Revenue Department

Minutes of Consultation

1st June 1858

Back nos 19 to 22

Order no 697 D/2 8th May 1858

1-49

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Fort Saint George, Revenue Consultation of 1st June 1858.

No. 19. Read the following letter from G. WILLIAMS, Assistant Conservator of Forests; to the Acting Secretary to Government, Revenue Department, Fort Saint George; dated Madras 30th March 1858.

SIR,

1. The Conservator of Forest having expressed his doubts whether I am entitled to the travelling allowance attached to my appointment as travelling assistant whenever I may happen to be in Madras on the grounds *that Madras is the Head Quarters of the Department,* and my abstracts for travelling allowance made as hitherto for the full months of December, January and February last having been returned in consequence of my having been in Madras certain days during those months, I beg respectfully in pursuance of the 'option* given me by Dr. Cleghorn and because the Civil Auditor has not been allowed an opportunity of disposing of it, (by the Head of the Department refusing his countersignature to the Bills) to submit the question myself for the decision of Government particularly as all further correspondence on the subject has been denied me.

* *Vide Conservator's letter 13th January* 1858.

2. Acting under orders and having no assigned District, I continue to move as directed by my immediate Superior holding myself always in a state of preparedness wherever I may happen to be situated whether at Madras or Salem or any other part of the Presidency. I received the travelling allowances from the day of my taking up my appointment, halting or moving except during the period of sick leave until December last when I happened to be certain days in Madras. In proof that my having been in Madras was not otherwise than in obedience to and the carrying out of orders received from the head of my Department, I have to solicit permission to lay before Government a few particulars in support of the fact; for it is urged as another ground for refusing these Bills that being in Madras, I am *not* in those particular circumstances for which the allowances are granted.

Extract from Conservator's letter 1st March 1858.
"I return your Contingent Bills for travelling allowance in December and January and must decline all further correspondence on the subject."

Extract from Conservator's letter 16th February 1858.
"My objection to countersign your bill for travelling allowances, when you were residing in Madras, is based on the principle that the allowances are granted for particular circumstances and you were *not* in those circumstances."

3. That my being at Madras any day subsequent to my return to duty on the 1st December 1857, from sick leave was not at variance with the orders of my immediate Superior I have to state that having obtained sick leave in November 1857, to remain at Bangalore one month, I was obliged in the course of that leave to come to Madras in consequence of my wife being dangerously ill with fever; and as I concluded under the circumstances that an explanation of the emergent cause would be sufficient to remove all difficulties I hastened down; and immediately on my arrival reported myself to the Secretary Revenue Department as well as to the Officer in charge of the Conservator's Office and also to the Conservator himself on his arrival subsequently, explaining at the same time the cause and my sick leave was accordingly notified in the Gazette without reference to the station.

This is to certify that Mrs. G. Williams was suffering severely early in November 1857 with fever when I attended her.
(Signed) R. S. MAIR, M. D.

Extract from Conservator's letter 25th January 1858
"You came down here on account of Family arrangements."

4. My next duty being to return to Bangalore I reported my intention accordingly on the 21st November ten days before the expiration of my leave but on the same day the Conservator requested me to call on him with reference to my future employment when I was directed to remain at Madras for any information Government might want in reference to my reports on the Salem Forests connected with the question of supplying Sleepers to the Railway Company. I remained at Madras accordingly and reported my return to duty on the 1st De-

Extract from Conservator's letter 21st November 1857.
"With reference to your future employment I am desirous of seeing you at this office when convenient."

cember and awaited orders; but as up to the 21st the question remained undecided, I was sent on a short expedition to Streeharricotta with orders again repeated "to return to Madras in 4 or 5 days." After handing in my report on the Streeharricottah Jungles I suggested the desirableness of visiting the Nuggery Hills with reference to the new line of Railway to Cuddapah still keeping in prominent view the necessity of *returning to Madras to meet the objects in relation to the Salem Forests.*

Extract of Conservator's letter 21st December 1857.
"I should think this duty would occupy 4 or 5 days when you will be so good as to return to Madras in case of any reference arising out of the question of the Salem Forest."

Extract from my letter 22nd January 1858.
"I shall not be so far from Madras as not to be able to return in 3 or 4 days if wanted here at any time."

5. In reply I received the orders quoted in the margin directing me to proceed to the Nuggerry Hills and also to other ranges of Hill tracts and Ghauts from Cuddapah downwards. In pursuance of these orders I proceeded to the Nuggery Hills and having finished my journey along one range of hills I returned to Madras and reported (vide Extract letter 13th February 1858, given in the margin) not only the date of my departure and return but also what I had done and the course intended to be pursued towards completing the work; and then resumed my journey from Madras on the 20th of the same month.

Extract from Conservator's letter 23rd January 1858.
"I have to direct that you proceed to the *Nuggery* Jungles and examine the neighbourhood of the proposed line of Railway to Cuddapah . . . distinguishing between the Sircar villages and those belonging to the several Zemindars (Calastry Poonganoor, &c.,) in this neighbourhood. You should visit the slopes of the Eastern Ghauts on both sides of the projected line but . . you will find the largest quantity of wood on the right hand in the direction of the Goorumcondah, Chittavell and Sidhout Talooks."

Extract from my letter 13th Feb. 1858.
"I commenced my journey from Madras on the 28th Jany. . . took the route along the Nagalapoorum Hills . . on the sea face side of the Nuggerry range . . a little above Calastry and coming down by the Western face . . visited the jungles in the Kirkumbady, Vedamalpet and Poothoor Samoos-hanums, down to Ameerpett . . . the right-hand side of the Railway line as it goes from Trivaloor to Kirkumbady and I returned on Thursday night to Madras . . . . . . leaving this by rail my course will be to Poonganoor in North Arcot, Goorumcondah in Cuddapah, Sidhout and Chittavell . and coming down by Coodoor, Chetticonta, &c. I shall be led by Tripattey to Chundragherry . . . ."

6. The Extracts of correspondence given along the margin will I trust prove that either under express orders, or implied sanction, I never acted but in the legitimate course of duty; neither was I informed of any departure from instructions on my part until on arriving at Cuddapah I received three letters from the Conservator of Forests all under one cover and addressed Cuddapah;—two dated 22nd February and one dated 1st March (appended in full) one of those dated 22nd February informing me *that as there is not likely to be any duty for me at Madras I am not to come hither*; and the other directing me *not to proceed to the Nuggery Hills but to Cottaputty in Salem* to facilitate measures proposed by the Railway Consulting *Engineer*. That dated 1st March calls on me to "explain my divergence to Cuddapah *without orders*," and as already my travelling allowances for three months were stopped, my *salary also* for February was now made to depend upon the explanation to be given for my going to Cuddapah; but as the letters of 22nd February were evidently intended for me before I left Madras, and as they reached me *together under the same cover as that dated 1st March*, at the furthermost point of my destination and *my resources being cut off* there appeared no alternative but to finish my tour; and I accordingly explained my views and submitted the intended course of my further progress downward (vide Extracts, letter 5th March 1858, given in the margin.)

Extract from Conservator's letter 1st March 1858.
"Before passing your pay Abstract for Feb. I must call on you for an explanation of your divergence to Cuddapah without orders."

Extract from my letter 5th March 1858.
"Para. 2. With reference to . . . calling on me for explanation of my *divergence to Cuddapah without orders*, I beg . . to refer to your orders of the 23rd January . . . I duly report the course of my proceedings . . . letter dated Madras 13th February stating what I had done in conformity . . . the course I was next intending to take . . . naming at the same time the Countries through which I had passed and should have to pass to give full effect . . . . . .

Para. 3. What remains in the order as it occurs in your letter of instructions are the countries of . . . .

Para. 5. . . . I trust after this explanation given I shall be permitted to complete the journey upon which I set out by your orders . . for it is quite impossible to keep faith with followers and cartmen or to retain their services in a work at all times arduous and trying having continually to travel . . . if one set of arrangements were so to supersede another . . . . for my own part . . . . it shall be my duty to obey . . . . . .

Para. 6. . . . Not knowing how to act under the present orders which were evidently intended for me at Madras I trust it will not be deemed improper in me to proceed on my tour."

7. On the day of my return to Madras from Cuddapah (20th March) I found that my pay bill for February which had been withheld awaiting explanation called for, and furnished by me under date Cuddapah 5th March, had only on the day previous viz., 19th March been countersigned by the head of the Department. Upon this shewing of facts I trust that the second

ground of objection viz., "*being in Madras places me out of those particular circumstances for "which the travelling allowances are granted*" has been removed.

8. My appointment (vide Gazette 10th March) is that of an itenerant assistant to the Conservator of Forests and a fixed allowance of 5 Rupees a day for travelling, while in that position, is added to the pay of the appointment, distinguishing it from those assistants to whom Districts have been assigned and to whom travelling allowance is given only when they move out of their District. In my capacity of itenerant assistant I am required to hold myself in readiness to move as the head of my Department may direct, as observed by the Civil Auditor in his reply to Conservator's objections on the subject.

9. Having therefore no particular District assigned to me, I drew the allowance hitherto without objection, but when the question was raised as to my being entitled to travelling allowance at Madras I requested that it might be submitted to the Civil Auditor; which was accordingly done (vide Extract Conservator's letter 18th January.) "I have forwarded your contingent "bill to the Civil Auditor "with a full Statement of "the circumstances under "which the travelling allowance is claimed" but the bills were not submitted with the countersignature of the head of the Department. The Civil Auditor's reply, communicated by that officer for my information is given in the margin in full. No communication of the objections therein referred to having been made to me, I am unable to submit the same so as to prevent the time of Government being taken up with further reference on the subject. It will be seen that I do not claim travelling allowance for any part of the period of my absence on leave but only for those periods during which I was actually employed on, or available for the duties of my Department, and I beg respectfully to submit that in consequence of my pay for February last having been withheld so long and being at the same time deprived of my travelling allowance for December, January and February, I was left to travel from Cuddapah without any means whatever having in conformity to the published circular rules of the Department divested myself of every other means. I was thus subjected to great inconvenience and privation in the execution of my public duty so much indeed that I was compelled to sell my own Horse at Cuddapah and borrow another to prosecute the remainder of my allotted task.

With reference to your letter of the 18th instant forwarding the travelling allowance bill of Mr. G. Williams one of the Assistants in your Department for the whole month of December last *without your countersignature*, and requesting my opinion whether under the circumstances represented in your letter, Mr. Williams is entitled to that allowance for the whole month, I have the honor to observe that as the order of Government constituting the Forest Conservancy Department allowed the itenerant assistent Conservators employed in exploring the timber growing localities a travelling allowance of 5 Rupees a day *during such employment*.

Mr. Williams' claim would according to the strict letter of that order be inadmissible; but as from the very nature of their employment the itenerant Conservators it appears to me cannot be regarded as having any particular head-quarters, and have perhaps in all places and at all times to maintain their travelling equipage, it would I think be competent for you to sanction Mr. William's claim except you are of opinion that Madras is his head quarters in which case I imagine the travelling allowance cannot be claimed for the period Mr. Williams remains here. The Statement in the concluding part of your letter that the grant of travelling allowance to those assistants was never contemplated by you when the Department was organized certainly carries some weight and would be conclusive against the claim if it could be shewn that it was not also the intention of Government. Mr. Williams bill is herewith returned.

Rules containing General instructions to assistants in the Forest Department 27th February 1857.

Para. 9. The services of the assistants belong entire[illegible]overnment and they are strictly prohibited from engaging in private transactions of any kind whatever.

10. I therefore humbly trust that the Right Honorable the Governor in Council will be pleased upon a cosideration of the foregoing circumstances to authorize the payment of travelling allowance to me for the whole period included in my bills for December, January and February A claim which is admitted by the Civil Auditor and would have been at once passed by him but for the countersignature of the Conservator of Forests which has been withheld in this instance, and to solicit further that the Government will issue such instructions as will prevent my being again placed in similar difficulties which must interfere with the efficient discharge of my duties as travelling assistant to the Conservator of Forests.

From H. CLEGHORN, Esq., Conservator of Forests; to Mr. G. WILLIAMS, Assistant Conservator of Forests, dated Madras 22d February 1858, No. 282.

SIR,

With reference to the correspondence which has recently taken place on the subject of your visits to Madras, I have now the honor to direct that as there is not now, and is not likely to be any duty for you at Madras, you will not visit the Presidency at any time without orders or leave obtained through me under the ordinary rules of the service or on "Emergent Medical Certificate" in which latter case you will proceed to the place indicated in the Certificate, forwarding the same to me for my information and that of the Civil Auditor.

You will immediately report to me the date of your departure to and return from the Nuggery Jungles, and on your departure for the duty to which you are ordered in my separate letter of this date, you will intimate the same for my information.

From H. CLEGHORN, Esq., Conservator of Forests; to Mr. G. WILLIAMS, Assistant Conservator of Forests, dated Madras 22d February 1858, No. 281.

Sir,

As the question of supplying Railway Sleepers in the 7th and 8th Districts is now before Government and as your Report on the Cotaputty jungles, printed in Extract Minutes of Consultation dated 13th November last No. 544, does not contain sufficient information to enable me to form an opinion as to the scheme proposed by Captain Johnston.

2. I have the honor to direct that you will proceed without delay to the forest round Cotaputty, mark and number all trees of the specified kinds suitable for Railway Sleepers, which may with advantage be removed, distinctly recording in the Register the exact localities by bearings &c.

3. It would be desirable that the trees marked should be pointed out to the headmen of the villages in the vicinity of which they may be found.

4. For this purpose, I will request the Collector of Salem to direct the headmen of the respective villages to accompany you and take a note of the tree you may mark, this will ensure due Conservancy and facilitate after operations.

5. You will be so good as send a Report to my office on every Monday, shewing the progress you have made during the past week.

6. In case of the absence of the headmen of the villages, it will not be necessary for you to delay, as the trees may afterwards, be pointed out to them.

7. You will continue at the post assigned you till the work is completed, and then await further orders.

8. In numbering the trees, you will for convenience assign a certain series of numbers to particular localities, as from 1 to 500 for the village of Cotaputty, 500 to 1000 to the next village; and the number in the Register should correspond with the mark on the trees.

9. As you have come back from Nuggery it will not be necessary to return there unless you receive instructions to that effect.

From H. CLEGHORN, Esq., Conservator of Forests; to Mr. G. WILLIAMS, Assistant Conservator of Forests; dated Madras 1st March 1858, No. 292.

Sir,

I have the honor to acknowledge receipt of your letter of 25th Ultimo from Poonganoor. I return your Contingent Bills for travelling allowance in December and January, and must decline all further correspondence on this subject.

2. I am prepared to countersign your Bills for allowance for the days on which you were actually travelling to Streeharicottah and Nuggery.

3. Before passing your Pay Abstract for February, I must call on you for an explanation of your divergence to Cuddapah without orders, and I have again to refer to my instructions that the actual date of your leaving Madras, and returning to it should in all cases be intimated to me.

4. I now enclose a form specifying dates and places, which must be filled up to accompany every bill for travelling allowance, and certified as correct "on honor."

(True Copies.)

(Signed) G. WILLIAMS,
Assistant Conservator of Forests.

No. 20. From Mr. G. WILLIAMS, Assistant Conservator of Forests; to the Acting Secretary to Government Revenue Department, Fort Saint George; dated Madras 9th April 1858.

Sir,

1. With reference to the Appeal I had the honor to submit under date 30th March, I beg respectfully to lay before Government in connection therewith the correspondence that has since transpired with the head of my Department on the subject.

2. Having explained in reply to Dr. Cleghorn's letter of 29th Ultimo that in soliciting Government to relieve me from the position of difficulty and embarrassment in which I was placed by my salary and allowances being withheld for a protracted period it was by no means my intention to resign the service, I next replied to the 2d para. of his communication regarding the charge of habitual disregard of repeated instructions to report arrival and departure at and from Madras. Copies of which I beg herewith to annex that Government may have the whole matter fully before them.

3. It will be seen I humbly trust, that I have carefully attended to the instructions conveyed to me, and that nothing could be further from my intention than to disobey the orders emanating from the head of my Department.

From H. CLEGHORN, Esq., Conservator of Forests; to Mr. G. WILLIAMS, Assistant Conservator of Forests, dated Madras, 29th March 1858, No. 313.

Sir,

I have the honor to acknowledge receipt of your letter of 22d Instant, expressing a wish to be relieved from your present position, by which I understand that you desire to leave the Forest Department, I shall transmit your resignation to Government and recommend that it be accepted.

Your habitual disregard of repeated instructions to report your arrival and departure from Madras, (by which your travelling allowances are regulated) caused the detention of the abstracts of which you complain and occasioned great inconvenience to the Office by the return of several letters which had been despatched in quest of you.

From Mr. G. WILLIAMS, Assistant Conservator of Forests; to H. CLEGHORN, Esq., M. D. Conservator of Forests Bangalore; dated Madras 7th April 1858.

Sir,

1. Reverting to your letter of the 29th Ultimo 2d para. wherein it is observed that my "habitual disregard of repeated instructions to report arrival and departure from Madras" was the cause of my abstracts being detained; whereas my views of the travelling allowance being claimable were based on the principle that it is due so long as I may happen to continue in the employment of an Assistant Conservator whose services are at all times to be held in readiness for moving according to orders, I have the honor in reply to state that having submitted to Government, the question of travelling allowance in the hope that it may be considered as a fixed addition to my salary while continuing in *such employment* (vide Civil Auditor's Manual) I would now beg to refer to my letter of the 25th January *reporting the day of my departure and return from Streeharricotta* which is the first expedition on which I was sent since my return to duty on 1st December 1857 from sick leave.

2. The second expedition is founded on your orders of the 23d January to proceed to Nuggery Hills and other ranges from Cuddapah downward. *I reported the date of my departure from and return to Madras on the 13th February* after accomplishing a portion viz. the Nuggery range, while I was as yet in the prosecution of my journey to Cuddapah as observed in my letter of the 16th February my coming to Madras and departure will as usual as in all my other journeys be exhibited in my Diary Reports, but independantly of these (which I am as yet not able to get through from indisposition) I reported in conformity with your instructions of the 1st March my daily progress throughout the month of February when submitting my bill for travelling allowance for that month vide my letter to the officer in charge of office dated 22d March.

3. On my return from Cuddapah to Madras under the circumstances complained of in my letter of the 22d March I reported on the 25th same month to Mr. Maclagan the date when I resumed my journey when last in Madras and I wrote to you from Poonganoor 25th February and Gooramcondah 1st March on my way to Cuddapah so as to make my movements distinctly known these are places to which I was directed by your letter of 23d January to visit.

4. My health I am sorry to say is by no means favorable to the continuation of so much arduous travelling and I would rather prefer an assigned District. The season too at this time is about the most unhealthy for going to the Salem forests, but in addition to these hinderances I can scarcely hope from other natural and more formidable obstacles to accomplish the task you have given me in your letter of the 22d February, viz. to number the forest trees by putting a mark on them and registering the number in a book together with their respective bearings. I found this impossible at Vallyaur and mentioned the difficulty which rendered the task hopeless. The Salem forests are situated on the slopes of steep and rugged hills thickly interspersed with bramble and scrubby jungle with a proportion of deep precipices containing the largest timber, but there is no where any footing for man or beast in such a situation especially if it happen to rain. An ascent up a steep, be the road ever so smooth is yet a laborious work and no villager would lend his aid willingly where all these other obstacles have to be surmounted. It would be otherwise if these hills were to be worked for sleepers, for then the difficulties of approach would be necessarily diminished as the work was advancing, but as you have written to the Collector of Salem to direct the headmen of the village to assist me I shall proceed to Cotaputty as directed in your letter of the 3d Instant and formerly in your letter of the 22d February on the expiration of my casual sick leave and see what could be accomplished on the way you wish.

5. I take the liberty in reply to your letter of 3d Instant to submit copy of a recent Gazette which I think will satisfy you that the certificate as granted by Dr. Maclean will not be objected to by the Civil Auditor. The Gazette referred to being subsequent to the publication of the Civil Auditors Manual quoted by you and intended to supply a deficiency complained of in the Rules affecting leave to Uncovenanted Servants (without forfeiture of allowance) in cases where the Medical officer certifying is not previously acqu ainted with the applicant, I beg you will kindly forward the certificate to the Civil Auditor for which purpose I respectfully enclose it again.

6. I trust it will be perceived that I have not at any time incurred the charge preferred against me of habitual disregard to orders and I have no hesitation in declaring that nothing was ever more remote from my mind than to act in wilful opposition to the injunctions of my superior officer.

Copy of Fort Saint George Gazette No. 12 page 587-588 Fort William Financial Department the 19th March 1858.

Notification.—Read again the following Papers relative to the grant of Casual leave to Uncovenanted Servants.

(Here enter No. .)

Resolution.—The Honorable the President in Council observes that, on the 12th June last, it was ruled by this Government, that Casual leave for a few days may, in cases of sickness, be granted to Uncovenanted Civil Servants by the Heads of Offices at their descretion, without loss of salary, and without such leave being taken into account as part of the two years allowed by Clause I. of Section V. of the Uncovenanted service Absentee Rules.

Referring to this decision, the Government of Bombay now enquires whether any, and if so what limit has been fixed by this Government for the casual leave alluded to.

His Honor in Council remarks that no limit has as yet been established, but he considers that the total amount of casual leave should not exceed fifteen days in the course of the year, and he desires that this limit be observed in future.

(Signed) C. H. LUSHINGTON,
Secretary to the Government of India.

Republished by order of the Governor in Council.

(Signed) H. FORBES,
Acting Secretary to Government.

From H. CLEGHORN, Esq., Conservator of Forests; to Mr. G. WILLIAMS, Assistant Conservator of Forests. dated Bangalore, 3rd April 1858, No. 322.

Sir,

I return the enclosed certificate of Dr. Maclean which is informal (vide Civil Auditors Manual Cap. 3 page 8 head Uncovenanted servants.)

If the usual Medical Certificate be granted you by Dr. Maclean, it should be countersigned by the Superintending Surgeon. This is the more necessary as you came to Madras without obtaining previous leave and in opposition to my instructions of 22nd February last.

On the expiration of your leave you will be so good as proceed at once to the Cotaputty Jungles in accordance with the instructions contained in my letter No. 281 of the same date.

No. 21. From H. CLEGHORN, Esq., M. D. Conservator of Forests; to the Secretary to Government Revenue Department, Fort St. George, dated Mysore 16th April 1858, No. 328.

Sir,

1. Mr. G. Williams having reported to me that he has addressed Government direct on the subject of Travelling allowance, I have the honor to submit the following Statement of the circumstances, premising that I have already informed Mr. Williams that if he wished to address Government on the subject there was no objection to that course, but he must do so through the Head of his Department.

2. In the end of October last, when at Ootacamund, Mr. Williams obtained a Medical Certificate to *Bangalore* for 30 days, but instead of adhering to the terms of the Certificate, he proceeded at once to Madras. I was unwilling that he should suffer from a step which might perhaps have been taken in ignorance, and I therefore procured him a month's leave from 1st to 30th November, without specifying any particular locality.

3. At the expiration of that time I desired him to remain in Madras until I was prepared to assign him some specific duty, and on the 24th December last he proceeded under my instructions to the Streeharricottah Jungles returning on the 29th Idem.

4. On the 28th January, he again left Madras having been instructed to proceed to the Naggery Jungles and examine the neighbourhood of the proposed line of Railway to Cuddapah, as to the means existing for the supply of timber for Sleepers, more especially in the Gorumcondah, Chitwail and Sidhout talooks; after partially fulfilling these instructions, Mr. Williams returned to Madras on the 12th and remained till the 22d February, apparently on his own business, as he had no instructions from me I therefore wrote to him on the* 22d, "not to visit the Presidency at any time without orders or leave obtained through me under the ordina y rules of the service or on emergent Medical Certificate." Notwithstanding this, he again retur d on the 20th Ultimo, and is there now by letters just received.

* No. 282.

5. Ther re two questions arising out of these circumstances, 1st, whether Mr. Williams is entitled to avelling allowance during those periods, when he was resident in Madras, viz.

1st to 23 December 1857.
30th December to 27th January 1858.
12th to 22d February 1858.
20th to 31st March 1858.

or only for the days when he was actually travelling.

6. Mr. M lagan, my Assistant in charge of the office at the Presidency, agrees with me that the latter is all that Mr. Williams can claim, and I accordingly† intimated to him that I was willing to countersign his Abstracts for the period he was bonafide travelling. I enclose an Extract from Mr. Maclagan's‡ letter, and also copy of letter from the Civil Auditor, which was not so definite as to make me alter my opinion. I may add that Lieutenant Be dome when in Madras for part of June

† *Letter dated March* 1858 *No.* 292.

‡ *Dated 7th Ap* 1858, *No.* 75 *A. Appe x A.*

and July last, obtaining information preparatory to assuming charge of the Anamallay Forest, did not draw Travelling allowance. But it was on the general ground, that every person must have Head Quarters, where he is not entitled to Travelling allowances, and that Madras is the Head Quarters of the Travelling Assistants in the Forest Department that I formed my opinion.

7. Another question, however, arises respecting Mr. William's, frequent visits to Madras, which I did not wish at present to have brought to the notice of Government, had he not rendered it necessary that I should do so.

8. As I have already said Mr. Williams has on several occasions come to Madras without and contrary to orders, and I find from the Agent and Manager of the Railway Company, that his son has been tendering (as a Contractor) to supply Sleepers from the districts he has been last visiting, soliciting an advance of 40,000 Rupees for the purpose.

9. The duties of an Assistant Conservator are in an especial manner to watch the operations of Contractors, whose transactions being guided by self-interest, it cannot be expected that they should care about the preservation of the Forest. I would therefore submit that such an arrangement as this is *most objectionable*, and I feel that though not trading in his own name Mr. Williams has infringed the rule laid down in the printed Circular No. 1 para. 9, put into his hands when he joined the Department, viz.

"The services of the Assistants belong entirely to Government, and they are strictly prohibited from engaging in private transactions of any kind whatever."

Appendix B.

10. I have thought it my duty to bring this matter to the notice of Government, and have the honor to annex,

1st. Mr. William's suggestion that he (the Father) should explore the Naggury Jungles, dated 22d January 1858.

2d. Copies of the Tender made by his son dated 16th February with the accompanying letter to the Agent of the Madras Railway Company.

11. Government are aware that I have been endeavouring in accordance with their instructions to curtail and limit advances in all our Forest operations, and I am much disappointed that one of my Assistants should without my knowledge have been partly to an opposite course. I have already* expressed my readiness to transfer Mr. William's services entirely to the Railway Company, and on account of his previous employment as a Contractor for Sleepers, and his obvious inclination to return to this work, I think the arrangement would be in every way advantageous.

* *Dated 24th February* 1858, *No.* 283, *para.* 13.

Extract of a letter from J. T. MACLAGAN, Esq., Assistant Conservator of Forests in charge of Accounts; to H. CLEGHORN, Esq., Conservator of Forests; dated Madras, 7th April 1858, No. 75 A.

"The state of the case regarding his travelling allowance is simply as follows. Mr. William's claims travelling allowance for the whole months of December, January, February and March, although he was in Madras during three weeks of December, nearly the whole of January, and part of February and March. He has been told that you are prepared to pass his abstracts for those periods, when he was actually travelling, as soon as he sends them in corrected, but this he has not yet done.

It appeared to me, when you first consulted me on the subject, that no person is entitled to travelling allowance, when he is at Head Quarters wherever these may be, and that Madras must always be considered the Head Quarters of the travelling Assistants, but more especially in the case of Mr. Williams, who has a house here in which his family resides. This was also the opinion of Lieutenant Beddome, who ceased to draw travelling allowance on his arrival here from the Northern Division, and did not commence to draw it until he left again for the Annamallays. But most of all I considered that Mr. Williams could have no claim for travelling allowance during the first three weeks of December as he had spent the whole month of November in Madras on leave, and could not therefore have the excuse of keeping up his travelling establishment.

Mr. Williams was informed that he might if he thought proper address Government through the head of the Department, but this course also he has thought fit to reject, and in contravention of all official rule to address Government direct on the subject. But on this question it is not my province to enter."

(True Copies.)
(Signed) H. CLEGHORN,
Conservator of Forests.

APPENDIX A.

From H. CLEGHORN, Esq., Conservator of Forests; to F. LUSHINGTON, Esq., Civil Auditor, Fort Saint George; dated Madras, 18th January 1858, No. 261.

SIR,

I beg to transmit the accompanying Contingent Bills, for travelling allowance from Mr. Williams, Assistant Conservator of Forests, which I had declined to forward to you, but which he has again requested me to transmit.

Mr. Williams obtained leave of absence on sick Certificate during the month of November last, and was instructed by me to go to Bangalore, as was recommended by the Certificate. He came, however, to Madras, and as I found him here at the beginning of December, I desired him to remain pending a reference to Government as to his future employment. Towards the end of the month, he proceeded under my orders to the Streeharicottah jungles.

I have acquainted Mr. Williams that in my opinion, he is entitled to travelling allowances, only for the five or six days during which he was employed on this latter duty, but as he considers himself entitled to the allowance for the whole month, I have to request that you will inform me whether he is correct in this opinion. Neither Mr. Beddome nor I when at the Presidency, consider ourselves entitled to travelling allowance, and such a claim was certainly not contemplated by me when the Department was organized.

From F. LUSHINGTON, Esq., Civil Auditor; to H. F. CLEGHORN, Esq., Conservator of Forests; dated Fort Saint George, 20th January 1858, No. 1078.

SIR,

With reference to your letter of the 18th Instant forwarding the travelling allowance bill of Mr. G. Williams one of the Assistants in your Department for the whole month of December last *without your countersignature*, and requesting my opinion whether under the circumstances represented in your letter, Mr. Williams is entitled to that allowance for the whole month, I have the honor to observe that as the order of Government constituting the Forest Conservancy Department allowed the Itenerant Assistant Conservators employed in exploring the timber growing localities a travelling allowance of 5 Rupees a day *during such employment*, Mr. Williams' claim would according to the strict letter of that order be inadmissible, but as from the very nature of their employment the Itenerant Conservators, it appears to me cannot be regarded as having any particular Head Quarters, and have perhaps in all places and at all times to maintain their travelling equipage, it would I think be competent for you to sanction Mr. Williams' claim except you are of opinion that Madras *is* his Head Quarters in which case I imagine the travelling allowance cannot be claimed for the period Mr. Williams remains here. The statement in the concluding part of your letter that the grant of travelling allowance to those Assistants was never contemplated by you when the Department was organized certainly carries some weight, and would be conclusive against the claim, if it could be shewn that it was not also the intention of Government.

Mr. Williams' bill is herewith returned.

APPENDIX B.

From Mr. G. WILLIAMS, Assistant Conservator of Forests; to H. CLEGHORN, Esq., M. D., Conservator of Forests; dated Madras, 22d January 1858.

SIR,

If you have no objection I shall take a trip to the Nuggery Hills to ascertain whether and to what extent they could supply the line which the Railway Company are now about laying down through Cuddapah with Sleepers and report accordingly as I shall not be so far from Madras as not to be able to return in three or four days if wanted here at any time.

From Mr. J. J. G. WILLIAMS; to N. B. ACWORTH, Esq., Agent Madras Railway; dated Madras, 16th February 1858.

Sir,

Understanding that the Railway Company are about to lay down a line to Cuddapah, I beg to tender for the supply of Sleepers for the said line from Vadamulpet to Codoor which makes a distance of 40 miles. The sleepers to be delivered along the line within that distance at 2 Rs. 12 annas each of the approved kinds of wood, and the supply for the whole length to be completed in one year.

The number of sleepers so required might be estimated at about 80,000 and I would request an advance from the Railway Company of 40,000 Rupees for which I shall give substantial guarantee, the advance to be repaid from the first supplies to be made by me. I was connected in business with my father Mr. G. Williams, who contracted in his own name and supplied the Company with Saul wood sleepers from Goomsoor advanced a sum of 50,000 Rupees on Messrs. Arbuthnot and Co.'s guarantee.

My individual experience in Railway work is proved also by the fact that I undertook by myself and laid down the first ten miles of the permanent way from Royapooram to Avady when my father was bringing down the sleepers of which that portion was chiefly laid, and when there was much difficulty in procuring Cooly labourers in an undertaking altogether unknown at that time in the country.

It will be obvious to you that the fulfilment of the contract not only demands the most active energy but also ample resources, and it is upon this ground that I solicit the advance, being assured from the facts that have come to my knowledge of the country to be worked, that I shall be able to fulfill my contract if the funds were secured.

From Mr. J. J. G. WILLIAMS; to N. B. ACWORTH, Esq., Agent Madras Railway; dated Madras, 16th February 1858.

Sir,

I take the liberty in connection with the tender made in the accompanying letter for supplying sleepers on the Cuddapah line to state for your private information that the country from which the sleepers are to be obtained for supplying the line from Vadamulpet to Codoor is private property belonging to the Petty Rajahs or Zemindars and Poligars who make their own terms with those who cut wood on their estates and who it is most likely would raise their prices for timber to prohibitive rates if it comes to be known abroad, before the terms are definitely entered into with them, that such a chance is in prospect. In offering therefore to enter into a contract I thought it advisable not even to wait until the line is staked out, lest by raising a competition on the side of contractors in the same field and by exciting the rapacity of the Proprietors of those Estates, the prospect of supplying the Company at a moderate rate and of securing to myself a profit if the undertaking should be frustrated. I would on these considerations respectfully beg that my tender may be reserved in the hands of the Railway authorities concerned until, if approved and sanctioned, measures are taken to fix the terms between myself and the owners of the Forests. My father suffered loss in his contract owing to the competition raised at Goomsoor by a contractor who subsequently entered the same field in a country where timber abounded but labor and carting were so scarce as to be altogether insufficient to meet the wants of a single active contractor, and both he and his competitor were obliged to withdraw with considerable loss to themselves in fulfilling their contracts solely on account of such a division having been created, and the supply from that source of the very best sleeper ceased entirely, for when the price of labor was raised neither of them were able to supply their sleepers at the rate contracted for.

I beg therefore you will forgive my anxiety on this point.

(True Copies.)

(Signed) H. CLEGHORN,
Conservator of Forests.

No. 22.

ORDER THEREON, No. 697; dated 28th May 1858.

1. In the first of the letters recorded above, Mr. Williams, Assistant Conservator of Forests, appeals from the refusal of the Conservator to countersign his bills charging for travelling allowance for the months of December, January and February last; Mr. Williams grounding his claim on the nature of his employment as an itinerant Assistant having no head quarters, and Dr. Cleghorn basing his objection on the view that Madras must be considered the head quarters of the travelling Assistants, while resident at which they are not entitled to travelling allowance. With the second paper, Mr. Williams forwards further correspondence with his superior, and explains that, in soliciting to be relieved from the embarrassment in which he was placed by his salary and allowances being withheld, he did not intend to be understood as being desirous of resigning the service of Government. The third paper is from the Conservator of Forests, who offers his objections to Mr. Williams drawing travelling allowance while remaining at Madras, and takes the opportunity of reporting that Mr. Williams has frequently come to Madras without, and contrary to, orders; whereas Mr. Williams, in his letter, appears to account satisfactorily for his visits to the Presidency by a narrative of the course of events which led to them, and by extracts from the Conservator's orders. But Dr. Cleghorn submits a more serious point for the consideration of Government, viz. the propriety of Mr. Williams continuing in the Forest Department. He reports that Mr. Williams' son has offered to contract to supply sleepers to the Railway from the Naggery forests; and, apparently coupling this fact with the father's suggestion that he should explore these forests, he draws the conclusion that the Assistant Conservator has an interest in the contract, and has consequently infringed the rule which prohibits the Assistant Conservators from engaging in private transactions of any kind whatever.

2. There appear to be some misunderstanding between the Conservator and his Assistant; but the correspondence before Government is contradictory. Mr. Williams maintains that he was not at Madras contrary to orders after he returned to duty on the 1st December 1857, on the expiration of his month's leave, but was there as a consequence of orders received from his superior from time to time. Dr. Cleghorn avers that his Assistant came to Madras on several occasions without, and contrary to, orders; but he does not shew what Mr. Williams ought to have done after his month's leave in November was over; and on this the question at issue depends. Again, Mr. Williams says he went to Cuddapah under the express orders of the Conservator, and in the margin of para. 5 of his earlier letter, he furnishes the following extract from a letter from that officer dated 23d January 1858;—"I have to direct that you proceed to the Naggery Jungles, and examine the neighbourhood of the proposed line of Railway to Cuddapah distinguishing between the sircar villages and those belonging to the several Zemindars (Calastry, Poonganoor, &c.) in this neighbourhood. You should visit the slopes of the Eastern ghauts on both sides of the projected line, but you will find the largest quantity of wood on the right hand in the direction of the Goorumcondah, Chitwail, and Sidhout talooks." And this is confirmed by what Dr. Cleghorn himself says in his letter recorded above, but yet Mr. Williams' allowances were withheld for February pending the explanation called for as to the divergence to Cuddapah without orders. Again, Mr. Williams states that he addresses the Secretary to Government because the head of his Department, not only gave him the option of taking that course, but had declined all further correspondence on the subject. In regard to the option of addressing Government direct, Mr. Williams quotes the date of a letter received by him from the Conservator, viz., 13th January 1858, but he does not annex the letter itself, and in regard to the Conservator refusing to hear his case, he furnishes an extract to that effect from a letter from that Officer dated 1st March 1858. On the other hand, both Dr. Cleghorn and Mr. Maclagan, the Assistant in charge of the Conservator's office at Madras, make a statement directly contrary to that of Mr. Williams. This should be cleared up, and Dr. Cleghorn will be good enough to furnish copies of his instructions to Mr. Williams in reference to his "divergence to Cuddapah without orders," and of his letters of the 13th January and 1st March 1858 quoted by Mr. Williams, or other letters bearing on the permission given to the latter to address the Government regarding his allowances.

3. As to the allowances which Mr. Williams claims, it is observed that the Civil Auditor appears to be favorable to the demand, and the Government are of opinion that the itinerant
servators, in which capacity Mr. Williams is employed, should receive

only when on circuit, but also while awaiting orders, except indeed in a clear case of remaining for a fixed time at an established place as head quarters, which it has never been determined that Madras should be considered.

4. With respect to Mr. Williams remaining in the Department, it is clear to Government that Officers of the forest conservancy cannot be allowed to be in connection with Railway contractors; and Mr. Williams will be called upon to make his choice between being altogether free of any appearance even of interest in private contracts, or of leaving the Department.

5. The Government must notice that this matter has been brought before them in an irregular manner, and all claims of this nature should be submitted through the Head of the Department in order that the Government may have his opinion.

(Signed) W. H. BAYLEY,
Acting Secretary to Government.

To The Acting Secretary to Government
Revenue Department
Fort St George

697
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Sir

1 The Conservator of Forests having expressed his doubt whether I am entitled to the travelling allowance attached to my appointment as travelling assist. whenever I may happen to be in Madras on the grounds that Madras is the Head Quarters of the Departm and my Abstracts for travelling allowance made as hith for the full months of December January and Febru last having been returned in consequence of my hav been in Madras certain days during those months, I be respectfully in pursuance of the option given me by Dr Cleghorn and because the Civil Auditor has not been all an opportunity of disposing of it, (by the Head of the Depart ment refusing his countersignature to the Bills,) to subm the question myself for the decision of Government particu all further correspondence on the subject has been denied me.

* vide Conservator's letter 13th January 1858.

Extract from Conservator's letter 1st March 1858
"Return your contingent Bills for travelling allowance in [illegible] and January and must decline all further correspondence on the Subject."

2. Acting under orders and having no assigned District, I continue to mov as directed by my immediate Superi holding myself always in a state of preparedness wherev I may happen to be situated whether at Madras or [illegible] or any other part of the Presidency.— I received the tra ing allowances from the day of my taking up my Appointm halting or moving - except during the period of sick leave until December last when I happened to be certain days in Madras.— In proof that my having been in Madras wa not otherwise than in obedience to and the carrying out

orders

10

orders received from the head of my Department. I have to solicit permission to lay before Government a few particulars in support of the fact; for it is urged as another ground for refusing those Bills that being in Madras, I am not in those particular circumstances for which the allowances are granted.

Extract from Conservator's letter 20 Feby /58
"My objection to countersign your bills for travelling allowance when you were residing in Madras, is based on the principle that the allowances are granted for particular circumstances and you were not on those circumstances"

3. That my being at Madras any day subsequent to my return to duty on the 1st Decr. 1857 from sick leave was not at variance with the orders of my immediate Superior I have to state that having obtained sick leave in November 1857 to remain at Bangalore one month, I was obliged in the course of that leave to come to Madras in consequence of my wife being dangerously ill with fever; and as I concluded under the circumstances that an explanation of the emergent cause would be sufficient to remove all difficulties I hastened down; and immediately on my arrival reported myself to the Secretary Revenue Department as well as to the Officer in charge of the Conservator's Office and also to the Conservator himself on his arrival subsequently, explaining at the same time the cause and my sick leave was accordingly notified in the Gazette without reference to the Station.

This is to certify that Mrs G. Williams was suffering severely early in Novr 1857 with fever when I attended her
Sigd/ R. S. Mair [illegible]

Extract from Conservator's letter 25 Jany/58
"You came down here on account of family arrangements"

4. My next duty being to return to Bangalore I reported my intention accordingly on the 21st Novr. ten days before the expiration of my leave but on the same day the Conservator requested me to call on him with reference to my future employment when I was

Extract from Conservator's letter 21st Novr /57
"With reference to your future employ-
[illegible] leaving you at the

---

directed to remain at Madras for any information Gove ment might want in reference to my Reports on the Salem Forests connected with the question of supplyi Sleepers to the Railway Company. I remained in M accordingly and reported my return to duty on the 1st De and awaited orders; but as up to the 21st the question re mained undecided, I was sent on a short expedition to Streeharricotta with or again repeated "to retu to Madras in 4 or 5 Da the Streeharricotta Jung After sending in my Report on the Streeharricotta Jung I suggested the desirableness of visiting the Nuggery Hil with reference to the new line of Railway to Cuddapah still keeping in prominent view the necessity of re turning to Madras to mee the objects in relation to th Salem Forests.

Extract of Conservator's letter 21 Decr/57
"I should think this duty would occupy 4 or 5 days when you will be so good as to return to Madras in case of any reference arising out of the question of the Salem Forests"

Extract from my letter 22 Jany /58
"I shall not be so far from Madras as not to be able to return in 3 or 4 days if wanted here at any time"

5. In reply I received the orders quoted in the margin directing me to proceed to the Nuggery Hills a also to other ranges of h tracts and Ghauts from Cud pah downwards. In pur suance of these orders I pro ceeded to the Nuggery Hi and having finished my journey along one range of Hills I returned to Madras and reported (vide Extract, letter 13th Feby 1858 give in the margin) not only the date of my departure and return but also wh I had done and the co intended to be pursued towards completing th

Extract from Conservator's letter 23 Jany/58
"I have to direct that you proceed to the Nuggery Jungles, and examine the neighbourhood of the proposed line of Railway to Cuddapah * * distinguishing between the Sircar Villages and those belonging to the several Zemindars (Calastry, Poongaanoor &c) in this neighbourhood. You should visit the slopes of the Eastern Ghauts on both sides of the projected Line but * * you will find the largest quantity of Wood on the right hand in the direction of the Gornamconda, Chittavail and Sidhout Talooks"

Extract from my letter 13 Feby /58
"I commenced my journey from Madras on the 28th Jany * * took the route along the Nagalapooram Hills * * on the Sea face side of the Nuggery range * * a little above Calastry and coming

down by the Western face * * visited the jungles in the Kirkum-
ady Vadamalpet and Pothoor
amoorthamcums, down to
uncorpet * * the right hand
de of the Railway line as it
oes from Trivalore to Kirkumbady
and I returned on Thursday
night to Madras * * * * * * *
leaving this by rail my course
will be to Poonganoor in N. Arcot
Goorumcondah in Cuddapah,
Sidhout & Chittavail * and
coming down by Codoor, Chetti-
cuntla &c I shall be led by
Tripatty to Chendragherry
* * * "

work; and then resumed my journey from Madras on the 20 of the same month.

6. The Extracts of Correspondence given along the margin will I trust prove that either under express orders, or implied sanction I never acted but in the legitimate course of duty; Neither was I informed of any departure from instructions on my part until on arriving at Cuddapah I received three letters from the Conservator of Forests all under one cover and addressed Cuddapah;— two dated 22 Feby and one dated 1st March (appended in full) the of those dated 22 Feby informing me that as there is not likely to be any duty for me at Madras I am not to come hither; and the other directing me not to proceed to the Nuggery Hills but to Cotaputty in Salem to facilitate measures proposed by the Railway Consulting Engineer.— That dated 1st March calls on me "to explain my divergence to Cuddapah without orders"— and as already my travelling allowances for three months were stopped, my Salary also for February was now made to depend upon the explanation to be given for my going to Cuddapah; but as the letters of 22 Feby were evidently intended for me before I left Madras, and as they reached me together under the same cover as that dated 1 March, at the furthermost point of my destination and my resources being cut off there appeared no alternative but to finish my tour;— and I accordingly explained my views and submitted the intended course of my further progress downward (vide Extracts, letter March 1858. given in the margin)

4. tract from Conservator's letter 1 March /58
before passing your pay Abstract for Feby I must call on you for an explanation of your divergence to Cuddapah without Orders"

Extract from my letter 5 March /58
"Para 2 with reference to * * * calling on me for explanation of my divergence to Cuddapah without orders— I beg * * to refer to your orders of the 23 Jany * * * I duly reported the course of my proceedings * * * letter dated Madras 13 Feby stating what I had done in conformity * * * the course I was next intending to take * * * naming at the same time the countries thro' which I had passed and should have to pass to give full effect * * * * *
Para 3 What remains in the order as it occurs in your letter of instructions are the countries of * * * * * *
Para 5 * * I trust after this explanation given I shall be permitted to complete the journey upon which I set out by your Orders * * for it is quite impossible to keep faith with followers & Cartmen or to retain their services in a work at all times arduous and trying having continually to travel * * if one set of arrangements were so to supersede another * * * * * for my own part * * * * it shall be my duty to obey * * * * * * *
Para 6 * * * Not knowing how to act under the present orders which were evidently intended for me at Madras I trust it will not be deemed improper in me to proceed on my tour"

7. On the day of my return to Madras from Cuddapah (20 March) I found that my Pay Bill for February which had been withheld awaiting explanation called for, and furnished by me under date Cuddapah 5 Ma had only on the day previous viz 19 March been countersigned by the Head of the Department.— Upon this showing of facts I trust that the second ground of objection viz: "being in Madras places me out of those particular circumstances from which the travelling allowances are granted" has been removed.—

8. My appointment (vide Gazette 10 March) is that of an itinerant Assistant to the Conservator of Forests and a fixed allowance of 5 Rs a day for travelling, which

in that position, is added to the pay of the Appointment, distinguishing it from those Assistants to whom Districts have been assigned and to whom travelling allowance is given only when they move out of their District. During capacity of itinerant Assistant I am required to hold myself in readiness to move as the head of my Department may direct, as observed by the Civil Auditor in his reply to Conservator objections on the subject.

9. Having therefore no particular District assigned to me, I drew the allowance hitherto without objection, but when the question was raised as to my being entitled to travelling allowance at Madras I requested that it might be submitted to the Civil Auditor, which was accordingly done (vide Extract Conservator Letter 18th Jan.) "I have forwarded your Contingent Bill to the Civil Auditor with a full statement of the circumstances under which the travelling allowance is claimed" but the Bills were not submitted with the Countersignature of the Head of the Department. The Civil Auditor's reply, communicated by that Officer for my information is given in the Margin in full. No communication of the objections therein referred to having been made to me, I am unable to submit the same so as to prevent the time of Government being taken up with further reference on the subject. It will be seen that I do not claim travelling allowance for any part of the period of my absence on leave, but only for those periods during which I was actually employed on, or available for the duties of my Department, and I beg respectfully to submit that in consequence of my pay for February last having been withheld so long and being at the same time deprived of my travelling allowance for December January and February, I was left to travel from Cuddapah without any means whatever having in conformity to the published Circular Rules of the Department divested myself of every other means. I was thus subjected to great inconvenience and privation in the execution of my public duty so much indeed that I was compelled to sell my own Horse at Cuddapah and borrow another to prosecute the remainder of my allotted task.

Rules containing General instructions to Assistants in the Forest Dept 27 Feby/57. Para 9. The services of the Assistants belong entirely to Govt. and they are strictly prohibited from engaging in private transactions of any kind whatever."

With reference to your letter of the 18th instant forwar ding the
travelling allowance bill of Mr G. Williams on e of the
Assistants in your Department for the whole month
of December last without your countersignature,
and requesting my opinion whether under the
circumstances represented in your letter, Mr
Williams is entitled to that allowance for the
whole month. I have the honor to observe
that as the order of Govt constituting the
Forest Conservancy Department allowed
the itinerant Assistant Conservators em-
ployed in exploring the timber growing
localities a travelling allowance of Rs
a day during such employment
Mr Williams claim would according to
the strict letter of that order be inadmissi-
ble, but as from the very nature of their em-
ployment the itinerant Conservators it ap-
pears to me can not be regarded as having
any particular head quarter, and have
perhaps in all places and at all times to
maintain their travelling equipage it would
I think be competent for you to sanction Mr
Williams claim except you are of opinion that
Madras is his head quarter in which case I imagine
the travelling allowance can not be claimed
for the period Mr Williams remained here.
The statement in the concluding part of your
letter that the grant of travelling allowance
to those assistants was never contemplated by
you when the department was organised cer-
tainly carries some weight and would be conclu-
sive against the claim if it could be shewn that
it was not also the intention of Government
Mr Williams bill is herewith returned.

10. I therefore humbly trust that the Right Honorable the Governor in Council will be pleased upon a consideration of the foregoing circumstances to authorise the payment of travelling allowance to me for the whole period included in my Bills for December January & February a claim which is admitted by the Civil Auditor and would have been at once passed by him but for the Countersignature of the Conservator of Forests which has been withheld in this instance - and to solicit further that the Government will issue such in-

structions as will prevent my being again placed in
imilar difficulties which must interfere with the
fficient discharge of my duties as travelling Assis-
tant to the Conservator of Forests.

I remain
Sir
Your most Obedt. Servt.
G. Williams
Assistt. Conservator of Forests,

h adder
th March 1858

(Copies)

No. 262

697
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To
Mr. G. Williams
Asstt Conservator of Forests,

Sir,

With reference to the correspondence which has recently taken place on the subject of your visits to Madras, I have now the honor to direct that as there is not now, and is not likely to be any duty for you at Madras, you will not visit the Presidency at any time without orders or leave obtained through me under the ordinary rules of the service or on "Emergent Medical Certificate" in which latter case you will proceed to the place indicated in the Certificate, forwarding the same to me for my information and that of the Civil Auditor.

You will immediately report to me the date of your departure to and return from the Naggery Jungles, and on your departure for the duty to which you are ordered in my separate letter of this date, you will intimate the same for my information

I have the honor to be,
Sir
Your most Obedt Servant
Sigd) H. Cleghorn
Conservator of Forests

Madras
22d Feby 1858

No. 251

Mr. G. Williams,
Asst Conservator of Forests.

Sir,

As the question of supplying Railway Sleepers in the 6th and 8th Districts, is now before Govt. and as your Report on the Colapully jungles printed in Extract M of C dated 13th November last No 544, does not contain sufficient information to enable me to form an opinion as to the Scheme proposed by Captn Johnston

2 I have the honor to direct that you will proceed without delay to the forest round Colapully, mark and re-number all trees of the specified kinds suitable for Railway Sleepers, which may with advantage be removed, distinctly recording in the Register the exact localities by bearings &c

3 It would be desirable that the trees marked should be pointed out to the headmen of the Villages in the vicinity of which they may be found.

4 For this purpose, I will request the Collector of Salem to direct the headman of the respective villages to accompany you and take a note of the trees you may mark, this will ensure due Conservancy and facilitate after operations

5 You will be so good as send a Report to my Office on every Monday, shewing the progress you have made during the past week

6 In case of the absence of the headman of the Villages, it will not be necessary for you to delay, as the trees may afterwards be pointed out to them

7 You will continue at the post assigned you till the work is completed, and then await further orders.

8 In numbering the trees, you will for convenience assign a certain series of numbers to particular localities as from 1 to 500 for the village of Colapully, 500 to 1000 to the next village; and the number in the Register should correspond with the mark on the tree.

9 As you have come back from Naggery it will not be necessary to return there unless you receive instructions to that effect.

I have the honor to be,
Sir,
Your most Obedt Servant
Sd/ H. Cleghorn
Conservator of Forests

Madras
22nd Feby 1858

No. 292

To,

Mr. G Williams
Asst Conservator of Forests

Sir,

I have the honor to acknowledge receipt of your letter of 25th Ultimo from Poonjanoor. I return your Contingent Bills for travelling allowance in December and January, and must decline all further correspondence on this subject

2 I am prepared to counter-sign your Bills for allowance for the days on which you were actually travelling to Streeharneottah and Naggery.

3 Before passing your Pay Abstract for February, I must call on you for an Explanation of your divergence to Cuddapah without orders, and I have again to refer to my instructions that the actual date of your leaving Madras, and returning to it should in all cases be intimated to me

I now enclose a form specifying dates and places, which must be filled up to accompany every bill for travelling allowance, and certified as correct "on honor"

Your Obedt Servant
Sigd H. Cleghorn
Conservator of Forests

Madras
March 1858

True Copies
G Williams
Asst Conservator of Forests

R. Cons 15th Decr/57 No 270 & 271
R. Cons 26th Jany/58 " 21-22 &
33 @ 35

Revenue 1858 Departt
Do to Cons 1st June

No 496 (1)

From W. G. Williams
Asst Conservator
of Forests

Dated 30th March } 1858
Recd 1st April }

From Do 9th Apl/58 C No 526
inb:

Requesting under the circumstances represented that authority may be granted for the payment to him of travelling allowances for the months of Decr Jany and Feby which had been withheld from him in consequence of the Conservator of Forests having refused to countersign his Bills for the allowances in question

J. C. No. 697 28th May 1858

No 19

C 15th April R 22d C 23d R 28th
C 1st May R 6th

Madras 9th April 1858

To
The Acting Secretary to Government
Revenue Department
Fort St. George

Sir

1. With reference to the appeal I had the honor to submit under date 30th March, I beg respectfully to lay before Government in connection therewith the correspondence that has since transpired with the head of my Department on the subject.

2. Having explained in reply to Dr Cleghorn's letter of 29th Ulto. that in soliciting Government to relieve me from the position of difficulty and embarrassment in which I was placed by my salary and allowances being withheld for a protracted period it was by no means my intention to resign the Service, I next replied to the 2d Para: of his communication regarding the charge of habitual disregard of repeated instructions to report arrival and departure at and from Madras. Copies of which I beg herewith to annex that Government may have the whole matter fully before them.

3 It will be seen I humbly trust, that I have carefully attended to the instructions conveyed to me, and that nothing could be further from my intention than to disobey the orders emanating from the head of my Department.

I have the honor to be
Sir
Your Most Obedt Servt
G. Williams
Assist. Conservator of Forests

From Assist. Conservator
of Forest Dd 30th March /58
c No. 496 incls:

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Revenue 1858 Depart.
Dd to Covs 1st June

No. 526

From the Assistant
Conservator of Forests.

Dated 9th } April 1858
Recd 10th }

1 Enclo.

Extro. 697. 28th May 1858.

Submitting certain
correspondence that has transpired
with the Head of his Department
since his Appeal to Government
of the 30th March,

No. 21

C15th April R22d C23d R28th
C1st May R6th

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Madras 29th March 1858

No. 313

To

Mr. G. Williams

Assist. Conservator of Forests

Sir,

I have the honor to acknowledge receipt of your letter of 22nd Instant, expressing a wish to be relieved from your present Position, by which I understand that you desire to leave the Forest Department. I shall transmit your resignation to Government and recommend that it be accepted

Your habitual disregard of repeated instructions to report your arrival and departure from Madras, (by which your travelling allowances are regulated) caused the detention of the Abstracts of which you complain and occasioned great inconvenience to the Office by the return of several letters which had been despatched, in quest of you

I have the honor to be
Sir
Your most Obedt. Servant
Signed/ H Cleghorn
Conservator of Forests

Madras 7th April 1858

To

A Cleghorn Esqr. M.D.
Conservator of Forests
Bangalore

Sir

1 Reverting to your letter of the 27th Ultimo 2d Para wherein it is observed that my "habitual "disregard of repeated instructions to report arrival "and departure from Madras" was the cause of my abstracts being detained; whereas my views of the travelling allowance being *claimable* were based on the principle that it is due so long as I may happen to continue in the employment of an Assistant Conservator whose services are at all times to be held in readiness for moving according to orders, I have the honor in reply to state that having submitted to Government the question of *travelling* allowance in the hope that it may be considered as a fixed addition to my salary while continuing in *such employment* (vide Civil Auditors Manual) I would now beg to refer to my letter of the 25th January *reporting the day of my departure*

and

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and return from Sheeharrecotta which is the first expedition on which I was sent since my return to duty on 1st Decr. 1857 from sick leave-

2 The second expedition is founded on your orders of the 23d January to proceed to Nuggery Hills and other ranges from Cuddapah downward- *I reported the date of my departure from and return to Madras on the 13th February* after accomplishing a portion viz: the Nuggery range, while I was as yet in the prosecution of my journey to Cuddapah as observed in my letter of the 16th February My coming to Madras and departure will as usual as in all my other journeys be exhibited in my Diary Reports, but independantly of these (which I am as yet not able to get through from indisposition) I reported in conformity with your instructions of the 1st March my daily progress throughout the month of February when submitting my Bill for travelling allowance for that month vide my letter to the Officer in charge of Office dated 22d March.

3 On my return from Cuddapah to Madras under the circumstances complained of in my letter of the 22d March I

on the 25th same month to Mr Melagan the date when I resumed my journey when last in Madras and I wrote to you from Pongamoo 25th February and Cooramcondah 1st March on my way to Cuddapah so as to make my movements distinctly known these are places to which I was directed by your letter of 25th January to visit.-

4 My health I am sorry to say is by no means favorable to the Continuation of so much arduous travelling and I would rather prefer an assigned District. The season too at this time is about the most unhealthy for going to the Salem forests but in addition to these hindrances I can scarcely hope from other natural and more formidable obstacles to accomplish the task you have given me in your letter of the 22d February Viz. to number the forest trees by putting a mark on them and registering the number in a Book together with their respective bearings. I found this impossible at Vallyaur and mentioned the difficulty which rendered the task hopeless. The Salem forests are situated on the slopes of steep and rugged Hills thickly interspersed with bramble and scrubby Jungle with as a proportion of deep precipices Containing the largest timber; but there is no where any footing for man or Beast in such a situation especially if it

happen

happen to rain. An ascent up a steep, be the road ever so smooth is yet a laborious work and no Villager would lend his aid willingly where all these other obstacles have to be surmounted. It would be otherwise if these Hills were to be worked for Sleepers, for then the difficulties of approach would be neceſsarily diminished as the work was advancing - but as you have written to the Collector of Salem to direct the headmen of the Village to assist me I shall proceed to Colaputty as directed in your letter of the 3d Instant and formerly in your letter of the 22nd February on the expiration of my casual sick leave and see what Could be accomplished in the way you wish.-

5 I take the liberty in reply to your letter of 3d Instant to submit copy of a recent Gazette which I think will satisfy you that the certificate as granted by Dr Maclean will not be objected to by the Civil Auditor. The Gazette referred to being Subsequent to the publication of the Civil Auditors manual quoted by you and intended to supply a deficiency Complained of in the Rules affecting leave to uncovenanted servants (without forfeiture of allowance) in Cases where the Medical Officer certifying is not previously acquainted with the applicant

I

I beg you will kindly forward the Certificate to the Civil Auditor for which purpose I respectfully enclose it again.

I trust it will be perceived that I have not at any time incurred the charge preferred against me of habitual disregard to orders and I have no hesitation in declaring that nothing was ever more remote from my mind than to act in wilful opposition to the injunctions of my Superior Officer.

I have the honor to be
Sir,
Your most Obedt Servant
Signed/ G. Williams
Asst Conservator of Forests

Copy of Fort St George Gazette No 12 Page 587/588 Fort William Financial Department the 19th March 1858—

Notification— Read again the following Papers relative to the grant of Casual leave to Uncovenanted Servants

/Here Enter/

Resolution— The Hon'ble the President in Council observes that, on the 12th June last, it was ruled by this Government, that Casual leave for a few days may, in cases of sickness, be granted to Uncovenanted Civil Servants by the Heads of Offices at their descretion, without loss of Salary, and without such leave being taken into account as part of the two Years allowed by Clause 1. of Section V of the Uncovenanted Service Absentee Rules—

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-20-

Referring to this decision, the Govt of Bombay now enquires whether any, and if so, what limit has been fixed by this Govt for the Casual leave alluded to—

His Honor in Council remarks that no limit has as yet been established, but he considers that the total amount of Casual leave should not exceed fifteen days in the Course of the year, and he desires that this limit be observed in future—

(Sigd) C. H. Lushington
Secy to the Govt of India

Republished by order of the Governor in Council
(Sigd) H. Forbes
Actg Secy to Government

No 322.
Bangalore 3d April 1858.

To
Mr G. Williams
Asst Consr of Forests

Sir,

I return the enclosed Certificate of

Dr. Maclean which is informal (vide Civil Auditors Manual Cap. 3 Page 8 head Uncovenanted Servants)

If the usual Medical Certificate be granted you by Dr. Maclean, it should be Countersigned by the Superintending Surgeon. This is the more necessary as you came to Madras without obtaining previous leave and in opposition to my instructions of 22d February last.

On the expiration of your leave you will be so good as proceed at once to the Cotaputty Jungles in accordance with the instructions contained in our letter No. 281 of the same date.

I have the honor &c. &c.
(Sigd.) H. Cleghorn
Consr. of Forests.

R 326/58

No. 21 [illegible]

No. 328

Mysore 16th April 1858

From,
H. Cleghorn Esqr. M.D.
Conservator of Forests.

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To,
The Secretary to Government
Revenue Department
Fort St. George

Dated Mysore 16 April 58 No. 328

Sir,

1 Mr. G. Williams having reported to me that he has addressed Government direct on the subject of Travelling allowance, I have the honor to submit the following statement of the circumstances premising that I have already informed Mr. Williams that if he wished to address Government on the subject there was no objection to that course, but he must do so through the Head of his Department.

2. In the end of October last, when at Ootacamund, Mr. Williams obtained a Medical Certificate to Bangalore for 30 days, but instead of adhering to the terms of the Certificate, he proceeded at once to Madras. I was unwilling that he should suffer from a step which might perhaps have been taken in ignorance, and I therefore procured him a month's leave from 1st to 30th November, without specifying any particular locality.

3 At the expiration of that time I desired him to remain in Madras until I was prepared

to assign him some specific duty, and on the 24th December last he proceeded under my instructions to the Shreeharricottah jungles returning on the 29th idem.

4 On the 28th January, he again left Madras having been instructed to proceed to the Naggery jungles and examine the neighbourhood of the proposed line of Railway to Cuddapah, as to the means existing for the supply of timber for Sleepers, more especially in the Gooramcondah, Chitwail and Sidhout Talooks; after partially fulfilling these instructions, Mr. Williams returned to Madras on the 12th and remained till the 22nd February, apparently on his own business, as he had no instructions from me. I therefore wrote to him on the 22nd "not to visit the Presidency at any time without orders or leave obtained through me under the ordinary rules of the Service or on Emergent Medical Certificate". Notwithstanding this, he again returned on the 20th Ultimo, and is there now by letter just received.

5 There are two questions arising out of these circumstances. 1st. Whether Mr. Williams is entitled to Travelling Allowance during those periods, when he was resident in Madras viz

1st to 23rd December 1857
30th Decr. to 27th January 1858
12th to 22nd February 1858
20th to 31st March 1858

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or only for those days when he was actually travelling.

6 Mr. Maclagan, my Assistant in charge of the Office at the Presidency, agrees with me that the latter is all that Mr. Williams can claim, and I accordingly* intimated to him that I was willing to countersign his Abstracts for the period he was bonâ fide travelling. I enclose an Extract from Mr. Maclagan's† letter, and also Copy of letter from the Civil Auditor, which was not so definite as to make me alter my opinion. I may add that Lieutenant Beddome when in Madras for part of June and July last, obtaining information preparatory to assuming charge of the Anamallay Forest, did not draw travelling Allowance. But it was on the general ground, that every person must have Head Quarters, where he is not entitled to Travelling Allowances, and that Madras is the Head Quarters of the Travelling Assistants in the Forest Department that I formed my opinion.

* Letter dated 1st March 1858 No. 292

† Dated 7th April 1858 No. 75 A. Appendix A

7 Another question, however, arises respecting Mr. Williams' frequent visits to Madras, which I did not wish at present to have brought to the notice of Government, had he not rendered it necessary that I should do so.

8 As I have already said Mr. Williams has on several occasions come to Madras without and contrary to orders, and I find from the Agent and Manager of the Railway Company, that his

has been tendering (as a Contractor) to supply Sleepers from the districts he has been last visiting, soliciting an advance of 40000 Rupees for the purpose.

9 The duties of an Assistant Conservator are in an especial manner to watch the operations of Contractors, whose transactions being guided by self-interest, it cannot be expected that they should care about the preservation of the Forest. I would therefore submit that such an arrangement as this is **most objectionable**, and I feel that though not trading in his own name Mr. Williams has infringed the rule laid down in the printed Circular No. 1 Para 9, put into his hands when he joined the Department, viz.

"The Services of the Assistants belong entirely to Government and they are strictly prohibited from engaging in private transactions of any kind whatever."

10 I have thought it my duty to bring this matter to the notice of Government, and have the honor to annex

1st. Mr. Williams' suggestion that he (the Father) should explore the Naggery Jungles, dated 22nd January 1858.

2d. Copies of the Tender made by his son dated 16th February with the accompanying letter to the Agent of the Madras Railway Company.

11 Government are aware that I have been endeavoring in accordance with their

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instructions to curtail and limit advances in all our Forest operations, and I am much disappointed that one of my Assistants should without my knowledge have been party to an opposite course. I have already[x] expressed my readiness to transfer Mr. Williams' services entirely to the Railway Company, and on account of his previous employment as a Contractor for Sleepers, and his obvious qualification to return to this work, I think the arrangement would be in every way advantageous.

x Dated 24 Feby 1858 No. 283 Para 13

I have the honor to be,

Sir,

Your Most Obedient Servant

H. Cleghorn

Conservator of Forests.

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Extract of a Letter from I. T. Maclagan Esqre Assistant Conservator of Forests in charge of Accounts to H. Cleghorn Esqr. Conservator of Forests dated Madras 7th April 1858 No. 75.

"The State of the case regarding his travelling Allowance is simply as follows. Mr. Williams claims travelling Allowance for the whole months of December, January, February and March, although he was in Madras during three weeks of December, nearly the whole of January, and part of February and March. He has been told that you are prepared to pass his Abstracts for those periods, when he was actually travelling, as soon as he sends them in corrected, but this he has not yet done.

It appeared to me, when you first consulted me on the subject, that no person is entitled to travelling Allowance, when he is at Head Quarters wherever these may be, and that Madras must always be considered the Head Quarters of the travelling Assistants, but more especially in the case of Mr. Williams, who has a house here in which his family resides. This was also the opinion of Lieut. Beddome, who ceased to draw travelling Allowance on his arrival here from the Northern Division, and did not commence to draw it until he left again for the Anamalleys. But most of all I considered that Mr. Williams could have no claim for travelling Allowance during the first three weeks of December as he had spent the whole month of November in Madras on leave, and could not therefore have the excuse of keeping up his travelling establishment.

Mr. Williams was informed that he might f he thought proper address Government through the head of the Department, but this course also he has thought fit to reject, and in contravention f all official rule to address Government direct n the subject. But on this question it is not my rovince to enter.

(True Copies)

(Sd) H. Cleghorn

Conservator of Forests.

Appendix A

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No. 261.

Madras 18th January 1858.

To
T. Lushington Esqr.
Civil Auditor, Fort St. George.

Sir,

I beg to transmit the accompanying Contingent Bills for Travelling Allowance from Mr. Williams, Assistant Conservator of Forests which I had declined to forward to you, but which he has again requested me to transmit.

Mr. Williams obtained leave of absence on Sick Certificate during the month of November last, and was instructed by me to go to Bangalore, as was recommended by the Certificate. He came, however, to Madras, and as I found him here at the beginning of December, I desired him to remain pending a reference to Government as to his future employment. Towards the end of the month, he proceeded under my orders to the Streeharicottah Jungles.

I have acquainted Mr. Williams that in my opinion, he is entitled to travelling Allowances only for the five or six days during which he was employed on this latter duty, but as he considers himself entitled to the Allowance for the whole month, I have to request that you will inform me whether he is correct in this opinion. Neither Mr. Beddome nor I when at the Presidency consider ourselves entitled to Travelling Allowance and such a claim was certainly not contemplated by me when the Department was organised.

I have the honor to be &c.
(Signed) H. Cleghorn
Conservator of Forests.

No. 1058.

Find. Department

From
T. Lushington Esqre.
Civil Auditor
To
H. F. Cleghorn Esqre.
Conservator of Forests.

[illegible] Fort St George 2nd Jany

Sir,

With reference to your letter of the 18th Instant forwarding the travelling allowance bill of Mr. G. Williams one of the Assistants in your Department for the whole month of December last without your Countersignature, and requesting my opinion whether under the Circumstances represented in your letter, Mr. Williams

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Williams is entitled to that allowance for the whole month, I have the honor to observe that as the order of Government constituting the Forest Conservancy Department allowed the itenerant Assistant Conservators employed in exploring the timber growing localities a travelling allowance of 5 Rs. a day during such employment, Mr. Williams Claim would according to the strict letter of that order be inadmissible, but as from the very nature of their employment the itenerant Conservators, it appears to me cannot be regarded as having any particular head quarters, and have perhaps in all places and at all times to maintain their travelling equipage, it would I think be competent for you to sanction Mr. Williams claim except you are of opinion that Madras is his head quarters in which case I imagine the travelling allowance cannot be claimed for the period Mr. Williams remains here. The statement in the concluding part of your letter that the grant of travelling allowance to those Assistants was never contemplated by you when the Department was organized certainly carries some weight, and would be conclusive against the claim, if it could be shewn that it was not also the intention of Government.

Mr. Williams bill is herewith returned.

I have the honor to be
Sir
Your Most Obedt. Servant
(Signed) T. Lushington
Civil Auditor

Civil Auditors Office
Fort Saint George
20th January 1858.

Appendix B

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From No. G. Williams Asst. Conservator of Forests

Madras 22nd January 1858.

To,
H. Cleghorn Esqr. M.D.
Conservator of Forests - Madras.

Sir, Dated Madras 22nd Jany 58

If you have no objection I shall take a trip to the Nuggery Hills to ascertain whether and to what extent they could supply the line which the Railway Company are now about laying down through Cuddapah with Sleepers and report accordingly as I shall not be so far from Madras as not to be able to return in three or four days if wanted here at any time.

I remain &c.
(Signed) G. Williams
Asstt. Consr. of Forests.

From No. J. G. Williams Asst Conr of Forests

Madras 1st February 1858.

To
A. B. Aworth Esqr.
Agent Madras Railway - Madras.

Sir, Dated Madras 1st Feby /58

Understanding that the Railway Company are about to lay down a line to Cuddapah, I beg to tender for the supply of Sleepers for the said line from Vadamalpet to Codoor which makes a distance of 40 miles - The sleepers to be delivered along the line within that distance at 2 Rs. 12 As. each if the approved kinds of wood, and the supply for the whole length to be completed in one year.

The number of sleepers so required might be estimated at about 80,000 and I would request an advance from the Railway Company of 40,000 Rupees for which I shall give substantial guarantee, the advance to be repaid from the first supplies to be made by me. I was connected in business with my father Mr. G. Williams who contracted in his own name and supplied the Company with Saul wood sleepers from Goomsoor. advanced a sum of 50,000 Rupees on Messrs. Arbuthnot & Co's guarantee.

My individual experience in Railway work is proved also by the fact that I undertook by myself and laid down the first ten miles of the permanent way from Royapooram to Avady when my father was bringing down the sleepers of which that portion was chiefly laid, and when there was much difficulty in procuring Cooly labourers in an undertaking altogether unknown at that time in the Country.

It will be obvious to you that the fulfilment of the Contract not only demands the most active energy but also ample resources, and it is upon this ground that I solicit the advance, & being assured from the facts that have come to my knowledge of the Country to be worked, that I shall be able to fulfill my contract if the

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funds were secured

I remain &c.

(Signed) J. J. G. Williams –

From Mr J J G [illegible] Asst Conr of Forests

Madras 1st Feby/1858.

To

A. B. Acworth Esqr.

Agent Madras Railway Madras

Dated [illegible] 15 Feb/58

Sir,

I take the liberty in connection with the tender made in the accompanying letter for supplying sleepers on the Cuddapah line to state for your private information that the Country from which the Sleepers are to be obtained for supplying the line from Vadamulpet to Codoor is private property belonging to the Petty Rajahs or Zemindars and Poligars who make their own terms with those who cut wood on their estates and who it is most likely would raise their prices for timber to prohibitive rates if it comes to be known abroad, before the terms are definitely entered into with them, that such a chance is in prospect. In offering therefore to enter into a contract I thought it advisable not even to wait until the line is staked out, lest by raising a competition on the side of Contractors in the same field and by exciting the rapacity of the Proprietors of those Estates, the prospect of supplying the Company at a moderate rate and of securing to myself a profit of the undertaking should be frustrated –

I would on these considerations respectfully beg that my tender may be reserved in the hands of the Railway Authorities concerned until, if approved and sanctioned, measures are taken to fix the terms between myself and the owners of the forests. My father suffered loss in his Contract owing to the Competition raised at Goomsoor by a Contractor who subsequently entered the same field in a Country where timber abounded but labor and Carting were so scarce as to be altogether insufficient to meet the wants of a single Active Contractor, and both he and his Competitor were obliged to withdraw with considerable loss to themselves in fulfilling their Contracts solely on account of such a division having been created, and the supply from that source of the very best sleepers ceased entirely, for when the price of labor was raised neither of them were able to supply their sleepers at the rate contracted for.

I beg therefore you will forgive my anxiety on this point.

I remain &c.

(Signed) J. J. G. Williams.

(True Copies)

H. Cl
Conservator of Forests.

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30

Since this draft re-turned from cir-culation with the directions of Govt. that the matter should be referred to the Conservator of Forests, a letter from Dr Cleghorn has been re-ceived, and is now sent with the original draft. — Respecting Mr Williams

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Rev. 1858 Dept
Pd to Rev. 1st June
No. 889

From
The Conservator of Forests
To
The Secretary to Government
Revenue Department
Fort St. George

Dated 16th } April 1858
Recd 23rd }

Quoted 2d [illegible]
Sd No. 697 28th May 1858.

Submits his views on the claim of Mr. G. Williams Asst. Consr. of Forests to Travelling Allowance while at or near the Head Quarters of the Dept. and brings to notice of Govt. the impropriety of his Conduct in being indirectly connected with a tender to the Railway Company for supply of Sleepers from the Naggery Jungles, lately inspected by order, and submits correspondence relating thereto —

c 1121.

C 23 April C 1 May Ab5

claim to travelling
allowance, as an itine-
-rant assistant, they
will appear to me to be
altered by what the
Conservator also says, but
the second point of
his letter - regarding
the employment of
Mr Williams as
a contractor for
supplying sleepers

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to the Railway, seems
to demand consi-
-deration from Govt.
whether they can allow
Mr Williams to re-
-main in the Forest
Dept.

22-4-58

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I think it is very apparent from these papers that Mr Wilkins has been scheming — & has had in view some private business — which accounts for his being so much in Madras.

But Dr Cleghorn does not show — what Mr Wilkins ought to have done after his marches. leave in Nov. was over.-

Should he have returned whence he came? or was he right in awaiting orders in Madras? - if the latter. then Dr Cleghorn - should have directed his movements - or [illegible] he allowed to remain so long because there was nothing for him to do.-

It appears some clear

that the itinerant-inspectors should receive the allowance - not only when on circuit but also while awaiting orders: except in a clear case of remaining for a [illegible] time at head quarters.

Mr Williams says he went to Cuddapah under orders.

Dr Cleghorn states the contrary - copies of his instructions should be asked for.

again Mr Williams says that he addressed the Sec.y to [illegible] because the head of his Dept. refused to receive or send on his case -

Dr Clephorn & Mr Maclagan state directly the contrary - this shd be cleared up -

With respect to Mr Williams remaining in the Dept. it is clear - that it will never answer - to allow the Inspectors to be so closely

connected with Railway Constructors - still it is undoubtedly difficult to draw the line - Mr Williams may be as closely in connection with Ravensammy - ex. with his own son -

He might however be called on to make his choice of being altogether clear of any appearance

of such contract - or of
leaving the Dept.

Concur
approve

The order here circulated
appears to me unnecessary
long - the penalties which
do not bear on the
case -

~~[illegible] is~~
~~for~~ Mr Williams ~~[illegible]~~
conduct a

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addressing Govt. direct &
not thro' the head of the Dept.
is manifestly wrong & renders
his explanation of the contravention
less clear than it would have been

Mr Williams is clearly
not entitled to travelling
allow.ce for the days he was
in Madras on his own business
but only for those when he
travelled on the duties of the Dept.

Mr Williams connection
with private contracts for
Sleepers & his direct interest
in a particular the Naggery transaction ren-
der his continuance in the
Forest Dept. inexpedient

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R. D

Extract from the Minutes of Consultation

Under date the   April 1858.

Read the following letters from Mr. G. Williams, Asstt. Conservator of Forests.

(Here enter 30th March & 9th April 1858.)

¶1 These communications from Mr. G. Williams, Assistant Conservator of Forests, refer to two questions, first, to travelling allowances, which it would seem have been withheld from him in consequence of the refusal of the Conservator to countersign his Bills for these allowances, and secondly to his employment in the Forest department.

Seems to be [illegible] misunderstanding between the Conservator & his Asst in more than one point.
The proper course would be to refer to Dr. McClelland for explanation in the first place.

2 As regards the first

question

C 23 April & 21 May 56.

question, the correspondence is not sufficiently complete to enable the Government to ascertain the particular circumstances which induced the Conservator to withhold travelling allowance from his Assistant. The objection is not for the period Mr Williams was on leave, as he distinctly explains that he does not claim it for that period; and it could not be for disobedience of orders, for the correspondence tends to show that Mr Williams by his movements, merely abided by the orders of his superior. Setting apart the considerations which may have influenced ~~the proceeding betwe~~ the Conservator on this particular occasion ~~and his Assistant~~, the question may ~~might~~ be discussed on its own

merits,

merits, it resolves itself simply into this, under what circumstances is travelling allowance to be granted to the Assistant?

From Dr Cleghorn, dated 9 Augt 1856 par 2.

3 In the original scheme framed by Dr Cleghorn for the Conservancy Establishment he proposed the employment of Six Officers, the first four on the higher salaries of 400 and 300 Rupees per mensem for each of the Forests in Canara, Malabar, Annamalay, and Wynaad, and the remaining two on the lower Salary of Rupees 200 each per Mensem, to Examine the resources of the Country, or as he afterwards ~~used the expression~~ said, on "General Circuits", and while so employed, these were to receive a travelling allowance

of

C 23 April (c) May 1856

of 5 Rupees per diem, ~~to cease with the termination of that duty~~. The recommend=ation to the Government of India was in terms precisely similar, and the sanction of that autho=rity, though it went to reduce salaries in some instances, did not inter=fere with the principle on which the establish=ment was to be organi=zed, or its movements regulated.

To Govt of India dated 2 Sept 1856 p 11

From Govt of India dated 7 Nov 1856 p 40

14

Dr Cleghorn, on being appointed Conservator of Forests on the 19th December 1856, was requested to name the Assistant Conservators he would recommend. In his letter of the 9th March 1857 he replied to this

L. M. C dated 17 Dec 1856 p. 3.

requisition

From Dr Cleghorn 9 March 1857 p 47

requisition, but in naming his assistants, he departed widely from his original scheme, not merely in the employment of his officers, but in respect of the arrange=ments generally connected with the Conservancy. As regards the assistants, Dr Cleghorn proposed for the present, that

Captain Hamilton should be employed in the Superintendence of the Annamalay forests on 300 Rupees

Mr Williams, in the Superintendence of the Wynaad forest, but pending the organization of the Esta=blishment for that tract, to be employed on a tour to the Sou=thern Districts. Salary 300 Rs.

Mr Muller, for North Canara. 200 Rupees

Lieut. Beddome, travelling appointment in the Northern Districts, 200 Rs, and

Mr Maclagan, to be in charge of the Conservator's Office on 200 Rupees.

These appointments appeared accordingly in the Gazette of the 10th March 1857.

5 On the 8th July following, Mr. Maclagan the Assistant Conservator in charge of the Conservator's office ~~the Conservator~~ recommended, that the two travelling Assistants should be allowed four annas a mile when posting or travelling rapidly, in place of Rupees 5 per diem, deeming, as it would seem, that rate of remuneration inadequate for quick travelling. The Government on the 22nd of the same month acceded to this arrangement.

From Mr. Maclagan ~~Dr. Cleghorn~~ dated 8 July 1857 No. & A.

G. W. C. 22 July 1857 No. 730.

6 Lieutenant Beddome has since been appointed to the Anamallay forests on the increased salary of 300 Rupees, and with the promotion, his travelling allowance has as a matter of course ceased.

G. W. C. 9 Decr 1857 No. 1280

7 The letter from the Civil Auditor quoted by Mr Williams in the margin of para 9 takes up the case in three different views.

First, that under the orders of Government allowing itinerant Assistant Conservators, employed in exploring the timber growing localities, a travelling allowance during such employment, Mr Williams' claim, under the strict letter of that order, and under the circumstances stated in Dr Cleghorn's letter (which is not before Government) would not be admissible.

Secondly, that from the nature of their employment, the itinerant Conservators cannot be regarded as having any particular head quarters, and as they have

C 23 April 01 May 66

have in all places and at all times to maintain their travelling equipage, the claim may be allowed unless Madras is regarded by the Conservator as the Head quarters, in which case, the allowance could not be claimed for the period Mr. Williams remained at the Presidency.

Thirdly, that the statement in the concluding part of Dr. Cleghorn's letter, to the effect that "the grant of travelling allowance to those assistants was never contemplated by the Conservator when the department was organized", would be conclusive against the claim, if it could be shown that such was also the intention

of

of Government.

8 With regard to the last of these views, the Governor in Council agrees with the Conservator of Forests that the intention of the original scheme, was to employ officers on the lower rates of salary, in the duty of exploring the timber growing localities, but he would at the same time remark that the alteration of this arrangement was Dr. Cleghorn's own act. By his recommendation of the 9th March 1857 and by the Government appointment of the day following, Mr. Williams' substantive office is that of Superintendent of the Wynaad forest, and if he has, pending the organization of an establishment for that particular tract.

tract, been called upon to perform duties intended to be assigned to lower paid Officers, he virtually became entitled to the travelling allowance which they would have received.

9 From the nature of their employment, the itinerant Officers, as the Civil Auditor properly remarks, have no fixed quarters, by their office and while employed in duties of exploration they are entitled to travelling allowance, and until it can be shown that Mr. Williams was employed otherwise than as an itinerant Officer, the Government do not see how his claim to that allowance could be well refused.

10 Mr. Williams says

that

that he does not claim travelling allowance for any part of the period of his absence on leave, but only for the periods during which he was actually employed on, or available for, the duties of his department, and he ~~adds that in consequence of his pay for February having been withheld, and deprived at the same time of his travelling allowance for that and the two previous months, he has been subjected to much inconvenience and even to privation. The Government regret this circumstance very much; they think that Mr. Williams should not have been exposed to any hardship, but on the contrary, every~~

~~facility and convenience should have been placed at his disposal to enable him to fulfil the responsible and important duties entrusted to him. They regret indeed that Dr Cleghorn did not at once make a reference to them if he entertained any doubt on the subject of Mr Williams' claims, instead of allowing it to stand over for an indefinite period.~~ ~~They now~~

As the matter is now placed before them the Govt consider that Mr Williams is entitled to travelling allowance and pay

request that the Conservator will adjust ~~Mr Williams'~~ his bills ~~without delay~~, if he has no objections other ~~things~~ than those noticed above to urge.

11 Mr Williams applied to Dr Cleghorn to be relieved from his ~~uncomfortable~~ position

position, in receipt of pay, a request which was construed by the latter officer ~~as~~ into a tender of resignation, and ~~on~~ under this impression he ~~is~~ was informed, in reply, that his resignation will be transmitted to Government with a recommendation that it should be accepted. No such recommendation has however yet come before Government, and they have only to deal with Mr Williams' explanation. Mr Williams says that it was not his intention to resign the service; he only wished to be relieved "from the position of difficulty and embarrassment in which he was placed by his salary and allowances being withheld for a protracted

protracted

C 23d April C 1st May 86

protracted period. These orders now issued will ~~go~~ ~~far to~~ remove Mr Williams' embarrassment, but it occurs to Government from the readiness displayed by Dr Cleghorn to support Mr Williams' application for what he considered a tender of resignation, that ~~[illegible]~~ if it is not his intention that Mr Williams should be employed as an "itinerant" assistant, he should be sent, as originally designed, to take charge of and superintend the Wynaad Forest

H. E.

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Respecting the [illegible] [illegible] of the [illegible] Assist. Conservator of Forests.

15th April R 22d C 23d R 28th

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R. D.

No 697

Extract from the Minutes of Consultation

Under date the 28th May 1858.

Read the following letters.

From the Assistant Conservator of Forests.

(Here enter 30th March 19th April 1858)

From the Conservator of Forests.

(Here enter 16th April 1858 No 328)

A

Will

[illegible] Mr Williams['] letter [illegible] forwarded [illegible] from the [illegible] of [illegible] shows these have [illegible] [illegible] his own [illegible] There be no objection to passing these [illegible] [illegible] course be prescribed as the [illegible] [illegible]

In the first of the letters recorded above, Mr Williams, Assistant Conservator of Forests, appeals from the refusal of the Conservator to countersign his bills charging for travelling allowance for the months of December, January, and February last, Mr Williams grounding his claim on the nature of his employment as an itinerant Asstt having no head quarters, and

Dr. Cleghorn basing his objection on the view that Madras must be considered the head quarters of the travelling Assistants, while resident at which they are not entitled to travelling allowance.

With the second paper, Mr. Williams forwards further correspondence with his Superior, and explains that, in soliciting to be relieved from the embarrassment in which he was placed by his salary and allowances being withheld, he did not intend to be understood as being desirous of resigning the service of Government.

The third paper is from the Conservator of Forests, who offers his objections to Mr. Williams drawing travelling allowance while remaining at Madras, and takes the opportunity of reporting that Mr. Williams has frequently come to Madras without, and contrary to, orders, whereas Mr. Williams, in his letter, appears to account satisfactorily for his visits to the Presidency by a narrative of the course

of

of events which led to them, and by extracts from the Conservator's orders. But Dr. Cleghorn submits a more serious point for the consideration of Government, Vizt. the propriety of Mr. Williams continuing in the Forest Department. He reports that Mr. Williams' son has offered to contract to supply sleepers to the Railway from the Naggery forests, and, apparently coupling this fact with the father's suggestion that he should explore these forests, he draws the conclusion that the Asstt. Conservator has an interest in the contract, and has consequently infringed the rule which prohibits the Assistant Conservators from engaging in private transactions of any kind whatever.

2 There appear to be some misunderstanding between the Conservator and his Assistant, but the correspondence before Government, is contradictory. Mr. Williams maintains that he was not at Madras

Contrary to orders after he returned to duty on the 1st December 1857 on the expiration of his months leave, but was there as a consequence of orders received from his Superior from time to time. Dr Cleghorn avers that his Asstt came to Madras on several occasions without, and contrary to orders, but he does not shew what Mr Williams ought to have done after his months leave in November was over and on this the question at issue depends. Again, Mr Williams says he went to Cuddapah under the express orders of the Conservator, and in the margin of para 5 of his earlier letter, he furnishes the following extract from a letter from that Officer dated 23d January 1858 "I have to direct that you proceed to the Naggery Jungles, and examine the neighbourhood of the proposed line of Railway to Cuddapah distinguishing between the Sircar villages and those belonging to the several Zemindars (Calastry, Poonganoor &c) in this neighbourhood. You should visit the slopes of the Eastern Ghauts on both sides of the projected line

but

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4

but you will find the largest quantity of wood on the right hand in the direction of the Goorumcondah, Chetwail, and Sidhout talooks". And this is confirmed by what Dr Cleghorn himself says in his letter recorded above, but yet Mr Williams allowances were withheld for February pending the explanation called for as to the divergence to Cuddapah without orders. Again, Mr Williams states that he addressed the Secretary to Government because the head of his Department, not only gave him the option of taking that course, but had declined all further correspondence on the subject. In regard to the option

of

C 23 April 1858

of addressing Government direct, Mr. Williams quotes the date of a letter received by him from the Conservator on 13th January 1858, but he does not annex the letter itself, and in regard to the Conservator refusing to hear his case, he furnishes an extract to that effect from a letter from that Officer dated 1st March 1858. On the other hand, both Dr. Cleghorn and Mr. Maclagan, the Assistant in Charge of the Conservator's Office at Madras, make a statement directly contrary to that of Mr. Williams. This should be cleared up, and Dr. Cleghorn will be good enough

to

to furnish copies of his instructions to Mr. Williams in reference to his divergence to Cuddapah without orders, and of his letters of the 13th January and 1st March 1858 quoted by Mr. Williams, or other letters bearing on the permission given to the latter to address the Government regarding his allowances.

3 As to the allowances which Mr. Williams claims, it is observed that the Civil Auditor appears to be favorable ~~to the demand~~, and the Government are of opinion that the itinerant conservators, in which capacity Mr. Williams is employed, should receive as

travelling allowances, not only when on circuit but also while executing orders, except indeed in a clear case of remaining for a fixed time at an established place as head quarters, which it has never been determined that Madras should be considered.—

4 With respect to Mr Williams remaining in the Department, it is clear to Government that Officers of the forest Conservancy cannot be allowed to be in connection with Railway Contractors; & Mr Williams will be called

upon

upon to make his choice between being allow[illegible] the free[illegible] of any appointment even of interest in private contracts or of leaving the Depᵗᵗ.

5 The Govt must notice that this matter has been brought before them in an irregular manner, and all claims of this nature should be submitted through the Head of Department in order that the Government may have his opinion

4 Copies to the Conservator of Forests for his information & to the Civil Audr

Dispd [illegible]

Mr Williams

Received 15th [illegible]
D° to [illegible]

N° [illegible]

B.

Extract Minute of Cons:
of 28th May 1[illegible]

From the Conservator of Forests [illegible]
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[illegible]
furnish copies of [illegible]
[illegible] with [illegible]
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N° 19 to 22