M.R.O. 14—10,000—21-4-22

MADRAS RECORD OFFICE.

Government of Madras.

Revenue DEPARTMENT.

G.O. No. 2238 Press Mis.

195-196

Dated 20 - 12 - 18 61

Not to be folded or roughly handled

Proceedings of the Madras Government, Revenue Department, 20th December 1861.

No. 195. Read the following letter from Mr. J. W. HAYES, Deputy Collector, to J. D. SIM, Esq., Secretary to Government, Revenue Department, Fort Saint George, dated Madras, 5th December 1861:—

SIR,

1. In doing myself the honor to request you will be so good as to submit the accompanying Memorial for the favorable consideration of His Excellency the Governor in Council, I beg to add that I have been obliged to forward the same to you direct, owing to my being at present in Madras, on my way to the Neilgherries; and as I understand that my case is on the eve of being disposed of, I, therefore, trust I may be excused for not having addressed you through the ordinary channel, which would have rendered a delay of some ten days or so necessary, and might have, therefore, frustrated the object which has led me to intrude upon His Excellency at the present stage of affairs.

2. Soliciting your kind support.

No. 196. ORDER THEREON, 20th December 1861, No. 2,238.

Mr. Hayes is informed that the decision of Government in his case has been arrived at, after a careful consideration of the evidence and of his defence, and is based on these and not on the Magistrate's report which the Government consequently see no occasion to communicate to him.

(Signed) J. D. SIM,
Secretary to Government.

To.

His Excellency the Honorable Sir W. T. Denison K.C.B.
Governor in Council
Fort St. George
Madras.

The Memorial of James William Hayes,
2nd Class Deputy Collector of the Madura
District.

Sheweth,

That Your Memorialist having arrived at Madras, according to the permission granted him in the Order of Government N°30 of the 22nd October 1861; and his case being still before the Government and not disposed of as yet; he prays that, in reviewing the mass of papers in which the Charges against him have been involved; Should Your Excellency wish for further explanation, on any matter requiring elucidation from statements made in Mr. Levinge's Report, written behind his back, he may be permitted to afford the same.

2. That Your Memorialist has already entered into full details on seven, out of the eight; sets of Charges brought against him: and although the 7th set of Charges, relative to the purchase of a Company's Bond from the late Sevasamy Iyer, was withdrawn by Mr. Levinge and no inquiry whatever instituted, yet Your Memorialist submitted a statement in his defence bringing to notice what occurred to him as the material points connected therewith. While on this head, Your Memorialist is solicitous once more and most solemnly to declare that

with

with respect either to the purchase of the Bond or the donation of 4000 Rupees to the Church, he did not, for a moment, even harbour a wrong intention. The Bond was purchased for a fair and bona fide consideration, openly, in the presence of respectable witnesses. The donation for improving the Protestant Church at Ramnad was accepted in the same way as the 10,000 Rupees which Mr. Levinge sanctioned Your Memorialist obtaining from the Zemindar for Town Improvements; as the 1,200 Rupees Your Memorialist assisted Colonel Pears Inspector of Schools in getting from the Zemindar towards the endowment of a gold medal for Tamil literature in the Madura Zillah School; and as the 4000 Rupees Poonoosamy Taver contributed towards a Christian School under the Gospel Society. No blame was ever imputed to Your Memorialist for these acts. On the contrary, Mr. Levinge himself applauded Your Memorialist, Colonel Pears thanked him, and the Gospel Society's Committee, both in Madras and in London, made public and special use of his name, in recording their appreciation, in their printed Report for the year 1860 (page 136). Further, Your Memorialist would add that the subject of the Church donation was never brought as a charge against Your Memorialist by Mr. Levinge, and it would not have been dwelt upon at all by Your Memorialist were it not incidentally used by Mr. Levinge so as to reflect upon his conduct. A reference to the documents marked M and N, appended to Defence No 7, will fully bear out Your Memorialist in this.

3. That Your Memorialist respectfully solicits, should there be no objection to such a course, he may be allowed

allowed to peruse Mr. Levinge's Report upon his Defences, inasmuch as Mr. Levinge having, in point of fact, acted as Counsel for the Prosecution, it is but fair Your Memorialist should, as the Accused, have the opportunity of rebutting any arguments which may have been advanced against him and which he has not been able to anticipate in his Defences.

4. That in conclusion, Your Memorialist submits for Your Excellency's perusal the enclosed ten Original testimonials and documents, from which it will be seen that he has now served the Government for more than twelve years and always striven to do his duty: also, that until the fabrication of the present charges against him and the unfair treatment he has been subjected to by Mr. Levinge, he always bore an unblemished reputation: the preservation of which and all his future prospects in life now depend entirely on Your Excellency's just protection, which Your Memorialist earnestly prays may be extended to him.

And Your Memorialist shall Ever Pray.

James. William. Hayes

Madras.
No 25. Pantheon Road.
5th. December 1861

From.

I. W. Hayes Esquire.
Deputy Collector

To.

I. D. Sim Esquire
Secretary to Government
Fort St. George.
Madras.

Sir,

In doing myself the honor to request you will be so good as to submit the accompanying Memorial for the favorable consideration of His Excellency the Governor in Council, I beg to add that I have been obliged to forward the same to you direct, owing to my being at present in Madras, on my way to the Neilgherries; and as I understand that my case is on the eve of being disposed of. I therefore trust I may be excused for not having addressed you through the ordinary channel, which would have rendered a delay of some ten days or so necessary and might have therefore frustrated the object which has led me to intrude upon His Excellency at the present stage of affairs.

Soliciting your kind support
I have the honor to be
Sir.
Your most Obedient Servant
I.W. Hayes
Dy Coll.

Madras.
No 25. Pantheon Road
5. December 1861.

Dy Coll
Dec 5 1861
Rec'd Dec 9
2851/4

Revenue 1861 Dept
Pro: of Govt for December
No 2851

From J. W. Hayes Esq
Deputy Coll: at Madras

Dated 5th December/61
Received

(Encl 11)

Submitting a Memorial explaining his conduct with regard to the purchase of a Bond from the late Devadanam Farm and requesting to be permitted to peruse Mr Lewin's Report upon his defence—

No 2338. 20th December

No 2338

Mr Hayes is informed that the decision of Govt in his case has been arrived at, after a careful consideration of the evidence & of his defence, and is based on these & other grounds of the Govt. which Govt cannot presently see any occasion to communicate to him

Fort St George
20th December 1861

J. W. L.

Copy
To Mr J. W. Hayes with 10 Encls Pub: Dept

No. 195 & 196.

2 Encls