

Public (1894) Department.

ORDINARY MS.

G.O., No. 3

Dated 2 — 1 — 99

INDEXED.

[Despatch Abstract.]

turnishing the post
Solicitor, confidentially, with the
original of SO nos 1394-95 Pub
of 18-11-98 regarding the dismissal
of Mr A. Craig Hunter, one of the temporary
Doctors, in view to his again
considering the question of the powers
of this post to dispense with the
services of Mr Hunter under the terms
of his agreement with the Secy of State

G.O.	No.	Department.	Date.	G.O.	No.	Department.	Date.

G.O.	No.	Department.	Date.	G.O.	No.	Department.	Date.
Cuo 56/99 (Govt. secret.)							

CURRENT No. 3933

Order Ensemble, No. 2885
15-12-98

of para 2 of letter to
the Govt. of India, ^{no}
1395-Public dated 18th
Nov: 1898, to the Govt.
Solicitor, for favour
of opinion -

Admirable
for chief secretary

C₄
15.12.94

15/12/98

TO BE RETURNED
WITH REPLY.

No: 1709

Dated 8th
Received } 14th } Dec: 98
Registered }

Enclosures
Spare copies

SUBJECT.

Requesting that
legal advice may be taken
as regards the power of
Court to dismiss Dr C.
Hunter under the terms
of his agreement.

BACK PAPERS.

G.O.	No.	Department.	Date.
	1511-12	Pub	13.12.98.
	1497-8	"	12.12.98.
	1394-5	"	18.11.98.
	1379-80	"	15.11.98.
	1370	"	11.11.98.
	570	"	20.4.98.

FURTHER PAPERS.

G.O.	No.	Department.	Date.

UNDER SECRETARY
14 DEC 98
PUBLIC ETG. DEPT.

3933
CHIEF SECRETARY
14 DEC 1898
GOVERNMENT OF MADRAS

ep 1709

From

H. Luon, Esq.,

Deputy Secy to the Govt. of India.

To

The Chief Secretary to the Government of Madras.

Calcutta, the 8th December 1898.

Home Department
Clerical

Sir,

B

I am directed to acknowledge the receipt of your letter ep 1393, dated the 18th November last reporting that it has been decided by the Government of Madras to dispense with the services of Mr. A Craig Hunter for his rudeness to Major Hattin and disobedience of orders.

In reply I am to suggest that if the legal advisers of the Government of Madras have not already been consulted as to the power of the Government to dismiss Mr. Craig Hunter under the terms of his agreement, this may, with the permission of the Governor in Council, now be done and the result reported to the Government of India.

I have the honour to be,

Sir,

Your most obedt. Servant,

H. Luon

Deputy Secy to the Govt. of India

C
x Copy in No 1370
11.11.98

Public (1898) Department.

CURRENT No. 3987

From
The Govt. Solicitor
Madras

Order No 3 of 2-1-99

No. 638

The Fort. Collector will
be furnished, confidentially.

with the original Pros. & Dated 17th December 1891
 Govt. nos 1394-5 Public. Works Received

192 Nov: 1898, in view to
his again ^{advising on} ~~considering~~ the
question raised by the

Registered } 20[£] — — —
Enclosures Public No 3933 Retd.
Spare copies

Govt. of India.

(From C. S. orders)

SUBJECT.

2.1.99.

Giving his opinion re-
garding the power of
Government to dismis
Dr C. Hunter under the
terms of his agreement

20 The Govt. Solicitor
with orig^l go. no. 1354-5 Recd
of 18.11.98. Govt. letter
no. 1209 of 98 with copy of
agreement.

(The only 50. top under
cone 20000)

8/25/81

BACK PAPERS.

G.O.	No.	Department.	Date.

FURTHER PAPERS.

G.O.	No.	Department.	Date.

Memorandum of Agreement made the day of
189 , between of
(address)
of the first part and the Secretary of State for India in
Council of the second part.

Whereas the Secretary of State for India in Council has
appointed the party of the first part to proceed to India on
temporary plague duty for the period of three months at least
from the date of his embarkation for Bombay upon the terms
and conditions hereinafter mentioned.

Now these presents Witness and it is hereby agreed and
declared as follows:-

1. The party of the first part will, as soon as he may be
directed, proceed to Bombay, for which purpose he will be
provided with a first class return passage and be allowed the
sum of 25 £. as outfit allowance.

2. On arriving in Bombay, he will forthwith report himself
to the Surgeon-General to the Government of Bombay, and will
thenceforth faithfully discharge such duties as the Govern-
ment of Bombay or the Government of India or the Superior
Medical Officers of those Governments shall from time to time
assign to or require of him.

3. From the date of his embarkation for Bombay and so long
as he shall remain in the said service in India, he shall
receive a monthly salary at the rate of £.500 per calendar
month. Provided always, that if at the expiration of his
service in India he shall when required leave Bombay for
England direct his salary shall be continued up to the date
of his arrival in England. Should he not return home direct
his salary shall be paid up to 10 days after leaving Bombay.
In addition to his salary he will receive travelling
allowances for journeys in India on duty at the rate allowed
to Civil Surgeons in India by the Government regulations.

4. The party of the first part will continue in the
service of Government as aforesaid until the expiration

of the period of three months at least and until such service shall be terminated by a fifteen day notice in writing signed on behalf of the Government. At the expiration of which notice his employment in India shall cease and he shall thereupon forthwith return to England. Should the Government require his services after the expiration of 9 months from the date of his embarkation for Bombay as aforesaid, he the party of the first part agrees to ~~it~~ continue to serve Government under these presents subject to such terms as to salary or otherwise as may be agreed upon between him and the Government.

5. Any payments made in England under these presents shall be calculated at the official rate of exchange for the time being.

In Witness whereof the party of the first part and

being two Members of the Council of India have hereunto set their hands the day and year first above written.

Signed by the party of the first part
in the presence of

Signed by the said two Members of the
Council of India in the presence of

dt 10/11/98

dt 10/11/98

Copy of paragraph 2 of letter to the Government of India, Home Department, No. 1395, Public, dated 18th November 1898:-

His Excellency the Governor in Council considers that this incident shows clearly the necessity for the insertion in the agreement entered into by temporary doctors of a clause empowering the Local Government to deal with such cases of misconduct, or disobedience of orders. I am accordingly to request that the Secretary of State may be moved to amend the agreement so that in future a doctor guilty of such misconduct may be liable to be at once sent back to England, without waiting for the termination of his three month's engagement.

dt

dt 10/11/98

No. 638

Madras 17th December 1898.

From,

Ernest Barclay
Government Solicitor
M a d r a s.

To,

The Chief Secretary, to Government

M a d r a s.

Sir,

I. With reference to your endorsement No. 2835 dated 15th instant upon a letter dated 8th idem No. 1709 from the Chief Secretary to the Government of India to your address, I am unable to say whether, so far as Mr. Craig Hunter's agreement goes there is sufficient cause to empower Government to dismiss him. Clause 2 of the agreement provides that, after arrival in Bombay and reporting himself to the Surgeon General there, Mr. Craig Hunter "will thenceforth faithfully discharge such duties as the Government of Bombay, the Government of India or the superior Officers of those Governments shall, from time to time, assign to or require of him". There is nothing before me to show that Mr. Craig Hunter has committed a breach of this provision; what he has been guilty of being, apparently, some rudeness to Major Hakim and disobedience of orders. As I am not informed of the facts of the case, I am not in a position to say whether such disobedience would amount to a breach of the provision of the agreement quoted above.

2. I return the papers sent me and

I have the honor to be

Sir

Your Obedient Servant

Ernest Barclay

Government Solicitor.

C. No. 3987

SUBJECT. Dr. A. Craig

Hunter's case.

FOR ORDERS.

The Govt. Solicitor
states that he is unable,
on the information before
him, to give an opinion
as to whether the Govt.
was empowered to dismiss
Dr. Craig Hunter under the
terms of his agreement
for release to Major Hoke
& for disobedience of order
submitted that Dr.
nos 1394-5 Public order
18th Nov 2 1898, complete
in original, might be
sent under confidential
cover to the Govt. Solicitor
in view to his again
considering the question

Mr. Lewis it is his
order to have done
in the beginning
11-1-18.

20.12.98 21/1/99

When given for copying 2/1
When copied 2/1
When examined 3/1 } 1897
When signed

READ AGAIN G.O., No. , DATED
189 .

CURRENT No.

ENCLOSURES TO C. No.

ORDER OF GOVERNMENT A A A A A A A

LETTER OF GOVERNMENT.

STATEMENT WITH DITTO.

PAPERS NOT FILED UP, BEING MEANT FOR DESPATCH
IN ORIGINAL.

N.B.—

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