

Public (189) Department.

ORDINARY *Ans*

G.O., No. 896

~~Confidential No.~~

DATED 11-8-99.

INDEXED.

[Despatch Abstract.]

Appeals from the orders of the Surgeon General

Regarding —

C. No 1492 & 1791.

Seen by Hms & H.R.

^{no file}
Index headings

- (1) Above heading
- (2) Lt Col Lee I.M.S.
- (3) Director Genl, I.M.S.
- (4) Communications to the Dir Genl I.M.S.

T
11/18/10

BACK PAPERS.

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

FURTHER PAPERS.

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

Public (1899) Department.

ORDINARY *Info*

G.O., No. 896

~~Confidential No. 101~~

DATED 11-8-99

[Despatch Abstract.]

Lt. Col Lee I. M. S.

Appeals from the orders of the Surgeon General

Informing the Surgeon General and requesting him to inform Lieutenant-Col, Lee I. M. S., that no appeal from the orders of the Surgeon General lies to the Director General I. M. S., and requesting the Surgeon General to furnish the Govt with a copy of every letter he addresses to the Director General I. M. S.

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

FURTHER PAPERS.

G.O.	No.	Department.	Date.	G.O.	No.	Department.	Date.
C no	2267	---	756	22-8-97			

CURRENT No.

Conc no 187

From Surgeon General L. Siltmore C.B.,
F.R.C.P.S.

Surgeon General with Govt of Madras

No. 6/64

Dated 16th May 1899

Received 19 -

Registered 20 - 5 -

Enclosures 5. - Return to S.G.

Spare copies with Dist. no. Pub. 1897 (on 23rd of 1897)

SUBJECT.

Forwarding with remarks an appeal letter from Lt Col. W. A. Lee, I.M.S. regarding the unfavorable remarks recorded in his Confol. Reports.

Order
O.M. no 1609 d 16-6-99

The S.G. is reported to forward to Govt. etc. very early date a copy of his letter C/58. d. 25/4/99 to the Lt Col. of the I.M.S.

16/6/99

To
The Surgeon General Dated 16 6 99

G.O.	No.	Department.	Date.

FURTHER PAPERS.

G.O.	No.	Department.	Date.

Ord

Confidential

From

SURGEON-GENERAL C. SIBTHORPE, C.B., F.R.C.P.J.

SURGEON-GENERAL WITH THE

GOVERNMENT OF MADRAS,

To

THE

Director General
Indian Medical Service

SIR,

At the request of Lt. Col. W. A. Lee, I.M.S. I have the honor in continuation of my Confidential letter No. 958 dated the 25 April 1899, to forward the accompanying appeal letter from that officer regarding the unfavorable remarks recorded by me in his Confidential Reports.

2. My remarks were based on the Correspondence, Copies of which were sent to you with my letter quoted above.

3. As regards the statement in Clause 2 of para 6 of his letter, I have to state that I have no recollection of ever making such a remark and that if I at all did so it must have been in a moment of irritation and that he evidently mistook my meaning. I have never had any reason to disbelieve any of his certificates.

I have the honour to be,

Sir,

Your most obedient Servant,

C. Sibthorpe

Surgeon-General,

Surgeon-General with the Government of Madras.

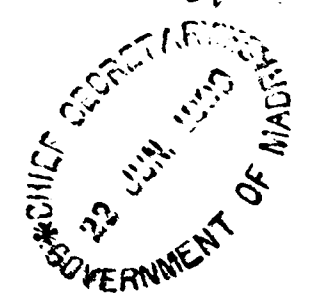
Forwarded to
No. 6/64

Dated 16 May 1899
Received 22 May 1899
Subject: ...
Forwarding the appeal letter to the ...
from Lt. Col. W. A. Lee ...
unfavorable remarks recorded
in his Conf. Reports -

Order

CURRENT No. 1791

✓



From Surgeon General C. Sibthorpe C.B.
F.R.C.P.S.
Surgeon General with force of
Madr...

No. 6/76

Dated 19 June 1899
Received } 22
Registered }
Enclosures Five
Spare copies -

SUBJECT.

Forwards copy of letter
No. 58 of 25 April 1899 reg:
Lt. Col. W. A. Lee, I. M. S.
as desired by Govt.

FURTHER PAPERS.

Exposure with injurious effect to health. July 9 - 0 - 77.
A free Ind. Slogan, 1st District, A. C. W. D.
No. _____, dated the 5th August 1897.

Your recommendation to the Chairman to defer carrying out the orders in this office No. 3382 of 5th Feb, 1897 is in the opinion of the Surgeon General most ill-advised and shows a want of respect to the orders of the Head of your Department which the Surgeon General considers shows lack of judgment on your part.

(True Copy)

C. Dittmar.
Surfer General
Surfer General with the Lady Mares

Finance with the Treasury, U.S. Marine Corps, July 19-0-47.
District, Maras
No. 925, dated 14th May 1888.

I am desired to draw your attention to your telegram dated 18th April 1898 applying for 30 days' Casual leave, and to enquire why you acted contrary to the orders in Circular No. 9 of 1894 and in para 36, Section I, Civil Medical Code in wiring direct to the Surgeon General.

2. Your attention is also invited to Circular No. 3073 of 3rd May 1873 and No. 25 of 2nd August 1888 regarding reports of arrival and departure and you are requested to state whether you observed the provisions of these Circulars.

II

1. To the Surgeon General
with the Surgeon Maras

I have the honor to inform you that I telegraphed to the Surgeon General because the Officer was away from Maras and the leave was most urgently required. I did not hear till subsequently that the Secretary was my sanction Casual leave. I had not the Circulars at hand for reference.

2. I do not understand the reference para 2 of your letter. If they refer to the

1007
1007
1007
1007
1007

not aware of the necessity of
the procedure, never having been reminded
of it before. I now submit the report.
Mamas
19 May 1898
Sgt W. A. Lee Imp/Sp/Pl
Surgeon District

No 926

Office of the Surgeon General with
the Surgeon General
Mamas 26 May 1898
S. H. Surgeon, District,
Mamas

The Surgeon General is not satis-
fied with your explanation and impressions
on you the necessity for adhering to depart-
mental rules in future.

2 Return requested
1 by Order

Sgt R. H. Elliot Imp/Sp/Pl
Surgeon General with the Surgeon General

(True Copies)

C. S. S. S. S.
Surgeon General
Surgeon General with the Surgeon General

31
2
17

Surgeon District Mamas 26 May 1898
Surgeon General with the Surgeon General
No. 41, dated the 17 April 1898

Surgeon General Libthorpe was pleased to report
unfavorably on me in his Confidential Report for the
year 897 and in your letter of 5 dated 7 October 1898
in reply to my respectfully worded protest, he took
further occasion to accentuate and confirm his
general condemnation of my conduct.

2. In his Confidential Report for 1898 a copy
of which was communicated to me with your letter
of 23 January 1899, the Surgeon General states
that he has not modified his opinion.

3. The repetition for two years successively of an
imputation affecting alike my Character and pros-
pects causes me much anxiety and concern. Al-
though because being unwarranted by any circum-
stances known to me, I feel that it is both unjust
and unwarranted. Therefore most respectfully be-
lieve that I may be furnished with the details,
and so for the Surgeon General's action so as to be
me back relief through the prescribed means.

4. I also respectfully request that a copy of
letter be submitted to the Director General.

(True Copies)

C. S. S. S. S.
Surgeon General
Surgeon General with the Surgeon General

Mr. Simpson, 125th St. N. C. 319-0-44.
No. 957, dated the 24th April 1897.

With reference to your Confidential letter
No. 9 dated the 17th instant, I am desired
by the Surgeon General to draw your attention
to the Correspondence marginally noted which
he says contains the reasons for his action.
He also desires me to say that his opinion
has been confirmed by his experience of you
at interviews and inspections.
2. A copy of your letter under reply
will be forwarded to the Director General
as requested by you.

(Enc copy)

C. H. Brooke
Surgeon General
Surgeon General with the Army Medical

This Office DO. by Mr. J. H. G. 1897.
when you were at the
Office 1167 1st St. N. C. 319-0-44.
the correspondence referred to
in it, copies of which
were sent to you with
this Office Minute 28799 at
923 Sept. 1897.
This Office Conf. 92672689

6/58

Enc: No 5 to letter No. 6
76 3/19-0-44.

Office of Surgeon-General with the

Government of Madras,

Madras, 25th April 1897.

To

THE Director General
Indian Medical Service

Sir.

In continuation of my Confidential letter No. 58 of the 11th October 1898 regarding Lt. Col. W. A. Lee, I. M. S., I have the honor at his request to forward for your information a copy of his Confidential letter No. A dated 17 April 1899 addressed to my Secretary. I also enclose a copy of this office reply to him and of all the correspondence quoted therein which will show how tactless and insubordinate this officer is.

I have re

(Signed) C. Sibthorpe, Surgeon General
Surgeon General with Govt of Madras.
(True Copy)

C. S. Thombe. Surgeon General
Surgeon General with force of 1623 u

This Office D.D. d/s March 1977
 Conf. letter to C/S 578
 11/8/77 to Govt. Pub.
 D.D. letter to C/S 97
 24/8/77 to Govt. Pub.
 D.D. letter
 March, Op. No. 1167 Sub. 9
 30/6/77 1897
 This Office Conf. No. 425
 d/s 14-15-78, 11/11/78
 No. 427 19/5/78 & other
 Office Conf. No. 426
 9/2/5/79.

[1]

Confidential

no 179
Con 2 40 22 7
OFFICE OF SURGEON-GENERAL

WITH THE GOVERNMENT OF MADRAS,
Madras, *19 June* 1899.

No. *C/76*

From

SURGEON-GENERAL F. SIBTHORPE, C.B., F.R.C.P.I.,

SURGEON-GENERAL WITH THE

GOVERNMENT OF MADRAS,

To

THE HON'BLE THE CHIEF SECRETARY TO GOVERNMENT,

Public DEPARTMENT.

SIR,

With reference to your Memorandum
No. 1609 Public of the 16th instant, I have
the honor to forward as desired a copy of
my letter No. C/58 of the 25th April 1899,
to the address of the Director General,
Indian Medical Service regarding
Lieut. Col. W. A. Lee, I.M.S.

I have the honor to be
Sir

Your most obedient servant.

F. Sibthorpe Surgeon General
Surgeon General with Govt of
Madras

C27-698 C14-79 C21-79
 C13-79 C14-79 C9-820

Publi

DEPARTMENT.

C. No. 149 From the J. G.
No. , dated 189 .
" 1791 " " " " 189 .
" " " " " " 189 .
" " " " " " 189 .

HM. & arc

For orders

See my note
at the end. C. 1492
This is my address in winter-
fish my photo. H. H. W.

It might be better to send
her under no circumstances a!
But send it in to the D. G.
H. 26/10/11.

The S.G. submits that the C.S. a letter to the D.G. of the I.M.S. giving cover to a letter from Lt Col Lee in which that officer appeals against the S.G.'s remarks in the latest confidential report. Whether any such communication should be forwarded to the D.G. will presently be considered. The papers first call for consideration in connection with the opinion that Govt. is apt to record in Dr. Lee's confidential report. The S.G.'s covering letter to the D.G. referred to previous correspondence with that officer.

2.
A perusal of this correspondence
seemed necessary to a proper
understanding of the matter ^{at issue},
which, as originally set forth
in the Tapes, was somewhat
obscure. The S.G. was accordingly
asked to submit a copy of his
own letter to the D.G. then he
has now done (under current no 1791) ^{has under the old order}
The letter d. 25/4/99 to the XXIII ^{this letter the same was}
D.G. (the letter called for) shows ^{addressed to the D.G. Concerning}
that there had been still earlier ^{under the new order it appears}
correspondence between him and the ^{not to have been so addressed.}
S.G. & that office regarding Dr.
Lee & that it seems unnecessary to
call for this correspondence.

I may much doubt whether
this letter the same was
addressed to the D.G. Concerning
under the new order it appears
not to have been so addressed.

W. H. H.

The S.G.'s present report about
Dr. Lee is as follows:
"I consider him a fairly good
medical officer. He is intelligent,
able, & self-reliant and professionally
efficient. He has good but only
fair judgment. His general
conduct has been fairly satisfactory."
In G.O. 1167 Pub. d. 3/9/97 Govt IV
considered that he should
have reported his departure
from his station to the S.G.
before he left it."

3
Govt. in sending on the
confidential report declared
Dr. Lee to be "a good and
trustworthy officer".

0 In his letter d. 1/8/95 to
the Secy to the S.G., Dr. Lee
protested against the S.G.'s
report that his conduct
had been only "fairly satisfactory".
He based his protest on the
fact that, whereas the S.G.'s
reason for his remark was
apparently Dr. Lee's conduct
in leaving Tanjore without
permission (to visit his dying
mother), Govt. in G.O. 1167
Pub. d. 3.9.97 had expressly
exempted Dr. Lee of any intention
to transgress the rules of the
Service.

IV
0 The S.G.'s reply to Dr. Lee's
protest is contained in his
Decr's letter no C/55 d. 7/10/90.
Dr. Lee was told that the tone
of his letter was most disrespectful
and fully confirmed the S.G.'s
in his opinion of Dr. Lee's general

Concluded & recorded in the
confidential report:—
A copy of this correspondence
was sent by the S.G. to the
D.C. & replied by the
rules " " " "

ndi G.O. 628 P.6 P
5-5-99

I have this matter appear to
have dropped as far as
regards the confidential
report for 1897. In the
report for 1898 the S.G.
has said of Dr. Lee:—
"I have had no reason to
modify his opinion I recorded
last year on his official
character & claims for
advancement in the service.
He has a high form of
intelligence & works hard at
his profession."

On receiving a copy of
this entry Dr. Lee again
addressed the S.G., again
persisting against his imputation
contained in the report. He
asked to be furnished with
detailed reasons for the S.G.'s action.

The answer does not say that
the report should be sent to the
the Local Com.

12/6/99

* Letter no A/1 d. 17/4/99 Q

so as to enable him to seek
redress by the prescribed means.
He also asked that a copy of
his letter might be submitted
to the D.C.

Letter no 957 R
24/4/99

The S.G. replied, stating
that his reasons for his action
would be found in certain
correspondence which he had filed,
and adding that his opinion
of Dr. Lee had been confirmed
by experience & reports of
others in his profession.

The S.G. also stated that he
had, in consequence of certain
correspondence with respect to
Dr. Lee's action in
connection with an apothecary,
Dai Sing, (who d. no d.

5/5/92) & G.O. no 1167

Public d. 3/9/97, which dealt
with Dr. Lee's departure from
Tangier without permission,

and (3) certain correspondence,
ending with the S.G. on 2/26

W. d. 26/5/98, pointing out Dr.
Lee's action in writing direct
to the S.G. for his days

and his action in not doing so.

cancel leave, & in failing
to report his departure on
arrival from that leave,
was unfavorably noticed
Receipt of his statement
of his S.G. record, D. Lee
with his present appeal. R

D. Lee appears to be
in his mind "falsely"
"fairly" and in last year
report - among an imputation
which should be removed in
the present report if it is
found that he has since
1897 done good work &
given no reason for
disrespect. He denies
apparently that the S.G.,
instead of saying that he
has had no reason to
hold his opinion, should
say "This officer's general
conduct is now good".

The point is rather a minute
one. The S.G. does not actually
say anything bad of D. Lee,
tho' as a copy of his report was
communicated to his office,
it was undoubtedly with a bad report.

1
It will be seen from the
correspondence already referred
to that the S.G.'s grounds for
an unfavorable opinion
in 1898 are (1) D. Lee's
action in being living direct
to the S.G. & not reporting his
departure on and arrival
from cancel leave, and (2)
the general opinion formed
by the S.G. at interviews and
inspections. The circumstances
of the former case look as if
D. Lee was unwilling to place
himself in that might be
regarded as a position of
obedience to the Dept. to the
S.G. His action if not correct
might be said to show lack of
judgment - but it is to be observed
that he still has been in
ignorance. In regard to the
second reason, the S.G.'s opinion
formed at personal interviews
cannot be gained.

The D. Lee mentions in his
appeal that the S.G. on one
occasion accused him of

giving a false certificate. "He
expresses that he cannot express
an impartial opinion from
C. S. G. who has made such
an error. The S. G. replies
that he has no recollection of
having made such an error.

The S. G. says, it is understood,
wrong in mentioning ^{among} ~~among~~
his reasons which lead to
his present unfavorable
report would which took
place in 1897. He more so
as Capt. had previously
expressed D. Lee of Maine
in regard to the case. That
it is submitted that he is
entitled to his general opinion,
and that no objection can
be made to the fact that the
present report is put. D.
Lee's report that the S. G.
should be expressed from
the report seems therefore
unadvisable.

It remains for Capt. to
form his own opinion of D. Lee

and to decide whether the
circumstances named by the
S. G. with reference are
sufficient to warrant the
expression of an unfavorable
opinion by Capt. Lee.

There remains the question
whether the appeal should be
forwarded to the D. C. of the
I. A. S. The S. G. it will be
understood that D. Lee that
the appeal lies to the D. C.
he has now, however, given
back on that view, and
advised his every letter to
the D. C. It is submitted
that Capt. cannot forward
the appeal. The question
arises whether some definite
rule should not be laid
down before such cases
as the present one, under
which are contained in C. O.
628 Feb. d. 5. 5. 98. The
S. G. is requested to report
to the D. C. of the I. A. S. any
specific instance of misconduct
on the part of officers of the I. A. S.

+ not necessarily direct:

W. H. H.

Govt may not, in view of
recent war, be inclined
to maintain this system.
If this view is taken it might
be ruled that such specific
instances of misconduct should
be reported to Govt, which
after hearing the officer
concerned would send the
the proceedings to the Govt
of India for the D.G.'s consideration.
(Before doing this it
would be necessary to address
the Govt of India, & the
present correspondence might
be made the basis of the response.)

If however Govt is willing
to continue this system of
direct reports by the S.G. to the
D.G. it should, it is suggested,
be laid down that before
any such report is made
the officer concerned should
be informed that it is
about to be made, & should
have an opportunity of
appearing to Govt in the
matter. Govt would then

either say "information"
if there is to be peace
in the land! etc.

[Handwritten signature/initials]

Change under existing rules all
such reports that go to the Govt
via para 6. of G.O. I letter
Johanna dated 20th April 99.
be by. *[Handwritten signature]*

1. As to the subject matter of
Col. Lee's appeal to the Dir. Genl.
I think that Govt should
not enter into it or discuss it
or pass orders upon it. There
is at present no appeal from
Col. Lee to this Govt. When
there is it will be considered.
The report on the conduct of the officers (in
linked file) may be made independently.
2. The S.G. should be in-
formed & be directed to
inform Col. Lee that no
appeal lies from the
S.G. to the Dir. Genl.,

the final order is to be made
the S.G. should report the
officer to the D.G. or not.
It seems desirable to provide
that an officer should have
the right of appeal against
his specific case in which he
is found fault with, rather
than have to wait and
appeal against a general
opinion recorded in the
confidential report.

In the present case if
Govt passes favourable
remarks on D. Lee, it
might suffice to communicate
them to him, as a set off
against the S.G.'s unfavourable
opinion.

[Handwritten signature/initials]

It seems to me that these papers
afford a fitting opportunity to
make clear, and to put the
Govt up to the dangers arising
from, the position defined in
para 6 of the Govt of India's letter.

In No. of 20th April 99. Fly.

But it does not in my opinion
to much matter on what
subject (though the fewer the
better) the S. G. corresponds
with the D. G. provided this
Genl. has the correspondence.
I would then lay down that
the S. G. shall send to this En.
a copy of every letter he sends to
the D. G. This will be especially
necessary if we have a Genl.
of India man found on us.
Else the S. G. will play the
D. G. off the local Genl. even
more than he has already
done. Genl. Th. I think planning
lay down a proposal of this present
case that the conduct of officers
is within a professional, or
a statistical matter or a matter
of departmental rules or orders.
It must with Genl. then be to
send on or not to send on such
reports as those referred to in
this file and to make
the Commissioned Officers of
the S. G. look much more

and that any appeal Col.
Lee may wish to make
should be addressed to this
Genl. through the S. G.

2 The S. G. should be directed to
send to this Genl. a copy of
every letter he addresses to the
D. G. When the conduct of an
officer is reported on adversely
Genl. only then he made
acquainted with the facts &
will be in a position to entertain
an appeal if such be presented
by the officer concerned. If Genl.
Th. is in a position to
decide this matter

I lay down that the conduct
of officers was not a professional
matter (though that is open to
question) nor a statistical
matter, nor a matter of
departmental rules or orders.
But in this letter in G.O.
No 28 of 5.5.98 India ^(Fly P) ^{used}
Dr. Sarkies failure in Kapthumudry
dail as an illustration of "important
circumstances affecting the private
or professional conduct of
medical officers".

We cannot therefore say that

[G.]
[124]

500-25-11-08

DEPARTMENT.

13

C. No	From the	No.	dated	
				189
"	"	"	"	189
"	"	"	"	189
"	"	"	"	189

para 6 of India's letter
No 660 of 20th April 1899 to Genl. Th. that their order
(Fly IV) superseded the former. The D. G. in command is
The conditions laid down the nature of such confidence
in the letter No. 660 are reports on conduct and the
themselves objectionable. arbiters of promotion.

The question is ^{shall} ~~should~~ be
address India again on the
matter using Col. Lee's case
as an illustration of our
contention, or shall we await
the Secy. of S.'s orders on our
last despatch. A reference
(without names) was made
to this case in the despatch,
and it seems to me that
we had better wait for the
Secy. of S.'s decision on the

16.6.11.

whole question rather than
 continue a controversy with
 the Govt of India on one feature
 of it. For, if cautious, India wd
~~send us no reply till~~
 the Secy. of S's orders were received,
 and if the orders were in India's favour
 they wd afford room for a homily
 to this Govt. On the other
 hand if we wait for the Secy.
 of S's orders we shall be in a
 position to press the present matter
 or not as may then seem
 best.

MA 13.7.99

J. A. M. 14-7-99

Memor.

A.S.H.

8.8.99

Public DEPARTMENT.

First
 Retus
 Desp
 Recd

C. No. 1492 From the Surgeon Genl, No. C/64, dated 16.5.1899.

"1791" " " "6/76" " 19.6.1899.

" " " " " " 189.

" " " " " " 189.

order no 896 & 11-899
 mis

The Surgeon Genl
 will be informed, and
 will be directed to inform
 Lt. Col. Lee, M.B., that
 no appeal from the order
 of the Surgeon Genl lies
 to the Dir. Genl. I. M.B.,
 and that any appeal
 Lt. Col. Lee may wish
 to make should be
 addressed to the Govt.
 through the Surgeon Genl.
 2. The Surgeon Genl
 will be requested to
 furnish the Govt. with
 a copy of every letter
 he addresses to the

from Dir. General, Ind.
(from order)

Cu
9.3.25

11/8/25

To the Surgeon General (C.O.)
11/8/25

First copy sent to Press.

Returned for Signature.

Despatched.

READ AGAIN G.O., No.
189

DATED

NUMBER OF COPIES
REQUIRED. { Order complete.
Letter only.
Order complete with Letter.

Spare Copies.

Struck

Issued

CURRENT No.

ENCLOSURES TO C. No

Total ..

In hand ..

ORDER OF GOVERNMENT

LETTER OF GOVERNMENT.

W

STATEMENT WITH DITTO

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

N.B.—

A = Print in full.
B = Not to be printed.
P = Print abstract only.
Q = Print heading only.

20-7-08 ✓
J-2-13
3-7-14 ✓
22-1-15 ✓

CONFIDENTIAL.

First copy sent to Press.

Returned for Signature.

Despatched.

READ AGAIN G.O., No.
189

DATED

NUMBER OF COPIES
REQUIRED. { Order complete.
Letter only.
Order complete with Letter.

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CURRENT No.

ENCLOSURES TO C. No

Total ..

In hand ..

ORDER OF GOVERNMENT

LETTER OF GOVERNMENT.

STATEMENT WITH DITTO

PAPERS NOT FILED UP, BEING MEANT FOR DESPATCH
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- A = Print in full.
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- P = Print abstract only.
- Q = Print heading only.