 established himself at Patters Gardens near the Club where he resided until the 15th September 1884. having during that time paid no rent beyond a sum of 20. Rs: on his first arrival. The landlord with difficulty ousted his unprofitable tenant forgoing all claim for rent due. During Howard's residence at Patters Gardens there were complaints of his conduct but with these Mr. Symonds was not connected. From July 1883 till Sep 1884 Howard employed himself with writing work the tangible result of which used to be taken charge of by one

C

Raja Mannaru Chetti a Clerk in Mr. Symonds' office at the Penitentiary and his Confidential Agent.

Mr. Symonds himself frequently visited Howard at Patters Gardens where he resided and they were apparently on terms of perfect Equality. Mr. John Wallace was also living there and joined the party.

7. Mr. Symonds was, I have reason to believe, fully acquainted with Howard's plans and actions when the latter visited Pottacamund in September 1885 and when the birth of the "Telephone" newspaper was expected.

8. I believe that even since Howard has on this second occasion been in jail the nature of correspondence between him and Mr.

Symonds shows their intimacy, and indicates that Howard has claims on Mr Symonds exceeding any that Mr. Symonds may have on Howard on the supposition that Mr Symonds was merely actuated by philanthropy and sympathy with an unfortunate man struggling to redeem the past and live creditably in the future.

9. The prison officials should be able to supply all necessary detailed information as to what passed within the walls of the Penitentiary. I believe Mr Goodrich has made a searching enquiry in this respect.

10. It is to be regretted that a close enquiry was not made into the antecedents of Howard when he ~~first~~

appeared in Ma
1882 and when there
persons then [illegible] the City
who might have given
valuable information

Weldon

Commissioner of Poli

From

The Commissioner of Police,

Madras,

To

The Chief Secretary to

Government,

No.

Dated
Received } 188 .

Enclosures.

W
21/1/6

---

91 ~~88~~

JUDICIAL.

Judl

~~Jail (188~~ ,) Department.

CURRENT NO. 98

From

The INSPECTOR-GENERAL

OF JAILS,

To

The CHIEF SECRETARY

TO GOVERNMENT.

Fort St George

N
12-1-86

Dated 9th
Received } January 1886.

No. 6

15 Enclosures

Subject.

Submits correspondence between himself and Mr W. D Symonds Supdt Central Jail Salem for the orders of Government.

Symonds has been guilty of
subordination.

I have the honor to be
Sir
Your most Obedient Servant
Henry R. Grimes.
Inspector General of Jails

---

had been previous intimate rela
between you.

5 After despatching my letter
to Mr Symonds I received a further
communication from Mr Goodrich dated
21st December 1885 enclosing a copy
of a letter from Mr Ambrose to the
prisoner Howard in which Mr Ambr
remarks. "Since writing to you last I
" have received (2) letters from your
" up country friend dated respectively
" 17th and 18th instant, the letter which
" reached me this morning contained
" enclosed a currency note for Rupees (50

6. On 29th December I received
Mr Symonds' reply to my letter of 21st
December. In that Mr Symonds wrote
as follows "I of course recognise y
" right to ask whether I have had any
" communication with the prisoner Howar
" direct or indirect during his incarcerat
" and I reply in the negative"

I however respectfully question "
right to interrogate me on matters "
which concern me solely as a private "
individual and as I regard the other "
queries as being of this nature I object "
on principle to being called upon to "
answer them though quite ready to "
xplain any action in my official "
Capacity"

7. In acknowledging the receipt of this letter on 30th December I said that I regretted to remark that the tone of his letter was distinctly improper and insubordinate and I requested he would reply without further cavil to the questions sent to him in my letter of 21st December. These I pointed out to Mr Symonds did not concern him lely as a private individual as he ntended, but as a Government servant cupying an important position

and at one time in charge
intendent of Hilli Penitentiary of a person who was again a prisoner in that Prison, who had in the grossest and most public manner defamed the Government collectively and individually. This person had intimated and said that Mr Symonds was his friend from whom he expected assistance and from copies of letters addressed to him by his Solicitor or Agent it appeared that pecuniary assistance had been sent for him by Mr Symonds.

8. As I had not received a reply to the above up till the 6th current. I telegraphed to Mr Symonds as follows. "Desire immediate reply to my letter dated 31st Ultimo by return of post. Should you fail doing this shall be obliged to report matter

30th

s Government." I received a
legraphic reply on the same date
as follows. "Posting reply Thursday
in submission
"**contents justify delay**— .. & ~~in~~ in"
or words to that effect I have unfortunate-
ly not got the message by me to
uote accurately.

3. This morning I received the
enclosed letter from Mr Symonds who
in language that is in my Opinion
impertinent and insubordinate re-
fuses to answer **the** questions I have
put to him and challenges my right
to ask them. I submit the matter
therefore for the orders of Government
I consider that I was not only within
my right in asking Mr Symonds the
uestions I did put that I would have
iled
in my duty if I had not put them
t, him. I consider further that in
ising to answer my questions Mr
en

F. G. H. I.):—

4 On receipt of these letters
I addressed Mr Symonds on 21st December
sending him Copies of the letters from
Mr Ambrose to the prisoner Howard
and the latters reply; also Copy of the
letter addressed to himself by the
prisoner Howard which was found on
the soldier about to be released.
I put certain questions to Mr Symonds
and requested his answers to them,
the question were as follows:—

1 Have you had any Communication
with the prisoner Howard direct or
indirect. **during his incarceration?.**

Have you paid his fine or
any portion of it.

Can you explain the allusions
in Howard's letter to your address
of 17th December, and by what
right he addresses you in such
familiar terms; it would appear
from the tone of his letter that there

M

Salem 7th January 1886

The Inspector General of Jails
Madras.

Sir

I have the honour to acknowledge
the receipt of yr letter dated 31st Decem-
ber 1885./

2. I beg to assure you that nothing
is further from my intention than to adopt
n improper or insubordinate tone. To "respect-
fully question the right" you claim & exercise
s not of itself, I humbly submit, sufficient
t sustain a charge of distinct impropriety &
insubordination. If you will be gracious-
ly enough to point out any single expression
r several expressions convicting me of this
offence, I will at once gladly withdraw the
same with an ample apology; but, unless
you will be pleased to indicate where
the "tone" of my letter dated 26th Decem-
ber 1885 is "distinctly improper & insub
the" I, with the utmost respect

Remarks from Medical Officers Journal Concerning Prisoner Holt Alias Howard.

Prisoner Entered Penitentiary on 24 February 1882

	Medical Officers remarks	Mrs Symonds remarks
February 27th	Holts testicle is Enlarged and somewhat painful He is recommended half labour —	Initials of Supt.
March 7th	Holt has asked me to recommend him a light in his Cell, but I cannot do so on Medical grounds.	Initials of Supt.
March 22nd	Holt has stated that he Cannot & does not rest without a lamp in his room. I believe a light which enables a man to read, will soothe & calm him but I do not think I can recommend it on Medical grounds.—	Has had a sleeping draug every night for weeks past which seems a very exceptional state of things so much so indeed, that I should be disposed to give this ma a light to read by, if the Medical Officer were of o this would do away wi the necessity for these nig doses
March 28	Holt has had no sleeping draught since the 22nd and has shown no bad symptom since. I believe a light would soothe & benefit any prisoner.	Initials of Supt.—

When under trial was treated for General Debility
27th January to 4th February 1882.
Admitted to Hospital on 5th May 82 for Muscular
Rheumatism - Discharged on 6th May -
Admitted on 18th August 82 for Diarrhoea
Discharged on 23rd August 1882.

J. W. Hackett
Surgeon Maj

True Copy from
Jail Journal.

released.

(3)

38

m 28th March to 5th May
m 6th May to 18 August.
hat was Howard doing.
s he on hard labour?
s he during the a b
riod bound to do hard
rd labour according
his sentence and if
was so bound I did
do hard labour
give sufficient grounds
n for exemption. Such
not appear on this record.

JOL
27.1.6

Howard was put on half labour three days after his admission into Jail as a convict: and from the entries in the Medical Officers Journal was never taken off that description of labor. All the other Europeans who had been put on ½ labor had their labor changed on the Medical Officer's recommendation as fit for hard labor. Howard was therefore not on full hard labor though he was sentenced to hard labor. As the Medical Officer had recommended Howard for half labor and had never taken him off that ~~des~~cription of labor there were sufficient grounds for the Superintendent to exempt him

---

Confidential

No. 4.

Police Commissioner's Office.
Madras 29th Jany. 1886

Conviction of Howard in 1882.

The facts charged against Howard were that he cheated one Montgomery and thereby induced Montgomery to deposit with Howard a sum of Rs: 200/. which Howard immediately afterwards misappropriated to his own private use.

2. Two counts were framed it being doubtful whether the offence were Cheating or Criminal Breach of Trust. – or both.

3. The Magistrate found that Howard cheated and thereby induced Montgomery to create the trust. and that subsequent to the creation of the trust Howard criminally misappropriated the trust money

Confidential

money.

4. The magistrate held that if there was no fraud in the manner by which the money was obtained there was dishonesty in the misappropriation of the amount subsequently, but on the whole case that there was both fraud in the acquisition of the money and subsequent dishonesty in its disposal. As the two facts were distinct and the technical legal points were arguable, two distinct sentences were passed one for Cheating and the other for Criminal Breach of Trust.

5. On appeal the former was upheld. The conviction for Criminal Breach of Trust was quashed on the ground that the so called Trust was fraudulent and therefore illegal – but the exact ground

of this part of the High Court judgement should be taken from the printed proceedings of the Appellate Crt: which it is believed were forwarded to the Chief Secretary by Colonel Guthrie. This memo: is written without the advantage of a reference to the papers in the case.

A. Meadon
Commissioner of Police

To the Chief Secretary
to Govt.
Fort St. George

with reference to telephonic instructions through Mr. Under Secretary Rus.

Salem.
6th February 1886

H. R. Grimes Esq
Inspector General of Jails
Madras.

Sir,

I have the honour to acknowledge the receipt of the Proceedings of Government No. 202 (Public) dated 28th January 1886.

2. I have nothing to add to my replies to the queries put to me regarding Mr. Howard and I must respectfully decline to answer, in the future, any questions of a similarly inquisitorial character.

3. I challenge the production of the "independent information in the possession of Government".

4. I fail to see how Mr. Howard's statement that "I owned helps him", and was bound to help him" affects the question of our relations. Would the Government, I may ask,

be willing to accept any statement Mr. Howard might make respecting their own relations with him? I have further to observe that Mr. Howard's statement was made in answer to the questioning of Mr. Goodrich, a gentleman between whom & myself there then existed anything but amicable private relations by reason of his having palmed off upon me a quantity of furniture at exorbitant prices — prices in some instances cent per cent above the prime cost of articles which Mr. Goodrich had had in use for years, which had been manufactured at the Salem jail, & which he had not himself paid for at the date of their sale to me. I may add that I have since charged this gentleman with abuse of his official position, as Superintendent of the Central Jail at Salem, in the matters of manufactory credit; of the sale to the prison of a cow which, within a few weeks of his transfer, he had bought for his own private use; with the purchase of peas, for his domestic purposes, from the Jail Contractor, for a palpably insufficient consideration; with the infliction of illegal punishments upon the prisoners under his care, & with various other misdemeanours. Hence, information respecting myself that may reach the Govt. from or through this quarter should be received with caution.

5. I meet & rebut the inference drawn from my published letter to the Editor of the Madras Times by appending a copy of a second letter which he refused to publish (vide issue of the same paper for 18th March 1882, other

days later than the publication of my first
The Govt will observe that they have misapp
-hended the purport of the first letter.

6. Apart, moreover, from the statemen
of the charge, I would bring it to the know
-ledge of the Government that the then hea
of my department, Col. Tennant, at the in
-stance of Col. Weldon, called upon me for
an explanation of this very letter shortly
after its publication, & that I satisfied both
officers that its tenor & intent were ironical
& nothing more.

7. I am unable to understand in what
ay the employment by Mr. Howard of one
f the Penitentiary clerks points to anything
eyond such employment.

While I deeply regret that, by the tone
f my last letter, I should unintentionally
ave given offence to the Government, there
a point, I submit, at which human pa-
ience must give way, & I again, with all defe-
nce, insist that the action of Government is
t simply unconstitutional, but tyranni-
al.

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

…ve replied earlier but that I have been out of health, & that my time has been taken up with the removal of my family & effects consequent upon my suspension. In addition I have had some difficulty in laying my hands upon the copies of my letters to the Madras Times, & even now I cannot find my correspondence with Col. Tennant about those letters. — Holt.

Pub 555/86
2

Editorial Hysterics.

The Editor Madras Times.

Don't print

Sir

I have read with great relish your editorial comment on my letter. It is a pity you so completely lost your temper as to fall into the singular error of treating au grand serieux that which I manifestly meant as a joke. But not only are my remarks amusing as an exhibition of temper. They are a curious example of the old practice of tilting at windmills. I nowhere said or insinuated that "Holt" had charged you with withholding information to my advantage in extenuation of charges brought against me when as "The Civil Doctor" he figured in your columns! I simply called attention to the patent fact that, after filling your paper for weeks with letters reflecting upon myself, the result of the Official Visitor's investigation was brought to your notice but for reasons best known to yourself you did not publish it. You say "if Mr Holt alias Howard does make the statement" and you formed a long & abusive article on the "if", an hypothesis that does not exist except in your conscience or imagination. I had independent means of information viz. first what transpired in Open Court but was not published by you; secondly what took place in presence of a Sergeant of Police; 3rd a letter written & sent to yourself which was submitted by the writer in the usual way for my official inspection.

tilting at windmills

my

charges

with letters

investigation

publish

best

hypothesis

I had

To judge from the way you writhe & wriggle at Holt's charge of "base desertion", one would imagine that shaft had hit home. You say that when Holt "laid himself open to a criminal charge you informed him by letter that until he cleared himself of it, you would hold no communication with him". But you do not deny that upon his arrest, when you knew the nature of the charges against him, you promised him your aid & countenance. Yet for 3 weeks, between his trial

writhe & wriggle

(1)

when he was in the eye of the law an innocent man you now virtually acknowledge you did desert him., or at all events failed to render him the promised assistance. It is satisfactory to learn you know the nature and obligation of an oath and that it was from reverence of "justice", law & order." that you "saw reason why you should not stand by Mr. Holt." and not from any fear of consequences personal to yourself. I have no doubt the Public will take this exactly for what it is worth.

Cares a button

Instead of such waspish remarks

I am sorry my "simply impertinent" allusion to the personnel of your Staff should have stung you into such a lamentable avowal as that, when a paper like the Madras Times proclaims its intention to write & publish a solution of a great public question, you should think no one else besides myself cares a button whether or not you prove yourself equal to the task you have carved out. Instead of such waspish remarks your admirers would, I am sure, prefer that you should show yourself able to produce the "missing article."

With reference to the private or covering note I sent you with the one you published, which note in a seeming access of terror you describe as being couched "in a most infamous & threatening tone" & marked "not intended for publication". I will simply say that, now that it has had the desired effect of inducing you to make yourself supremely small and ridiculous by publishing your "late desertion". You have my free permission to publish also my private letter.. if only to relieve the alarm of those who may fear from the way in which you speak of it that it was only under pressure of threats of corporal chastisement you were induced to publish a letter the intent & tone of which you have shown yourself incapable of comprehending.

farce

"Who wrote Shakespeare's Plays" is one of the questions asked in the farce "High Life below Stairs" to whi

Finis

teems

nugatory

to Mr. Holt

aimed

one of the servants replies "Mr. Preface I saw his name in the beginning"; but is corrected by another who says "No 'tis Mr. Finis whose name is at the end". The next time you figure as a journalistic swashbuckler under the nom de plume of Bombastes Furioso you should append the signature of the supposed writer in the usual place, unless instead you think that the utter absurdity of your remarks will leave no room for any one to doubt from whom they emanate. But this is by no means the only amusing part of your leader which teems with foolish contradictions. For instance in one place you describe me as a "partizan of a convicted prisoner". In another you depict me as laughing mockingly at such sad circumstances as those of the prisoner. The two phrases are nugatory but both the one and the other are equally void of foundation. With Holt, his fortunes or misfortunes I have the very remotest and none but official concern. The laughter & mockery were not aimed at him, but at yourself.

Yours obedly,
W. A. Symonds.

16th March/82.

~~Jail~~ Public
CURRENT NO. 555

Jail (188) Department.

From

THE INSPR.-GENERAL OF JAILS,

To

THE CHIEF SECRETARY TO GOVT.,

Fort: St. George.

Dated 8th } February 1886.
Received 8 }

W.S. 4 Feb/86

No.

ENCLOSURE. Two.

Subject.

Forwards Mr. Symonds reply to G.O. No. 202. Mis dated 28th January 1886.

Current no: 555
d/. 8th Feby.

Mr. W. A. Symonds's Case

G.O. 28 Jany 1886 no: 202

The Inspector General now forwards Mr. Symonds's reply to the last order printed at the end of the latest copy of the memorandum.

* pp: 16 & 17 of Memo

He says (I) that he has nothing to add to his former* answer & declines to answer any questions of a similarly inquisitorial character & challenges the production of the independent information in the possession of Government.

He does not see (II) how Howard's statement that he (Mr. Symonds) was bound to keep him affects the question of their relations. Would Government, he asks, accept any statement Howard might make as to their relations with him!

He says (III) that Mr. Goodrich is his enemy and, IV that his letter to the Madras Times on behalf of Howard was ironical, to prove which he submits copy of another letter on the same subject which the Editor refused to publish.

This second letter is immaterial nonsense, which states with much verbiage what Mr. Symonds now states viz: that the former letter was ironical.

He refers to the staleness of this charge & says that he explained the matter to Colonel Tennent who was satisfied.

He denies (V) that the employment of the Penitentiary writer by Howard as a clerk points to anything beyond such employment.

Finally he deeply regrets that he offended Govt. by his last letter & then proceeds to insist that their action is "unconstitutional & tyrannical".

It is now submitted that notwithstanding the suicidal nature of Mr. Symonds' letters, a purpose runs through them. No position is too absurd for a person of his colossal conceit to take up & it is thought that seeing in what desperate case he is & anticipating an order of dismissal, he endeavours to get such an order passed, on receipt of his insolent communications, as may prove obnoxious to specious or impeachable objections, or unpeachable from any point of view, and to pose thereon as a local John Wilkes or in whatever mock heroic character

It is thought that his points should be briefly noticed, & the issues cleared before any recommendation is submitted.

To deal then with point I. The independent information in possession of Government is quoted in paras 23 to 26 of the printed memo. Mr. Symonds doubtless hints that Govt. have indirectly got information from a legal adviser when dealing with his client, & thinks—rightly that they will not make any further formal enquiry in this direction.

Point II. There is nothing in this note worthy beyond its extraordinary insolence.

Point III. What if Mr. Goodrich be Mr. Symonds' enemy. He merely reported what came to his knowledge as he was bound to do. Govt. have taken nothing from Mr. Goodrich at first hand.

Point IV. Very likely the letter to the Madras Times was ironical though Govt. have only Mr. Symonds' word for it & it seems to them as it did to the Editor meant seriously. It does not much matter, nor does it signify whether Colonel Tennant did or did not allow it was ironical. But it may be noted that Mr. Grimes *reports, that there is nothing on record to shew that Col: Tennant's attention was

* D.O. (S) d/ 23 Jany 86.

called to the matter.

But here Mr. Symonds displays some cunning. He objects to the staleness of "the charge".

Nothing was charged on this letter. Government expressly abstained from charging any writing to the Press.

It was merely* referred to in the G.O. as it was an indisputable proof of previous relations with Howard & as shewing that Mr. Grimes' call for an explanation of such relations was not an unjustifiable inquisition into private affairs as Mr. Symonds had contended.

* para 3 page 18 of memo:

Point V It was (*) recognised that the employment of the Penitentiary writer by Howard as a clerk was only suspicious, but a man who will not explain a suspicious circumstance strengthens ~~its~~ the inference it points against himself.

(*) see para 44 of memo:

Next to clear up the issues.

The present case stands thus; —

The Inspector General of Jails asked his subordinate 3 questions. His subordinate answered the first and objects to the others as they concerned him only as a private individual, he said, but presumably because he could not answer them satisfactorily. A second time he refused in like manner to answer, whereon the Inspector General reported him for insubordination.

Then Govt. finding these questions justifiable after full enquiry & consideration* called on Mr. Symonds to answer them.

* G.O. 128 d/ 21st Jany 1886.

That officer then again denied having had any relations with Howard during his imprisonment, for the first time denied payment or part payment of Howard's fine & again replied that he was unable to explain the allusions contained in Howard's letter to him from Jail.

Thereon Govt.* observed that they had information which caused them to doubt his denial of payment or part payment of the fine & stated that the question asked as to his relations with Howard did not merely relate to that individual's second period of imprisonment.

* G.O. 28 Jany 86 no: 202

The reply received to this last order has been noted on above.

For the reasons given in treating point IV it is submitted that even now × Govt. might issue an order pointing out that no charge was preferred on the newspaper letter referred to in the last order, but that Govt. cannot consider his answers to the questions put satisfactory. It is further urged that this would afford an excellent opportunity to repudiate the assumption in the* last para of ~~his~~ Mr. Symonds's penultimate letter, that he was transferred to Salem for having expressed opinions that Govt. had treated Dr. Thomas unjustly.

* para 7 page 17 of memo

If Govt. are pleased to pass such an order, which it is thought would improves & explains their position, then it is for consideration whether Mr. Symonds might be informed that for his insubordination & for his insolence to Govt. no less a punishment than dismissal can be awarded & whether Govt. will give him one more chance of withdrawing the latter & atoning for the former by giving such explanation of the questions asked as he can, pointing out that it is his insubordination in not explaining that constitutes his offence & that Govt. have charged him with no specific impropriety in respect of his relations with Howard.

It is clear that he looks on the whole charge as covering a determination to punish him as a formidable (!) enemy of Govt. whose opinions whether expressed in writing or not in the press or elsewhere, ~~are of~~ carry the greatest weight & influence public opinion.

It is further suggested that if this proposal be adopted the independent information of which this would be martyr "challenges the production" might be given him. That is the information in paras 23 to 26 of the Memo excluding the hearsay portion, para 24.

In any case it is urged that there are cogent reasons for an order in this case being on the record repudiating any charge against Mr. Symonds or any proceedings against him on account of his newspaper writings, which in fact Government have (be they his) ignored.

J.S.R.
9.2.86.

To U.S.

([illegible])

The letter and the suggestion [illegible]
on acceptance Draw order
on the lines of the suggestion [illegible]
please

W
5/2/86

Current no 555

Mr. Symonds's
case

To U.S.

W

9/2/86

Here the Draft of
the final order
giving Mr. [illegible]
[illegible] all his
~~[illegible]~~ official [illegible]
increments & which
were [illegible] the
[illegible]
[illegible] W
9/2/86

whose opinions whenever expressed

Current no: 555

Order

With reference to his letter of the 8th Feby. without number & its enclosure the Inspector General of Jails will inform Mr. Symonds that notwithstanding his expressed intention of "declining to answer any inquisitorial questions" similar to those which His Ex. in Council considers the Inspector General was bound to ask, & which by order of Govt. have been repeated, and notwithstanding the unpardonable manner in which Mr. Symons has allowed himself to ~~[illegible]~~ speak of Government, His Ex. in Council nevertheless;

desires to abstain if possible from awarding the only punishment, which as matters stand, could ~~adequately meet the requirements~~ be given for gross insubordination to themselves & to the head of the Jail Depart., namely dismissal from the public service.

The Inspector General will accordingly inform Mr. Symonds that in the opinion of Govt., ~~who are constituted the judges of~~ the Convict Howard's statement that he was bound to keep him does affect their relations & that the relations existing between himself and the present Supdt. of the Penitentiary are immaterial as the latter officer merely reported what came to his notice ~~in~~

~~the ordinary course of public business~~ in his official capacity as Supdt. of the Penitentiary.

The independent information of which Mr. Symonds "challenges the production" is entirely at his service. It is derived from the Convict Howard who when questioned as to who was the friend up country, mentioned in an intercepted letter, stated that it was Mr. Symonds & that he was bound to assist him. Again when Howard's fine was paid, it was stated to the Keeper of the Penitentiary that the money had been sent by the upcountry friend.

It will be observed that mention of Mr. Ambrose the solicitor is intentionally avoided

Mr. Symonds refers to the staleness of the

the charge made against him in connection with his letter published in the Madras Times of the 15th March 1882.

The Inspector General will point out that no charge has been made on that letter which was merely noticed ~~been~~ to show that the head of his Depart was justified in asking him to explain relations of long standing with a convict who was under his charge when that letter was written & whose recent intercepted letter from Jail to his address led to the Inspector General's questions. It is wholly immaterial whether the ~~letter to~~ earlier letter referred to was "ironical" or not.

It ~~must~~ may be observed that neither the Govt nor the Inspector Genl have made any charge against Mr Symonds in respect of his relations with Howard or assumed in any way that these are such as to call for severe punishment. They are merely concerned with his conduct as a public servant & have ordered his suspension on account of the ~~his~~ insolent & insubordinate language in which his replies have been couched & not for those replies, wholly unsatisfactory though they are.

Similarly in view of Mr Symonds' perverse misunderstanding of the nature of his offence & of the motives which guide Govt in dealing with their subordinates, it will not be superfluous for the Inspr Genl to inform him with reference to para 7 of his letter of the 25th Jany that his

question as put by

[illegible] 11th February 1886.

recent transfer to the charge of the Salem Jail on equal emoluments was made in the interests of the public service & not as he ~~strangely~~ supposes on account of an adverse opinion, which the Govt. now learn from him, he expressed as to their ~~[illegible]~~ action in connection with an officer, whose conduct came under their notice.

The Inspector Genl. will further say that Govt. did not charge him with any offence in regard to the employment of one of his clerks as a clerk by the convict Howard after his release. Like his letter to the Madras Times this was merely referred to, in order to show that the Inspector General had grounds for the question he asked.

The circumstance however was one on which most officers would have considered an explanation due.

In view of the very serious penalty which must be awarded for such contumacious conduct as that of which Mr. Symonds has been guilty H.E. in Council has been pleased to explain at this length in what ~~the~~ his ~~Symonds'~~ offence consists & to give him, in pursuance of the indulgent treatment ~~with~~ which his ~~previous~~ conduct on previous occasions has invariably ~~become~~ received, an opportunity of withdrawing the grossly improper expressions which he has permitted himself to use & of submitting a respectful reply to the questions put to him by the head of his Depart.

The replies hitherto submitted are so wholly unprecedented in tone, & matter & manner that His Ex.y in Council is inclined to surmise that they are to be accounted for by some reason, unconnected with official affairs, which has not been brought to his notice.

JDS
12.2.6

Note

Please see D.O. to Mr. Grimes & enclosure to Mr. Wae Walters. Klm

x for C.S. signature

Mr. W. A. Symonds

Draft order
(prison orders)

(2)

Did not issue

4 enclosures & original now to be returned to the U.S.

The order referred to in para 53 of note which did not issue

Madras. 11th February 1886.

SECRETARY
12 FEB 86
GOVERNMENT OF MADRAS

WS Papers [illegible] 11-2-86

To
The Hon.ble Mr. Wilson
Chief Secretary to Government.

Sir,

I have the honour to forward herewith copy of a letter addressed by me this day to the Inspector General of Jails, & I trust you will pardon the liberty I take in doing so, as that officer is away from Madras, & I am anxious that my letter should be submitted for the favourable consideration of the Government with the least possible delay.

I have the honour to be,
Sir,
Your most obedient Servant
W. A. Symonds

---

his incarceration" solely because the question as put by

For Orders

12-2-86

12 2 86

Soon

Under Secretary
12.2.86

Madras. 11th February 1886.

H. R. Grimes Esq
Inspector General of Jails

Sir

I have the honour to request permission to withdraw, without reservation, whatever in my recent letters regarding prisoner Howard may have given offence to the Government, to whom I humbly tender my sincere and sufficient apology for the same; begging them to make indulgent allowance for all I have done amiss under stress of mind more easy to imagine than describe; begging them also to withdraw from their further consideration the matters to which these letters relate.

2. The only thing I desire to add to my replies to the questions put to me is my assurance, on my word as a gentleman, that since prisoner Howard's recent incarceration there has been nothing to justify his addressing me in the terms of his intercepted letter.

Was there anything before?

his incarceration" solely because
the question as put by

3. In conclusion, I hereby pledge myself that, in the event of the Government accepting my retractation and apology, and allowing me to return to my duty, I will not, in any way, give them occasion again to complain of my conduct, but will use my best endeavours to prove that their clemency towards me has not been exercised in vain.

I have been unable to take leave out of India since I came to the country upwards of five and twenty years ago, and about a year ago I received a severe fall from my horse, which must, I believe, have affected my nervous system.

I shall shortly have three months privilege leave due to me, from which my health would doubtless be much improved.

I have the honour to be,
Sir,
Your most obedient Servant
W H Symonds

Mr. Symonds now forwards a copy of a letter he has addressed to the Inspector General, withdrawing without reservation whatever regarding prisoner Howard in his recent letters may have given offence to the Government & he pleads stress of mind & begs Govt. to withdraw from their further consideration the matters to which these letters relate.

His assurance that since Howard's recent incarceration there had been nothing to justify that individual in addressing him in the terms of his intercepted letter, shews that the surmise that he was able "to deny having held relations with Howard during his incarceration" solely because the question as put by

Mr. Symes might have been held to apply to the recent incarceration & to that only, was correct.

Mr. Symonds promises to conduct himself well in the future if forgiven, but it is submitted that this apology after such continued contumacy manifested by letters written at fair intervals of time, is probably due more to the advice of some friend than to real repentance.

However it is not enough that he should apologise for "what ~~should~~ may have given offence to Govt." He should be ordered to make the fullest apology to the Head of his Depart. also and it is submitted that an order to this effect should go to him through the Inspector General after the receipt through that officer of the original of the letter now forwarded to Govt.

As the case stands by begging Govt. to withdraw from their consideration the matters to which his letters relate, he practically admits that he has held relations with Convict Howard, & the nature of which is sufficiently shown in the printed memorandum.

When he has further apologised to the Inspector General & when that officer's letter comes in it will be for consideration what punishment Mr. Symonds' offences call for. This

But this implies that his apology to Govt. will be accepted? It is for Govt. to say whether it will accept it or not.
13-2-86

This proceeds on the assumption that the punishment — whatever it may be — is to be something short of dismissal?
If Govt. think Mr. Symonds

apology ~~does~~ cannot place him on the same footing as if the offences had not been committed.

As to his having met with an accident a year ago, which has affected his nervous system an enquiry had been suggested with the draft order from orders passed in Council, but action thereon will it is presumed be now stayed.

12.2.6

Mr. W. A. Symonds's Case

Offence unpardonable it would be hardly worth while to order him to apologize to the head of his Dept. before dealing with him finally.

We have now before us all apparently that he can say in mitigation of punishment.

If Govt. think that, notwithstanding the gravity of the offence, mercy may still be shown, then Mr. Symonds must apologize as proposed in the note to the head of his Dept. — But if Govt. think his offences too gross for forgiveness and to demand dismissal there seems to be no occasion to do anything but wait for the receipt of Mr Symonds' letter forwarded through the Inspector General.

13-2-86

Mr. W. A. Symonds, having repeatedly during a long series of years incurred the censure of Government, which has treated him with exceptional indulgence was informed by G.O. of 23 Dec 188 that the want of conduct displayed by him in his relations with the ex-convict Howard & in connection with some official correspondence which had recently come under the consideration of Govt. was such that the Government had considered whether he had not shown himself unfit for his post. It was added that he had incurred their grave disapprobation and that for the future no leniency would be shown.

Early in the autumn of 1885

the attention of Government was called by the Inspector General of Jails to the fact that Mr. Symonds left his work in the Madras Penitentiary too much to subordinates & that i suffered from his devotion to othe pursuits.

Mr. Symond's previous recor being so bad, he might have been properly dismissed on this occasion but it was thought that one warning more might be tried, and he was transferred accordingly to the charge of the Jail at Salem, & here it was hoped, he would have fewer temptations to absent himself from the Jail ~~to idleness~~.

~~So far from this being~~

~~The case~~ On the 9th Jany the Inspector General of Jails ~~upon~~ reported Mr. Symonds for insubordination under

~~the following circumstance~~ for refusing to explain a letter addressed to him by the same ~~one~~ Steward who in the mean time ~~had become~~ was again suffering imprisonment in Madras Penitentiary for a and had been at [illegible] to communicate with Mr. Sy[illegible] a discharged prisoner.

Instead of ~~replying~~ fully explaining under what circumstances a convict with whom he was known to be intimately connected, dared venture to address an officer high in the Jail Department, as if he were in his power, he fenced with the question. ~~Thereupon~~ Thereupon the Inspector General wrote again, requesting him to reply without further cavil to the questions put, as they concerned him as a Government servant, at one time in charge, as Superintendent of the Madras Penitentiary, of a person now again a prisoner therein.

Mr. Symonds's in reply

to this communication was more satisfactory and on the rec of it, the Inspector General reported him to Government for insubordination

The Government have in reply considered the whole case directed Mr Symonds to reply to the Inspector General's enquiries.

which contains statements ~~which~~ which are in ~~the opinion of Govt~~ contrary to the ~~fact~~ ~~but ie of~~ ~~so improper~~ evidence in the possession of Govt but in its tone

This he did in a letter dated 25th Jany, which is so improper in its character that it ~~could be of itself at quite enough to make his dismissal from the service a matter of~~ could not, if it stood by itself be passed over, without severe punishment but as it however it forms only the last of a long series of offences of the gravest kind, Mr W. A. Symonds is hereby dismissed from the service of Government.

Dictated by His
Excellency & ordered
to be kept till
Mr. Symonds' reply
to the last G.O.
came.

W.S.

Lines of the order in
the Symonds case as indicated
by H.E. W
13-2-86

Answer should now issue briefly recapitulating Mr. Symonds's repeated acts of misconduct from the time he first entered the service ~~and~~ pointing out how exceptionally indulgent the Govt. of Madras had always been to him. The circumstances of the present transgression should then be set forth, a prominence being given to the grossly insubordinate character of his letters and to the attempts made to raise a false issue as to his relations with newspapers.

With regard to that ~~point~~ ~~subject to the~~ subject it might be observed that from his remonstrance ~~his subject~~ it the Govt. ~~[illegible]~~ can not doubt that Mr. Symonds must have written anonymous articles in the public prints to which he conceived the Govt. had a right to take exception but that the Govt., although with special reference to Mr. Symonds's misconduct at Jaipur in 1872, they might doubtless at any time have found it necessary to inquire into Mr. Symonds's relations with the press, they had not thought it necessary to do so and no questions whatever had been put to Mr. Symonds with regard to that subject.

The questions put to Mr. Symonds related solely to his ~~relat~~

connexion with ~~a certain~~ the convict Howard alias Holt which it is feared such as no Govt. could possibly permit to exist between a criminal and the Superintendent of one of their jails without receiving the most full and minute explanations & exculpation.

Mr. Symonds met ~~these~~ the inevitable questions of Govt. first by delays, secondly by outrageous ~~by [illegible]~~ insolence ~~secondly~~ thirdly when he saw dismissal staring him in the face by writing a letter in which he in so many words asks the Govt. ~~to dismiss his questions~~ withdraw from their further consideration the whole subject about which he had been questioned or in other words gives them

Govt. to understand that the very worst they feared was true –

A more remarkable propo

-sition was probably ~~never~~ rarely made by a public servant whose conduct had given dissatisfaction to the Govt which he served and shows that Mr Symonds's ideas of his position and ~~duties~~ duty are so utterly mistaken as to make his continuance in any ~~position~~ place of ~~importance~~ confidence in a public Dept perfectly out of the question.

If even at the eleventh hour Mr Symonds had thought fit to ~~have~~ fully explained his relations with Howard alias Holt and to express the deepest contrition for his having committed himself in so strange a way he might conceivably have been retained in some subordinate position in the

Jail Dept— His last letter makes it utterly impossible for the writer to conceive that if he has transgressed at all he has only transgressed in the manner not the matter of his ~~communi~~ replies both to the head of his Dept. and to Govt.

~~He~~ Asst. Surgn. will accordingly be dismissed will be permanently excluded ~~Dept~~ from his present office, and

(to) Jail Dept:—

will be suspended for 6 months from the date of this order. If at the end of that time he has come to a proper sense of his conduct the question of employing him as a pure matter of grace and favour and solely to prevent the total loss of his pension in some closely supervised position in some Dept. of the public service will be considered by the Govt. in Council.

Nothing but an anxious desire not to pr
too heavily upon a man whose whole co
-duct seems to point to a distempered intellect
[illegible] induced Govt. not to dismiss him
at once from the public service.

or to sunstroke whether resulting from residence in India
from the fall from his horse
to which he alludes
in his last letter
or ~~an~~ some other
cause

~~Dictated by WG.~~ ~~[illegible]~~ 13.2.

With regard to Mr. Symonds's promise of amendment in case of Govt. exercising clemency towards him it is to be recollected that the same promises of amendment were made 14 years ago with the result

U.S. H.E.'s instructions for orders in "Symonds" case

N.B. The narrative to be very brief and pointed bringing out very clearly the fact that he has ~~Mr W. A. Symonds~~ been on several occasions on the verge of being removed from his office as far back as 1871 and was as late as 1882 after further repeated transgressions warned that on the next occasion on which he misbehaved no leniency would be shown; that in spite of that clear warning he next was unfavourably reported to Govt for allowing ~~to~~ his work to suffer from his devotion to other pursuits & leaving too much to his subordinates he was only transferred to a part of the country where his temptations would, it was hoped, be less than in the town of Madras

E

A.S.

These are the lines of an order in the "Symonds" Case as indicated by H.E. Have the order drafted and sent to me please by Monday morning if possible.

13-2-86

Trichinopoly - 13.

From - The Inspector General of
Madras.

To - The Chief Secretary to Govt
Fort St George -

Sir - I have the honor to forward a letter from Mr. W. A. Symonds requesting permission to withdraw without reservation whatever in his letters regarding prisoner Howard may have given offence to the Government and tendering his sincere and sufficient apology for the same; begging the Government to make indulgent allowance for all he has done amiss; begging also the Government will withdraw from their further consideration the matters to which his letters relate.

2. Mr. Symonds desires to add to his replies to the questions put to him, his assurance that since prisoner Howard's recent incarceration, there has been nothing to justify his (Howard) addressing him in the terms he did in the intercepted letter.

3. Mr. Symonds further pledges himself in the event of the Government accep

s retraction and apology, he will
e occasion again to the Government
mplain of his conduct.

. Symonds informs me he has sent
is letter of apology direct to the Govern-
ment in order to save time nevertheless
I consider it my duty to forward Mr.
Symonds's letter addressed to me.

5. I have no wish whatever to injure Mr. Symonds and I sincerely hope the Government will take a lenient view of his conduct at the same time taking into consideration his demeanour towards a certain class of prisoners notably Lingam Lakshmaji & Howard. I think for the interests of this department Mr. Symonds should not be permitted to remain in it, but that employment if possible may be found for him in the department he was in, prior to his being appointed to this one.

I have the honor to be
Sir
Your most obed.t Servant
Henry R Grimes,
Inspector General of Jails.

Madras. 11th February 1886.

H. R. Grimes Esq
Inspector General of Jails.

Sir

I have the honor to request permission to withdraw, without reservation, whatever in my recent letters regarding prisoner Howard may have given offence to the Government, to whom I hereby tender my sincere & sufficient apology for the same; begging them to make indulgent allowance for all I have done amiss under stress of mind more easy to imagine than describe; begging them also to withdraw from their further consideration the matters to which these letters relate.

2. The only thing I desire to add to my replies to the questions put to me is my assurance, on my word as a gentleman, that since prisoner Howard's recent incarceration there has been nothing to justify his addressing me in the terms of his intemperate letter.

3. In conclusion, I hereby pledge myself

–, in the event of the Govt accepting my
ictation & apology, & allowing me to return
y duty, I will not, in any way, give them occa-
ion again to complain of my conduct, but will
se my best endeavours to prove that their clemency
towards me has not been exercised in vain.
I have been unable to take leave out of India since
I came to the country upwards of five & twenty
years ago, & about a year ago I received a severe
fall from my horse, which must, I believe, have
affected my nervous system.
I shall shortly have three months privilege
due to me, from which my health would doubt-
-less be much improved.

I have the honour to be,
Sir,
Your most obedient Servant
W. A. Symonds

Pub 7507/86

31.

Pol. CURRENT NO. 750

Jail (188) Department.

From

THE INSPR.-GENERAL OF JAILS,

To

THE CHIEF SECRETARY TO GOVT.,

Dated 13. }
Received 15. } February 1886.

No.

ENCLOSURE. One

Subject.

Forwards a letter of apology to the Government from Mr. W. A. Symonds.

Office

Read this in [illegible] passed

W

Mr. Symonds' Case

Remarks by the Hon'. Mr. Master

"But see Sections 99 and 10
the Civil Pension Code as to the
of a sentence of suspension ad
as a penalty. The Accountant Ge
might be consulted."

Remarks by the Hon'. Mr. Sullivan

"Clause C. Section 100 would
think meet the case but by all
ask the Accountant General."

750

them as matter in aggravation of the offence of gross insubordination of which he has been guilty.

28. Mr. Symonds will accordingly be removed from his present appointment and will be suspended for six months from the date of this order. If on the expiry of that period he has come to a proper sense of his misconduct, as a matter of grace and favor and to obviate the total loss of his pension, the question of re-employing him in some closely supervised position in another department of the public service will be considered by His Excellency the Governor in Council, but in no case will he be re-employed in the jail department for which he has shown himself wholly unfit. Nothing but an anxious desire not to press too heavily upon an officer who has on several occasions behaved creditably, written more than one paper which shows a studious turn, and whose recent conduct Government would like to regard as proceeding less from a deliberate purpose to defy their authority than from a distempered intelligence, resulting whether from long unbroken residence in India, from the fall to which he alludes in his last letter, or from some other cause, induces His Excellency the Governor in Council to abstain from ordering his dismissal from the public service.

(True Extract.)

W. WILSON,
Acting Chief Secretary.

J. D. R.
20-2-86.

22-2-86

CONFIDENTIAL.

MEMORANDUM.

Mr. W. A. Symonds in 1861, at the age of 19, was appointed Probationary Assistant Director, Revenue Settlement, and continued to serve in that Department till 1871, when he was appointed Acting Superintendent of the Central Jail, Trichinopoly.

2. In 1872, he incurred the censure of Government under the following circumstances:—

3. The district Magistrate of Trichinopoly (Mr. Whiteside) heard that Mr. Symonds had stated that the Prince of Wales was dead, and wrote thereon to Mr. Symonds saying he had proved the *falsity* of the statement, pointing out its impropriety and asking him whether he had, in fact, made it. Mr. Whiteside gave the name of the person who had given Mr. Symonds as his authority for the false rumour of His Royal Highness' death.

4. Mr. Symonds replied that he had made the statement, as represented; that a lady was his authority, and he took exception to Mr. Whiteside's characterising it as a false statement. Mr. Whiteside replied that it was a false statement, though he gave Mr. Symonds credit for having made it, believing it to be true, and he declined to withdraw the expression. Thereon Mr. Symonds addressed the Chief Secretary to Government complaining of Mr. Whiteside's behaviour, but the Chief Secretary (Mr. Ellis) returned the papers saying that they were of a private nature, and did not call for the interference or notice of Government. Mr. Symonds then addressed the Governor (Lord Napier). His Excellency entertained the complaint, and Mr. Symonds was told demi-officially that the Government disapproved the tone of Mr. Whiteside's correspondence. A similar intimation was conveyed in a similar manner to Mr. Whiteside, who replied that Mr. Symonds had, on account of some trifling disagreement, expressed his intention of making Trichinopoly hot for him, and had opposed his action as President of the Municipality in every possible way, and had, in conjunction with a third person, not in the service of Government, concocted and published abusive articles against him in the newspapers concerning his official acts.

5. The Government perused three such articles, asked Mr. Symonds if he had been concerned in their preparation or publication, and called on him to state whether he had ever written in the Trichinopoly or Madras newspapers respecting the institutions or interests of the former station, and whether he had communicated to any person the correspondence he had with the Inspector-General of Jails on one of the subjects referred to in one of the said articles.

6. Mr. Symonds, in reply, admitted that he had been more or less a party to the writing, though not to the publication, of two of the three articles perused by Government; that he had shown the correspondence referred to, to more than one person; that he had only written once to the newspapers concerning the interests or institutions of Trichinopoly; and that he had yet to learn that the Government absolutely interdicted all newspaper writing on the part of their subordinates.

7. The Chief Secretary was thereon ordered to inform Mr. Symonds demi-officially*:

> "That taking the most lenient view of his conduct in the manner described in his letter, he had been guilty of grave indiscretion in connection with the attacks made in the newspapers on the Collector and Magistrate, Mr Whiteside."

---

* 20th March 1872.

Those attacks were described as very unwarrantable, some of them, and Mr. Symonds was informed that the Government could not doubt that he had communicated directly or indirectly to the newspaper another and more recent article against Mr. Whiteside.

8. The Chief Secretary's letter concludes with these words:

> "I am directed to inform you that you have laid yourself open to very severe censure, and that, in the event of your being guilty of similar conduct on any future occasion, you will be at once removed from your appointment.
>
> "The Government also consider the tone of the conclusion of your present letter to be very objectionable; and I am to inform you that it is not permissible for any public officer to make himself a party to attacks in the newspapers on other public officers with whom his official duties may bring him into contact. In the present instance, the attacks have been levelled at the Magistrate of the district, who is one of the official visitors of the Jail under your superintendence; and it is only in consideration of your having, it is believed, discharged your duties in the Jail remarkably well that the Government refrain from removing you from your acting appointment."

* * * * * * * *

9. Mr. Symonds thereon wrote, gratefully acknowledging the indulgence of the Government, assuring it that he would never offend again in like matter, and that the leniency with which he had been treated would spur him to do his very best to discharge his duties zealously and conscientiously.

10. Three years later, however, the Government had occasion to express * their dissatisfaction that Mr. Symonds did not more cordially co-operate with the Medical Officer when he communicated to him his suspicions that the supply of food to the convicts in the Central Jail, Trichinopoly, was not issued in proper quantities. In this connection, however, it must not be forgotten that the Inspector-General did not consider the outbreak which gave rise to the inquiry into the food-supplies to have been caused by any maladministration of Mr. Symonds, and that that officer's action on the occasion of the outbreak was approved by Government. [See paragraph 37 of this Note].

* G.O., 29th July 1875, No. 1681.

11. Again in 1875† the Inspector-General of Police brought to the notice of Government that two convicts—desperadoes—had improperly been sent by the Jail authorities from Trichinopoly to Madura without leg-irons, with the result that they attempted to escape, and that one of them was shot by a constable of the Police guard, who was placed on his trial criminally for the act.

† G.O., 16th August 1875, No. 1798.

12. The Inspector-General of Jails, Colonel Tennant,‡ called on for a report on this circumstance, called, in turn, on the Trichinopoly Jail Superintendent, Mr. Symonds, for an explanation, whereon that officer endeavoured to justify his conduct, and, in proof that he had given the use of fetters some attention, forwarded an article he had written some time ago to the papers on the subject.

‡ G.O., 16th August 1875, No. 1798.

13. The Inspector-General of Jails objected to Mr. Symonds's action and to his ventilating his opinions on official subjects in the newspapers. The Government thereon passed the following § order:—

§ G.O., 17th September 1875, No. 2035.

> "It is no doubt open to the Police (and this should be generally understood) to require that prisoners handed over to their escort shall be fettered in any case, where they deem additional precaution against escape to be necessary; but here it was the special duty of the Superintendent of the Jail to have leg-ironed two 'desperate and powerful dacoits.' His not doing so has resulted in a most daring attempt at escape, leading to the death of one of the prisoners and to the trial of one of the Police on a capital charge. For this neglect Mr. Symonds is hereby severely censured.
>
> "2. The article in the newspapers which has been sent up is of an old date; but the Government agree with the Inspector-General that such contributions from a Superintendent of a Jail are entirely opposed to good discipline, and should be interdicted."

14. Again, in 1876, Mr. Symonds, while still Acting Superintendent of the Trichinopoly Jail, left Rs. 800, deposited as security by the Jail Diet Contractort for over three months in the charge of the Jailor, who embezzled the amount,

Mr. Symonds acknowledged his error, and made good the money. Colonel Tennant took a lenient view of Mr. Symonds's conduct, and the order* of Government on the matter ran in these terms:

* G.O., 28th July 1876, No. 1548.

> "Mr. Symonds's neglect of ordinary precautions and standing rules has not only caused pecuniary loss to himself, but, by placing temptation in the way of a subordinate, has ruined a man who 'had hitherto borne an excellent character.'
>
> "2. The Governor in Council trusts that the very serious results that have followed his careless want of consideration and breach of rules will be a sufficient warning to Mr. Symonds for the future without further condemnation by Government."

15. Nothing further against Mr. Symonds appears on the records of Government till 1882, in the course of which year an experiment was made in the Madras Penitentiary, of which Mr. Symonds had been appointed Superintendent in 1877, and in other Central Jails, in the use of Chubb's padlocks for fastening wards, cells, &c.

16. The Inspector-General of Jails had given orders that the keys of these padlocks were on no pretence to be delivered to any prisoner. In the Madras Penitentiary, however, convicts were, without the knowledge of the Superintendent, set to work by the keeper to make duplicates in lieu of worn specimens of the keys. The Inspector-General of Jails censured Mr. Symonds for this occurrence and for his omission to report it; whereon that officer endeavoured to justify his conduct, and wrote two letters in which he described the experiment as a dangerous and expensive failure, which might have been avoided had the Inspector-General consulted the executive officers of the department before committing the State to the expenditure involved in introducing a system wholly unsuited to the circumstances of Indian prisons. He declined to accept Colonel Tennant's judgment in the matter, accused that officer of overlooking his merits, and desired that the question might be laid before Government.

17. The Inspector-General accordingly represented the circumstances, and showed that Mr. Symonds's sweeping denunciations and his style of correspondence were alike unjustifiable.

18. The order † of Government on this matter is quoted below:—

† G.O., 8th September 1882, No. 1252.

> "In the Inspector-General's correspondence with the Superintendent regarding the Penitentiary keys, His Excellency the Governor in Council can see nothing inappropriate, and certainly nothing which can be regarded as the slightest provocation to the Superintendent, whose letters of the 9th and 16th August are, in the highest degree, insubordinate and disrespectful. Such conduct cannot be tolerated, and any repetition of it will subject Mr. Symonds to very serious consequences in the interests of official discipline in an important department."

19. Later in the same year, 1882, the Inspector-General of Jails reported that Messrs. Cline and Howard (the former an officer of the Accounts Department, who was subsequently compulsorily retired, and the latter an ex-convict well known in Madras) had been allowed to have interviews with Lingam Lakshmaji, a convict undergoing a long sentence for forgery in the Madras Penitentiary. Colonel Tennant reported that Mr. Symonds's conduct in permitting these interviews was highly imprudent and certainly unauthorised.

20. The Government passed the following order ‡:—

‡ G.O., 23rd December 1882, No. 2228.

> "The Governor in Council entirely approves the Inspector-General's decision, directing the Superintendent of Prisons, Madras, to guide himself strictly by the Jail Rules in according prisoners an interview with their friends or legal advisers. The present case certainly does not possess any special and emergent circumstances, which would take it out of the general course. The conduct of the Superintendent, first, in allowing an officer of the Account Department to visit a particular prisoner as his counsel; and, secondly, in allowing this counsel to employ, as his agent in the prisoner's business, the ex-convict Howard, indicates a want of judgment so deplorable that the Government have considered whether, taken with some official correspondence, the tone of which recently came under their censure, Mr. Symonds has not shown himself unfit for his post. He will understand that he has incurred their grave disapprobation, and that, for the future, no leniency will be shown. The Inspector-General will remove Lingam Lakshmaji, the prisoner on whose behalf such special indulgence has been exhibited, to the Central Prison, Vellore. He will

also transmit copy of the correspondence now submitted by him to the Accountant-General, who will bring Dr. Cline's proceedings in this case to the notice of the Government of India, in the Financial Department."

21. Subsequently, in 1885, the Inspector-General of Jails (Mr. Grimes) had an interview with His Excellency the Governor, from which it resulted that His Excellency thought it advisable to transfer Mr. Symonds from the Madras Penitentiary to the charge of the Salem Central Jail. It appeared that Mr. Symonds left too much to his subordinates, that his work suffered from his devotion to other pursuits, that he fell below the proper standard of zeal and careful attention. ~~At the same time, Mr. Grimes admitted, when the transfer of Mr. Symonds from the Penitentiary was being made, that there had not been much fault to find with the condition of that Institution on his inspection in March 1885.~~

4

The Inspector-General of Police (Colonel Guthrie) has informed* Government that on the occasion of his transfer, Mr. Symonds said publicly :

"What is the good of sending me to Salem. I can always write to the newspapers."

22. This brings the record down to the present time, when the Inspector-General of Jails reports † Mr. Symonds for insubordination in the circumstances set forth below :—

23. The Superintendent of the Madras Penitentiary, Mr. Goodrich, reported ‡ to the Inspector-General that the convict Howard (for permitting whom, when at liberty, to visit convict Lingam Laksmaji, Mr. Symonds had been censured § by Government), in writing to his solicitor had spoken frequently of a friend up-country, who could, would and was bound to assist him, and that on being questioned, he stated that this friend was Mr. Symonds.

24. It was further reported ‖ that convict Howard's solicitor in paying, on the 19th December, the balance of the fine imposed by the Presidency Magistrate on that individual, in default of payment of which he was undergoing imprisonment, had stated that Mr. Symonds had paid the amount. The solicitor Mr. Ambrose, who was engaged, it is stated, ¶ by Mr. Symonds to undertake the conduct of Howard's affairs, wrote** to Howard saying that his up-country friend had sent him Rs. 50 towards the payment of his fine, and that he had received two letters from him on the 17th and 18th December.

5

Ready

~~The Govt. was aware~~

It was ~~a matter currently reported & accepted~~ notorious that Mr. Symonds was the reputed author of continual attacks on Govt. in the newspapers but no instance of an attack on ~~one~~ any officer with whom he had ~~was~~ ~~brought into~~ official relations, was brought officially to the notice of His Ex. in Council who accordingly ~~took no no treated the matter~~ took no cognizance of the matter.

23. The Supt. of the Madras Penitentiary, Mr. Goodrich on the* 12 Dec 85 wrote in the following words to the Insp. Genl. of Jails

*D.O. letter A

"Howard in writing to Mr. Ambrose,
" solicitor × × kept alluding to his friend up country
" who must assist him, could not refuse to, should
" be forced to do so. I questioned him as to who
" this was & he said it was Mr. Symonds & that
" he must assist him."

24. On the 19th Dec. 85 Mr. Goodrich again* wrote to the Insp. Genl. saying,

*Letter B

"Howards fine (the remaining portion)
" Rs. 32/. was paid this morning. Mr. Ambrose
" brought ~~the money~~ it to the Jail and told Mr.
" MacReady, (the Keeper of the Penitentiaries) ~~MacNally~~ that it had been sent by his up country
" friend."

~~The solicitor~~ Mr. Ambrose who was engaged, it is stated ¶ by the Commr. of Police, to undertake Howard's affairs** wrote on the 19th Dec. to Howard saying

¶ Memo Y of 21st Jany 1886

** D.O. Letter D.I

"I have received two letters from your up country friend dated respectively the 17th & 18th inst. The letter which reached me this morning contained a currency note for Rs: 50/.

---

25. The Commissioner of Police says* that

*Memo Y of 21st Jany 86

"Mr. Ambrose states that
"the letter which covered the remittance
" – with all other letters from the same
" source – was destroyed as he was
" requested so to do, when the correspondence
" began."

26. ~~From~~ Mr. Ambrose in his* letter to Howard of the 16th Dec. says

*Letter C

"Your up country friend has written me
" a long letter. He wants me to advance you
" the money you may require to set you free.
" In reply I have written to say that I regret
" my inability to do so".

Three days after this the remittance referred to above, was made.

who was ~~compulsorily retired~~ recently removed ~~from the~~ from Madras at the suggestion of this Govt. ~~from the public service lately~~ & who wrote the leader that was to have appeared in the ~~still born~~ abortive organ of the so called Indian Vigilance League, the Telephone

~~The Commissioner of Police says* "that Mr. Ambrose " states that he destroyed all letters received from Mr. Symonds, as he was requested to do so when the correspondence began.~~

~~* Memo. Y, dated 21st Jan.~~

~~From Mr. Ambrose's other letter † to Howard, it appears that Mr. Symonds had written to him asking him to advance the money necessary to set Howard free, which ultimately he himself advanced.~~

† C.

~~In Howard's letter ‡ to Mr. Ambrose he says that Mr. Ross knows the relations existing between him and his up-country friend. Nothing material to this inquiry can be discovered concerning Mr. Ross.§~~

~~‡ D.~~

~~§ A railway contractor.~~

27 with his letter of the 19 Dec

25. Mr. Goodrich also forwarded to Mr. Grimes five letters from convict Howard which had been found on the 18th December, on a time-expired prisoner when he was being searched on the completion of his term of imprisonment.

26. These letters were addressed, three of them to certain residents in Madras, and the remaining two, one, to Mr. Symonds, and the other, to Mr. Piercy, late Assistant Accountant-General, Madras, ~~who is understood to have been in the habit of writing to~~ "*The Statesman*" newspaper and to be a friend of Mr. Symonds who himself is understood to have contributed to that newspaper and to *The Madras Mail* in which papers, in 1884-85, various articles against the Madras Government have been published.

Colonel Guthrie's D.O., (P), dated 5th December 1885.

27. The nature of these articles may be gathered from the following summary :

Statesman, May 27th, 1884—The Government of Madras is said to have fallen very low. Its Military Department put forward an insolvent and turn-coat clergyman as the ostensible purchaser of the Bombay Castle property at Ootacamund, and paid him Rs. 250 for doing its dirty work. Mr. Grant Duff's Government seems incapable of doing anything in a straight forward manner. Hence the very low estimation in which it is held by the public.

Statesman, November 1st, 1885—Refers to objections in *The Madras Times* to His Excellency the Governor's tour to Simla, and says the Madrassees hardly show the respect due to their Governor. They are not happy when he is

7

amongst them, and when he leaves them for a few days, they make disrespectful inquiries.

Statesman, September 29th, 1885—Refers to the Indian Vigilance League, and states that Mr. Grant Duff has not sought to do justice, and is indifferent to the claims of justice altogether. States that the movement against him, (viz., The League) seems to have originated with the Madras Bar, and that the editor of "*The Telephone*" will be presumably Mr. Norton; that this journal should be productive of immense benefit to the country, as it is not in Madras only that high-handed injustice is done by the executive.

Statesman, July 16th, 1884—Begs Lord Ripon to interfere on behalf of the Salem prisoners, and says that the proceedings of the local officials in this case are a foul blot upon our administration.

Statesman, June 15th, 1884—A telegram herein from a correspondent says that the *Hindu* of the 13th June protests against the Exodus, and compares Mr. Grant Duff to Muhammad Togluk. It further asserts that the administration has become a byeword of contempt and ridicule.

Statesman, July 22nd, 1884—The Madras correspondent herein comments on the conviction for perjury, on the prosecution of Viziaraghava Chari, of seven of nine of the Government witnesses in the Salem riots case, and says that the unfortunate men at the Andamans have been convicted on evidence not one whit more worthy than that of these witnesses. The natives are said to believe that Mr. Wigram's instructions were to convict, but this view the correspondent does not share.

December 1885

Statesman, July 2nd, 1885; *Madras Mail, June 26th*—The Matron of the General Hospital, Mrs. Anderson, is said to have been accused and condemned unheard. A Scotch Governor should have revolted against the proposal to stab a Scotch or any woman in the dark.

Madras Mail, dated 10th August 1885—Mrs. Anderson said to have been dismissed in a contumelious manner, and it is stated that her successor is to be a mere automaton.

Madras Mail, August 8th, 1885—The Government is said, under the plea of legality, to have pursued the line of meanness in regard to Mrs. Anderson's case, and that lady to have been condemned by the secret *ipse dixit* expressed twenty months ago of an officer placed in authority over her. The Government has taken the right course in placing at the disposal of the Press some of the correspondence on this subject.

Madras Mail, July 1st, 1885—Contains two letters on the Anderson case. In one of these a correspondent states that he is convinced that the law will give her justice.

Madras Mail, July 2nd, 1885—Mrs. Anderson is said to have been very harshly treated. Government is said not to have shown the smallest regard for her feelings, but to have tried and condemned her unheard.

Madras Mail, July 28th, 1885—An article denies that Dr. Furnell was associated with the discovery of Chloroform, and says that his claim

---

should have been made during the lifetime of Sir James Simson, the real discoverer.

Madras Mail, July 25th, 1885—Herein Mrs. Anderson is said to have been badly treated, and the Government, which has not the courage to admit the fact, to have been misled. A testimonial will be got up, it is stated, for the unfortunate lady.

28. In 1881 and 1882, Howard contributed various articles and letters* to the "*Madras Times*," giving his correspondence with Mr. Symonds about his batta or maintenance allowance. At this time Howard complained of Mr. Symonds for being harsh to him and not increasing his rations as a civil debtor.

30 ~~29.~~ Soon, however, after his conviction on a criminal charge in February 1882, the relations between them underwent a change, and in the *Madras Times* of March 15th, 1882, the editor publishes, in an editorial entitled *Bombastes Furioso*, a letter he received from Mr. Symonds signed with his name, upbraiding the editor with having basely deserted Howard, his once valued contributor, hinting that that individual, then a prisoner under his charge, would be righted on appeal, and offering to contribute to a "Civil Debtor Defence and Appeal Fund," should such a fund be advertised in the paper. on appeal, it may be noted, the senten was uph

31 ~~30.~~ The editor~~, however,~~ said that this letter was more damaging to Mr. Symonds than disagreeable to himself, that he had washed his hands of Howard as soon as he had been convicted on a criminal charge, that he had, in fact, published all that Howard had said in retractation of his former charges against Mr. Symonds, and that he wished Mr. Symonds's relations with Howard would bear as close a scrutiny as his own would.

32 ~~31.~~ The editor concludes his article by saying by ~~publishing Mr. Symonds's letter in *extenso*, and saying: which is here reproduced in fac~~

~~The Editor concludes his article by saying~~

> "It may be inferred from it that he, as Superintendent of the Jail, held long conversations in prison with a prisoner, convicted of crime, on such matters as he has written to us about. It can be seen that he puts himself forward as a would-be partizan of such a convicted prisoner. He requires us to open a fund on behalf of his protégé, and promises to contribute to it * * * *.
>
> We recommend altogether to the serious consideration of the Chief Magistrate and the Governor the levity, vanity, arrogance and utter absence of dignity and judgment displayed

---

* 31st December 1881; 3rd, 4th, 5th, 7th, 10th, 11th, and 18th January 1882.

by the Superintendent of the Penitentiary in his communications to us."

33. The letter from Mr. Symonds to the Editor which is printed in full in the article is also printed in full below.

(H. E letter)

Small type.

34 ~~32~~. Mr. Symonds has not been asked whether he wrote to *The Statesman* or *The Madras Mail*, and no *proof* that he did so is on the record. Demi-official letters from heads* of departments have, however, been received, which more than justify Government in calling on Mr. Symonds now, as they did in 1871, to state explicitly whether or not he was directly or indirectly concerned in writing or publishing any or all of the articles referred to on the margin, or in furnishing any information on which they were or might have been written.

* Inspector-General of Police, (V), dated 3rd Dec. 1885.
Surgeon-General, (U), dated 15th Jan. 1886.

35 ~~33~~. It should be noted that convict Howard was the chief promoter of the so-called Vigilance† League, that Piercy was ~~as noted in~~ to have been a contributor to its organ "*The Telephone*," ~~which, however, was never published, and that Mr. Symonds is said‡ to be very friendly with Piercy and with the regular Madras correspondent of *The Statesman*, one Conceiaco.~~

ed in para 28

4.

† See Appendix I.

~~‡ Colonel Guthrie's D.O. letter, dated 5th December 1885.~~

36 ~~34~~. The letter from convict Howard to Mr. Symonds, found by Mr. Goodrich on the person of a time-expired convict, runs in the following terms:—

Letter (E), dated 17th December.

"*To W. A. Symonds, Esq., Salem.*

"How could you expect a *poor* Vakeel, who has not received any fees, to advance money. You talk about mental aberration, but it really seems as if you had taken leave of your senses, or that the fine was Rs. 5,000 and the sureties 15,000 each. So much fuss has been made about a matter which you might easily have arranged in three days. It is simply absurd to say you could not get Rs. 100 in a dozen places in Salem if you choosé. To say nothing of there being dozens of men elsewhere, who might accommodate you for the asking. It is simply inhuman that I should have been left 2 months in hellish torment, whilst not a single soul but Ambrose* has lifted a little finger to help me. Rs. 50 will now square fine, &c. As for the sureties have you no influence with Norton, the Bransons, or Grants. Surely any one of them would have done the needful *per se* or vicariously, if you had given them instructions. There are dozens of men who are beholden to you, and would have obeyed you and observed *secrecy*, if

* His Solicitor.

you had given them your directions and guarantee. Such men as Mr. Ross of Perambore, S. T. Krishnamachari, Appadurai Mudali, the Jail Contractor, for whom I wrote the petition, and Ambrose himself would have done it on your guarantee. Now I only want the sureties for two days as I am going to Bombay. Directly I start, the sureties can withdraw. I hope you are not thinking of leaving me to pass Christmas in hell. Out of the 53 days I have been here, I have undergone 41 days of punishment, 20 in close separate confinement and 21 on bread and water in solitary. All illegal I know. Last week I was assaulted by warders and 20 policemen, trying to illegally taking my photograph, and now I am again in solitary on bread and water, until I will consent to have it taken. You yourself would not have stood 100th part of the torture I have endured, but I can hold out no longer. I feel a bitter burning sense of wrong at my most cruel desertion. At times my blood boils, my brain becomes on fire, and I feel as if I could not preserve my mental balance. I will not stand it any longer. Unless I hear you are taking instant practical steps to set me free, I shall, without further parley, be compelled to enlighten Norton, the Drs. Thomas and Binny and Co., to get relief, which they would not deny me. Do not drive me to this.

(Inld.) S. H.

Of the other four* intercepted letters, those to Piercy and Luxa and Mrs. Fowler contain nothing that need be reproduced here, but that† addressed to one Chamberlin ends with these words:

* Letters (F), (G), (H).

† Letter (I).

"Please give the bearer Rs. 2 for his trouble, and post the letters he gives you to Symonds, Piercy, Luxa and Mrs. Fowler. Keep contents of letter to Symonds secret even from Ambrose."

Nothing material to this inquiry can be discovered concerning Ross, Appadurei[1], Kistnamachari,[2] Chamberlin,[3] Luxa and Mrs. Fowler.

2 and 1 are Attorneys, the latter has dabbled in Jail contracts; 3, Stationer.

37 ~~35~~. The Inspector-General, on the 21st‡ Decr., called on Mr. Symonds to state whether he had had any communications with convict Howard, direct or indirect, during his incarceration; whether he had paid his fine or any portion of it; and whether he could explain the allusions in the last part of Howard's letter read above.

‡ D. O., Letter (J).

38 36. On the 26th Mr. Symonds§ replied in the following terms:—

§ D. O. letter (K).

"I, of course, recognise your right to ask whether I have had any communication with the prisoner Howard, direct or indirect, 'during his incarceration,' and I reply in the negative.

"3. I, however, respectfully question your right to interrogate me on matters which concern me solely as a private individual, and, as I regard the other queries as being of this nature, I object, on principle, to being called upon to answer them, though quite ready to explain any action in my official capacity."

39. ~~37.~~ On receipt of this letter, Mr. Grimes wrote * again on the 30th December requesting Mr. Symonds to reply at once, without further cavil, to the questions put, as they concerned him not solely as a private individual, but also as a Government servant, at one time in charge as Superintendent of the Penitentiary, of a person now again a prisoner therein (viz., Howard), who had defamed the Government collectively and individually, and who pretended to be an intimate friend of Mr. Symonds and appeared to have received money from him to help him to pay a magisterial fine.

* D. O. letter (L).

40. ~~38.~~ In answer to this letter, Mr. Symonds, on the 7th January, replied † in the following terms:—

† D. O. letter (M).

"I beg to assure you that nothing is further from my intention than to adopt an improper or insubordinate tone. To 'respectfully question the right' you claim and exercise, is not of itself, I humbly submit, sufficient to sustain a charge of *distinct* impropriety and insubordination. If you will be gracious enough to point out any single expression or several expressions convicting me of this offence, I will at once gladly withdraw the same with an ample apology; but, unless you will be pleased to indicate *where* the 'tone' of my letter, dated 26th December 1885, is 'distinctly improper and insubordinate,' I, with the utmost respect, object to your recording what at any time may be used against me, your opinion that I have been insubordinate.

"Again, I, with due deference, demur to the charge of 'cavilling' as not supported by a grave contention urged by me in no captious spirit. I feel that I must not lose, but must hold fast by, a 'principle' precious alike to employers and employed throughout the civilised world; that, while my eyes look up to authority, my feet must stay themselves firmly here.

"Further, I have always been led to believe that it is one of the plainest principles of English law,—and indeed the custom between employer and employé in any country with a constitutional Government,—that a suspected person should be charged with a definite offence, and not called upon to incriminate or exculpate himself.

"I must add that you hold the still more strange position of attributing to me conduct unbecoming a Government servant from inferences drawn, not from any act or writing of mine, but from the intercepted letter of a person for whose actions I cannot be expected to answer any more than to explain * his holding 'relations' with a high official or his 'right' or reasons for having written to that high official in still more unaccountable terms.

* See paragraph 34 of this Memcrandum *infra*.

"In the actual circumstances of prisoner Howard's past or present incarceration,—neither being for a political offence, nor in any way connected with his defamation of Government,—I consider it unconstitutional to be thus interrogated. Did your questions connect me with the alleged assistance of the person who has defamed the Government, *quoad* the defamer of Government, I should admit that, as an official, I should be bound to explain the alleged relations with him.

"For all these reasons, then, before replying to your queries, I feel justified in asking whether you charge me with assisting or having relations with the prisoner as a defamer of Government, or that I have helped him in consequence of his being such; and, if so, on what grounds you base your charge."

40 41 ~~39.~~ On receipt of this letter Mr. Grimes reported Mr. Symonds to Government for insubordination, setting forth the circumstances more fully given in the preceding paragraphs.

41 42 40. In speaking of convict Howard's "relations" with a "high official," Mr. Symonds is understood to refer to Howards' letter * to the Chief Secretary to Government, Mr. Webster, asking for an interview, and to his letter of the 1st Sept. † preferring an appeal to Government against his conviction by the Criminal Courts. In the latter letter, he forwarded a paper ‡ containing certain questions to the Superintendent of the Penitentiary, the answers to which he held would show that that officer (Mr. Symonds) had, during his imprisonment, come to think of him as an innocent man. Howard was merely told that Government would § not interfere in judicial matters, and the questions to Mr. Symonds remained unanswered. The only inference which can be drawn from them is that Mr. Symonds had some conversation with Howard concerning his mercantile speculation, and tendered to him some advice on the subject.

* R. dated 2nd May 1885.

† Marked T.

‡ Marked S.

§ G.O., dated 14th September 1885, No. 2443.

42 43 ~~41.~~ On the 20th current, a ‖ memorandum was received from the Commissioner of Police

‖ W, dated 20th January 1886.

giving the result of his inquiries as to the relations, past and present, between convict Howard and Mr. Symonds. The most important portions of this Memorandum are given below :—

"Howard was convicted on 24th February 1882, and sentenced to six months' rigorous imprisonment. He, of course, appealed, but his conviction was confirmed by the High Court. During the early part of his sentence it became my duty to visit the Penitentiary as the official visitor for the month; the date of such visit will be recorded in the Jail books. A remark was made by me regarding the large proportion of European and East Indian prisoners on half labour. Howard was one of those so employed. I cannot call to mind if I ever again saw Howard at work. My impression is, I did not.

"Independent inquiry now elicits that, as a fact, which Government may accept, Howard was employed on light labour during the first month only of his imprisonment. The remainder of his term he spent in the Prison Office ostensibly for the purpose of writing his appeal, but supposed really to be employed on some private work of the Superintendent. If a visit from the Inspector-General of Jails or other officials was expected, Howard was taken to the ward for the sake of appearance, and, when the visitor left, was relegated to the office. I was at first under the impression that this exceptional treatment of Howard was only at the time when his appeal to the High Court was pending; but I have ascertained that it was not so; the special favor shown to him increased as time went on, until, at his discharge, he had established himself as the intimate coadjutor of the Superintendent for apparently literary purposes.

"Subsequent to Howard's release, he visited the Jail partly on business connected with the Superintendent, partly as the Agent of Dr. Cline, who was, in a legal capacity, interested in a well-known convict named Lakshmaji Pandit.

"From July 1883 till September 1884, Howard employed himself with writing work, the tangible result of which used to be taken charge of by one Raja Mannaru Chetti, a clerk in Mr. Symonds' office at the Penitentiary and his confidential Agent.

"Mr. Symonds himself frequently visited Howard at Patter's Gardens where he resided, and they were apparently on terms of perfect equality. Mr. John Wallace was also living there and joined the party.

"Mr. Symonds was, I have reason to believe, fully acquainted with Howard's plans and actions when the latter visited Ootacamund in September 1885, and when the birth of the '*Telephone*' newspaper was expected."

~~* D.O., X, dated 15th January 1886.~~

45 ~~44~~ ~~42.~~ The connection of the Penitentiary writer with Howard is a very suspicious circumstance, ~~although~~ ~~but Mr. Grimes * gathers that Mr. Symonds had nothing to do with *The Telephone*, and the clerk denies that he had, and states that, as soon as he saw~~ ~~the Manifesto, which was concocted, he says, solely by Howard, he severed his connection with that individual. This clerk's appointment to, and promotion in, the Penitentiary, it must be noted, were made on the recommendation of Mr. Symonds, with whom he had been previously associated in the Friend-in-Need Society's Office.~~

which should be brought to Mr. Symonds' office when he is called on for an
planation.

43

44. From the Inspr. Genl's* letter and a memo from the† Surgeon General the dates of which are given in the margin it appears however that medical reasons might ~~[illegible]~~ possibly ~~justify the treatment~~ be held to justify the manner in which Howard's sentence was worked out.

* β { d/ 28 Jany 86
† β { d/ 26 Jany 86

* Memo. Y, dated 21st January.

46. It should further be observed here that the Commissioner of Police * reports that while Howard was residing in Patter's Gardens in 1883-84, this clerk brought him petitions ~~from dismissed Salem officials and others,~~ and that while Howard paid the clerk for scriptory work, Howard, in turn, was given money by Mr. Symonds.

† Z, dated 7th January 1886.

47 In connection with Colonel Weldon's report on the manner in which convict Howard's sentence of rigorous imprisonment was carried out in the Penitentiary, the Inspector-General's letter † on the same subject should be considered. Mr. Grimes says that the Deputy Keeper of the Penitentiary reports that Howard was frequently employed in the Jail Office, and is believed to have been employed therein in writing the insubordinate letters to Colonel Tennant about the Chubbs' locks experiment, which have been referred to in paras. 15—18 of this Memorandum.

---

48 ~~43.~~ Referring again to Mr. Symonds's past record, to the end that what is in his favour may be noticed, as has been that which tells against him, it is observed that in his letters of 16th August 1882 to Colonel Tennant, in connection with the Chubb's lock experiment referred to in paragraphs 15—18 of this Memorandum, he said that the Duke of Buckingham's Minute, attributing to his tact the success of the close prison experiment, had been withheld from him. This was to show that Colonel Tennant was prejudiced against him.

G.O., 10th February 1881, No. 325.

49 ~~44.~~ It seems that His Grace did observe that the tact of the Superintendent of the Penitentiary had overcome a disposition on the part of the convicts to the introduction of the

separate system, and it is admitted* by the Inspector-General that Mr. Symonds "has always been considered an able officer, and that it is only quite recently that he has known that he has misconducted himself in the way he has." Colonel Tennant, who has been consulted, says he has no information to give concerning Mr. Symonds, beyond what is already in possession of Government, which, however, does not bear out Mr. Grimes' estimate of the general character Mr. Symonds has borne in the Jail Department at the head of which Mr. Grimes ~~also~~ has only been for a short period.

50 ~~45.~~ *Per contra*, however, it should be noted that in 1875 the Inspector-General of Jails reported that, on the occasion of an attempt on the part of 150 convicts to escape from Trichinopoly Central Jail, Mr. Symonds's firm attitude and decision, which Government approved,† probably prevented a more serious outbreak attended with great loss of life, and that Mr. Symonds has, on various occasions, prepared reports and papers which have been described by Government ‡ and by the head § of his department as interesting and valuable. Other papers of some merit by the same hand may be found recorded in the orders of Government noted on the margin.‖ It was chiefly ~~on account~~ in consideration of Mr. Symonds' being an officer of some merit that Govt. had ~~overlooked his transgressions~~ viewed with so much indulgence the transgressions referred to in the first part of this memorandum

---

51 46. On the 21st instant an order ‖ issued to Mr. Symonds ~~directing him to answer the questions put to him by Mr. Grimes without cavil or reservation with the least possible delay; but, under orders, no questions were put to him at this stage as to his connection with the newspaper articles referred to above.~~

~~22nd January 1886.~~ ~~J. D. R.~~

which was couched in the following terms.

---

* D. O. letter O. dated 13th January.

† G.O., 4th June 1875, No. 1279.

‡ G.O., 18th August 1884, No. 1813.

§ Letter in G.O., 18th Feb. 1882, No. 205.

‖ G.O., 15th Dec. 1884, No 2700.
G.O , 14th July 1885, No. 1840.

‖ G.O., No. 128, Public, dated 21st January 1886.

---

12 ~~13~~

Public Depar

PROCEEDINGS OF THE MADRAS GOVERNMENT.

~~READ the following~~

Not confidential

G.O

The Inspector General of
has reported to Government t
on the 21st Decr. last he called
Mr. W. A. Symonds, Superintend
of the Central Jail, Salem to ans
the following questions viz:

(i). Have you had any communica
with the prisoner Howard direc
indirect during his incarcerati

(ii) Have you paid his fin
or any portion of it.

(iii) Can you explain the
allusions in Howard's letter to yo
address of the 17th Decr. & b
what right he addresses yo
in such familiar terms.

Mr. Symonds on the 26th Dec
replied answering the first questio

Cl 20/1

HN 20/1

MP 20 Dec

tive, ~~questioning~~ challenging the Generals' right to interrogate the matters referred to in & 3rd questions.

Mr. Grimes thereon again calling on Mr. Symons to answer questions put to him without ther cavil & to state what were ations existing between him & nvict Howard. To this however ymonds replied ~~asking the Inspector~~ saying that before answering these queries t justified in asking the Inspector ral whether he charged him with ing relations with convict Howard a defamer of Government & if on what grounds.

His Excellency the Governor Council is now pleased to direct Symonds to obey implicitly & fully orders sent to him by the head his Department with no cavil or reservation of any kind. His answer ~~Exp~~ to the questions put to him by the Inspector General & his explanation of the relations which exist or have existed between himself & the Convict Howard must be submitted so as to reach the hands of the Chief Secretary to Government ~~not later than Monday next~~ with the least possible delay.

W. Wilson

W. A. Symonds Esqr. Supdt. of the Central Jail Salem

Copy to the I. G. Jails

3

52.

On the 26th current Mr Grimes ~~ask~~ forwarded Mr Symonds' answer to this or to Govt. His letter & its enclo are printed below.

Small
[illegible]
type

type

From H. R. GRIMES, Esq., Inspector-General of Jails, to the Chief Secretary to Government, dated Madras, 26th January 1886.

I have the honor to forward, for the information of Government, with reference to their order of the 21st instant, No. 128, Mr. Symonds's replies to the queries put to him by me regarding the prisoner Howard.

2. Mr. Symonds denies having had any communication with the prisoner Howard during his incarceration, also denies having paid his fine or any portion of it.

3. In reply to the 3rd query, Mr. Symonds states he is unable to explain the allusions made in the prisoner's letter addressed to him, or his right to address him in such terms beyond the fact that some time ago he befriended the prisoner when in difficulties.

4. I make no remarks on Mr. Symonds's communications, but leave them for the Government to take such notice of as they may deem fit. The copy of the letter addressed by the prisoner Howard to the Chief Secretary to Government in May last, which Mr. Symonds says, in his 5th paragraph, he has appended, has not been received by me.

From W. A. SYMONDS, Esq., Superintendent Central Jail, Salem, to the Inspector-General of Jails, Madras, dated Salem, 25th January 1886.

In obedience to the order of Government (No. 128 of the 21st instant), I have the honor to reply to the queries you have put to me regarding the prisoner Howard.

2. (1) I deny having had any communication with the prisoner Howard during his incarceration; (2) I deny having paid his fine or any portion of it; (3) I am unable to explain the allusions in his letter or his right to address me in such terms, beyond the fact that some time ago I befriended him when in difficulties. Mr. Howard had seen better days, and was connected with the Press, and, having thus had occasion to meet me (I having been the Secretary of the Friend-in-Need Society and of the Madras Literary Society and Auxiliary of the Royal Asiatic Society and otherwise a public character), he subsequently communicated to me some of his grievances and troubles.

3. I have now answered your queries, but I have done so only as a loyal subject and in obedience to constituted authority.

So strongly, however, am I convinced that the principle on which I have stood from the first was right, and that your action was an infringement of British right and usage, that

I feel I should have been justified in appealing to His Excellency the Governor-General or (if need be) to the Secretary of State, before admitting your right to place me in the false position to which such "categorical questioning" might lead.

4. I must now again, and with all respect, protest against what I cannot but regard as the unfair way in which you connect me with the prisoner, and your implication that I had relations with him as a "defamer of the Government." He is not in jail as such, nor accused thereof; and yet, to one not behind the scenes, your letters read as if your accusation were that I, the Superintendent of the Penitentiary, having in charge a Political convict (which he is not), who was punished with fine for defaming the Government (which he was not), had paid that fine, and had compromised myself as a Government official by having relations with the "convict" as such.

5. Now that I have explained what my "relations" with him were, and adverting to your reference to the familiar terms in which he addresses me, I may state that I can place you in possession of some further information regarding Mr. Howard. Among the matters that, as a grievance-monger, he communicated to me taere copies of his correspondence with the Chief Secretary to Government. I append a copy of a letter he wrote to that official in May last. There, surely, you have most defamatory and threatening language to Government as represented by its Chief Secretary, and what were the subsequent "relations" of that high official with him? Did he scout his offers and threats, and forbid him access to his presence? No, the Chief Secretary granted the "defamer" the desired interview, and many more interviews, and on public occasions shook hands with the "convict."

6. I could add more were I not addressing you officially, and besides, Government have sometimes a strange way of dealing with their friends.

7. One word more, and I have done. I understand that my recent transfer from being Superintendent of Prisons for the Town of Madras to that of an up-country jail is due to my having expressed my opinion that the Government of Madras had acted unjustly by Dr. Thomas (since reinstated by the Government of India). If such personal motives influence the proceedings now taken against me, and the apparent desire to compromise my official position, I must submit that it is unworthy of a representative of the great Party which has given us freedom of opinion and liberty of the press.

53.

On receipt of this communication the following order issued on the 29th current

Jany 86 no: 202

~~T. D. R~~

~~29/1/6~~

Note all this in small type

Order 28 January/86 No. 2

Read current no: 32

In reply to G. O. no: 12

of 21st Jany 1886 Mr. W.

Symonds ~~stat~~ repeats th

he has had no communi

with ~~Mr~~ Howard during

incarceration, denies tha

has paid his fine or any p

of it and states that he

unable to explain the allusi

contained in the latter part

Howard's intercepted letter of the 17th De

copy of which had been com

municated to him by the

Inspector General of Jails

2 ~~[illegible]~~ Mr. Symonds will now

be informed that Government

are in possession of information

which makes it ~~impossible~~

~~[illegible]~~ necessary

that he should again be asked

whether or not he remitted

money to Mr. Ambrose Howard's

solicitor knowing that it ~~might be~~ wo

be or suspecting that

I approve of this order being communicated issued M G Jan 28th

28/1

28/1

ward's letter of the

ber. —

Pending such further
as the Govt. may
it necessary to take
regard to Mr. Symonds,
will ~~in consideration~~ may be called for ~~for~~ on account of
spective of such punishment as his insubordinate conduct
be suspended till fur- already reported
er orders. notice as a punishment
submitting ~~to Government~~
~~Government~~ to the
Head of his Depart- in
bedience to ~~any order~~ an
er of Govt., a communication
tone of which is happily
dented.

Comm

8 Jany 86 no. 202

Sog
~~29/1/6~~ tral Jail Salem
. jails
nal, Sk para 6 & 0.

CONFIDENTIAL.

MEMORANDUM.

Mr. W. A. Symonds in 1861, at the age of 19, was appointed Probationary Assistant Director, Revenue Settlement, and continued to serve in that Department till 1871, when he was appointed Acting Superintendent of the Central Jail, Trichinopoly.

2. In 1872, he incurred the censure of Government under the following circumstances:—

3. The district Magistrate of Trichinopoly (Mr. Whiteside) heard that Mr. Symonds had stated that the Prince of Wales was dead, and wrote thereon to Mr. Symonds saying he had proved the *falsity* of the statement, pointing out its impropriety and asking him whether he had, in fact, made it. Mr. Whiteside gave the name of the person who had given Mr. Symonds as his authority for the false rumour of His Royal Highness' death.

4. Mr. Symonds replied that he had made the statement, as represented; that a lady was his authority, and he took exception to Mr. Whiteside's characterising it as a false statement. Mr. Whiteside replied that it was a false statement, though he gave Mr. Symonds credit for having made it, believing it to be true, and he declined to withdraw the expression. Thereon Mr. Symonds addressed the Chief Secretary to Government complaining of Mr. Whiteside's behaviour, but the Chief Secretary (Mr. Ellis) returned the papers saying that they were of a private nature, and did not call for the interference or notice of Government. Mr. Symonds then addressed the Governor (Lord Napier). His Excellency entertained the complaint, and Mr. Symonds was told demi-officially that the Government disapproved the tone of Mr. Whiteside's correspondence. A similar intimation was conveyed in a similar manner to Mr. Whiteside, who replied that Mr. Symonds had, on account of some trifling disagreement, expressed his intention of making Trichinopoly hot for him, and had opposed his action as President of the Municipality in every possible way, and had, in conjunction with a third person, not in the service of Government, concocted and published abusive articles against him in the newspapers concerning his official acts.

5. The Government perused three such articles, asked Mr. Symonds if he had been concerned in their preparation or publication, and called on him to state whether he had ever written in the Trichinopoly or Madras newspapers respecting the institutions or interests of the former station, and whether he had communicated to any person the correspondence he had with the Inspector-General of Jails on one of the subjects referred to in one of the said articles.

6. Mr. Symonds, in reply, admitted that he had been more or less a party to the writing, though not to the publication, of two of the three articles perused by Government; that he had shown the correspondence referred to, to more than one person; that he had only written once to the newspapers concerning the interests or institutions of Trichinopoly; and that he had yet to learn that the Government absolutely interdicted all newspaper writing on the part of their subordinates.

7. The Chief Secretary was thereon ordered to inform Mr. Symonds demi-officially*:

> "That taking the most lenient view of his conduct in the manner described in his letter, he had been guilty of grave indiscretion in connection with the attacks made in the newspapers on the Collector and Magistrate, Mr. Whiteside."

* 20th March 1872.

Those attacks were described as very unwarrantable, some of them, and Mr. Symonds was informed that the Government could not doubt that he had communicated directly or indirectly to the newspaper another and more recent article against Mr. Whiteside.

8. The Chief Secretary's letter concludes with these words:

> "I am directed to inform you that you have laid yourself open to very severe censure, and that, in the event of your being guilty of similar conduct on any future occasion, you will be at once removed from your appointment.
>
> "The Government also consider the tone of the conclusion of your present letter to be very objectionable; and I am to inform you that it is not permissible for any public officer to make himself a party to attacks in the newspapers on other public officers with whom his official duties may bring him into contact. In the present instance, the attacks have been levelled at the Magistrate of the district, who is one of the official visitors of the Jail under your superintendence; and it is only in consideration of your having, it is believed, discharged your duties in the Jail remarkably well that the Government refrain from removing you from your acting appointment."

* * * * * * *

9. Mr. Symonds thereon wrote, gratefully acknowledging the indulgence of the Government, assuring it that he would never offend again in like matter, and that the leniency with which he had been treated would spur him to do his very best to discharge his duties zealously and conscientiously.

10. Three years later, however, the Government had occasion to express * their dissatisfaction that Mr. Symonds did not more cordially co-operate with the Medical Officer when he communicated to him his suspicions that the supply of food to the convicts in the Central Jail, Trichinopoly, was not issued in proper quantities. In this connection, however, it must not be forgotten that the Inspector-General did not consider the outbreak which gave rise to the inquiry into the food-supplies to have been caused by any maladministration of Mr. Symonds, and that that officer's action on the occasion of the outbreak was approved by Government. [See paragraph 49 of this Note].

* G.O., 29th July 1875, No. 1681.

11. Again in 1875† the Inspector-General of Police brought to the noti[illegible] Government that two convicts—desperadoes—had improperly been sent by the Jail authorities from Trichinopoly to Madura without leg-irons, with the result that they attempted to escape, and that one of them was shot by a constable of the Police guard, who was placed on his trial criminally for the act.

† G.O., 16th August 1875, No. 1798.

12. The Inspector-General of Jails, Colonel Tennant,‡ called on for a report on this circumstance, called, in turn, on the Trichinopoly Jail Superintendent, Mr. Symonds, for an explanation, whereon that officer endeavoured to justify his conduct, and, in proof that he had given the use of fetters some attention, forwarded an article he had written some time ago to the papers on the subject.

‡ G.O., 16th August 1875, No. 1798.

13. The Inspector-General of Jails objected to Mr. Symonds's action and to his ventilating his opinions on official subjects in the newspapers. The Government thereon passed the following § order:—

§ G.O., 17th September 1875, No. 2035.

> "It is no doubt open to the Police (and this should be generally understood) to require that prisoners handed over to their escort shall be fettered in any case, where they deem additional precaution against escape to be necessary; but here it was the special duty of the Superintendent of the Jail to have leg-ironed two 'desperate and powerful dacoits.' His not doing so has resulted in a most daring attempt at escape, leading to the death of one of the prisoners and to the trial of one of the Police on a capital charge. For this neglect Mr. Symonds is hereby severely censured.
>
> "2. The article in the newspapers which has been sent up is of an old date; but the Government agree with the Inspector-General that such contributions from a Superintendent of a Jail are entirely opposed to good discipline, and should be interdicted."

14. Again, in 1876, Mr. Symonds, while still Acting Superintendent of the Trichinopoly Jail, left Rs. 800, deposited as security by the Jail Diet Contractor, for over three months in the charge of the Jailor, who embezzled the amount.

Mr. Symonds acknowledged his error, and made good the money. Colonel Tennant took a lenient view of Mr. Symonds's conduct, and the order * of Government on the matter ran in these terms:

* G.O., 28th July 1876, No. 1548.

> "Mr. Symonds's neglect of ordinary precautions and standing rules has not only caused pecuniary loss to himself, but, by placing temptation in the way of a subordinate, has ruined a man who 'had hitherto borne an excellent character.'
>
> "2. The Governor in Council trusts that the very serious results that have followed his careless want of consideration and breach of rules will be a sufficient warning to Mr. Symonds for the future without further condemnation by Government."

15. Nothing further against Mr. Symonds appears on the records of Government till 1882, in the course of which year an experiment was made in the Madras Penitentiary, of which Mr. Symonds had been appointed Superintendent in 1877, and in other Central Jails, in the use of Chubb's padlocks for fastening wards, cells, &c.

16. The Inspector-General of Jails had given orders that the keys of these padlocks were on no pretence to be delivered to any prisoner. In the Madras Penitentiary, however, convicts were, without the knowledge of the Superintendent, set to work by the keeper to make duplicates in lieu of worn specimens of the keys. The Inspector-General of Jails censured Mr. Symonds for this occurrence and for his omission to report it; whereon that officer endeavoured to justify his conduct, and wrote two letters in which he described the experiment as a dangerous and expensive failure, which might have been avoided had the Inspector-General consulted the executive officers of the department before committing the State to the expenditure involved in introducing a system wholly unsuited to the circumstances of Indian prisons. He declined to accept Colonel Tennant's judgment in the matter, accused that officer of overlooking his merits, and desired that the question might be laid before Government.

17. The Inspector-General accordingly represented the circumstances, and showed that Mr. Symonds's sweeping denunciations and his style of correspondence were alike unjustifiable.

18. The order † of Government on this matter is quoted below:—

† G.O., 8th September 1882, No. 1252.

> "In the Inspector-General's correspondence with the Superintendent regarding the Penitentiary keys, His Excellency the Governor in Council can see nothing inappropriate, and certainly nothing which can be regarded as the slightest provocation to the Superintendent, whose letters of the 9th and 16th August are, in the highest degree, insubordinate and disrespectful. Such conduct cannot be tolerated, and any repetition of it will subject Mr. Symonds to very serious consequences in the interests of official discipline in an important department."

19. Later in the same year, 1882, the Inspector-General of Jails reported that Messrs. Cline and Howard (the former an officer of the Accounts Department, who was subsequently compulsorily retired, and the latter an ex-convict well known in Madras) had been allowed to have interviews with Lingam Lakshmaji, a convict undergoing a long sentence for forgery in the Madras Penitentiary. Colonel Tennant reported that Mr. Symonds's conduct in permitting these interviews was highly imprudent and certainly unauthorised.

20. The Government passed the following order ‡:—

‡ G.O., 23rd December 1882, No. 2228.

> "The Governor in Council entirely approves the Inspector-General's decision, directing the Superintendent of Prisons, Madras, to guide himself strictly by the Jail Rules in according prisoners an interview with their friends or legal advisers. The present case certainly does not possess any special and emergent circumstances, which would take it out of the general course. The conduct of the Superintendent, first, in allowing an officer of the Account Department to visit a particular prisoner as his counsel; and, secondly, in allowing this counsel to employ, as his agent in the prisoner's business, the ex-convict Howard, indicates a want of judgment so deplorable that the Government have considered whether, taken with some official correspondence, the tone of which recently came under their censure, Mr. Symonds has not shown himself unfit for his post. He will understand that he has incurred their grave disapprobation, and that, for the future, no leniency will be shown. The Inspector-General will remove Lingam Lakshmaji, the prisoner on whose behalf such special indulgence has been exhibited, to the Central Prison, Vellore. He will

also transmit copy of the correspondence now submitted by him to the Accountant-General, who will bring Dr. Cline's proceedings in this case to the notice of the Government of India, in the Financial Department."

21. Subsequently, in 1885, the Inspector-General of Jails (Mr. Grimes) had an interview with His Excellency the Governor, from which it resulted that His Excellency thought it advisable to transfer Mr. Symonds from the Madras Penitentiary to the charge of the Salem Central Jail. It appeared that Mr. Symonds left too much to his subordinates, that his work suffered from his devotion to other pursuits, that he fell below the proper standard of zeal and careful attention. The Inspector-General of Police (Colonel Guthrie) has informed* Government that on the occasion of his transfer, Mr. Symonds said publicly:

* D.O. letter N., dated 13th January 1885.

"What is the good of sending me to Salem. I can always write to the newspapers."

It was notorious that Mr. Symonds was the reputed author of continual attacks on Government in the newspapers, but no instance of an attack on any officer with whom he held immediate official relations having been brought officially to the notice of His Excellency in Council, he did not think it necessary to take cognizance of the matter.

---

22. This brings the record down to the present time, when the Inspector-General of Jails reports † Mr. Symonds for insubordination in the circumstances set forth below:—

† Current No. 98, dated 9th, received 12th January 1886.

23. The Superintendent of the Madras Penitentiary, Mr. Goodrich, on the 12th December 1885,‡ wrote in the following words to the Inspector-General of Jails:—

‡ D.O. letter A.

"Howard, in writing to Mr. Ambrose, solicitor, * * kept alluding to his *friend up-country*, who must assist him, could not refuse to, should be forced to do so. I questioned him as to who this was, and *he said it was Mr. Symonds*, and that he must assist him."

24. On the 19th December 1885, Mr. Goodrich again wrote § to the Inspector-General saying:

§ Letter B.

"*Howard's fine (the remaining portion), Rs. 32, was paid this morning.* Mr. Ambrose *brought it to the jail and told Mr MacReady (the Keeper of the Penitentiary) that it had been sent by his up-country friend.*"

Mr. Ambrose who was engaged, it is stated,‖ by the Commissioner of Police, to undertake Howard's affairs, wrote ¶ on the 19th December to Howard saying:

‖ Memo. Y, dated 21st January 1886.

¶ D.O. letter D.I.

"I have received two letters *from your up-country friend*, dated respectively 17th and 18th instant. *The letter which reached me this morning contained a Currency Note for Rs. 50.*

---

25. The Commissioner of Police says* that—

* Memo. Y, dated 21st January 1866.

"Mr. Ambrose states that the letter, which covered the remittance,—with all other letters from the same source,—was destroyed, as he was requested so to do, when the correspondence began."

26. Mr. Ambrose, in his letter † to Howard of the 16th December, says:

† Letter C.

"*Your up-country friend has written me a long letter. He wants me to advance you the money you may require to set you free.* In reply, I have written to say that I regret my inability to do so."

+ letter is printed in para 35 infra

Three days after this the remittance referred to above was made.

27. With his letter of the 19th December, Mr. Goodrich also forwarded to Mr. Grimes five letters from convict Howard, which had been found on the 18th December on a time-expired prisoner when he was being searched on the completion of his term of imprisonment.

28. These letters were addressed, three of them to certain residents in Madras, and the remaining two, one to Mr. Symonds, and the other to Mr. Piercy, late Assistant Accountant-General, Madras, who was recently removed from Madras, and who wrote the leader that was to have appeared in the first number of the abortive organ of the so-called Indian Vigilance League, *The Telephone*.

29. In 1881 and 1882, Howard contributed various articles and letters to the "*Mad*[illegible] *Times*," giving his correspondence with Mr. Symonds about his batta or maintenance allowance. At this time Howard complained of Mr. Symonds for being harsh to him and not increasing his rations as a civil debtor.

‡ 31st December 1881; 3rd, 4th, 5th, 7th, 10th, 11th, and 18th January 1882.

30. Soon, however, after his conviction on a criminal charge in February 1882, the relations between them underwent a change, and in the *Madras Times* of March 15th, 1882, the editor publishes, in an editorial entitled *Bombastes Furioso*, a letter he received from Mr. Symonds signed with his name, upbraiding the editor with having basely deserted Howard, his once valued contributor, hinting that that individual, then a prisoner under his charge, would be righted on appeal, and offering to contribute to a "Civil Debtor Defence and Appeal

Fund," should such a fund be advertised in the paper. *On appeal, it may be noted, the sentence was upheld*, though the conviction on one of the counts was reversed.

31. The editor said that this letter was more damaging to Mr. Symonds than disagreeable to himself, that he had washed his hands of Howard as soon as he had been convicted on a criminal charge, that he had, in fact, published all that Howard had said in retractation of his former charges against Mr. Symonds, and that he wished Mr. Symonds's relations with Howard would bear as close a scrutiny as his own would.

32. The editor concludes his article by saying:

> "It may be inferred from it that he, as Superintendent of the Jail, held long conversations in prison with a prisoner, convicted of crime, on such matters as he has written to us about. It can be seen that he puts himself forward as a would-be partizan of such a convicted prisoner. He requires us to open a fund on behalf of his protégé, and promises to contribute to it * * * *.
>
> "We recommend altogether to the serious consideration of the Chief Magistrate and the Governor the levity, vanity, arrogance and utter absence of dignity and judgment displayed by the Superintendent of the Penitentiary in his communications to us."

33. The letter from Mr. Symonds to the editor, which is printed in full in the article, is also printed in full below:

"BASE DESERTION."

"*To the Editor of the 'Madras Times.'*

"SIR,—Not long ago you published a voluminous correspondence, between a 'Civil Debtor, his Superintendent and others,' which, with a flourish of trumpets, you announced to your readers as being not only interesting, but an important contribution to the great question then under consideration of Government, viz., the proposed abolition of imprisonment for debt. The publication of this correspondence gave rise to a subsidiary correspondence which raged in your paper without intermission until the 18th January last. On that day a letter appeared in the *Madras Times*, from an indignant correspondent, inquiring whether you were aware that the official visitor who had investigated the complaint of the 'Civil Debtor' had reported that he had been 'treated with kindness and consideration by his Superintendent.' It is known that, upon the appearance of that letter, 'The Civil Debtor' went from your office to the official visitor and ascertained from him that he really had made the report ascribed to him, a fact which was that day communicated to you by 'The Civil Debtor,' who was

arrested under a warrant upon a criminal charge (of which he has since been convicted), and returned under arrest, to your office where, although you concurred with him in the opinion that the charge brought against him was an attempt to blast the cause by damning the advocate, you declined to stand bail for him, but promised to do all in your power to assist him, and further promised to visit him in prison.

"You are aware that I did not think it worth while making any comment upon 'The Civil Debtor's' correspondence at the time; nor should I revert to the subject except that it seems to me an explanation is due from you as to the causes of what appears to be a case of very cruel desertion on your part.

"From the 31st December 1881 to the 18th January 1882, letter after letter appeared in your paper on the subject of 'The Civil Debtor' and his revelations, his facts being neither denied nor disproved. Now, having on that fatal 18th January, been informed of the result of the official visitor's investigation, why did you not authoritatively publish it? Why did you keep back that most material conclusion? Did not justice to myself demand that it should be published as the sequel to all the denunciation that had previously been heaped upon me? If you disagreed with that sequel, you ought still to have published it and then given your reasons for differing from it. Did you think that those few simple words, 'The Civil Debtor has been treated with kindness and consideration by his Superintendent,' would weigh more with the public, would have greater effect upon your readers, than all the ink that had been shed in the composition and printing of that very interesting and extensive correspondence?' But it is not with this purely personal matter that I am concerned; that continues to be—as it has always been—a matter of the extremest indifference. What concerns your readers is that the journalist who conducts a paper (to quote your own words) 'claiming the influence to which the *Madras Times* aspires,' should be true to his principles and loyal to its contributors. The identity of 'The Civil Debtor' with the author of the 'Roulette' sketches is now an open secret, and, as the fortunes of Mr. Holt* are now as much below 'zero' as they might, with the invaluable assistance of the *Madras Times*, be above 'zero,' it appears to me that now is the time for to prove yourself a friend indeed to a friend in need. Holt, in the course of his recent trial, avowed himself to be 'Zero,' and said you had 'basely deserted him in the hour of his need.' Why was this not reported in the *Madras Times?* You were subpœnaed as a witness for a defence, but you were not called; and the reason Holt gave for this was that he feared you had gone over to the other side, or made terms with them, to avoid being sued or prosecuted for publishing an assertion by 'The Civil Debtor' which his prosecutor alleged to be defamation. *Was this so?*

---

* *alias* Howard.

"It is, we know, not wise to put faith in princes, but we have been taught to believe in and admire the loyalty of the members of the fourth estate one towards another. No man worthy the name of Editor would forsake, much less basely desert, a once valued contributor without at least an effort to save him, no matter to what straits he might be reduced. Surely you do not wish to figure as an ignoble exception to an honorable rule? Permit me to jog your memory. In a very admirable leading article on the subject of imprisonment for debt, you promised the world an exhaustive treatise on the whole question, embracing a scheme for remodelling the laws regulating bankruptcy and debt. But since the disappearance from your columns of 'The Civil Debtor' and 'Zero' and the contemporaneous incarceration of Holt, your readers had looked in vain for the fulfilment of your promise. Can the scoffers be correct who assert that you depended on the pen and inspiration of that ready-writer to carry out that public engagement, and that now that this member of your staff has been imprisoned, you are incompetent to complete the task to which you have committed your paper? Now, Sir, whether or no, 'The Civil Debtor' is a guilty man, the fact remains that the *Madras Times* lauded him in a leader and proclaimed that he had rendered public service which entitled him to the thanks of the Government and the people of India in the same way as Mrs. Surr received the thanks of the Home Government, conveyed to her by the Home Secretary. Many, at the same time, shared and expressed that opinion with yourself; and whether Holt is or is not a guilty man in other respects does not at all nullify services which consisted in the revelation of certain facts connected with the law of imprisonment for debt in this presidency, which facts have not (so far as you yourself appear to have been informed, or so far as you have informed your readers) been either denied or disproved except by those few words of the Official Visitor, which referred not to the question of general policy, but to a particular complaint of 'The Civil Debtor.' It behoves you, therefore, to have the courage of your convictions. The Civil Debtor is at present under a cloud, but he has given notice of appeal against his sentence and conviction. Things are not always what they seem. Perhaps, with the aid of professional assistance 'The Civil Debtor' may yet succeed in reversing the magisterial decision. At all events there can be no doubt of what is expected from you at this juncture, viz., that you will recognize the past services of a valuable contributor—services not only to the *Madras Times* but to the public—by starting and heading a Civil Debtor Defence and Appeal Fund, and in order that you may be assured of, at least, one supporter, I shall be happy, when I see the fund advertised in your paper, to add my mite to your own subscription.

"Yours obediently,

"W. A. SYMONDS."

---

34. It should be noted that convict Howard was the chief promoter of the so-called Vigilance* League, that Piercy was, as observed in paragraph 28, to have been a contributor to its organ "*The Telephone.*" x

* See Appendix I.

x Vide paras 27-28 supra.

35. The letter from convict Howard to Mr. Symonds, found by Mr. Goodrich on the person of a time-expired convict, runs in the following terms:—

Letter (E), dated 17th December.

"*To W. A. Symonds, Esq., Salem.*

"How could you expect a *poor* Vakeel, who has not received any fees, to advance money. You talk about mental aberration, but it really seems as if you had taken leave of your senses, or that the fine was Rs. 5,000 and the sureties 15,000 each. So much fuss has been made about a matter which you might easily have arranged in three days. It is simply absurd to say you could not get Rs. 100 in a dozen places in Salem if you choose. To say nothing of there being dozens of men elsewhere, who might accommodate you for the asking. It is simply inhuman that I should have been left 2 months in hellish torment, whilst not a single soul but Ambrose* has lifted a little finger to help me. Rs. 50 will now square fine, &c. As for the sureties have you no influence with Norton, the Bransons, or Grants. Surely any one of them would have done the needful *per se* or vicariously, if you had given them instructions. There are dozens of men who are beholden to you, and would have obeyed you and observed *secrecy*, if you had given them your directions and guarantee. Such men as Mr. Ross of Perambore, S. T. Krishnamachari, Appadurai Mudali, the Jail Contractor, for whom I wrote the petition, and Ambrose himself would have done it on your guarantee. Now I only want the sureties for two days as I am going to Bombay. Directly I start, the sureties can withdraw. I hope you are not thinking of leaving me to pass Christmas in hell. Out of the 53 days I have been here, I have undergone 41 days of punishment, 20 in close separate confinement and 21 on bread and water in solitary. All illegal I know. Last week I was assaulted by warders and 20 policemen, trying to illegally taking my photograph, and now I am again in solitary on bread and water, until I will consent to have it taken. You yourself would not have stood 100th part of the torture I have endured, but I can hold out no longer. I feel a bitter burning sense of wrong at my most cruel desertion. At times my blood boils, my brain becomes on fire, and I feel as if I could not preserve my mental balance. I will not stand it any longer. Unless I hear you are taking instant practical steps to set me free, I shall, without further parley, be compelled to enlighten Norton, the Dr. Thomas and Binny

* His Solicitor.

and Co., to get relief, which they would not deny me. Do not drive me to this.

"(Inld.) S. H."

Of the other four * intercepted letters, those to Piercy and Luxa and Mrs. Fowler contain nothing that need be reproduced here, but that † addressed to one Chamberlin ends with these words:

* Letters (F), (G), (H).

† Letter (I).

"Please give the bearer Rs. 2 for his trouble, and post the letters he gives you to Symonds, Piercy, Luxa and Mrs. Fowler. Keep contents of letter to Symonds secret even from Ambrose."

Nothing material to this inquiry can be discovered concerning Ross, Appadurei[1], Kistnamachari,[2] Chamberlin,[3] Luxa and Mrs. Fowler.

2 and 1 are Attorneys, the latter has dabbled in Jail contracts; 3, Stationer.

36. The Inspector-General, on the 21st ‡ Decr., called on Mr. Symonds to state whether he had had any communications with convict Howard, direct or indirect, during his incarceration; whether he had paid his fine or any portion of it; and whether he could explain the allusions in the last part of Howard's letter read above.

‡ D. O., Letter (J).

37. On the 26th Mr. Symonds § replied in the following terms:—

§ D. O. letter (K).

"I, of course, recognise your right to ask whether I have had any communication with the prisoner Howard, direct or indirect, 'during his incarceration,' and I reply in the negative.

"3. I, however, respectfully question your right to interrogate me on matters which concern me solely as a private individual, and, as I regard the other queries as being of this nature, I object, on principle, to being called upon to answer them, though quite ready to explain any action in my official capacity."

38. On receipt of this letter, Mr. Grimes wrote ‖ again on the 30th December requesting Mr. Symonds to reply at once, without further cavil, to the questions put, as they concerned him not solely as a private individual, but also as a Government servant, at one time in charge as Superintendent of the Penitentiary, of a person now again a prisoner therein (viz., Howard), who had defamed the Government collectively and individually, and who pretended to be an intimate friend of Mr. Symonds and appeared to have received money from him to help him to pay a magisterial fine.

‖ D. O. letter (L).

1885

39. In answer to this letter, Mr. Symonds, on the 7th January, replied * in the following terms:—

* D. O. letter (M).

"I beg to assure you that nothing is further from my intention than to adopt an improper or insubordinate tone. To 'respectfully question the right' you claim and exercise, is not of itself, I humbly submit, sufficient to sustain a charge of *distinct* impropriety and insubordination. If you will be gracious enough to point out any single expression or several expressions convicting me of this offence, I will at once gladly withdraw the same with an ample apology; but, unless you will be pleased to indicate *where* the 'tone' of my letter, dated 26th December 1885, is 'distinctly improper and insubordinate,' I, with the utmost respect, object to your recording what at any time may be used against me, your opinion that I have been insubordinate.

"Again, I, with due deference, demur to the charge of 'cavilling' as not supported by a grave contention urged by me in no captious spirit. I feel that I must not lose, but must hold fast by, a 'principle' precious alike to employers and employed throughout the civilised world; that, while my eyes look up to authority, my feet must stay themselves firmly here.

"Further, I have always been led to believe that it is one of the plainest principles of English law,—and indeed the custom between employer and employé in any country with a constitutional Government,—that a suspected person should be charged with a definite offence, and not called upon to incriminate or exculpate himself.

"I must add that you hold the still more strange position of attributing to me conduct unbecoming a Government servant from inferences drawn, not from any act or writing of mine, but from the intercepted letter of a person for whose actions I cannot be expected to answer any more than to explain * his holding 'relations' with a high official or his 'right' or reasons for having written to that high official in still more unaccountable terms.

* See paragraph 34 of this Memorandum *infra*.

"In the actual circumstances of prisoner Howard's past or present incarceration,—neither being for a political offence, nor in any way connected with his defamation of Government,—I consider it unconstitutional to be thus interrogated. Did your questions connect me with the alleged assistance of the person who has defamed the Government, *quoad* the defamer of Government, I should admit that, as an official, I should be bound to explain the alleged relations with him.

"For all these reasons, then, before replying to your queries, I feel justified in asking whether you charge me with assisting or having relations with the prisoner as a defamer of Government, or that I have helped him in consequence of his being such; and, if so, on what grounds you base your charge."

40. On receipt of this letter Mr. Grimes reported Mr. Symonds to Government

for insubordination, setting forth the circumstances more fully given in the preceding paragraphs.

41. In speaking of convict Howard's "relations" with a "high official," Mr. Symonds is understood to refer to Howard's letter * to the Chief Secretary to Government, Mr. Webster, asking for an interview, and to his letter of the 1st Sept. † preferring an appeal to Government against his conviction by the Criminal Courts. In the latter letter, he forwarded a paper ‡ containing certain questions to the Superintendent of the Penitentiary, the answers to which he held would show that that officer (Mr. Symonds) had, during his imprisonment, come to think of him as an innocent man. Howard was merely told that Government would § not interfere in judicial matters, and the questions to Mr. Symonds remained unanswered. The only inference which can be drawn from them is that Mr. Symonds had some conversation with Howard concerning his mercantile speculation, and tendered to him some advice on the subject.

* R. dated 2nd May 1885.

† Marked T.

‡ Marked S.

§ G.O., dated 14th September 1885, No. 2443.

42. On the 20th current, a ‖ memorandum was received from the Commissioner of Police giving the result of his inquiries as to the relations, past and present, between convict Howard and Mr. Symonds. The most important portions of this Memorandum are given below :—

‖ W, dated 20th January 1886.

"Howard was convicted on 24th February 1882, and sentenced to six months' rigorous imprisonment. He, of course, appealed, but his conviction was confirmed by the High Court. During the early part of his sentence it became my duty to visit the Penitentiary as the official visitor for the month; the date of such visit will be recorded in the Jail books. A remark was made by me regarding the large proportion of European and East Indian prisoners on half labour. Howard was one of those so employed. I cannot call to mind if I ever again saw Howard at work. My impression is, I did not.

"Independent inquiry now elicits that, as a fact, which Government may accept, Howard was employed on light labour during the first month only of his imprisonment. The remainder of his term he spent in the Prison Office ostensibly for the purpose of writing his appeal, but supposed really to be employed on some private work of the Superintendent. If a visit from the Inspector-General of Jails or other officials was expected, Howard was taken to the ward for the sake of appearance, and, when the visitor left, was relegated to the office. I was at first under the impression that this exceptional treatment of Howard was only at the time when his appeal to the High Court was pending; but I have ascertained that it was not so; the special favor shown to him increased as time went on, until, at his discharge, he had established himself as the intimate coadjutor of the Superintendent for apparently literary purposes.

"Subsequent to Howard's release, he visited the Jail partly on business connected with the Superintendent, partly as the Agent of Dr. Cline, who was, in a legal capacity, interested in a well-known convict named Lakshmaji Pandit.

"From July 1883 till September 1884, Howard employed himself with writing work, the tangible result of which used to be taken charge of by one Raja Mannaru Chetti, a clerk in Mr. Symonds' office at the Penitentiary and his confidential Agent.

"Mr. Symonds himself frequently visited Howard at Patter's Gardens where he resided, and they were apparently on terms of perfect equality. Mr. John Wallace was also living there and joined the party.

"Mr. Symonds was, I have reason to believe, fully acquainted with Howard's plans and actions when the latter visited Ootacamund in September 1885, and when the birth of the '*Telephone*' newspaper was expected."

43. Medical reasons may possibly have justified Howard's having been treated more leniently than other prisoners during the greater portion of his imprisonment. It would be difficult to satisfactorily prove that this was so at this distance of time, and still more difficult to satisfactorily establish that Howard's health did not justify the treatment he received.

44. The connection of the Penitentiary writer, while employed under Mr. Symonds, with Howard is a very suspicious circumstance, which should be brought to Mr. Symonds's notice when he is called on for an explanation.

45. It should further be observed here that the Commissioner of Police * reports that while Howard was residing in Patter's Gardens in 1883-84, this clerk brought him petitions, and that while Howard paid the clerk for scriptory work, Howard, in turn, was given money by Mr. Symonds.

* Memo. Y, dated 21st January.

46. In connection with Col. Weldon's report on the manner in which convict Howard's sentence of rigorous imprison-

ment was carried out in the Penitentiary, the Inspector-General's letter* on the same subject should be considered. Mr. Grimes says that the Deputy Keeper of the Penitentiary reports that Howard was frequently employed in the Jail Office, and is believed to have been employed therein in writing the insubordinate letters to Colonel Tennant about the Chubb's locks experiment, which have been referred to in paras. 15—18 of this Memorandum.

* Z, dated 7th January 1886.

---

47. Referring again to Mr. Symonds's past record, to the end that what is in his favour may be noticed, as has been that which tells against him, it is observed that in his letters of 16th August 1882 to Colonel Tennant, in connection with the Chubb's lock experiment referred to in paragraphs 15—18 of this Memorandum, he said that the Duke of Buckingham's Minute, attributing to his tact the success of the close prison experiment, had been withheld from him. This was stated by Mr. Symonds with a view to show that Colonel Tennant was prejudiced against him.

48. It seems that His Grace did observe that the tact of the Superintendent of the Penitentiary had overcome a disposition on the part of the convicts to the introduction of the separate system, and it is admitted † by the Inspector-General that Mr. Symonds "has always been considered an able officer, and that it is only quite recently that he has known that he has misconducted himself in the way he has." Colonel Tennant, who has been consulted, says he has no information to give concerning Mr. Symonds, beyond what is already in possession of Government, which, however, does not bear out Mr. Grimes' estimate of the general character Mr. Symonds has borne in the Jail Department, at the head of which Mr. Grimes has only been for a short period. What that character really was will be seen from the first part of this Memorandum.

G.O., 10th February 1881, No. 325.

† D. O. letter O. dated 13th January.

49. *Per contra*, however, it should be noted that in 1875 the Inspector-General of Jails reported that, on the occasion of an attempt on the part of 150 convicts to escape from Trichinopoly Central Jail, Mr. Symonds's firm attitude and decision, which Government approved,* probably prevented a more serious outbreak attended with great loss of life, and that Mr. Symonds has, on various occasions, prepared reports and papers which have been described by Government † and by the head ‡ of his department as interesting and valuable. Other papers of some merit by the same hand may be found recorded in the orders of Government noted on the margin.§

* G.O., 4th June 1875, No. 1279.

† G.O., 18th August 1884, No. 1813.

‡ Letter in G.O., 18th Feb. 1882, No. 205.

§ G.O., 15th Dec. 1884, No. 2700.
G.O., 14th July 1885, No. 1840.

---

50. On the 21st instant an order‖ issued to Mr. Symonds which was couched in the following terms:—

‖ G.O., No. 128, Public, dated 21st January 1886.

"The Inspector-General of Jails has reported to Government that on the 21st December last he called on Mr. W. A. Symonds, Superintendent of the Central Jail, Salem, to answer the following questions, viz. :—

"(i) Have you had any communication with the prisoner Howard, direct or indirect, during his incarceration?

"(ii) Have you paid his fine or any portion of it?

"(iii) Can you explain the allusions in Howard's letter to your address of the 17th December, and by what right he addresses you in such familiar terms?

"Mr. Symonds, on the 26th December, replied answering the first question in the negative, challenging the Inspector-General's right to interrogate him on the matters referred to in the 2nd and 3rd questions.

"Mr. Grimes thereon again wrote calling on Mr. Symonds to answer the questions put to him without further cavil, and to state what were the relations existing between him and the convict Howard. To this, however, Mr. Symonds replied saying that before answering these queries he felt justified in asking the Inspector-General whether he charged him with having relations with convict Howard as a defamer of Government, and if so, on what grounds.

"His Excellency the Governor in Council is now pleased to direct Mr. Symonds to obey implicitly and fully the orders sent to him by the head of his department with no cavil or reservation of any kind. His answer to the questions put to him by the Inspector-General and his explanation of the relations which exist or have existed between himself and the convict

Howard must be submitted so as to reach the hands of the Chief Secretary to Government with the least possible delay."

51. On the 26th current Mr. Grimes forwarded Mr. Symonds's answer to this order to Government. His letter and its enclosure are printed below :—

From H. R. GRIMES, Esq., Inspector-General of Jails, to the Chief Secretary to Government, dated Madras, 26th January 1886.

I have the honor to forward, for the information of Government, with reference to their order of the 21st instant, No. 128, Mr. Symonds's replies to the queries put to him by me regarding the prisoner Howard.

2. Mr. Symonds denies having had any communication with the prisoner Howard during his incarceration, also denies having paid his fine or any portion of it.

3. In reply to the 3rd query, Mr. Symonds states he is unable to explain the allusions made in the prisoner's letter addressed to him, or his right to address him in such terms beyond the fact that some time ago he befriended the prisoner when in difficulties.

4. I make no remarks on Mr. Symonds's communications, but leave them for the Government to take such notice of as they may deem fit. The copy of the letter* addressed by the prisoner Howard to the Chief Secretary to Government in May last, which Mr. Symonds says, in his 5th paragraph, he has appended, has not been received by me.

* Letter R, see para. 41 of Memorandum.

From W. A. SYMONDS, Esq., Superintendent Central Jail, Salem, to the Inspector-General of Jails, Madras, dated Salem, 25th January 1886.

In obedience to the order of Government (No. 128 of the 21st instant), I have the honor to reply to the queries you have put to me regarding the prisoner Howard.

2. (1) I deny having had any communication with the prisoner Howard during his incarceration; (2) I deny having paid his fine or any portion of it; (3) I am unable to explain the allusions in his letter or his right to address me in such terms, beyond the fact that some time ago I befriended him when in difficulties. Mr. Howard had seen better days, and was connected with the Press, and, having thus had occasion to meet me (I having been the Secretary of the Friend-in-Need Society and of the Madras Literary Society and Auxiliary of the Royal Asiatic Society and otherwise a public character), he subsequently communicated to me some of his grievances and troubles.

3. I have now answered your queries, but I have done so only as a loyal subject and in obedience to constituted authority.

So strongly, however, am I convinced that the principle on which I have stood from the first was right, and that your action was an infringement of British right and usage, that

I feel I should have been justified in appealing to His Excellency the Governor-General or (if need be) to the Secretary of State, before admitting your right to place me in the false position to which such "categorical questioning" might lead.

4. I must now again, and with all respect, protest against what I cannot but regard as the unfair way in which you connect me with the prisoner, and your implication that I had relations with him as a "defamer of the Government." He is not in jail as such, nor accused thereof; and yet, to one not behind the scenes, your letters read as if your accusation were that I, the Superintendent of the Penitentiary, having in charge a Political convict (which he is not), who was punished with fine for defaming the Government (which he was not), had paid that fine, and had compromised myself as a Government official by having relations with the "convict" as such.

5. Now that I have explained what my "relations" with him were, and adverting to your reference to the familiar terms in which he addresses me, I may state that I can place you in possession of some further information regarding Mr. Howard. Among the matters that, as a grievance-monger, he communicated to me were copies of his correspondence with the Chief Secretary to Government. I append a copy of a letter he wrote to that official in May last. There, surely, you have most defamatory and threatening language to Government as represented by its Chief Secretary, and what were the subsequent "relations" of that high official with him? Did he scout his offers and threats, and forbid him access to his presence? No, the Chief Secretary granted the "defamer" the desired interview, and many more interviews, and on public occasions shook hands with the "convict."

6. I could add more were I not addressing you officially, and besides, Government have sometimes a strange way of dealing with their friends.

7. One word more, and I have done. I understand that my recent transfer from being Superintendent of Prisons for the Town of Madras to that of an up-country jail is due to my having expressed my opinion that the Government of Madras had acted unjustly by Dr. Thomas (since reinstated by the Government of India). If such personal motives influence the proceedings now taken against me, and the apparent desire to compromise my official position, I must submit that it is unworthy of a representative of the great Party which has given us freedom of opinion and liberty of the press.

53. On receipt of this communication the following order* issued on the 29th current:—

"In reply to G. O., No. 128 (Public), dated 21st January 1886, Mr. W. A. Symonds repeats that he has had no communication with Howard during his incarceration, denies that he has paid his fine or any portion of it, and states

* G.O., 28th January 1886, No. 202.

that he is unable to explain the allusions contained in the latter part of Howard's intercepted letter of the 17th December, copy of which had been communicated to him by the Inspector-General of Jails.

"2. Mr. Symonds will now be informed that Government are in possession of information which makes it necessary that he should again be asked whether or not he remitted money to Mr. Ambrose, Howard's solicitor, knowing that it would be, or suspecting that it might be, used by Mr. Ambrose in payment or part payment of Howard's fine; or whether he, in any way, communicated with Mr. Ambrose about Howard's case. Independent information that he did remit money on this understanding is in the possession of Government, and that it was used accordingly, while the convict Howard has stated that he (Mr. Symonds) would help him, and was bound to help him.

"3. In regard to the third question put to Mr. Symonds, the Government have to observe that the newspapers of 1882 afford evidence that he openly wrote on behalf of Howard, then a prisoner in his charge, to the editor of the *Madras Times*, while information is in the possession of Government to the effect that Raja Mannaru Chetti, while serving as a clerk in the Penitentiary, was employed as a clerk by Howard after his release from his earlier term of imprisonment.

"4. These circumstances point to the existence of relations between Mr. Symonds and Howard of such a nature, when their respective positions are considered, as to make an explanation imperative.

"5. Mr. Symonds will, therefore, again be called on to answer questions (ii) and (iii), and will observe, in answering question (iii), that that question does not merely relate to Howard's latest period of incarceration, but to relations existing between that individual and himself at any period which might explain the allusions contained in the latter part of Howard's letter of the 17th December.

"6. Pending such further action as the Government may find it necessary to take in regard to Mr. Symonds, he will, irrespectively of such punishment as may be called for on account of his insubordinate conduct already reported, be suspended till further orders as a punishment for submitting to the head of his department, in obedience to an order of Government, a communication the tone of which is happily unprecedented."

54. On the 8th February, Mr. Grimes forwarded to Government Mr. Symonds's reply. This is printed below without its enclosure however, as it was immaterial whether Mr. Symonds's letter to the *Madras Times* was ironical or not as explained in the final order:—

From H. R. GRIMES, Esq., Inspector-General of Jails, to the Chief Secretary to Government, Fort St. George, dated Madras, 8th February 1886.

I have the honor to forward Mr. Symonds's reply to G.O., No. 202, Mis., dated 28th January 1886, which I have received this morning.

Mr. Symonds states he has nothing to add to his replies to the queries put to him regarding Mr. Howard, and respectfully declines to answer in future any questions of a similarly inquisitorial character.

The whole tone of Mr. Symonds's reply is, I regret, so unsatisfactory, it is needless for me to recapitulate it.

In reference to the charges made by Mr. Symonds against Mr. Goodrich, I admit having received them; I have Mr. Goodrich's replies to those charges, but I did not consider it necessary to forward them to Mr. Symonds, who, I felt, had an animus against Mr. Goodrich for some reason or another, which is now fully explained in the 4th paragraph of Mr. Symonds's reply.

The enclosures referred to in Mr. Symonds's 5th paragraph are forwarded.

From W. A. SYMONDS, Esq., to the Inspector-General of Jails, Madras, dated Salem, 6th February 1886.

I have the honor to acknowledge the receipt of the Proceedings of Government, No. 202, (Public), dated 28th January 1886.

2. I have nothing to add to my replies to the queries put to me regarding Mr. Howard, and I must respectfully decline to answer, in the future, any questions of a similarly inquisitorial character.

3. I challenge the production of the "independent information in the possession of Government."

4. I fail to see how Mr. Howard's statement that "I would help him, and was bound to help him," affects the question of our relations. Would the Government, I may ask, be willing to accept any statement Mr. Howard might make respecting their own relations with him? I have further to observe that Mr. Howard's statement was made in answer to the questioning of Mr. Goodrich, a gentleman between whom and myself there then existed anything but amicable private relations by reason of his having palmed of upon me a quantity of furniture at exorbitant prices,—prices, in some instances, cent. per cent. above the prime cost of articles which Mr. Goodrich had had in use for years, which had been manufactured at the Salem jail, and which he had not himself paid for at the date of their sale to me. I may add that I have since charged this gentleman with abuse of his official position, as Superintendent of the Central Jail at Salem, in the matters of manufactory credit; of the sale to the prison of a cow, which, within a few weeks of his transfer, he had bought for his own private use; with the purchase of grain, for his domestic purposes, from the jail contractor, for a palpably insufficient consideration; with the infliction of illegal punishments upon the prisoners under his care; and with various other misdemeanours. Hence, information respecting myself that may reach the Government from or through this quarter should be received with caution.

5. I meet and rebut the inference drawn from my published letter to the editor of the *Madras Times* by appending a copy of a second letter, which he refused to publish (*vide* issue of the same paper for 18th March 1882, or three days later than the publication of my first letter). The Government will observe that they have misapprehended the purport of the first letter.

6. Apart, moreover, from the staleness of the charge, I would bring it to the knowledge of the Government that the then head of my department,* Colonel Tennant, at the instance of Col. Weldon, called upon me for an explanation of this very letter shortly after its publication, and that I satisfied both officers that its tenour and intent were ironical and nothing more.

7. I am unable to understand in what way the employment by Mr. Howard of one of the Penitentiary clerks points to anything beyond such employment.

8. While I deeply regret that, by the tone of my last letter, I should unintentionally have given offence to the Government, there is a point, I submit, at which human patience must give way, and I again, with all deference, insist that the action of Government is not simply unconstitutional, but tyrannical.

P.S.—I would have replied earlier, but that I have been out of health, and that my time has been taken up with the removal of my family and effects consequent upon my suspension. In addition, I have had some difficulty in laying my hands upon the copies of my letters to the *Madras Times*. Even now, I cannot find my correspondence with Colonel Tennant about those letters.

55. On receipt of this letter, His Excellency the Governor in Council had passed orders, again pointing out to Mr. Symonds the reasons that led His Excellency in Council to consider answers to the Inspector-General's questions imperatively called for, and giving him an opportunity of withdrawing the improper expressions he had allowed himself to use, in speaking of Government; but before these orders had issued, the communication printed below was received from the Inspector-General:—

From H. R. GRIMES, Esq., Inspector-General of Jails, to the Chief Secretary to Government, Fort St George, dated Trichinopoly, 13th February 1886.

I have the honor to forward a letter from Mr. W. A. Symonds requesting permission to withdraw, without reservation, whatever in his letters regarding prisoner Howard may have given offence to the Government, and tendering his sincere and sufficient apology for the same; begging the Government to make indulgent allowances for all he has done amiss; begging also the Government will withdraw from their further consideration the matters to which his letters relate.

2. Mr. Symonds desires to add to his replies to the questions put to him, his assurance that since prisoner Howard's recent incarceration, there has been nothing to justify his (Howard) addressing him in the terms he did in the intercepted letter.

3. Mr. Symonds further pledges himself, in the event of the Government accepting his retractation and apology, he will not give occasion again to the Government to complain of his conduct.

4. Mr. Symonds informs me he has sent his letter of apology direct to the Government, in order to save time; nevertheless, I consider it my duty to forward Mr. Symonds's letter addressed to me.

5. I have no wish whatever to injure Mr. Symonds, and I sincerely hope the Government will take a lenient view of his conduct. At the same time, taking into consideration his demeanour towards a certain class of prisoners, notably Lingam Lakshmaji and Howard, I think, for the interests of this department, Mr. Symonds should not be permitted to remain in it, but that employment, if possible, may be found for him in the department he was in, prior to his being appointed to this one.

From W. A. SYMONDS, Esq., to the Inspector-General of Jails, dated Madras, 11th February 1886.

I have the honor to request permission to withdraw, without reservation, whatever in my recent letters regarding prisoner Howard may have given offence to the Government, to whom I hereby tender my sincere and sufficient apology for the same; begging them to make indulgent allowance for all I have done amiss under stress of mind more easy to imagine than describe; begging them also to withdraw from their further consideration the matters to which these letters relate.

2. The only thing I desire to add to my replies to the questions put to me is my assurance, on my word as a gentleman, that since prisoner Howard's recent incarceration, there has been nothing to justify his addressing me in the terms of his intercepted letter.

3. In conclusion, I hereby pledge myself that, in the event of the Government accepting my retractation and apology, and allowing me to return to my duty, I will not, in any way, give them occasion again to complain of my conduct, but will use my best endeavours to prove that their clemency towards me has not been exercised in vain. I have been unable to take leave out of India since I came to the country upwards of five-and-twenty years ago, and about a year ago I received a severe fall from my horse, which must, I believe, have affected my nervous system.

---

* Mr. Grimes reports he can find no record of this.

I shall shortly have three months' privilege due to me, from which my health would doubtless be much improved.

56. On receipt of this letter, and after full consideration of the case, His Excellency in Council passed the following order:—

ORDER—dated 18th February 1886, No. 383, Public.

On the 9th January last, the Inspector-General of Jails reported Mr. W. A. Symonds, Superintendent of the Salem Central Jail, for insubordination under the following circumstances.

2. A prisoner in the Penitentiary, one Howard, *alias* Holt, who had been convicted by the Chief Presidency Magistrate of house-trespass, criminal intimidation and assault, and further bound over to keep the peace for six months as a lawless and violent character, endeavoured to communicate through the agency of a prisoner, who was being discharged, with various persons outside the Penitentiary.

3. On the person of a time-expired prisoner who was being searched, were found, on the 18th December last, several letters, and among them one from the prisoner Howard, *alias* Holt, to the address of Mr. W. A. Symonds, in which he threatened that officer with exposure if he did not assist him to pay his fine and provide securities for his future good behaviour; while on the 19th December the money paid in satisfaction of his fine was stated to have been paid by his up-country friend, who was, he himself said, Mr. Symonds.

4. The Inspector-General thereon called on that officer to state whether he had had any communication with Howard, *alias* Holt, during his incarceration, whether he had paid any portion of his fine, and whether he could explain the allusions contained in that individual's letter.

5. Mr. Symonds replied answering the first question in the negative, and questioning the right of the head of his department to put the other queries as relating to matters which concerned him only as a private individual.

6. The Inspector-General accordingly wrote again on the 30th December calling for answers to his questions without further cavil; in reply to which Mr. Symonds wrote saying, after much indefensible comment on the Inspector-General's action, that he felt justified, before answering the questions asked, in asking on his own behalf what the charge brought against him was, and on what grounds it was based.

7. The Inspector-General thereon reported Mr. Symonds to Government for insubordination, and His Excellency in Council, in that spirit of leniency which has on several occasions been extended to previous acts of misconduct by this officer, proceeded to consider whether the questions put were, as urged, from any point of view, open to objection, and as Mr. Symonds had in 1882 been censured for insubordination, and had in 1885 been unfavorably reported on by the head of his department, it further became necessary to see what character he had borne throughout his employment in the jail department.

8. An examination of the records of Government, made in pursuance of this inquiry, discloses that in 1872 Mr. Symonds was informed by Government that he had been guilty of very unwarrantable attacks made in newspapers against the Collector of his district, that he had laid himself open to very severe censure, and that in the event of his being guilty of similar conduct on any future occasion, he would be at once removed from his appointment.

9. He thereupon gratefully acknowledged the indulgence of Government and promised never to offend again; but in 1875, on the occasion of an outbreak in the Trichinopoly Jail, of which he was then Superintendent, the Government had occasion to express their dissatisfaction that he did not more cordially co-operate with the medical officer of the jail in connection with circumstances which led, or were alleged to have led, to the outbreak.

10. Again, in the same year, Mr. Symonds was severely censured for having neglected to leg-iron two desperate and powerful dacoits, an omission which led to an attempt at escape, to the death of one of the prisoners, and to the trial of one of the police on a capital charge. He was then informed, with reference to a newspaper article on the use of fetters, the existence of which he himself brought to notice, that contributions to the newspapers concerning departmental matters were entirely opposed to good discipline and must be interdicted.

11. In the following year (1876) Mr. Symonds, still Superintendent of the Trichinopoly Jail, left the security deposit of the jail contractor for more than three months in the charge of the jailer who embezzled the amount. He was then informed by Government that his neglect of ordinary precautions and standing rules had placed temptation in the way of a subordinate, and had ruined a man who had hitherto borne an excellent character. The Government trusted that the serious results which had followed his careless want of consideration and breach of rules would be a sufficient warning without further condemnation on their part.

12. In 1882, Mr. Symonds, now Superintendent of Prisons, Madras, declined to accept the Inspector-General's judgment in regard to a matter of departmental administration, and the Government, on the circumstances being represented, found that his letters to the Inspector-General had been in the highest degree insubordinate and disrespectful, and informed him that any repetition of such conduct would subject him to very serious consequences in the interests of official discipline.

13. Later in the same year, the Government, on a report made by the Inspector-General, found that Mr. Symonds' conduct in permitting certain interviews between particular individuals (one of whom was the convict Howard, *alias* Holt) and a prisoner under his charge was unauthorized by rule and indicated so deplorable a want of judgment, under the circumstances of the case, that His Excellency in Council considered it doubtful whether, coming after his recent misconduct referred to in the preceding paragraph, he had not shown himself unfit for his post. He was informed that he had incurred the displeasure of Government, and that, in future, no leniency would be shown him.

14. In 1885, however, the Inspector-General reported that Mr. Symonds' work at the Penitentiary was left too much to subordinates, and that it suffered from his devotion to other pursuits.

15. His previous record having been so bad, the Government might properly have dismissed him on this ocasion, but it was thought that one warning more might be tried, and he was accordingly transferred on equal pay to the charge of the Salem Central Jail, where, it was hoped, he would have fewer temptations to absent himself from his work.

16. The inquiry into Mr. Symonds' past record having disclosed the various and serious offences briefly referred to above, His Excellency in Council, putting aside for the moment the insubordinate character of that officer's replies to the questions put to him by the Inspector-General, and finding those questions to be not only justifiable but such as the Inspector-General was bound to put, directed him to answer them, whereon he again denied having had any relations with the convict Howard, *alias* Holt, during his incarceration, denied having paid any portion of his fine, and expressed himself unable to explain the allusion in the letter to his address from Howard which was found on the person of the time-expired prisoner by the Superintendent of Prisons.

17. He then proceeded to state that he understood his recent transfer to Salem, the reasons for which are given in paragraph 13 of these proceedings, was due to his having expressed an adverse opinion of the action of Government in a particular case, and to speak of Government in the most grossly, improper, and insubordinate manner.

18. The Government thereon suspended him for submitting a communication to the head of his department in obedience to an order of Government, the tone of which was happily unprecedented; but deferring their decision on the question immediately before them, and wishing to give him another chance of explaining his conduct, they again called on him to answer the Inspector-General's question, pointing out that these questions did not, as he maintained, refer to his private acts, but to his relations

with the convict Howard, *alias* Holt, which appeared to be such as no Government could possibly permit to exist between the Superintendent of a Jail and a criminal who had been in his charge, without receiving the most full and minute explanations.

19. To show that those relations were of no private character, a letter written and signed by himself, to the editor of the *Madras Times* on behalf of the convict Howard, *alias* Holt, a prisoner under his charge at the time it was written, was referred to, and other facts were mentioned which indicated that Government had ample reasons which, in the absence of explanation, led them to believe that close relations of a compromising character, extending over a long period, had existed between them.

20. In reply to this order, Mr. Symonds answered on the 6th February that he had nothing to add to his replies to the questions put to him, and that he declined to answer any questions of a similarly inquisitorial character in future, and on the mention of his letter to the *Madras Times*, he proceeded to raise a false issue as to his relations with the press.

21. It may here be observed that from his recurrence to this subject, the Government cannot doubt that Mr. Symonds must have written anonymous articles in public prints to which he conceived they had a right to take exception.

22. Although, however, with reference to Mr. Symonds' censure on two occasions by previous administrations for improper communications to the press, the Government might at any time have found it necessary to inquire into his relations therewith, His Excellency in Council has not as a matter of fact ever thought it necessary to do so, and the questions put to him by the Inspector-General and repeated by Government had no reference to that subject.

23. After refusing to add to his replies, and after raising the false issue above referred to, Mr. Symonds proceeded to speak of Government in terms even more grossly insolent and insubordinate than those of his letter of the 25th January, referred to in paragraph 17 of these proceedings.

24. It will be seen then that the indulgence of Government, extending over many years and covering many offences, has been met in the present case by prevarication and delay, followed by outrageous insolence; but finally, on the 11th February, with dismissal staring him in the face, Mr. Symonds wrote withdrawing whatever in his recent letters might have given offence to Government, and begging them to withdraw from their consideration the matters to which those letters related, and to permit him to return to duty. He further stated that the only thing he desired to add was that during the convict Howard's *recent* incarceration nothing had passed to justify his addressing him in the terms of the intercepted letter. Further, in the event of Government exercising leniency towards him, he made promises of amendment of the same nature as those made in 1872, with the results shown in the *résumé* of his subsequent services given above.

Since
g's in the
and on a
accoun
sain 37
see in
Simmonds
p. 21

25. A more remarkable proposition than that contained in Mr. Symonds' last letter has probably never been made by a public servant whose conduct had given dissatisfaction to the Government which he served, and that it should have been made shows that his ideas of his position and his duty are so mistaken as to make his retention in a place of confidence, similar to that which he now holds, out of the question.

26. If at the eleventh hour he had thought fit to fully explain his relations with the convict Howard, *alias* Holt, who was a prisoner under his charge for six months in 1882, and to express contrition for having committed himself in so unwarrantable a manner, he might conceivably have been retained in some less important post in the jail department.

27. As matters stand, from his earlier disingenuous reply to the Inspector-General's first question which he professed to understand to refer to the more recent imprisonment only of the prisoner Howard, *alias* Holt; from his present reply limiting his denial that compromising relations have existed between himself and that prisoner, to that prisoner's more recent incarceration; and from his request that Government will withdraw the whole subject from their consideration, His Excellency in Council can only infer that the worst construction must be put on those relations and treat

8/2/86

Madras. 8 February 10

From- The Inspector General of Jails-
Madras-

To- The Chief Secretary to Government:
Fort: St George-

Sir I have the honor to forward Mr. Symonds reply to G. O. No. 202. Mis, dated 28th January. 1886- which I have received this morning.

Mr. Symonds states he has nothing to add to his replies to the queries put to him regarding Mr. Howard and respectfully declines to answer in future any questions of a similarly inquisitorial character.

The whole tone of Mr. Symonds's reply is I regret so unsatisfactory it i needless for me to recapitulate it.

In reference to the charges made by Mr. Symonds against Mr. Goodrich I admit having received them. I have Mr. Goodrich's replies to those charges but I did not consider it necessary to forward them to Mr.

monds who felt had an animus
against Mr. Goodrich for some reason
or another, which is now fully explain-
-ed in the 4th paragraph of Mr. Symonds
reply.

The enclosures referred to in Mr.
Symonds's 5th paragraph are forwarded

I have the honor to be-
Sir-
Yr most Obedt. Servant:
Henry P. Grimes.
Insp. General of Jails-

full hard labor – therefore the Supt. had grounds for exempting him from hard labor –

What ought to have been done was – ~~then~~ the Supt. should have after a reasonable time, sent the prisoner before the Medical Officer to ascertain whether he was fit for hard labor or how much longer he was to be kept at 1/2 labor:

You will see, the prisoner was frequently before the Medical Officer during March 1882 – yet the Medical Officer says not a word about the prisoner's fitness for hard labor –

Yrs sincerely –
Henry P. Symes

28/1/6

Madras. 28. Jan. 86.

My dear Rees.

I return the enclosures received with your note last evening with my answers to the questions on back.

The Medical Officer put Holt alias Howard on a certain description of labor nine days after he was admitted into Jail, did not specify the time he was to be kept on such labor and never stated he was fit for

Madras. 7. Ja

Dear Wilson

In reply to yours of 5..
stant desiring me to make
a thorough investigation into
the matter of the prisoner
Howard when under a sentence of hard labor, during
the time Mr Symonds was
Superintendent; not being
put to hard labor; I have
this morning ascertained
from Colonel Weldon - that
on one occasion of his inspecting the Penitentiary when
Howard (who was then unde..

nce of Holt-) was a prisoner
er a sentence of six months
d labor- he remarked upon
very large proportion of
European convicts who were
upon half labor and light
labor- he was told by Mr Symonds that the prisoners
not at hard labor were exempted on the Medical
Officer's recommendation

Howard was one of them
and on Colonel Weldon looking at Howard's hands they
showed no signs of his ever
having undergone hard labor

From certain records
Penitentiary there a
ed that Holt alias Ho
was admitted into the P
tentiary on 23d Feby 1882- under two sentences- one of 6
months rigorous imprisonment- another for the same
period with a fine of Rs 250
in addition. On appeal to the
High Court the first sentence
was upheld- the second was
quashed. On 27th February
82 four days after his admission into jail Howard or
Holt- was on the recommenda-

of the Medical Officer
ekett) - put on half labor
e grounds of his having a
lled testicle. There is no
ntry of Howards ever having
been taken off half labor - though
there are entries regarding the
Europeans - who had been recommended
for half labor
being fit for hard labor -
Colonel Weldons inspection
and remarks were made on
13th April /82 - when Howard
was one of the number on half
labor. On 5th May /82 Howard
was admitted into Hospital
for Rheumatism. but was

---

discharged
-ing day - he was ag
mitted to Hospital o
18th Augt /82 for diarrhœa.
was in Hospital until th
date of his release the 23
August 1882 -

I learnt from the Deputy
Keeper of the Penitentiary
that Howards labor was frequently
changed during
his imprisonment - from medium
to light labor - that
he was frequently employed
in the Office, the Deputy

of unable to say what
eks while Howard was
ged on, in the Office
lle believes he copied letters,
ut knows he was employed
ver writing the letters to the
Inspector General of Jails re-
garding the locks; and these
as you are aware, are of an
insubordinate tendency -

Yrs sincerely -
Henry H. Symonds.

? shd be
brought out w
be pursued w

But of course Mr Symonds in
Howard was responsible for
that

L
8/1/86

Has Dr Hackett
been asked about
this affair. If not
is there any reason
why he shd not be?
W

Circ'd

of h

eke

e g

ell

ntr

Ec

M

These papers
of date Jan 9th
have only just
reached me.
They are not
material now
but the informa
tion about the
prisoner Howard or Hall
being used to copy insubordinate
letters to a superior or an unofficial
form when the unofficial case
is set aside

MW

21

For Orders

Submitted that
Mr Guiness be
instructed to
call upon Mr
Symonds for an
explanation

8/1/86

C8/1

Madra

(St .)

No.	Words,	Time tendered for transmission. Railway time.			
		Day.	Hour.	Minute.	
952					urgent.

To (Person),

Jails.

From (Person)

Symonds.

Posting Thursday contents justify reasonable delay.

Received From

At Hrs. Mts. on the

By P. Pinto

Date 6. 1. 86.

Sent To

At Hrs. Mts. on the

By

Dacosta

Signaller Charge.

Pol Pub

28-1-1886

Taken for Public Cns 4/7/27 Gl.

VP Echunnaimeur
Supdt Pub [illegible]

20/10/27

Returned on 4-11-27 Ks