[7]

ORDINARY, MS.

Public DEPARTMENT.

G. O. DATED 12 april 1887

No. 579.

When given for copying 12/4

[Despatch Abstract.]

Mr. W. A. Symonds

Back Paper, No. of 188

Further Paper, No. of 188

Read again Order of Government, dated
188 , No. Miscellaneous.

Enclosures.

Current No.

Statement with ditto.

Order of Government. .. .. A A

Statement with ditto.

Papers not filed up, being meant for despatch
in original (not paged).

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

Have copy

Public Department

Proceedings of the Madras Government.

Read the following:—
Again G. O. dated 18th February 1886, No. 383, Public
D.O. to Mr. Symonds, dated 12th March 1887
D.O. from Mr. Symonds, dated 20th March 1887.

Order,

His Excellency the Governor in Council has given very careful consideration to the foregoing papers, and is of opinion that the punishment which was inflicted on Mr. W. A. Symonds by the order of the 18th February 1886 may be to some extent mitigated. The orders transferring him to the Salt Department will be superseded, and he will be restored to the Jail Department, from the date on which the arrangements indicated below shall take effect. It is understood that a vacancy will shortly occur by Colonel W. S. McLeod going on furlough. Mr. Symonds will then be appointed to be Superintendent of the District Jail, Tanjore, and to act as Superintendent of one of the Central Jails. His further advancement in the department must depend upon his future conduct

(True extract)

Ag. Chief Secretary.

To,
W. A. Symonds, Esqre.
The Revenue Department.
" Inspector-General of Jails.

Clean copy

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[illegible]

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(True extract)

Ag. Chief Secretary.

To,
W. A. Symonds, Esqre.
The Revenue Department.
" Inspector-General of Jails.

13/4

Dt. Jail, Tanjore. He will be permitted, however, to act in some higher appointment when Col. W. S. McLeod proceeds on leave, and he will meanwhile remain in his present post in the Salt Dept. ~~Mr. Symonds's~~ future promotions as vacancies occur must depend upon his future conduct.

HCS
1/4

W. A. Symonds Esq. Despd. with D.O. 12/4/87
Rev. Dept. Despatched 13/4/87.
I. G. Jails Despatched 12/4/87

Shortly occur by Col. W. S. McLeod going on furlough. Mr. Symonds will then be appointed to ~~the~~ be Supt. of the District Jail Tanjore, & to act ~~in an~~ as Supt. of one of the Central Jails. His further advancement in the department must depend upon his future conduct.

HCS

Note—
The object of the alterations I have made in the draft is to avoid affecting Mr. Symonds's suspension. If now a mere reduction in the Jail Dept. is substituted for the former punishment, the suspension will be cancelled, & Mr. S. will be able to claim pay & service for that period. This I don't think is intended.

H.C.S.

Public

Papers to be read in Proceedings:—

Again G.O., dated 18th Feby. 1886, No. 383, Public

Current No. of 188 , dated from

~~Letter from Mr. W. A. Symonds to the Private Secy. to H. E. the G. d/ 24 Feb 1887~~

~~D.O. " the Under Secy. to Govt. to Mr. W. A. Symonds d/~~

~~Letter " Mr. W. A. Symonds to the U.S.~~

~~" " " " " Chief Secy. to Govt.~~

Current No. of 188 , dated from

D.O. to Mr. Symonds d/ 12/3/87

" from Mr. Symonds d/ 20/3/87.

~~Mis~~ Public

Order. 12 April/87 No. 519.

H. E. the G. in C has given very careful consideration to the foregoing papers, and ~~he is pleased, in miti-~~ is of opinion ~~to~~ that ~~gation of~~ the punishment which was inflicted on Mr. W. A. Symonds by the order of the 18th Feby. 1886, ~~by changing it to one of reduction~~ ~~to same direct that officer's~~ ~~restoration to the Jail Dept.~~ Mr. Symonds cannot, however, ~~be replaced in the position he formerly held~~, but ~~and~~ he will accordingly be appointed Supdt. of the

may be to some extent mitigated. The order transferring him to the Salt Dept. will be superseded ~~cancelled~~, and he will be restored to the Jail Department, from the date on which the arrangement indicated below shall take effect. HAS

It is understood that ~~W. S. the Lord~~ a vacancy will

WR
3 April
(I have altered 'cancelled' to 'superseded' as the order is still to have some force ~~up to a~~

ECM
11/4

abstract

to act as Supt. of one of the ~~Larger~~ Central Jails, in an arrangement to be shortly made. It is intended to modify the punishment inflicted on him last year, and to restore him to the Dept. from which he was removed & in which I believe he was serving before 1879. Before this is done, however, I am to ask whether you see anything in the Despatch of 1879 regarding the employt. of Eurasians which would render the proposed arrangement inadmissible.

Yours truly

H. C. T.

Letter to Mr. Clogstoun to go first. The other to await reply.

Despd
JDS 12/4/87

Confl

Offg.
12 April 1887.

Dear Mr. Grimes

With reference to your proposal to appoint Mr. Bradbury ~~the~~ the Manager of your office to be Supt. of the Jail at Tanjore, I am directed to inform you that Govt. have decided to restore Mr. W H Symonds to the Jail Dept. and propose ~~when~~ to ~~[illegible]~~ appoint him to this post and also to act ~~as~~ Supt. of one of the Range Jails when Col. W. L. McLeod takes furlough. The permanent appt. will [illegible] made at the same time [illegible] the Acting one; & till then

---

DEPART

D.O. No. 184

From H. J. Clogstoun Esq.

No.

Dated 31st March/87
Re~~ceiv~~gistered 12th April/87
Enclosures

SUBJECT.

Stating that it is unlikely Mr. Symonds's proposed appointment would be opposed –

ch
hang
McLeod
per ma-
made
the
them

For orders: —

H.L.S.

to the first matter, that was dealt
t by G.O. 23 Dec 82, No 2228. Only
the printed paper is circulated, but
even that shows that Dr Clive was
a duly registered Advocate & Howard
his accredited agent. Howard also
was not then in Jail. It seems to
me that Mr Symonds can hardly be
blamed for allowing Clive & his
k to see Lakshmaji merely
ause the former was in the
t Dept & the latter had been
ail. Mr Symonds now explains
n he did so at the time I know
that Lakshmaji's Civil suits
ere complicated & inextricably
s with the criminal charge
ain & that, owing to the
der requiring his detention
civil matters were brought
tion, he was really expediting
justice by facilitating
those matters.

to Howard Mr Symonds
in any way favoured
his official custody.

DEPARTME

Do No: 15

From

W. A. Symonds Esq

No.

Dated 20 } March 1887
Received 21 } March 1887
Enclosures

SUBJECT.

Explaining certain matters referred to in the letter upon his official conduct.

he did wish to
the "10th representation
to wh. Mr Symonds alludes.
44 of the Mem. m was intent
kept back lest it sd. suggest
an excuse to Mr Symonds bu
he ~~suggests~~ does not fail to ask for a reference to the
Visitors' book to see what
recorded about medical groun
At this distance of time I do n
see the use of further Enquiry
more especially if H.E. has alre
held out hopes to Mr Symonds
that he may be reemployed i
the Jail Dept.

I understand that he fully
admits many other sins aga
Govt., but he has been sorel
punished & I think a little
mercy now thrown in wil
be misplaced. As I have
said I do not advocate
he sd be restored to his fo
place in the Dept. or such
in Madras. What I w many
is that he be given
Jail, wh is still vac McLeod
allowed to act in
Jail when Col. M per man.
home — remaining made
Dept. at Salem t
future promotion must the
on vacancies & on his
future conduct

See Then

B

I appro —
but it had
better be
mentioned in
Council because I
think my appointment to
we may give him
to be accounted

office hours did scriptory work fo
Howard, for which he was paid par,
in money, and partly by instruction
in the English language. Why this
should be regarded as a very suspicious circumstance I cannot see.

Nor am I sure that I catch the point
of the statement that Howard was giv
money by Mrs Symonds, but, if
be meant that I paid him to
write petitions, I deny this.

I deny that Howard wrote m
letters about the Chubb's locks experi

W A Symonds

asked me to come and see him as a matt
of charity, as he was sick and starving.
the latter occasions I gave him a little help
in the shape of medicines and money. M
John Wallace, whom I had known as a
young Assistant Collector, received a go
deal of assistance from me in many ways
which I need not specify, though I shou
not be ashamed to do so. Mr Justice
Brandt is, however, aware of the nature
of a part of the help rendered by me.

I deny that Howard and I were ever
apparently on terms of perfect equality

I admit some knowledge - shared wi
many to whom he openly imparted i
Howard's Ootakamund and Telephone

Reply to

"Further Extract from a not on
Symonds' official career."

The Penitentiary writer

the Superintendent or Medical Officer, or to answer to or give evidence in some charge of breach of Jail discipline, & even for the purpose of writing some of the hundred and one representations of sorts connected with his appeal which he always found some plausible reason for addressing to the Magistrate, the Police, the Doctor, the Superintendent, the Inspector General, the Crown Prosecutor, his Solicitors, his Barristers, an the like. His case dragged so slowly, being adjourned, from one cause an another, that judgment was not given in it until he had very nearly wor out his confirmed sentence.

Quite true
MM

I deny that Howard spent his time in the Office in the manner mention Col. Weldon; that he was only in his W for the sake of appearances, and tho at his discharge, he had establish himself as my intimate coadjutor literary purposes.

and, in default of payment of the fine — whatever may have been the amount — to rigorous imprisonment for a further period of three months. It was only the first of these three sentences that was confirmed on appeal; the other two were quashed.

Now that Col. Weldon's remark is brought to my recollection, I can also remember that it was duly dealt with by me, though I cannot, at this distance of time, say exactly how I dealt with

I feel sure, however, that I must have brought the matter to the notice of both the Medical Offi and the Inspector General, and that the result will be found duly recorded in the Officia Visitors' Book.

It might easily have happened that Col. Weld did not again see Howard at work. He, per did not again visit the jail during Howard incarceration, or visited it before or after wo hours, or during meal times, or when Howard at exercise or bathing, or in hospital under ment, or at the hospital or the office, with o prisoners, awaiting an opportunity to prefe some request or to make some complain

Or unwilling to accept the responsibility
of doing so, he ought to have consulted the
Government upon the subject. Instea
of this, he contented himself with genera
enjoining the utmost rigour where Lingan
Lakshmaji was concerned.

Referring to the parenthetical clause de
criptive of Dr. Cline and Mr. Howard, I
would observe that the former was subse
quently made to retire on account of dr
-enness, and that the latter was then tryi
to earn an honest living. I do not qui
understand the significance of the in
duction of this clause.

Reply to
"Extract from a Memorandum by the Commissi
of Police, dated 20th January 1886."

Howard was sentenced by Col. M
to two terms of rigorous imprisonment o
months each and to a fine of (I think,

High Court ordered he should not be sent to Vizagapatam for trial until the Civil Suits had been decided. In providing the prisoner with every reasonable facility for hastening the dispo of his Civil Suits I considered, and still consider that I was furthering the ends of justice. Indeed, knowing what the Law's delays often are, I may be permitted to express a doubt whether, but for the independent action for which I was so severely censured on this occasion, the prisoner would to this day have been tried on the fresh criminal charge. That my action was unauthori was simply owing to this, that I had endeavoured and had failed to obtain any definite instruction from Col. Tennant as to the treatment of the ver peculiar case of this prisoner. Shortly after the risoner's arrival at the Penitentiary I acquainte ol. Tennant with the above circumstances, as well as with a somewhat delicate matter onnected with the prisoner's case. I also solicit recise orders, but he gave me no answer, liter aving me to act at my discretion, and, as the nt proved, at my peril, in a juncture so itical that, if he felt incompetent to advise

Reply to

"Extracts from a note upon Mr Symonds' official Conduct."

Dr Cline was a Barrister-at-Law, who, while an Official in the Accounts Department, had been permitted, in the most public manner, to advise the Bombay Municipality in a legal matter, receiving a substantial fee for his opinion. He had, I think, only one interview with prisoner Lingam Lakshmâji, but his duly accredited C Mr Howard, had several interviews with the pri for the purpose of taking instructions from hi These interviews were invariably conducted i my presence, and, as the parties always spoke English, I am able to affirm, of my own p -al knowledge, that their conversations were strictly limited to matters legitimately conne with the prisoner's legal business, which was voluminous and highly complex nature. I under a warrant to be sent to Vizagapâ for trial on a fresh criminal charge. At same time he had a number of Civ pending in the High Court, and these M were so inextricably connected with criminal charge hanging over him that

My dea

I received your letter of 12th instant, with its enclosure, only last evening. All I can, at such short notice, attempt by way of reply, is a brief general answer to what forms the gravamen of the case against me. In the course of the week I hope to furnish a detailed answer which shall disentangle the few definite charges from the not few infer-

sent,
at I am
breach
-ficial relations with
certain prisoners once in
my custody. Kindly place
this letter before Council.

Yours sincerely
W A Symonds

Dear Sir

Herewith the detailed reply of which I advised you in my letter of 15th instant.

Yours faithfully
W A Symonds

Hon. Mr. Stokes
Chief Secretary
Fort St George

618 of 1887

Copi

Pub DEPARTMENT.

C.F. 73.

Paper taken out of the Records from the charge of the Referencer.

Press / Miscellaneous / Routine. No. 618, dated 28-6- 1887.

Date taken out.	FOR WHAT PURPOSE.			Initials of clerk taking the paper or of attender.	Date returned.	Initials of attender.
	Department.	C. No.	Year.			
30-3-46	Punb (G)	1653/46				
VM.	1435	ADI/46				Dy
						Tmm 3-3-46
17/4/47	Pub Genl	761B/47				Tmr 21/1/48
	Hkho 1725					

C.F. 73.

Date taken out.	For what purpose.			Initials of clerk taking the paper or of attender.	Date returned.	Initials of attender.
	Department.	C. No.	Year.			

Accountant Genera
Fort Saint George, MADR
the 31 of March 1

CHIEF SECRETARY
1 APL 87
GOVERNMENT OF MADRAS

ar Stokes

Symonds entered the branch of the Department in which he is now to be promoted before 1879 and the previous sanction of the Secretary of State to his appt. seems therefore unnecessary notwithstanding the fact that he has not served continuously in the same branch of the Dept. This seems a reasonable

GOVERNMENT OF MADRAS

G. O. ~~8~~ 30. &

also D.O. to Mr. Symonds
Mr. Clogstoun to be communicated whether
Mr. S. can be restored under the Secy.
of State's despatch. H.N.

It must be understood that as you have so often offended and have been so frequently forgiven ~~that~~ if you upon any future occasion conduct yourself in any way disloyally to the Government ~~you~~ who employs you ~~that~~ you ~~should~~

will incur
the risk of
being dismissed
from the service

x Letter No 15 Public, 4th September 1886.
" " 16 " 11th " "
Telegram 22nd October "
Letter No 18 " 19th " "
" " 23 " 3rd November "

1 I have considered in Council the letters and telegram from the Government of Madras which are noted in the margin,[x] on the subject of the enquiry recently held through Mr Thomas, the senior member of the Board of Revenue, into the administration of the District of Madura by Mr C. S. Crole, the late Collector.

2 In their despatch, dated the 4th of September last, the Government of Madras in

opinion expressed by the Earl of Kimberley in his despatch of the 29th of July last; they deemed it necessary to depart from the usage which they would otherwise have thought it their duty to observe and to request the instructions of the Secretary of State as to whether or not it was desirable to institute proceedings against Mr. Grote under the Act XXXVII of 1850. And in their letter of the 11th September they enclosed cases. It is quite clear that it is intended by the Act quoted that the decision whether it is necessary that an officer should be placed on his trial under the provisions of that Act, as well as the responsibility for the conduct of such proceedings as may be instituted, should rest with the Local Government in the first instance.

4 I therefore think it

be carried to a successful issue.

I have the honor to be,

Sir,

Your most obedient
humble servant,

(signed) Cross

Confidential

No.

Public

6th January 1887

Copy
Letter to Fort St. George

No. 2.