M.R.O. 14—10,000—21-4-22

MADRAS RECORD OFFICE.

Government of Madras.

Revenue **DEPARTMENT.**

G.O. No. 1189 — Press ~~Mis.~~

Rev. 825

Dated 28 - 5 - 1862.

Not to be folded or roughly handled

Proceedings of the Madras Government, Revenue Department, 28th May 1862.

No. 524. Read the following letter from Captain J. J. BRINE, Assistant Conservator of Forests, to J. D. SIM, Esq., Secretary to Government, Revenue Department, Fort Saint George, dated Kōtagherry, 7th May 1862, No. 7 :—

SIR,

1. I have the honor to acknowledge the receipt of the Proceedings of Government and Order thereon No. 942, dated May 1st 1862, with copies of two letters* marginally noted, forwarded to me for my information and guidance by the Assistant Conservator in charge of the Central Office at Madras.

* No. 842, March 8th, 1862.
„ 876, „ 31st, „

2. From the first of these letters it appears to me that Major Morgan has thought proper to bring my conduct unfavorably to the notice of Government, without at the same time submitting any of the explanations which from time to time I have had the honor of submitting to that Officer. Neither was the least intimation given to me that it was his intention to lay the matter before Government. Under these circumstances I trust I may be excused in thus departing from the prescribed rules on the subject of correspondence: and beg respectfully to submit the following explanation of my conduct in the matter in question.

3. As regards paragraphs 2 to 4 of the letter† marginally noted, I have the honor to state that I made the contract in question with a view to help out the completion of the large number of planks I had estimated to be cut in season 1861-62, 3,000 in all, knowing from experience the difficulty of procuring axemen in sufficient numbers. I was wrong in not having submitted the contract to the Officiating Conservator: but I respectfully beg to urge that as he permitted the completion of the contract after due consideration, he should not hold me responsible for its shortcomings, if any. Finding that the state of my health would preclude the resumption of my duties in the Forest, I wrote to Major Morgan, informing him of this contract; and as from its being an innovation on the established practice in the Forests, I wished to personally superintend its progress, I requested him to put a stop to it for the present. He, however, sanctioned its being proceeded with under the supervision of Lieutenant Ouchterlony who had been appointed to act for me.

† No. 842, dated March 8th, 1862.

4. With reference to paragraphs 5, 6, 7 and 8 of the same letter, I have the honor to state that on my rejoining my appointment at Coimbatore, I found on enquiry that the Contractor's planks 504 in number had all been delivered ready for measurement at the foot of the slip by the first week in December, and not so late as the 20th December as stated in Major Morgan's letter. It is the invariable practice in the Anamallai Forests that as soon as a Contractor has cut the required number of planks they shall be measured at once and the account closed. This duty, I beg to submit, ought most certainly to have been performed under the orders of the Officer under whose superintendence the planks had been cut, as there was ample time before my arrival for its being done. I pointed out this matter most clearly to Major Morgan, and I stated to him that I was naturally disinclined to undertake the responsibility of a duty which ought and could most easily have been performed by the Officer who was then on the spot, and under whose orders the planks had been cut.

5. With reference to paragraph 9, I beg to state, that as there was ample time, viz., from first week in December to the 23rd, on which latter date Lieutentant Ouchterlony quitted the locality, to have performed the desired duty, that Officer should be held responsible and not myself.

In declining to take the responsibility of these measurements, I had no desire whatever to elude the performance of my duties: but simply to remove from myself the onus of a burden with which I consider I had been unjustly laden.

6. With reference to paragraph 10 of the same letter, I have the honor to state that Major Morgan has already called on me to explain why the planks cut by a Contractor averaged 23 cubic feet, while those cut and measured by an Overseer average only 13 cubic feet. I explained to him that 13 cubic feet was the usual size of planks that had been hitherto cut by my predecessors; and that I would alter the dimensions in future if he desired it, but I have

not yet been favored with a reply. I have also long ago reported the payment of the Contractor in full.

It is always desirable to have the planks cut of as large dimensions as possible, because the Bombay Agent pays for them according to their class. If therefore a great number can be entered as first class planks, to the exclusion of the inferior classes, the difference in rate of payment is so much superior for first class planks, as to far more than make up for the lower rates allowed for the inferior classes. Knowing this I stipulated with the Contractor that he should cut if possible all first class planks. When these are sold the proceeds will be found to be greatly to the advantage instead of loss to Government, as stated by Major Morgan. His assertion that 5,000 Rupees has been paid in excess, can only proceed from ignorance of the mode of sale and manner of classification of the timber.

7. As regards paragraphs 11 and 12 of the same letter, I most respectfully solicit that the Government will be pleased to desire Major Morgan to withdraw the charges of neglect of duty and general incompetence therein brought against me. The term "excuses and vague assertions" imply that I have been guilty of deception: and permit me to observe are not usually made use of in official correspondence.

8. I have already, I fear, entered into too lengthy an explanation, and will not say more on the subject of these two concluding paragraphs. I can only say that ever since the resumption of my duties at the expiration of my leave, Major Morgan's style of correspondence with me has evinced so much want of courtesy, that I have repeatedly directed his attention to it, but to no effect. I have never yet had my conduct called in question by any of my superior Officers, and I am not aware that I have deserved it now.

9. In conclusion, I have the honor to state that there is a total want of that confidence and mutual good understanding which ought to exist between two Officers placed in the positions which Major Morgan and myself hold. I therefore most respectfully solicit the permission of the Government to resign my appointment.

No. 525.

ORDER THEREON, 28th May 1862, No. 1,189.

1. The Governor in Council accepts Captain Brine's resignation, which will take effect from the date on which he may be relieved.

2. The Acting Conservator will submit the names of two or three Officers whom he would recommend for Captain Brine's appointment.

3. Captain Brine cannot be relieved of the responsibility laid upon him in G. O. dated 1st instant, No. 942. He was ordered by the Head of his Department to measure the planks and ought to have obeyed the orders he received.

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

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5. — With reference to Para 9, I beg to state, that at the time was ample time viz from 1st week in December to the 28th on which latter date Lieut. Rochterlony quitted the locality, to have performed the desired duty, that Officer should be held responsible and not myself.

In declining to take the responsibility of these measurements I had no desire whatever to elude the performance of my duties: but simply to remove from myself the onus of a burden with which I consider I had been unjustly laden. —

6. With reference to Para 10 of the same letter I have the honour to state that Major Morgan has already called on me to explain why the Planks cut by a Contractor averaged 23 Cubic feet, while those cut and measured by an Overseer average only 13 Cubic feet. I explained to him that 13 Cubic feet was the usual size of Planks

that had been hitherto cut by my predecessors; and that I would alter the dimensions in future if he desired it: but I have not yet been favoured with a reply. I have also long ago reported the payment of the Contractor in full.

It is always desirable to have the Planks cut of as large dimensions as possible, because the Bombay Agent pays for them according to their Class. If therefore a great number can be entered as 1st Class Planks, to the exclusion of the inferior Classes, the difference in rate of payment is so much superior for 1st Class Planks, as to far more than make up for the lower rates allowed for the inferior Classes. Knowing this I stipulated with the Contractor that he should cut if possible all 1st Class Planks. When these are sold the proceeds will be found to be greatly to the advantage instead of loss to Government, as

2nd.

In their order on Capt B's letter, Govt took no notice of Mr Jarvis's complaints of unjust Capt Brine or of his recommendation that Capt B should be removed.

Capt B has held an inventory for his overseers measurements. He says & now that I sent such. -ters long should have measured the Timber - but does not deny that he was ordered so to by the heads of his Dept - that he could have done so & did not. This seems done sufficiently to fix the responsibility on him.

From what I have been able to learn Capt Brine has not the health required for such an appointment & his resignation may be accepted

with a Drawback from the
date on which [illegible] find
it practicable to relieve
him - Capt Beddome might
be desired to furnish the
Names of one or more officers
qualified to succeed him.
Capt Hunter has just been
with his Regt, but I do wish
Genl Hunter knew he has done his
work.

Lt Col Lee

Please say to Alexander
why Lieut Baldwin not
Measured for Blanket
at the time Capt
Brandt was measured

Yrs

No. 1 May 62 N. 20 to 22
N. 1189.

The Govt accepts Capt Cobb's Resignation which will take Effect from the date on which he may be relieved.

The Conservator will submit the name of the two or three Officers who he would recommend for Capt Brine's appointment.

Capt Brine cannot be relieved of the restriction laid upon him in G.O. 91 until No. 942 be received by the Secretary of State

Rec'd 28th May 62

Rev=1862 May 10th
From Govt Surveyor
Captain J. J. Brine
Asst Comptr of Forests

Dated 12th May 1862

No. 7. re 1189. 28th May.

Enclosures ——

Offers certain explanations with reference to the letter No 842 of the 8th March 1862 of the Offg Comptr of Forests: and solicits permission to resign his appointment

For the decision of the Secretary of State

Head of this dept to measure the planks and compt of the rules and keep the rules to be received.

J. Lloyd

Forwarded for 24 hours Govt 10 May 62 C.P. 2163 hr