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[7]

ORDINARY, MS.

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Public DEPARTMENT

G. O. DATED 28 April 1887

No. 618.

CONFIDENTIAL

CONFIDENTIAL 9/18

When given for copying

[Despatch Abstract.]

Mr. H. Turner & the Virginians
with -

Nijimagram
Cantonment
October 30 1886

To
The Honorable
The Chief Secretary
Fort St. George
Madras

W.
25/3

CHIEF SECRETARY
2 NOV 26
GOVERNMENT
MADRAS

Para 1st

Sir,
I have the honor to bring the following circumstances to the notice of his Excellency the Right Honorable the Governor in council assembled, and request his protection from the tyrannical conduct of Mr W. G. Turner, the collector of this district, and his Brother Mr A. W. Turner, who engaged me to construct a cotton mill at this Station.

2nd

#at 600 Rupees
per mensem

It is necessary to explain to his Excellency that in the month of April last, Mr A. W. Turner, arrived from England, with a European manager to start a cotton mill at this station. Mr Jackson the manager referred to, stayed here only a few days, and Mr A. W. Turner, was therefore necessitated to look out for another manager or Superintendent.

3rd

Per mensem

At this time, I was employed by His Highness, the Honorable the Maharaja as Engineer in the Palace, under His Highness's orders on a salary of (250) or Two Hundred and fifty, with allowance. I was induced by Mr A. W. Turner

AD AGAIN ORDER OF GOVERNMENT, dated
188 , No. MISCELLANEOUS.

URES.

REN No.

STATEMENT WITH DITTO.

DER OF GOVERNMENT.

STATEMENT WITH DITTO.

ERS 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.

2d
3 Cont. a

throw up that, situation, for an increased salary of Rupees three hundred (300) with all allowances, to be raised, to three hundred and fifty (350) upon the arrival of machinery from England; between myself and Mr A. W. Turner, certain terms of agreement were mutually decided upon, which Mr A. W. Turner, promised to have drawn up, on a stamped paper, and executed, in a legal form, this he has failed to do up to date, but when leaving the district, at the end of May, he gave me, a distinct promise, that he would return shortly and have everything settled properly.

- 4th Being under the impression that I was dealing with men of Honor, I perhaps rather imprudently, marking out the ground, for foundations, had them excavated, and commenced, the Masons and worked, with my utmost zeal, and ability, for the benefit of the concerned. Work proceeded satisfactorily, and expeditiously, under my personal superintendence, and according to instructions, received from time to time from Mr A. W. Turner, from Devaco, where his letters and Orders to me are dated — until the month of August when the Collector and his family arrived at Wijnanagram, since that the work, has been impeded in every possible way, by the Collector's inter-
- 5th
- 1) when the Collector and his family arrived at Wijnanagram, since that the work, has been impeded in every possible way, by the Collector's inter-

3rd cont^d



ence; 1st by himself in person, of which I am prepared to convince His Excellency by letters and documents in my possession. 2nd By the uncalled for interference of the Deputy Tasaldar or Sub Magistrate, who has unlawfully interfered with the purchasing of material, and impeding the work, and in so doing he says he was acting under the direct orders of the collector himself; In this way, the collector has induced me to deliver up the plans of the Building, and I am credibly informed, that they are now unlawfully, in the hands of the Sub Magistrate, and I must consequently hold both these Government Officials legally responsible for impeding my work. 3rd I have been similarly impeded in my work, by a number of persons, who also say they were acting under the orders of the Dewan and the collector Turner, but as these are private individuals, I presume His Excellency cannot take Official notice of their conduct.

Maharajah's
Dewan

6th

Matters have now assumed such a serious aspect, that I am now compelled to stop the works, for want of material and for want of funds, wherewith to pay contractors and workpeople, who are now suing me in the Court for payments. Summonses having already been served on me.

7th

It is now necessary to state, ever since

departure of Mr A. W. Turner, I have forwarded to him, Monthly accounts, of disbursements to which no ~~objection~~ exception has been raised; and Mr A. W. Turner, has sent money to me through the Dewan; In this way a sum of Rupees, Two Thousand and upward was forwarded to the Dewan, which he has detained, and refused, to hand over to me, because, he wants to have the payments, in his own hands, this proceeding however is in distinct opposition to Mr A. W. Turners orders, who made it an express condition of my service under him, that the sole responsibility of payments of work people, and supplies rested solely with myself.

8th
12th
On the 8th of August the collector who professed to act for and on behalf of some unknown company, wrote on behalf of these people, and offered me a reduced salary of (150) rupees One Hundred and fifty, without allowances, and proposed to conduct a personal examination of my professional qualifications, this offer I rejected, as I believe my engagement with Mr A. W. Turner is still binding.

9th
It must be known to His Excellency that the collector, proceeded to Madras, on the 9th Instant, on the 11th a telegram, was sent from Mr A. W. Turner, Suspending me from duty, without assigning any reason

and I am firmly convinced without
any just or legal cause, In these
matters, I feel sure the Collector, is
acting, under the orders of a circle
of native gentlemen, and Mr A
W Turner acts under the orders of the
collector; I shall certainly be one of
the victims of official oppression,
unless His Excellency, will be good
enough and afford me his protection.
At the present moment my salary
remains unpaid, since the first of
September, a sum of Rupees (600)
Six Hundred or thereabout is due
to contractors and workpeople; I am
afraid that the accounts and vou-
chers, will be forcibly taken from my
custody, unless His Excellency inter-
feres and deputes a competent Officer
to audit my accounts, see the work
peoples wages, are all paid "for which
I am held responsible", and relieve me
in a just, and lawful, manner from
all responsibility, with regard to
this concern; I feel compelled to
appeal to His Excellency's sense of
justice in this matter; I have only
been a few years in the Country,
am not acquainted with the language,
nor the laws, under which justice
is administered, all power here is
concentrated in the native hands
and it is evident that I am to

10th

10th contd.

be the victim of further oppression;
Judging from Mr A. W. Linn's
last Telegram, referred to in
para "nine"

I have the Honor to be

Sir

Your Honors

Obedient and humble servant

Thomas R. Jeffery
Engineer

in charge of the cotton mill buildings
Wijianagram

Jan 1st 1880

Public 40

Public 4662

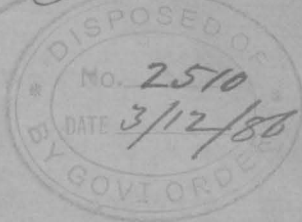
13 11 86

Longer in fact
the first of the
series of the

D.O. 725/7/86 No 368
No 12638/1/86
7/12/87

[9]

CURRENT NO. 4662
Public DEPARTMENT.



From Thos. R. Jeffery
Eng^r in charge cotton
mill building
Virginia -

No.
Referred to Mr.
H. G. Turner for
report.

(By Order)

Ag. Asst. Secy

Fort St. George
Nov 86.

order 3 Dec 86, No 2510
govt. have nothing to do
with the relations between
Mr. A. W. Turner & the pet.
If the pet. wishes his complaint
against the Col. to be considered
he must submit the docu-
ments referred to in paras
5 & 6 of his pet.

used
26/11

Nls

No.

Dated 30th Oct/86
Received 13th Nov/86
Enclosures

SUBJECT.

Praying for protec-
tion from tyrannical
conduct of Mr. H. G. Turner
& his brother Mr. A. W. Turner

With Enclosures

Form of Agreement

or Agents.

This indenture made the first day of May 1886.
between A. W. Turner Esq^r, on the one part, and
J. R. Jeffery "Engineer" on the other part, sheweth
that the said A. W. Turner, and J. R. Jeffery do
hereby mutually agree, and covenant to abide by
the conditions, and stipulations contained in the
following contract.

That the aforesaid J. R. Jeffery agrees
to enter into the service of A. W. Turner, for the term of
two years certain, after which two months notice
three in writing on either side, to terminate engagement.

That A. W. Turner, engages J. R. Jeffery
for the above named term of three years, to undertake
the construction of Cotton Mill buildings, Godown's,
and all other buildings appertaining thereto, and
to fix and erect all Boilers, and Engines, and
other material in connection with said Boilers
and Engines, and to put them in proper working
order.

That the aforesaid A. W. Turner covenants to
pay to J. R. Jeffery, the sum of three hundred (300) Rs. per
month, with Bungalow allowance of Twenty five rupees
per month, and a suitable conveyance, But that
upon the receipt of Boilers, Engines, or Machinery,
etc. appertaining to the Cotton Mills, and on delivery of
the same, or any part thereof to the aforesaid J. R. Jeffery
by A. W. Turner, or his Agents, that J. R. Jeffery shall
then receive an advance of Fifty rupees per month.
making his then Salary three hundred and fifty per month.

That the said J. R. Jeffery covenants to
be responsible for all goods, and machinery, safely
delivered into his charge, and to house them, according
to the best means available, to protect them from
being damaged. Should A. W. Turner not require
the services of J. R. Jeffery from some one or other

P. P. O.

Sub. C. 901/87

Mr. J. R. Jeffery, } Despd
Engineer } 3/12
Virginia }
C. 29/11
R. 2/12

9
or other unforeseen cause T. R. Jeffery agrees to upon the
receipt of six months pay at the then salary,
which T. R. Jeffery may be at that time in receipt,
(Cancel all claims, herein before stated and to deliver
up all goods, or chattels, or effects belonging to
A. W. Larnier or his appointed Agent or Agents, which
may then be in the charge of T. R. Jeffery.

(True Copy)

(Signed)

(Witness)

Devacolum, August 1

Mr. Jeffery

Dear Sir,

Under separate registered cover I am sending you seven plans and sections for your guidance in building. I see they are altered slightly as to doors and passages and I think it advisable to keep the passage into the Cotton store as I altered it at first, as otherwise there is no direct entrance to it. I please consult the Collector as to your agreement and show him all the correspondence or the same.

I am, yours faithfully
/ signed / A. W. Turner.

Mr. Jeffery

Dear Sir,

Devacolum
September 3, 1886.

In reply to your two letters of 11th and 22nd ult.

I am in receipt of the Balance Sheet therein mentioned - a copy should be sent to the Dewan with detailed statement of expenditure. The floor of the Mills to be concrete, the other questions regarding tiles, timber etc. must be settled on the spot, request the P. & Magistrate to arrange this with the Collector.

Please Submit all questions to the Collector before referring to me, I have requested him ^{instruct} to the D.P.W. Engineer to give you the necessary information.

Yours faithfully
(Signed) A. W. Turner

Vizianagaram 2. Sept.

Sir. I have had a long talk with the gentlemen who will be the Directors of the Mill about your Connection therewith and I propose to tell you what they are disposed to agree to so that you may be able to consider over it to day and give me a final answer tomorrow when I will meet you at the Mill on the Subject.

They say they are ⁱⁿ doubt on two points -

1. As to whether you understand the plans and are competent to undertake the Construction of the Mills.

2. As to whether you will work willingly under the Native gentlemen who will be the Directors.

As to the first point the difficulty is that there is no one here competent to check your

Knowledge. However I will go through the plans with you to-morrow and you can explain to me how the work is to go on.

As to the second point we must rely on your assurance and on your conduct.

Now as to the terms

The Mill will pay you Rs. 150 a month, leaving you to make your own arrangements with the palace for the balance of your pay. The Mill will not be responsible for sitting house rent or Carriages or any extra of the sort. The Mill expects you to give half of your time towards the supervision of the building.

You are not to have anything to do with providing materials for building. Everything you require will be supplied to you on your requisition and you should generally give a fortnightly notice of your wants.

The Directors will appoint all clerks and Maistries but you will be at liberty to recommend their being fined for neglect of work. The work will be inspected from time to time by a Competent Engineer. If he reports that the work is progressing properly and in accordance with the plans, your engagement will hold good, but it will cease at once, if the work is declared by him to be faulty and no sufficient explanation is afforded by you for bad or faulty work.

If no such fault is found your engagement will continue as long as either party to the agreement pleases - but two months

13
Notice or two Months pay shall suffice to close
the engagement at any time without the assign-
ment of any reason for putting an end to the
agreement.

If it be found necessary to engage
any Engineer to fix the machinery, you will be
expected to work under that Engineer as his Assistant,
and give him ready and dutiful aid.

Your future Connection with the Mills
after they are erected and in working order will
depend on your Conduct and on the Satisfaction
you give your employers.

These terms or terms similar to these
to be drawn up in a legal document to be
signed after approval by both parties.

With reference to your employment
in the Palace, you might perhaps see D. Quinn,
to-day.

Yours faithfully
Signed H. S. Turner.

Sir.

26 September 1886

I think it best in the interests of all parties that I
should take possession of the plans. I request therefore
that you will send them to me without further objection.
Please send a list of them, with them, so that there
may be no question hereafter as to the number
or description of the plans.

Yours faithfully
Signed H. S. Turner

14
Telegram 21 Oct:

To

Thomas Jeffery
Vizianagaram

From

A. W. Turner
Devakolam

"Give over Charge immediately to Devan
you are suspended."

Devakolam, Oct 11

Mr. Jeffery,
Sir.

In Continuation of my telegram of to-day I have
to inform you that your Services in Connection
with the Mill are dispensed with from this date,
it having come to my knowledge that you have
accepted employment under the Palace at Rs 250
per month and without my sanction, whereas in
your proposed agreement you are debarred from
undertaking any other work without obtaining
my sanction first.

I am, Sir,

Yours faithfully
Signed A. W. Turner

P.S.

You will give over your accounts to the Devan
and give full explanation of all expenditure
as he may require.

(Dn) A. W. T.

2
H. S.

September 8th 1886.

H. G. Turner Esquire
Agent to the Governor.

Sir.

I beg to inform you that I have given your letter of the 8th Instant a long and careful Consideration in reply, thereto I beg to state as follows. First having already entered into an agreement with your Brother, A. W. Turner, regarding my employment on the Cotton Mill Building. I do not believe I can withdraw from the same agreement without his approval and Concurrence. Second with regard to my professional Competing to Construct the Mill, according to the plans forwarded me by your Brother. I beg to state it is now too late to discuss the question, but for all that I am prepared to satisfy any duly qualified Engineer as to my professional Qualifications and also the Directors if you will kindly forward to me the names and the Gentlemen referred to you in your letter.

It seems to me very hard after I have had sole Control of this work for upwards of five months, without being informed of the names of my Directors who may have constantly visited the works, without my knowing their connection with the work, and therefore may not have received the Courtesy and information which they may have expected possibly the Circumstances may have prejudiced them against me, this is certainly implied in your letter.

3rd. It should be perfectly well known that for 20 months I had Employment

the Maharajah during the whole of that period. I had only native gentlemen to deal with, and I may safely say that I gave entire satisfaction. I have no doubt - I shall do the same in my present employment when the Native gentlemen visit my work. 4th It does not seem to be understood that according to my agreement with your Brother I was empowered to take complete control of the Building Engage work people.

Pay them their wages.

Purchase materials and to do my best for the benefit of the Concern. And I am prepared to show that I have purchased and am purchasing supplies at less than the Local prevailing rates.

5th Under these circumstances I respectfully Submit that I have no alternative but to continue the work as heretofore until my agreement with your Brother is cancelled

I have the honour to be
Sir,

Your Most Obedt. Servt.
P. R. Jeffery.

Engineer in Charge of
Cotton Mills

(True Copy)

E. J.

Vigianagram.
28th Oct. 1886.

To

A. W. Turner. Esquire

Dear Sir

I have perused the contents of your letter dated 11th which only came to hand on the 25th; with much surprise; If you will be good enough and refer to our draft agreement; you will perceive that you have misunderstood the terms of my engagement with you, for there is nothing mentioned therein that I am debarred from taking employ elsewhere, either with or without your sanction; Moreover in taking up work again in the Palace. I have acted entirely upon your Brother's suggestions who moreover proposed that I should only devote half of my time to the service of the Mills. You have yourself requested me to follow your Brother's advice in such matters, with this information at your command. I request you will be good enough and cancel the order for my suspension, finally the whole of my troubles in connection with the Mills have arisen from your continued absence from the work from divided Councils here, and the mistake of your not sending the remittances for payment to me direct but to the Dewan who has simply intercepted the money. Seeing the months of anxiety I have gone through, I am most anxious to close the accounts and sever my connection with concern, altogether. I shall be happy &

12
The work people in the presence of the Seaman
and give over the Books and vouchers as soon
as the final payment are made; But seeing
how civil suits are being filed against me,
it is absolutely necessary for my own protection
that the vouchers and accounts remain in
my possession for my defence in the Civil
Court, until a complete and final settle-
ment is effected

I beg to remain

Dear Sir

Yours faithfully

J. R. Jeffery

(True Copy)

199
To The Honorable
The Chief Secretary
To The Government
Fort. St. George

CHIEF SECRETARY
GOVERNMENT OF MADRAS

Sir

In compliance with G. O. No. 2,510.

199

Dated the 3rd of Decr 1886. I have the honor to forward the following papers for the consideration of His Excellency the Governor in Council

1 Copy of proposed agreement between Mr. J. R. Jeffery on the one part and Mr. A. W. Turner on the other

1 Original letter dated 1st August 1886. from A. W. Turner

1 Original letter from A. W. Turner dated the 3rd September

1 Original letter from the Collector of Vizagapatam to Mr. Jeffery dated 8th September.

1 L. L. dated 26th September 1886.

1 Copy of Reply to A. W. Turner. September 24th 86.

1 Original Telegram from Mr. A. W. Turner to Mr. Jeffery dated 11th October 1886.

1 Copy of Mr. Jeffery's letter to Mr. A. W. Turner dated 20th Oct 1886

1 Original letter from Mr. A. W. Turner dated 11th October to Mr. Jeffery.

2 With regard to these documents I think it will be evident to His Excellency that Mr. A. W. Turner my professional superior has distinctly ordered me to obey the instructions of his Brother the Collector and it is well known here that the Collector is really the originator of the Cotton Mill, and seems to be the only person interested in its construction. It is moreover perfectly plain that

A

Embr. C. R. 101

3/12/80 No 2570 No
17/6/80 No 1263 No

CURRENT NO. 911

For orders
here
1/3.

From

J. R. Jeffrey Esq

Dated —
Recd 28-2-87

Subject

Regarding his claims against
Mr. A. W. Turner in connection
with certain cotton mills
Vizagapatam.

For orders.

I entirely approve of this note &
think no time should be lost.
The whole business has a most un-
favourable appearance & I think
we should peremptorily insist on Mr. H. G.
Turner having nothing whatever to do
with it - assuming that it turns out,
as his letters now submitted seem
to show, that he has interfered in it.
The doc^t & he kept here & copies
sent to Vizag. if necessary.

5 March

As proposed - The case
has a very unpleasant
look. Mr. H. G. Turner
will not, as it seems
to me, remember what
has passed and what
he promised.

G.W.
5/3

C. No 901.

For orders:—

It was distinctly conveyed
in 1885 &
to Mr. H. G. Turner, last year
that the Gov^t was aware
of his brother Mr. A. W. Turner
engaging in business in the
Vizagapatam district while
was Colonel
Mr. H. G. Turner, and that
if this occurred Mr. H. G.
Turner would have to be
troubled. (Vide papers
in the sealed cover). The
last communication is dated
17 June 1886.

From the documents now
sent up by the petitioner
Jeffrey, that since this
date viz. in Sep. & Oct
1886 Mr. A. W. Turner was
still acting as one in autho-
rity in connection with the

3/1
7/6

22

Mills; and that Mr. H.L. Turner was not only treated by his brother as a referee empowered to give instructions on his behalf, but also took personally a prominent part in connection with the enterprise. Also that Mr. A.W. Turner has returned to Vizagapatam.

I submit that Mr. H.L. Turner must be called on to report on the business, & to state what his brother's connection with it is, whether it has ceased & if so how & when; and what Mr. H.L. Turner has to do with it. Also whether there is any truth in the statement that the Sub-Merchants have been engaged in the

Let it be clearly seen that A.W.'s presence or absence makes no difference, in fact it wd seem that his absence makes matters worse & draws the Collr personally into the matter.

23

supplying of materials &c.

The petitioners must of course be left to his legal remedies against Mr. A.W. Turner & the so called directors. All that Govt is concerned in is Mr. H.L. Turner's conduct.

M.L.

No. 944

24
F. W. H. George
9 March 1887

My dear Turner

I am directed to forward
to you two petitions received
from a Mr. Jeffrey, together with
copies of the original enclosure
thereto. It will doubtless
be in your recollection that
certain correspondence between
you & Govt. on the subject of
your brother's connection
with the Cotton Mills at
Vizianagaram, took place
in 1885 & last year, the
last letter being one from
Govt. to you dated 7 June 1886.
In that correspondence, Govt.
intimated to you very clearly
that they were averse to
your brother ^{engaging in} ~~entering into~~
business in the Vizianagaram
district, & that if ~~he~~ he
did so it would be necessary

* retained here

MD
8 March

to remove you from the
Collectorate.

From the Document now
sent up by the petitioner
Jeffrey, it appears that
since the date above men-
tioned, viz. in Sep & Oct.
1886 Mr. A. W. Turner was
still acting as an in-
spector in connection with
the Mills; ^{not only so, but} and that you
^{yourself} were ~~not only~~ treated by
your brother as a referee
empowered to give instruc-
tions on his behalf, ^{and} but
~~you~~ also took personally a
prominent part in directing
the enterprise. It is also
stated that your brother
has returned to Vizaga-
patam.

I am to call your serious
attention to the facts above
stated and to ^{request} ~~call upon~~ you
to furnish a full explanation.
The Govt. desire to be informed
clearly
what your brother's connection
with the business is, whether
it has ceased, and if so, how
soon. It is clear from
his letter that, ~~his~~ though
absent from Vizagapatam
during, he was still connec-
ted with ^{the Mills} ~~it~~ in September
& October last, ~~and it~~ at
the time when you were
also concerned yourself
with the direction of the
operations; and it would
seem from Jeffrey's letter
& from your action, that
you were acquainted with
his position. In May 1886

27
 Copy of
 (if the agreement furnished
 by Jeffrey is to be trusted) your
 brother's position in respect to
 the ~~building~~ ^{business enterprise} was such as to
 enable him to make contracts regarding the building to
 be built for two years.

I am also to call upon
 you to report whether it is
 true that the Sub. Mfg.
 was instructed, or permitted
 to supply, or did actually
 supply materials &c for
 the building.

At ^{very} early reply is
 requested.

W.L.S.

H. J. Turner Esq

with 2 or 3 partners

& 2 or 3 more.

DEMI-OFFICIAL.

DEMI-OFFICIAL DATED <i>9.3.1887.</i>
No. <i>94A.</i>

When given for copying

[*Despatch Abstract.*]

Mr. H. G. Turner & his brother



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[Faint, illegible handwritten text, likely bleed-through from the reverse side.]

26

Hon W. H. Stutchins
Esq

For orders:—

Mr. Turner's explanation is bold & to a certain extent plausible. But he avoids reference to his brother's letters of 1st Aug. & 3rd Sep. which are entirely inconsistent with the position as he now represents it. The G.O. of June was despatched to both brothers, & there was ample time before 1st Aug. for H.G.T. to have come to A.W.T. The new line he was going to take up. Possibly to get rid of Jeffery facilitated the severance of A.W.T.'s connection with the Mills; but H.G.T. could not have taken the steps he did to that end, if he had not occupied the position of General referee & adviser which is attributed to him by A.W.T. & Jeffery; & it is this position that requires explanation.

H.C.

See separate paper
from

[91]

DEPARTMENT.

I.O. No 178

From H.G. Turner Esq

No.

Dated 26 March/87
Received 9 April/87
Enclosures

SUBJECT.

Explanation re
his brother's connection
with building of certain
mills

For the complimentary

39

Mr H.G. Turner's D.O. No 178

I believe that the best thing would be for Mr Turner himself to apply for a transfer from Vizagapatnam. He has had a long spell of it - more than 5 years - & it is the simplest way of freeing himself from all these misinventions & complications. I believe Mr Sturrock is getting tired of Kanara, & let them change places. Sturrock & Dowell in Vizag -

April 15/4

I have felt very great doubt whether Mr Turner ought not to be removed summarily to another District, & even now I am doubtful if this should not be done. With a person like the Maharajah of Vizianagram in the District, we want a Collector & agent who will scrupulously avoid anything like pecuniary transactions with him, either in his own person or through his relations. I cannot say that Mr Turner appears to be at all scrupulous about mixing himself up in the Rajah's business arrangements. But there is no doubt that his knowledge of the District renders him very valuable there; as also his delight in the Hill tracts, & zealous anxiety to open them up. It has also to be remembered that he could not be moved elsewhere without degradation: it wd be something more than a mere transfer.

And after all his worst offence appears to have been condoned, or at all events disposed of, last year. For infinitely the worst thing in these papers is his allowing his brother to commence operations in April.

28
88, & then disingenuously expressing surprise at the Govt's objections. The order of 20 June 85 was singularly vague & indecisive, but his own letter of 12th July, fortunately very clearly defined what he understood by it; viz. that tho' his brother might undertake a mission ^{to England} from the Maharajah & ^{other} future Directors, it was to end there & not recommence while ^{he} himself remained Collector of Vizag.

The suggestion that he was misled by his brother's account of his interview with Webster is inconsistent with his own letter of 17 April, which he wrote because A.W.T. said Webster 'wanted him to specify in writing the nature of the employment A.W.T. wished to undertake.' Even apart from what had taken place the previous year, this shows that he must have known there was a doubt about Govt. permitting such employment, & he ought to have been scrupulous to keep, as I have no doubt he c^d have kept, his brother from committing himself, & making such contracts as that with Jeffery dated 1st May, until the pleasure of Govt. had been ascertained. The mere fact that the brother was not to reside permanently at Vizag. c^d make no difference. The gist of the matter was his being concerned in the business, as Mr. Dwyer himself admitted, 29 June 85. But the point we have chiefly to consider now

letter, d^y 8 Sept 86.

39
is whether he has effectively put an end to his brother's connection with the Mills in obedience to the orders of 5th May & 17th June 86, and if so whether he did so with sufficient promptness. He contends that he has done so - that he tried to do so at the first opportunity by endeavouring to get Jeffery to give up his contract with A. & divide his services with between the Mills & the Palace - that he has done so by getting his brother to disavow Jeffery. I certainly cannot congratulate him on the fairness of his conduct towards Jeffery, so far as appears from his own account of the matter, but that is not the point. Jeffery can be referred to a suit against A.W.T. & that w^d be tried in the regular Court with Mr. Dwyer has nothing to do. At first I thought it doubtful if A.W.T.'s connection with the Mills had been completely terminated, since he was at Vizianagram on the 14th Sept. on the 19th March, calling on Jeffery to settle up accounts. But probably this was inevitable, since the contract was in his name. We may, I suppose, accept the assurance that A.W.T. has no longer any connection with the Mills, letting it be clearly understood that if we hear anything more of this scandal our first step will be to remove Mr. Dwyer elsewhere.

The Chief Secretary has referred to A.W.T.'s letter from Devikulam, dated 1st August & 3rd Sept. These show clearly that he continued to receive accounts

60
A pass orders about the building till up to the
beginning of Sept., but they ^{are} not inconsistent with
the account Mr. Turner gives, who is the brother,
this 'resentful', was willing to leave matters in
his hands & let him take such steps as he found
practicable to get rid of Jeffery & the obligations
incurred by Jeffery's engagement. A.W. Turner
did not return to Vizag. till this had been done
tho' he had contemplated a visit to in August
(see his letters of 5th & 10th June). Mr. H.G.T. shows
that he was in the Gudem Hills till August,
that he went specially to Vizianagram directly
after & did what he could, that he then
had to visit Palconda & suppressed Jeffery,
& with him his brother, as soon as he was able to
get back. The direction of AWT to Jeffery to
consult the Collector is not only not inconsistent
with, but even can only be excused by, H.G.T.'s probable
instructions that the matter must be left in his
hands: see especially the order that the Coll. shd
be shown all the correspondence & consulted about
Jeffery's agreement - letter of 1 Aug.

I am by no means satisfied that the Sub
Magistrate was not employed to collect materials,
but the only thing to show this was is AWT's letter
of 3rd Sept., written at a time when the object was
to stop Jeffery doing this or any other work on the Mills.
That the Sub Mag. wd have done so, on sight of
AWT's letter, is certain, but this is only one of the
improprieties likely to arise, as Mr. foresaw & Mr. Turner
ought to have foreseen, from his brother's employment.

I'd send Mr. T. a strong order, stating that we have
doubted if we ought not to remove him but will not
do so just yet.

54 Department.
PROCEEDINGS OF THE MADRAS GOVERNMENT.

Read the following

Petition from Mr. T. Jeffery

C. No 901 & 4662.

D.O. to Mr. H.G. Turner dated
9 March 1887.

D.O. from Mr. H.G. Turner dated
26 March 1887.

Order 28 April 187 N. 618.
With reference to the papers
above read, Mr. H.G. Turner in C.
has entertained grave doubts
whether, Mr. Turner's explana-
tion & assurances notwithstanding,
it is consistent with the
interest of the public service
that he should be allowed to
remain retain his position as
Collector of Vizagapatnam. ^{But} After
careful consideration, and
in reliance of upon Mr. Turner

assurance that except as
regards his brother's responsi-
bility for the machinery
ordered from England, that
gentleman's connection
with the Cotton Mills Com-
pany has altogether ceased,
the Govt have ~~been~~
willing to accept his expla-
nation of his action in Dep't
East, and to refrain from
directing his transfer to another
district which must neces-
sarily be a degradation in the
service.

2. In arriving at this ~~con~~
decision H.E. in C. has been
influenced by the consid-
eration that ~~such a~~
~~manifestation~~ this ^{transfer} ~~was~~
^{made} not ~~before~~ in 1886 when ~~the~~
the opinion of the present

(I prefer)
'it might well'

may be
"I am"

just yet.

Government it should have
followed Mr. Turner's dis-
regard of the ~~express~~ wishes
of the Govt as expressed in
the Chief Secy's letter of the 20th June 1885
~~1885~~ ~~to~~ ~~April~~ ~~May~~ 1886
Mr. Turner's
letter of the 12th July
1885, shows that he fully un-
derstood those wishes; yet he
permitted his brother in April
May 1886 to undertake new
responsibilities in connection
with ^{the} Company, and ~~disingenu-~~
~~ously~~ expressed surprise when
the objections of Govt were
reiterated. The Govt ~~can~~ ^{cannot}
~~not~~ ^{control} ~~concerned~~ with Mr. A.
W. Turner's arrangements, and
are concerned with them only
so far as they affect Mr.
H. G. Turner's position. The
latter must clearly understand
that if Govt hereafter hear

Is not this rather too strong?
cannot disingenuously be
modified or omitted
CCM

I think it may
be omitted
B

of his brother's having any connection with business in the district in which he is employed, his removal thence will instantly follow.

Mr. H. L. Turner

3. The G. in C. must further observe for Mr. H. L. Turner's guidance that in their opinion of Govt., he ~~has~~ Turner has interfered much more than is desirable in the affairs of this Company. The legitimate interest which a Collector may feel in the industrial development of his district cannot cover such action as he appears to have taken as the adviser of this Company.

4. Mr. Jeffery will be informed that the Government, having enquired regarding the Collector's action of which he complains, has no reason to take any steps regarding it; and that in respect of his claims against Mr. A. W. Turner the Courts are open to him.

H. L. Turner & Co. Dept 28/4/87
Mr. T. R. Jeffery - please only brope this motion file
the enclor.

28/4/87

For orders:—

Mr. Holmes' junior are acting as Sub Collectors & Joint Magrs.

Orders are requested whether upon this report the bar to his promotion may be removed.

M.L.

I do not see anything to his promotion but he has only been at work a very little time since his leave & it will do him no harm to wait a little longer if the next one or two men are good & deserving

3 May
4/6/5

B

msd
Ordering May/87 N. 649
Recorded

H.L.
9/5

CURRENT NO

Public (1887) Department

From.

The District Magistrate
South Arc

To

The Chief Secy
Govt. Madras.

Dated 29th April 1887
Recd 3

No. 41.

Enc. o

Reporting that he had had no occasion to comment unfavorably of the Criminal work of Mr. W. C. Hall during the time he served under him.

CA/5

much pains with the cases
he tries and to supervise
efficiently the work of his
Sub Magistrates.

I have the honor to be,

Sir,

Your most obed^t. Serv^t,

J. W. Gordon
District Magistrate.

W. M.

with Arcot. No. 41. District Magistrate's office
Cuddalore
Confidential 29th April 1887.

From.

H. P. Gordon Esquire
District Magistrate
South Arcot.

To.

The Honble H. E. Stokes
Chief Secretary to Govt
Madras.

Sir,

With reference to G.O. dated
8th November 1886. No. 2346 —
(Confidential) I have the honor
to report that I have examined
the work of Mr. W. C. Holmes
since he has served under
me.

2. I have had no occasion
to comment unfavourably
upon it. He appears to take
much

U1

1

GOVERNMENT HOUSE

I think from the
D. O. letter of 20th
June 1885 from
the Chief Secretary, it
is clear that the
Government must
share the blame
with Mr. H. G.
Turner for all
the irregularities, and

62
inconveniences that

have since occurred.

On the 20th of Jan 1885

they say that they

"presume that such

arrangement may

give rise to awkward

questions and difficulties

remembrance which

must be dealt

with when they

arise"

The only way

43

which and difficulties
it have been avoided
was to remove the
Tanner - this the

Committee declined
to do. Although the
question was
considered =

In the intricate
sequence of events
which followed, and
in which all parties

61
seem to have got
deeper and deeper
into the river - it
is difficult to say
that Mr. H. G. Turner
could have extricated
himself in any way
that could colour
the original error -

But then, was so
late as the 25th of July
1885 - Mr. Webster

2/68

wrote to Mr. Turner

saying there was no

objection to the brother

proceeding to England

to arrange for the

despatch of machinery

~~to~~ to G.O.

imagine that anyone

was going to take

the trouble of going

46

to England to
purchase machinery
on the understanding
that he was not
to have any
further connection
with the Company.
seems to me
so extraordinary
that I cannot

47

be surprised at

as W Turner thinking

when he returned

to India, and saw

Mr. Webster again,

~~that~~ and had the

conversation with

him out of which

an important

misunderstanding

arose - that it was

106
well known to yourself
that his connection
with the company
continued as close
as ever - and it is
no wonder that after
this, H. J. Turner
wrote on the ~~11th~~ ^{14th} of
~~April~~ 23^d of May
1886 - to say he was
surprised to receive
an order that the

4

83

Visit to with
the secret census.

There are any
views but I
should like the
matter discussed
in Council before
any order is passed.

April 10th VS
— 87 —

3 69

"I cannot think
it undesirable
that his brother
should enter into
business. at Vysokotai"

Therefore I think
the Government from
first to last are
as much to blame
as Act H of Turner

who in the initial
stage brought the
matter before
government and
pointed out to
the possibility that
there might be
it is undeniable
that his brother
should enter

87
into a business
connection of the
South -

Under these circumstances
I think it would
be unjust to punish
Mr. Turner for an
offense which
his employers
permitted him
to commit - I

92
Should be inclined
to write him as Mr
Hutchins says a "Strong
order" - reversing all
the facts and stating
that nothing but the
apparent condonation
by the Government
is present as
from removing
him now: but that
if anything of the
kind again took
place we should

For C.A.

Para 4 only of draft
of course goes to Mr. Jeffery.
But is Mr. Turner to get
that para too - i.e. is
he to have the complete
S.O.S.

66
2/14

28

Camp Nooningore 26th March 1887.

My dear Stokes.

Received your letter of the 9th March on the 22nd inst.
I regret that misgivings have occurred to Goot on the
subject you mention. There is no foundation for them.
You enquire how it was that G. O. 16th June 86 No 1263
was not acted on by 20 late a date as September - October
'86. I reply that I executed the order with all possible
promptitude, the duty required some tact & firm-
ness but by Sept^r I had virtually stopped my
brother's connection with the building of the Mills.
You ask how it is that you find me occupying a
prominent position in directing the concern in
Sep^r 86? when my brother was still connected
with it. I reply that I advisedly put myself
in that position to give effect to the directions
of Government. The gist of Mr. Jeffrey's complaint
against me lies in my arbitrary interference
between him & my brother. The interference was
intentional. My design was to transfer control over
him from my brother to the Proprietors of the

270 undertaking, but owing to Mr. Jeffrey's
wrongheadedness the arrangement fell
through. But I will begin the story from
an earlier date.

My brother went home in '85 to order machinery
for the Mills. This he did with the knowledge of Govt.
He returned in March '86 & in Mexico he saw
Webster & asked him whether Government had
any objection to his personally conducting his
business in Vigapetum. Webster, probably
without referring to the papers, said there was
no objection. My brother came to Vigapetum & told me
this. To make certain I wrote Webster. He replied
that Govt. were averse to the arrangement. My
brother had meanwhile gone to Vigapetum & had
made arrangements with Mr. Jeffrey to build
the mill under his, A.L.T.'s, control. Directly
I got Webster's reply I sent it on to my brother & told
him he must be off. He represented to me
that there was some mistake, as he was
sure of what Webster said & he asked me to
refer again. This I did, giving A.L.T. the
letter to take to Webster at Ooty.

So it seems
25 Feb 85.

See Mr. Webster's
aut. in note
provision 25 April 86.

17 April 86.

5 May 86.

23 May 86.

31 *

arrived there, he sent the letter to Webster, who
gave him no reply. A.W.T. then went on to Sericstan.
On the 16th June Govt. passed the order referred to

Letter to H.O.T.
5 June 86.
replied to

* after writing
two letters 5th &
10th June, I read in
the G.O.

I sent copies of it to me & to my brother.
The purpose of this order was to direct me to cause
my brother to put an end to his business in
Vijay^m because I am Collector here. My brother
thought this was a pretty strong order. It prohibited
him from carrying on a bona fide business
engagement. It was an employment upon
which he had founded schemes for settlement in
life, & it is not a matter of wonder that he resented
the interference of Govt. He displayed no more
alacrity in retiring from the business. He
thought to take the matter in hand myself. This
I did. I received the order in question when I
was in the Gudem hills putting down the
disturbances there. Having done this, I returned
to Vijay^m in August & shortly proceeded to
Vijayanagram. There I found Mr Jeffrey in
charge of the operations. I sent for the

32 representatives of the proprietors and told them a Mr. Jeffrey which Govt had ordered. I invited the latter to work under these managers. But Mr. Jeffrey would not do this. He obstinately refused to have any thing to do with any one but A.W.T. The latter, I must

2
See his letter
1 Aug. & 3 Sep.
not the job of
getting rid of
Jeffrey, but of
passively the job
of supervising
the work

say placed the job in my hands & offered no opposition by measures. However I could do nothing with Mr. Jeffrey & while things were thus hung up in conformance with my brother, negotia-
-tion with Jeffrey and talk with the managers I went on to Palconda block at the Forests. I requested the Bureau not to advance any more money to Jeffrey & so virtually stopped the work in Sept.

See H. G. T.'s letter
8 Sep. with notes
regarding Jeffrey's suc-
cessful employment in the Palace
"Leaving you to make
your own arrangements
with the Palace both
balance of your pay &c."

When I returned from Palconda I found that Mr. Jeffrey had voided his agreement with my brother by taking service at the Palace. I requested A.W.T.

x Oct. 11th

to take advantage of this to cancel his agreement with Jeffrey. This he did. Jeffrey's connection with the ~~scheme~~ ^{business} came to an end & with it my brother's. This is how I carried out the orders of Govt, & I take credit to myself for the way I executed them in face of the opposition active & passive that I had to deal with.

The promoters of the undertaking have no doubt
suffered loss by my action, but they acquiesced in it.
The works have been stopped from that day to this.
Meanwhile the machinery is under construction in
England and the buildings must be ready to receive
it when it arrives. I have now advised the
Proprs to enter into a contract with Burn & Co of
Calcutta to erect the mills & to fit up the machinery.
My brother saw Burn & Co's agent in Madras & handed
over to him the plans & told him what was wanted.
If terms are come to I think there is no better way
out of the hitch than this. Balu thoroughly understands
the business, though I expect their terms will be high.
My brother's future connection with the undertaking
will be confined to correspondence about the machinery
which he is responsible for.

A.W.T. came back with me to this district to shoot.
He is now shooting with Travers in Jeypore.

With regard to Mr. Jeffry's second letter without
date, but read in your Office on the 22nd Feb 87
there appears to be some trickery. This letter
must

34 have been despatched on the 15th or 16th ^{Febry.} Now
my brother was in Vijayanagram on the 14th and
called on Mr. Jeffrey to submit his accounts. He
asked for a clerk to help him to audit them. The Dewan
sent him one, but notwithstanding this, the accounts
were or not produced, nor did he do so on the 19th,
when ^{A.W.T.} he passed again through Vijayanagram on his
way to Mysore. He then asked that his acct. might be
accepted without vouchers which was of course declined.
The settlement of his claims if he has any is a matter
between him and my brother and Govt. need not trouble
themselves about the matter.

As to the complaint about the Sub Magistrate.
Jeffrey complains that he interfered in the purchase
of material &c. presumably after my arrival in
Vijayanagram in August - up to which time he says
everything went well. You ask me whether the
Sub Magistrate had any instructions to supply or
did supply materials for the building. I reply
certainly not. Mr. Jeffrey himself says that
his contract with my brother was that he alone

35
was to do this. In my letter to him the proposal was
that the Dewan should supply materials. Probably this was
one of the reasons why Mr. Jeffry rejected my proposals.
However the Sub-Inspector had nothing to do with the
materials. He is a man of excellent conduct, and
I have recently promoted him as Dy. Tahsil Dar.

I return the 2 petitions. Yours sincerely

H. J. Turner.

Dear Sir, I see by the last Gazette that Mr Winterbottom has been appointed to Malabar, & I would respectfully apply for the vacancy that will thus be caused in the grade of Sub Collector.

I understand that
Mr. Murray wishes to
return to Trinidad &
I have no particular
wish for that but Coll
lectorate, & I would

be willing to vacate
it when another
vacancy ^{occurs}, but I would
very earnestly repre-
sent, and I beg that
my representations
may be laid before
Government, that
the many months
disgrace & degradation
I have already under-
gone is sufficient
punishment for the
"errors" that Govern-

ment consider I
committed.

I remain

Dear Sir

Yours Obediently

W. B. Holmes

The Chief Secretary

Port St George.

Dear Sir,

While thanking you for
your note of the 7th Inst I
can only express my
bitter disappointment that
my appeal to Government
was so unsuccessful.

I would again most
respectfully urge that,
as Prindigul is not available
owing to the preference that
must be given to Mr.
Munnay's claims, my
claims to the Sub Collector
of Tanjore - a division
in which I may say I held

Willing to
be admitted
Celler
see.
Diddhach plain
A- 187
19/1/87

particularly like to have
may be taken into con-
sideration. Mr Atkin-
son who is much my
junior was only the other
day gazetted there &
probably has not joined
& certainly cannot have
settled down yet. I hope
that Government will
spare me the disgrace
of being superseded in
the next District & in
the bordering division
with the office in charge
of which I have frequently
to correspond.

I respectfully ask
you to meet me on

materially modified.
As an instance of how far
Government were from
being accurately informed
of the ~~facts~~ circumstances
of my case I may be
permitted in this D.O. note
to say that in the last Sher
Manuscript Government
order I received there
were two or not three
mistakes as to material
facts of the case.

I would respectfully
urgently represent
that as there is to be a
change in the Tanjore
Sub. Collectorate that my
claims for that office
may be recognized

I remain
dear Sir
yours obediently

The Chief Secretary W. B. Hobbes

sent my case to Govt.
I do not wish to reopen
the discussion of a matter
which Government have
prohibited me to discuss
further, but with a view
to urging that the order
of Government condemning
me may not be regarded
as permanently preju-
dicial to my prospects.
I think I may remind
you that before the
order condemning me
was passed I had no
opportunity to state
my point of defence
myself & that I still
think that if I had the
views that Govt. have
taken w^t have been



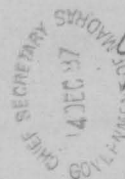
Govt House, Madras,
17th Decr '87

Dear Stokes,

With reference to the
papers about Holmes, I am to
say that His Excellency quite
understands. I was instructed
to tell Mr. Holmes that if he would
be here for the Christmas Holidays
His Excellency would see him.
This I had already done before
your letter came. The big bundle
is returned in a separate cover.

yours sincerely
J. J. J.

The Hon. H. E. Stokes,
H. M. C.



Govt House, Madras
14th Decr '87.

Dear Stokes, His Excellency
will be much obliged if you
will kindly let me know
something about Mr. Holmes
and whether he has been
superseded as he alleges.

Yours sincerely
Jones

The Hon. H. E. Stokes,
H.

—

near world map

any grounds for grievance, and
I ~~maintain~~ am of opinion that
he deserves no consideration.

I have mentioned the matter
to the two members of Council
who agree with me.

I think his present proceedings
savour of insubordination &
that the interview he asks for
should not be accorded.

Yours sincerely

W. P. Rogers

14/14/87.

My dear Res.

I send you the file
about Stokes, and also two
letters which I have received from
him.

H.L. apparently does not remember
my having laid the file before him on the 7th Inst. ^{where} I explained the case to him. I wrote
to Stokes under his ^(Stokes) instructions
saying that he would be happ.
to act as Sub Lib. in the month or
April when vacancies usually
occur.

I do not think that Atkinson
app^t, or any other that has
been made, affords Stokes

17/12/87

13/12/87
Kridhachalam

L Arcot

10-12-87

Dear Sir

I beg that you will be
good enough to ask His
Excellency the Governor to
grant me a private inter-
view.

I ask for the interview
under these circumstances.
In Nov: 1886 Government passed
an order censuring me
for certain acts in Cuddalore.
They ordered that I was to be
watched & a report sub-
mitted in 6 months. A re-
port was I presume sub-
mitted, & I presume also
it was favorable. Immed-
iately afterwards I was
appointed acting Sub-
Collector. I then expected
that Government would treat

the unfavorable opinion
now I had formed. I
still hope that I was not
mistaken, & that I may be
successful in regaining
the position in the Service
that my place in the
list will entitle me to.

If His Excellency will
grant my request please
telegraph (if there is not
time to write) to me to
the Chidambaram to the
Chie of the Talissildar
who will forward your
telegram to me here (30
miles from Chidambaram)
& I shall obtain leave
from my collector &
proceed to Madras.

I remain
Dear Sir
Yours very truly

Miyah Leth
H. S. the Governor W. B. Holmes

me as men of my standing
are treated but after the
acting appointment was
over I had to wait for a
Head Assistant ship in the
Gazette of the 22nd ultimus
I have been passed over by
my junior but at least
that makes the super-
session the more marked.
It is to me disgraceful is that
I have been superseded in the
next division to the one I am
now in.

As His Excellency will recollect
I applied for the vacancy
in Dinidipul, but unsuccessful-
ly. I have written to the
Chief Secretary urging
that my claims to the Can-
jon Sub Collectorate should
be recognized. It is with
a view to pressing my claims

and of offering any explana-
tion of my conduct that
His Excellency may be
that I apply for a
private interview.

I can only regard my
being superseded as a
serious matter.
Government are giving to
order of Nov 1886 a
that considering I
had no opportunity that
of defending myself
I had hoped with some
I had attached to it. I hoped
that a favorable report
of Mr. Gordon, & if any
report were neces-
sary a report from Mr.
Gordon of the way I
did my work in Timor -
I had altogether
a great extent remained
or long

With cover containing file relating to Mr. Holmes. SERVICE.

PRIVATE SECRETARY

to the Right Honorable The GOVERNOR.

W. J. Holmes

Chief Secretary.

As I have been cognizant of the events
pertaining to the great
destruction, I have been
in the different allegiances
of the past.

the assumption which
would be fitted in
respect to the recognition of the
value and influence of his exhibition
at present is not supported by
facts.

7 Jan. 1886. The Case
India were told that "so
far from agreeing with the
petitioner (who she) in her
own estimate of her needs
in maintaining the Chakras
-is that she has been during
the last 18 months, and the
greater of her poverty of
resources from the Chakra
-and frequently under cover
"her letters" (30 January 1886
No 219. this. D. 11. 10)
In para 11 of the Chakra
-petitioner is India with the
-better to tell above who she
-and a quarter of the fact that
-promotions had been promised
-him at a good opportunity

In Office comment the
law —

0
Wide Summary of notes.
Send to G.O. B. 12 18430
January 1886. May deal
with notes of the (with
now (not just send)

"like D.O. No 440 d/ Sept 28
"in Goble's quotation of Miller's
"then letter is hardly a fair
"representation of the mean-
"ing. The word is as follows.
"H.E. has noted your request
"for a change of words in No
"8 meeting and wishes that a
"good opportunity should
"be taken to correct some of
"the inaccuracies with which

Letter from Wm. C. Shook
is in circulation as desired
by H. B. Allen & Co.

There is nothing on record
in the office of the prob-
of master of det. Officer
culten, upon this the
present letter. With regard
to the protest against the
appointment of Mend-
elson to this building
attention is made, certain
consideration is put up
which shows that the
him which is in the 8. part
South of the 'Crest'
claim was not quite
that it is now the best
to have been.

M^r. Crole's appointment
to Tanjore was for six
months only when Mr Webster
went on leave; and his
appointment as Salt Com.
Missionary for Can. then
there, when Mr. Blair went
to Calcutta on special duty
neither had any such sig-
nificance as Mr. Crole
now attaches to them. He
was put in as available
for short acting appoint-
ments, being then at the
period of service when men
are kicked about in such
a manner.
With regard to the found
Collections in Madras
on which Mr. Crole is so

fortunate I think there can
be no doubt that Mr. Webster
note was a civil way of
accomplishing a refusal
to promote by a general pro-
mise to keep his request
for a change of location in
view.

That was the point of
the manner in which Mr.
Crole blew his own trumpet
is sufficiently shown
in Mr. Webster's previous
semi-official of May 1885
to which Mr. Crole in his
no allusion in his present
letter.

I am of opinion that no
"unfulfilled pledge" was made
by the late administration
I do not think that Mr. Crole
would "certainly have been
"actually holding at this mo-
ment" an appointment in
Madras even had "the event"
allusion to which has been
made not occurred.

I am compelled to demur
to the assertion that the indigni-
ty to which Mr. Crole has been
subjected was because he merely
performed an exorable duty.
Also to his statement that he
was suspended for writing a
Memorandum which the then
Chief Secretary had directed
him to put up. These statements
do not contain that accurate
representation of facts which
is essential to a proper under-
standing of past occurrences.
I have no wish to open the sub-
ject again but it would be
right to pass unnoticed mis-
representations like these.
I am ready to go into details if
necessary. In referring to the

removal of the stain of mis-
feasance Mr. Crole does not
allude to the point in regard
to which the Secretary of State
found serious fault with
him. (Despatch July 1886 no
11. para 5.)

Mr. Crole's letter is eminently
misleading in other of its state-
ments. He had no special
claim to be Commissioner of
Salt & Collectors of Tanjore
because he had acted in
those appointments.

He is right enough in re-
garding the executive branch
(in his own particular case)
as superior to the judicial
branch and naturally enough
he desires by obtaining (1) a
Collectorate & (2) promotion
in the Revenue line a removal
of the stigma attached to a
transfer such as has been
carried out in his case.

The point is whether he
is deserving of the change he
seeks. I cannot, with any knowl-
edge of the events of the past,
claim that Mr. Crole has been
hardly dealt with, and I am
less so such a misnomer of the
use to which he might put
his undoubted abilities if re-
employed in an executive
capacity that I shall feel com-
pelled to vote against such
a change as he seeks
C. J. L.
17.3.87

Mr. Crole does not now ask merely for
a Collectorate, but for "such an appoint-
ment in Madras as he is undoubtedly
have now been holding, but for certain
unfortunate circumstances." I was personally
disposed to give him a Collectorate, not because

found of dwelling, no
doubt there was great
improvement in his time,
but reform should be
made to correspondence in
the Rev. Secy. about Collecting
made in advance, which
the result.

C. J. L.

a Judgments is in any way inferior, but because the his
becoming experience was in the administrative line; that
on that point H.E. & my Mr. College overruled me & I
am quite satisfied to abide by their decision. With regard to
his present claim, not only has Mr Cole failed to announce
that it has any good foundation, but I am distinctly
of opinion that it is so he wishes to bring him to Madison
his line promotion. He made claim is based on Mr Webster's
letter of Sept 85. Read this with the letter to Judge of the
30 Jan 86's, & it places on record a fact well known to myself,
viz. that the late Gov. frequently thought of removing him from
Madison, & it is easy to see what some guessing in Mr Webster's
mind. When a good opportunity offers Mr Cole's request for
is the thought forward - but only his request for a change of
work, not his claim to promotion. Mr Webster's position
note of May 85 clearly shows what was thought of this claim
I find nothing to indicate that the Secretaryship of Agriculture
was such offered, even temporarily. At most Mr Webster,
in trying to ascertain Mr Cole's wishes, asked him without
sanction if he was like that of H.E. if so good.
He seems unnecessary to justify the selection of Johnson for
Chicago. All other points have been fully met.

Wm
Maynard

John A. Maynard
1876

the Statute you
made verbally

to me -

few days ago -

I have also
looked into

previous papers
on the subject

GOVERNMENT HOUSE.

Dear Sir

~~I have to~~

~~acknowledge you~~

I have much pleasure

in acknowledging yr

letter stating the

~~substance~~ of your

Sketch I think

records accurately

but do not see
that any advantage
will arise from
any discussion
with respect
to them or to ~~you~~
your letter -

I- attend you

to put your
statue on paper
and you have
done so -

All I can say
is that it shall
be carefully considered
and will not be
forgotten -

Fairbank 22nd March
1884
Wm

24.3.7

Dear Stokes

I am to return these
papers with copy of his
reply; answer to Mr
Crote.

Yours sincerely
J. S. P.

Mr. Mr. Martin

-- Stetchin

for perusal

H.C.

I am rather afraid H.C.'s reply
will discourage such a man as
Mr. Crockett hope ^{to think he}
has convinced H.C. that
he has a grievance

50/48.*Circular divided by H*

From C. S. Crook Esq

No.

Dated 15th March 1889Received 16th - " - "

Enclosures

SUBJECT.

Submitting his claim
to a higher appointment

Dear Stokes

I was to send
you this to be
circulated. /
press note

16.3.87. /
press

less real, and is shared by others — I re-
fer to my transfer from the Executive to the
Judicial Branch of the Service. This was
not at first contemplated by Govt. when I
was first transferred from one Collectorate
to another and then suspended for one
year — not in a Judgeship but in Collec-
torate. The transfer to a Judgeship took
place after the receipt of Lord Kimberley's
Despatch restoring me to office. It must
be admitted, of course, that this trans-
fer was, practically, within the compe-
tence of Govt. to make.

I do not propose now to press further,
than I have already done more than
once, the question whether the position
of a Collector in the Presidency of Madras
— corresponding as it does, in many
ways, with that of a Commissioner
in other Provinces — is, in itself, of an
inferior rank and dignity to that of a

District Judge. It will, however, probably
be conceded that an officer, who filled with
credit for 8 years the former office, has some
ground for stating that the very fact of his
transfer to a Judgeship against his wishes,
is in itself evidence of the displeasure of
Govt. & fortiori it is contended that a
substantial punishment, capable of being
measured in terms of money, is inflicted
when such an order sweeps away for ever
promotion admittedly earned by hard
work, and consigns the officer in quest.
ion to 3 years without the remotest
chance of advancement. For that is the min
imum period of service, which must be put
in by a District Judge, before his name
can even be mentioned for the High Court
bench. Yet this is my plight after more
than 24 years of tried service.

I would ask for furtherance which I
bring to notice - what I think has been
proved - that the late Chief Secretary
letter now submitted, contemplated
a very different appointment in re-
cognition of my services during the 8 years
in which I served as Collector. I should
add that his letter was written after he
had directed me to put in the memorandum
down for writing which I was surprised
at the details contained in which he was
also fully conversant.

I most humbly leave that, in view
of the very exceptional circumstances, &
your Excellency may be able to see your way.
in the exercise of your patronage, to bestow
on me, when a good opportunity offers an
appointment in Madras, which, but for
for the want of allusion to which has

been made, I should certainly have been
actually holding at this moment. Until
your Excellency is pleased to confer upon me
some such recognition, I must continue
to be and be regarded by all men as
under a cloud.

I am so fully conscious of the great
kindness extended to me by your Excellency
in permitting repeated representations on
this subject, that, having now gone fully
over the whole ground, I shall now
venture to broach the subject again.
I leave myself entirely in your hands
and remain

Yours Excellency

More-Obliged and faithful Servant
C. S. L. V.

M. C. S.

To
H. E., The Right Honble Robert Bouverie
Governor of Madras

Chief Secretariat

Cotacambú

7th Sept^r 1885

My dear Cook.

I have laid your note of the
31st ult. before H.E. The Governor
and I am to say that H.E. is a-
ware that you have worked hard,
but that, in filling up places vacant
in consequence of my taking fur-
longh, the claims of others who
have also done good work had
be considered, and, as you will
have seen, the of Revenue Se-
cretaryship and the Directorship

of Agriculture &c have been given
to officers senior to you.

His Excellency has noted
your request for a change of
work in view to meeting your
wishes when a good oppor.

Trinity offers

Yours sincerely

Foster Webster

True Copy

C. S. L. 22h

15/3/84

Dec. 16/3/87

Chittown

15 March 1887

Your Excellency,

In obedience to your direction,
I beg to submit in writing the arguments
urged by me personally in support of my
prayer that the intention expressed by Sir
M^r. Grant Duff of promoting me to an
appointment at headquarters be carried
out on the occurrence of a vacancy.

There can be no dispute as to the pro-
mise having been actually made. The
circumstances under which it was given
are fully set forth in my letter to the Chief
Secretary (31 Aug 1885) and in his reply (7
Sept. 1885). I subjoin a copy of the latter.
The former is doubtless in the Secretariat.
Briefly, with M^r. Webster's permission, I

entered a protest against an appointment to the ~~Sec~~ Revenue Secretariat, which, he stated, was going to be made, and begged that at all events, an appointment at the Presidency might be found for me in recognition of services which had been, over and over again, most generously acknowledged by Sir M. D. Grant-Duff. The reply promises, distinctly, to meet my wishes on the occurrence of a "good opportunity".

That it was, as a fact, the intention to promote me at that time is further proved by the allusion in my letter, quoted above, to my having refused the offer of the Directorship of Agriculture &c, which had been made to me. It was subsequent to this that the promise referred to was made by Sir M. D. Grant-Duff.

In the meantime, came the unfortunate series of events, regarding which the Hon. Mr. B. C. I may now, perhaps, be permitted

to urge with all respect) misapprehending my conduct and motives, and inflicted upon me months of disgrace and an amount of mental agony and suspense which is not to be described. Sir M. D. Grant-Duff retired from office without being in a position to carry out his original intentions, and I had to submit to repeated supersessions. For instance, the officiating appointments of Commissioners of Salt & Akharry, and of Collectors of Tanjore (the best paid Collectorate in the Presidency, Rs 2950) were both conferred on junior officers, one of whom had never before been in charge of a District. I had special claims, as it happens, on both appointments, having been selected to officiate in each so far back as 1879 and 1880. It is only since Yours Excellency

assumed the Governorship that the Secretary of State has finally removed the stain of suspension from my record, in his Dispatch of 13 Jan^y 1857.

I am well aware that it is not incumbent on a new Administration to redeem the unfulfilled pledges of the old. I urge nothing as of right. I would merely throw myself on Your Excellency's consideration, in view of the fact that I have suffered undoubted hardships, and been subjected to much indignity, after having merely performed inextinguishable duty to the best of my ability.

I feel that it is not for me to dilate on this aspect of the matter, but as your Excellency has permitted me freely to state what I consider to be my grievances, I would most respectfully urge that, sentimental as the feeling may seem to be, it is none the

No 440-20,

7th September 1885
Costa Rica

My dear Col.

I have
written before
me to say that
worked hard
recent in con-
the claims of
good work has
you will have
Secretaryship
Agriculture &
senior to you.

His Excellency has noted your
request for a
to meeting you
opportunity of

read your note of the 31st
N.E. the Governor and I
N.E. is aware that you have
but that in filling up places
sequence of my taking part
there who have also done
to be considered and as
we see, the Ag. Comm-
and the Directorship of
have been given to officers

His Excellency has noted your
change of work in view
our wishes when a good
opportunity of

Yours sincerely

Signed / Walter Whitaker



Amman & Co. New York
31 Aug. 1885

My dear Webster.

x no copy
In accordance with the
instructions conveyed in
your note of the 29th inst.,
which was received at 2
p. m., I revoked arrange-
ments for postponing my
departure from City, and
arrived here last night.

As I understand, every
thing that you said holds
good, and I shall there-

fore make the necessary
communications before you
~~leave~~ leave for Simba. As much
for public matters.

Now pray read the follow-
ing appeal to His Excellency,
if opportunity offers.

I ask permission to say
another word regarding
the personal question as to
my being promoted out
of the Madura District.

I respectfully but most
earnestly beg that you will
bring my application to be

allowed to act as Revenue
Secretary when you are
away to the considera-
tion of His Excellency, al-
ong with what measure
of support you are able
to give it.

My plea for advance-
ment is based solely on
sheer hard work and on
the various successes which
have followed it. I shall
say nothing regarding
what I have been the
means of doing for legis-

lation, irrigation, water supply for towns, and local & municipal administration. I ask you simply to call for the Revenue Board's reports to Govt on the Collection of Revenue in the Madras Presidency. You will find there that Madras has been first for three years, and that I closed the year ending 30th June 1885 with cent per cent collected, the same figure (100.) having been reached in more than

one of the months pre-
ceding. No collector
has ever done this
before. I leave it to you
to say ^{what must have been} the anxiety, daily
drudgery, and exposure
necessary for thus carrying
out the orders of the Ma-
dras Govt, oft repeated but
more hitherto fulfilled, in
a District composed of six
huge Govt Taluqs and some
29 Zemindaris, mostly
bankrupt.

I shall not weary you with
more examples, but as the
first collector in the Presi-

ducing for the last 3 years,
it is hard to see less suc-
cessful men preferred be-
fore me for the Resumed
Officers prize.

If however His Excellency
adjudges it away from me,
I most earnestly crave an
app. in Madras. Taxes and
embroideries which I got in
Nellore & Kurnool during
the Famine, and the acci-
dent to my lung two years
ago brought on by exposure
in unhealthy parts of this
district, it is submitted,
justify me in asking for this

concession at least, after
more than 7 years ^{service} as Col-
lector, much of which has
been of an abnormal kind.

I made a mistake
when, in reply to your re-
mark that you supposed
I would not now take
Agriculture, I said "NO".
What, on consideration I
felt that I should have
said was that it would
be my duty to do so in
order to escape further risk
to my health.

I may turn out to have
been avocatus diaboli in

thus pleading my own cause,
but the sympathy of it has
been unavailing owing to
unfortunate circumstances
of the details of which you are
in full possession, but which
you are likewise aware
I did nothing to bring ab-
out save by the discharge
of his duty.

Yours sincerely
C. J. R.

The Honble E. F. Webster
Chief Secy. C.S.

460
7/9

[9]

D.O. No. 404

From C. C. Grob Esq

No.

Dated 31st August 85

Received 7 Sept 85

Enclosures

SUBJECT.

*By appts. Revenue
Secretaryship.*

For

1/200 P.D. No. 440

②
Curtis' Complaint of
Supersession in arrangement
Consequent on 148 Stokes going
Liquor Fee

W. C. S. Crole

CONFIDENTIAL.

Papers relating to his claims & alleged
services in the matter of promotion.

1885. 1886. 1887.

68/1887

CONFIDENTIAL.

68/1887

68/1887

W. C. S. Crole
1887



Note.

In a private letter just received
from Mr. Hamnick, he says.

"You will be glad to hear
that Kernan would not admit
the fresh issue in the
Kotisani case. He said
that Kotisani having
told Frahanne he did not
Oibo Coole was no reason
for the existence of a rumour
that he died. I hope to good-
ness the thing will end
now."

The matter has not
been reported in the news-
papers yet. S.H.

Kotaseamy as mentioned in his letter of
the 23rd January 1887 to our Mr. Morgan.
We shall be glad to have your early
instructions in reference to this matter.

yours faithfully

(Signed) Barclay and Morgan.

High Court House
Madras. 25th July 1887.

From, Messrs Barclay and Morgan

To, Mr. Laumick, Esquire,
Secretary to the Court of Wards.

Dear Sir,

Kotaseamy Javal

Gurthamankam Tamilal.

With reference to our letter to you
herein of the 23rd Inst., we forgot to
mention that we had conferred with the
Advocate General and Mr. Hemmings
Brown, who hold the Briefs for the Defend-
ant, and that they were both of opinion
that it was necessary for the protection
of the minor's interests that an addi-
tional should be framed.

We are, Dear Sir,
yours faithfully

(Signed) Barclay & Morgan

Resolutions:-

The Court of Wards accept the advice of Messrs Barclay and Morgan, who will accordingly file a supplemental written statement setting out that in or about the month of June 1884, Kotasamy Teval either stated to Mr. Graham, or led Mr. Graham to believe, that he had been asked for money by Mr. [unclear] and had therefore acted in such a way as to give rise to, if not to justify, the rumours of which he now complains.

(Signed) Mr. Hammick
25/vii

High Court House
Madras, 2^d August 1887.

From, Messrs Barclay and Morgan
To, Mr. Hammick, Esquire,
Secretary to the Board of Revenue

Dear Sir,
Kotasamy Teval
v.
Guntamanaikanni Zaminadar.

We have just received notice from the Plaintiff's Vakool to the effect that he

he proposes to apply to the Court on Thursday next for leave to withdraw this suit.

We propose to oppose same and in the meantime shall be glad to receive the affidavit of Mr. Hammick and supplemental written statement.

We are, Dear Sir,
yours faithfully
(signed) Barclay and Morgan.

High Court House
Madras 4th August 1887.

From, Messrs Barclay and Morgan
To, Mr. Hammick, Esquire,
Secretary to the Board of Revenue

Dear Sir,
Kotasamy Teval
v.
Guntamanaikanni Zaminadar.

The ^{Plaintiff's} application for leave to withdraw this suit came on for hearing this morning and Mr. Norton appeared in support of it.

At his request the application was adjourned for a fortnight on the ground that he had yesterday been served



with copy of an affidavit of Mr. Kaunisch
which contained facts of such a serious
character as necessitated its reference
to his client at Ramona. The applica-
tion was therefore ordered to stand
over for a fortnight.

We propose however to proceed
with our application for a fresh issue
tomorrow.

We are, Dear Sir,

Yours faithfully

(Signed) Barclay and Morgan

Board of Revenue.

24. viii.

My dear Stokes.

With reference to your letter dated 19th August 1887 I am directed by the Court of Wards to say that they were not aware, when the affidavits in the case of *Holmes and vs. the minor 2 children of Graham* were filed, that an application had been made by the plaintiff for leave to withdraw the suit.

2. The facts were these. On the 23 July 1887 the Government Solicitor, who had charge of the case on behalf of the Court, wrote to the Court pointing out the importance to the minor of the evidence of Mr. Graham and stating that it was desirable to make use of that evidence in some other way as an opportunity of producing it in the suit against the Court as First Member had not presented itself, owing to that suit having been discontinued without any evidence being gone into. He pointed out that two courses were open, one to apply to the High Court for a revision of the sentence passed on the minor by the Presidency Magistrate on the ground of the production of further evidence, the other, to

to file a supplemental written statement, setting out the facts and on that ground to apply to the Court to amend the issues already framed in the suit. The Government Solicitor did not recommend the first course, on the ground that it would probably be attended with success. He stated however that the Advocate General and the junior Counsel retained by him on behalf of the minor, considered that it was necessary, for the protection of the minor's interests that an additional issue should be framed in the Civil Suit.

3. The Court held a meeting on the 25th of July 1887, at which all four members were present, and after considering the letter from the Government Solicitor resolved to accept his advice, and proceedings to that effect were ordered to issue.

4. On the morning of the 3rd August 1887. Mr Morgan verbally asked the Court's Secretary, who was appointed by the High Court the minor's guardian "pendente lite" to attend and make the affidavit, which he did before going to the Board's Office. The Government Solicitor had written to the Court on the 2nd August a letter which reached the

Secretary on the third idem after he had made the affidavit. A copy of that letter is enclosed. The Secretary under the impression that it was the intention of the Court in any case to be guided in the matter by their professional advisers, did not ask for the Court's orders on that letter. The letter stated the fact that notice of the application to withdraw the suit had been given and asked for the affidavit and written statement. The Government Solicitor was then in possession of the affidavit and it was filed on the 3rd instant. The first member of the Court was then absent at Bangalore with the permission of Government but returned the next day. The Government Solicitor's letter however with a subsequent one dated the 4th August were not seen by him or by any other member of the Court until the 10th Aug. four or five days after the application to amend the issue had been made.

5. The Court desired me to point out that they would in the interests of their ward under any circumstances have strongly opposed the application made for leave to withdraw the suit. Such a withdrawal would not have been absolute as regards the minor, as the order

granting permission would necessarily have been with
liberty to bring a fresh suit (Section 373. Code of
Civil Procedure).

6 It would thus have left the same charge
which had been brought against the minor still
undisposed of, at a time when the Court were in
possession of evidence to show that the conduct
of the plaintiff himself had to a great extent
justified the course the minor had taken.

7 The Court of Wards were only acting in
the interests of their ward in the action they took
and in view to justify his conduct. In order to do
so they were advised by the advocate general
and the junior counsel for the minor that it
was "necessary for the protection of the minor's
interests" that an additional fine should be
framed. This advice was given before the C^t
knew that the plaintiff would attempt to
withdraw the suit and having received such
advice, the Court felt they were bound to act
upon it, to oppose the withdrawal of the suit and
appeal to have the additional fine framed.

8 I am directed to enclose copies of
the Government Solicitor's Letter and the Proceedings
of the Court upon the Subject.

Yours sincerely
W. H. Munnick

Copy.

High Court House,
Madras, 23rd August 1887.

My dear Hammick,

Kotasingam Sivar

Minor Zemindar of Guntamanaickanur

I was unable to answer yours of yesterday's date by bearer as requested, as I was in Court all day long.

The facts relating to the Application for an Additional Issue, and to the Plaintiff's application to withdraw are as follows:-

At the time when the Issues were settled we were not aware that Plaintiff had made a statement to Grahame such as is contained in the latter's affidavit. Had we been, we should have set it out in the Written Statement and obtained a specific Issue thereon.

The Issues as settled are confined to the particular matters specified in the Written Statement and it appeared to us that unless a further Issue was obtained, it would be impossible for the Defendant to avail himself of the plea that the Plaintiff had himself, in his conversation with Grahame, started the libel, the repetition of which, or the reference to which as a "common rumour" he now complains of; in fact in the absence of some additional Issue, it would have been difficult for us to have made any use at all of Grahame's evidence.

About the 24th July, we took the opinion of the Advocate General and Mr. Kenworthy Brown, who were the Defendants' Council.

Counsel, in this case, as to the effect of the new evidence and the necessity of a further Issue, and they advised that in the interests of the infant in connection with this case, as also in connection with any revision of the conviction obtained in the Police Court which it might be hereafter desirable to apply for, it was necessary that an additional Issue should be obtained upon the affidavits of Grahame and your own, as the Minor's Guardian. This was communicated to the Court of Wards and on their sanction being obtained the affidavits in question were, on the 26th July, submitted to the Advocate General for Settlement.

On the 2nd Instant, whilst the above affidavits were being engrossed in the office for filing, Plaintiff filed a Petition with the Registrar to withdraw the Suit. - This is a procedure adopted under a Rule of the High Court, only recently framed, and requires no notice being given to the other side. - The Order upon this Petition was made by the Registrar on the 4th Instant. We had no knowledge of this application or of the Order until the 11th Instant, when it was brought to our notice by the Registrar of the Court.

On the same date the Plaintiff's Attorney gave us notice that he "intended" to withdraw the suit but as, if such was his intention it was perfectly easy to fulfil his intention by actually withdrawing, we concluded that it was a mere ruse,

prevent us from getting ready for trial, the case being ripe for hearing, and proceeded with the motion we had been instructed to make, by giving formal notice of same returnable three days after date (the period provided by the Rules of the Court) viz: on the 5th Instant.

Subsequently on the same day we received an notice returnable on the 4th Idem, one day short of the proper time, that an application would be made on behalf of the Plaintiff for leave to withdraw the suit.

The only Section in the Civil Procedure Code which necessitates Plaintiffs obtaining the leave of the Court before withdrawing his suit is Section 373, and this application for leave to withdraw applies exclusively to cases where the leave to withdraw is coupled with the application for leave to bring a fresh suit.

We were of opinion, looking to the nature of the suit, that it was one which should be, if possible, dismissed in open Court with costs, in preference to being withdrawn in Chambers and also that under no circumstances should the Plaintiff be at liberty to bring a fresh suit for the same matter. We instructed Counsel to oppose the application, and on the same day we informed the Court of Wards of the Plaintiff's application to withdraw and that we intended to oppose same. Your affidavit was I find filed on the 3rd Instant and a copy submitted to Plaintiff's

to Plaintiff's attorney on the same day.

The Plaintiff's application to withdraw came on on the 4th Instant and at the request of the Plaintiff's Counsel was adjourned for a fortnight.

The Defendant's application for a fresh issue came on the 5th Instant and was adjourned for Mr. Graham's affidavit. This was obtained on the 11th and on the 12th Mr. Justice

Hernan ordered a supplemental written statement to be filed, and at the Plaintiff's request, adjourned the settlement of the additional issue to the 5th Nov.

The Plaintiff's application to withdraw is still pending.

I may mention that a further reason why I should have advised the Court to insist upon a public dismissal of the suit was that in Garstin's case Mr. E. Norton, when giving notice of the Plaintiff's withdrawal after having unsuccessfully applied first for an adjournment for four months, and then for leave to withdraw coupled with liberty to bring a fresh suit, stated in Court in a tone of voice perfectly audible to the reporters that the application was a "collusive" one. A Rumour has subsequently become current that although the suit was ostensibly dismissed with costs, yet that Garstin has really had to pay heavy damages to settle it and I.

and I thought it desirable that everything should be done to negative any such idea with reference to the Minor's suit.

Yours sincerely
(Sgd) William Morgan

M. Hammett Esq

High Court House
Madras 6th Sept 1847

From,

Messrs Barclay and Morgan

To,

Mr. Hammick, Esquire,
Secretary to the Court of Wards

Dear Sir,

Kotacanny Tivar

^{V.S.}
Minor Zamindar of Guntamanickam

This case came on yesterday
for settlement of an additional
issue, based upon the supple-
mental statement which has been
put in on behalf of the defendants

The point raised by the sup-
plemental written statement was
argued at length, but Mr. Justice
Herman held that the new
matter (viz: the statement by Koba-
sami that he had refused to
bribe broker) was in direct contra-
diction of the previous which the
defendants

defendant states existed, which was that Kotasami did bribe Grole, and that a statement as to the former could not account for the existence of a rumour as to the latter. The application therefore for an additional Issue was refused with costs, the order not to issue until the Plaintiff has upon notice obtained an order setting aside the Registrar's order withdrawing the suit.

We are of opinion that notwithstanding that there is no specific Issue on the subject of the Plaintiff's statements to Mr. Grahame, that we may possibly under the general Issue for damages get in the evidence of Mr. Grahame. We presume that we are not to oppose Plaintiff's motion to have the suit restored and the Registrar's

Registrar's order withdrawing it set aside.

We are, Dear Sir,
yours faithfully
(Signed) Barclay and Morgan.

Revenue Board office
Madras 6th September 1887.

Dear Sir,

With reference to your letter dated 6th September 1887, in the matter of the suit Kotasami vs Guntama naickanur, I am directed to say that the Court as at present advised consider that it would be in the interests of this ward that the motion to have the suit restored and the Registrar's order withdrawing it set aside, should be opposed. This would put an end once for all to the litigation. They understood that the application to the Registrar was made without

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of 1887

W.C.S. Code C.S.

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