M.R.O. 14-5,450—22-10-25.

MADRAS RECORD OFFICE.

Government of Madras.

Revenue **DEPARTMENT.**

G.O. No. 176 Press ~~Mis.~~

377A. 377B.

Dated 15-1-1867.

Not to be folded or roughly handled

Proceedings of the Madras Government, Revenue Department, 15th January 1867.

377A. Read the following letter from the Superintendent Government Chinchona Plantations, to the Secretary to Government, Revenue Department, Fort Saint George, dated Ootacamund, 29th September 1866, No. 68:—

1. I have the honor, with reference to the Order of Government, in the Revenue Department, No. 1,855, dated 20th July 1866, respectfully to state, that this Order, together with other Proceedings of Government, has given rise to an impression among my subordinates, that the Government is disinclined to maintain my authority.

2. This impression has arisen from undeserved lenity having been shewn to persons under me, who have been guilty of neglect of duty and grave insubordination, and from the Government having, in connection therewith, passed upon me unmerited censure. These Proceedings of Government tend to render my subordinates not only useless as Assistants to me, but make them an absolute impediment to the progress of the important national undertaking with which I am charged. Feeling confident that it is not the desire of Government to aim a fatal blow at the progress of a great undertaking fast ripening to success, I appeal, with confidence, for the support of my authority, to the absolute and uncontrolled degree, for which I specially stipulated at the commencement of this undertaking.

3. Independent of the Government support necessarily conceded to each Head of a department, and especially of a new department, I had special claims on the Government for the support of my authority. In the beginning, when asked to undertake the conduct of this very arduous, and at one time very hazardous undertaking, I foresaw the great dangers to which such a delicate cultivation was exposed in case of neglect or disobedience of orders. At that time I had on two occasions been placed in the very painful position of being compelled either to oppose the orders of Government as to the treatment of the plants, or to carry them out to the destruction of this important experiment. I foresaw that success must depend on strict obedience to my orders, and also that failure, although brought about by causes beyond my control, would ruin my reputation. I therefore took the liberty to request, as per letters noted in the margin, that if the Government had not full confidence to entrust this undertaking to me with an establishment "selected by myself and entirely under my orders," they should relieve me from all connection with it; but that if I were entrusted with the undertaking, Government should guar-

Recorded in G. O. 16th April 1861, *No.* 855.
From Mr. McIvor, to Secretary to Government, Revenue Department, dated 30th March 1861.

* * *

Paragraph 19. I most respectfully beg to solicit that your honorable Government may be pleased to place this experiment entirely under my management, or release me from any connection with it.

Recorded in G. O. Revenue Department, 3rd July 1861, *No.* 1,328.
From Mr. McIvor, to Secretary to Government, Revenue Department, dated 9th May 1861, No. 59.

* * *

Paragraph 8. That no misunderstanding may occur on this subject in future, I most respectfully beg to explain that, by the Orders of Government above noted, I understand that the experiment on the Neilgherries is placed entirely under my control; that I am left to the free exercise of my own judgment in my endeavours to obtain the results desired by Government, and that the establishment is to be selected by myself and placed entirely under my orders, otherwise I could not work it to advantage, also that I have the guarantee of Government from interference so long as I produce results unequalled elsewhere.

From the Right Honorable the Secretary of State for India, to His Excellency the Right Honorable the Governor General of India in Council, dated India Office, June 10th, 1862.

* * *

Paragraph 4. I have, therefore, only to repeat the expression of my desire that no interference should take place on the part of Dr. Anderson, or any one else, with the prosecution of the experiments now proceeding in the Madras Presidency under the charge of Mr. McIvor.

From the Right Honorable the Secretary of State for India, to His Excellency the Honorable the Governor in Council, Fort Saint George, dated India Office, London, 14th September 1861, No. 46.

* * *

Paragraph 2. Your resolution to entrust Mr. McIvor with "full and entire control over the operations" is in accordance with the opinion expressed in my Despatch of 2nd July last.

antee me from all interference. The Government, in reply under date 3rd July 1861, No. 1,328, resolved "to entrust this "important experiment entirely to me, "giving me full and entire control over "all the operations, and holding me "responsible for my conduct of them." This Order being reiterated in several subsequent Proceedings of Government, and confirmed by the Right Honorable the Secretary of State for India, as per extracts from Despatches in the margin, I understood that my authority was to be absolute, that I was to select, appoint, and dismiss my subordinates, as I alone saw fit, and that I was guaranteed from all interference so long as I produced satisfactory results.

4. With these specific stipulations I accepted the responsibility, and set to work resolutely to overcome every physical difficulty. My endeavours, guided by long local experience, and by my horticultural knowledge, combined with unremitting personal attention and supervision of my subordinates' treatment of the plants, has now been rewarded by eminent success, so far that Quinine bark is henceforth for ever secured as one of the products of India.

5. The first instance in which the Government passed unpunished neglect of duty and insubordination, was in the case of Mr. Lyall, a gardener engaged in Europe. I suspended him, and reported the fact to Government, who ordered his dismissal, but released him from the penalty attached by special agreement to his negligence and insubordination. Government probably only meant not to be hard upon the man, and never contemplated the evil effect on my authority. The Secretary of State in his letter to the Madras Government, No. 2 of 16th January 1863, expressed his opinion that "the lenity with which Mr. Lyall had been treated "was wholly undeserved." The consequence of this lenity was that Mr. Lyall, who was engaged in the neighbourhood, strongly represented to my subordinates that Government would take a favorable view of any neglect or insubordination towards me.

6. Notwithstanding this, my power of summary dismissal kept my subordinates in order from 1862 to 1865. During that time many were dismissed by me without any reference to, or interference by, Government. I was thus able to keep up a constant pressure to unremitting attention by my subordinates. I know that men do not like to be pressed to constant attention; but I had received these powers on condition of being successful; and this constant pressure is indispensable to success when, as in Chinchona cultivation, the neglect of a day may sacrifice the labor of years.

7. In August 1865, on visiting the Neddivuttum plantations, I found that Lieutenant Nichol, my subordinate in charge, appointed by me on the

express terms that neglect or inattention would be visited by dismissal, had by carelessness in transplanting lost upwards of 12,000 Chinchona plants out of 16,000 he had planted out that month. I found on enquiry he had been drinking for some time, so as to incapacitate him for his duties. Previously he had also neglected important operations which led to the Jail works at Neddivuttum being removed by me from under his care. This continued charge of the plantations thus became incompatible with success, and I recommended his resigning. This he would not do. During September and October 1865, I found further neglect, that he had misapplied money, and that his presence was more and more detrimental to the success of the plantations, so on the 28th of February 1866, I conveyed to him the usual monthly notice that his services would be dispensed with.

8. Lieutenant Nichol thereupon thought proper to state, in a letter to the Chief Secretary to Government, that he was dismissed "for no other reason that he "was aware of than to make room for a member of a family with which Mr. McIvor "is connected in several trading and planting operations." The fact is that I never had a trading transaction with a member of the family he referred to, and Lieutenant Nichol could not, therefore, be aware of anything of the kind.

9. But this is not the worst feature of the case, Lieutenant Nichol submits that letter direct to the Honorable A. J. Arbuthnot, Chief Secretary to Government, who, contrary to the rules of the service, receives that communication, which I, as the Head of the department, had never seen. Lieutenant Nichol was the more inexcusable in this, because he was informed by me that the Chief Secretary was not my channel of communication with the Government, and that I would be happy to forward any remonstrance he wished to submit, through the Revenue Secretary. Taking no notice of these instructions, and apparently calculating on a supposed hostile feeling towards myself on the part of Mr. Arbuthnot, in consequence of a misunderstanding which arose in 1864 between that gentleman and myself, respecting the Pycara avenue, Lieutenant Nichol appealed direct to Mr Arbuthnot, boasting to my other subordinates that by the influence of Mr. Arbuthnot he would "smash" me with the Government. Not only does Lieutenant Nichol thus knowingly appeal to the wrong authority, but Mr. Arbuthnot without informing me, lays the complaint direct before Government, and Government passes an order on this irregular and *ex-parte* complaint, thus irregularly submitted to them, and which I had never seen, and that without any enquiry of me, against whom the complaint was made. The Governor in Council by this Order, under date the 26th March 1866, permits Lieutenant Nichol to occupy the house until the 31st March 1866, absolves him from accounting to me for public money he had from me, and directs him to give up the accounts, &c. The consequence is that my subordinates have since acted as if satisfied that any irregular appeal against me would be received, and favorably considered by Government.

10. Immediately on receipt of the above Order, Mr. Dawson, who by the previous attention and care in carrying out orders had obtained Lieutenant Nichol's position, at once became most negligent and insubordinate. Soon after, Mr. Smith, an East Indian, whom I had engaged as an Overseer, when in a state of destitution, and subsequently appointed in charge of the Dodabetta plantation, replied to my

fault finding, by directly threatening me with Mr. Arbuthnot, upon which I summarily dismissed him. He, in imitation of Lieutenant Nichol, at once appealed to Government, through the Chief Secretary, and I have been called upon to give my reasons for his dismissal. The Government Order of the 26th March 1866 thus proved an incitement to insubordination, and thus led to my orders being no longer strictly and actively followed.

11. But what is still more important, this Order, together with that of the 20th July 1866, now under reply, expressly alters the whole nature of my authority, and puts my relation with my subordinates on a totally different footing from what I expressly stipulated when I undertook the responsibility of success.

12. In paragraph 4 of the Order of the 26th March 1866, the Government concede to me the right of engaging my Assistants, but states that I have not the power of summarily dismissing any one not expressly engaged on trial. There can be no system of discipline without the power of administering both rewards and punishments; and to concede to me the one and withhold the other can only lead to confusion and irregularity.

13. In paragraph 5, I am directed to nominate my "Assistants on probation "for a period not exceeding twelve months, and if I am satisfied that they possess the "requisite qualifications for their important situations, I am then to submit their "names to Government for confirmation." On account of the smallness of the salaries, we can get none but men who failed in other employment. It is with such men that by unremittings upervision, by absolute power exercised in kindness, and by keeping up a steady pressure, I have achieved great results. By these personal exertions I have been able to dispense with all but the only qualification available, and, consequently, the only one I have hitherto required, viz., constant attention, and the strict, active, and literal carrying out of my orders in the manner shewn by my own hands.

14. But if I am to be deprived of the means of securing this constant attention and obedience, by having the absolute power I originally stipulated for, curtailed, then qualification will be required, which I do not know where to obtain. In that case, therefore, I must respectfully leave the nominations, as well as the dismissals, with the Government.

15. When I originally undertook the responsibility for the success of Chinchona cultivation in India, I stipulated for, and Government conceded to me, an absolute power over my establishment, which may be unusual in other departments.

16. The Orders of Government, above noticed, not only destroy this absolute power, but puts me on a worse footing than other heads of departments.

17. The success of Chinchona cultivation in India is now complete, and therefore Government may desire to get rid of the former anomaly by putting my department on the same footing as others. If so, I can have no objection, as Government thereby declares the success achieved, to obtain which the anomaly was created.

18. I would only remark that, although the success of Chinchona cultivations in India is now complete, many of the Government Chinchona plantations are as yet

far from complete as remunerative undertakings. Under the new system I must at once decline all further responsibility for their successful remunerative completion. My responsibility before was as anomalous as the means at my disposal. My absolute undertaking for success must cease with my absolute powers.

19. I will still continue to give to the nominees of Government the most judicious orders. I will still shew them with my own hands how the work ought to be done, and I will expostulate for neglect and disobedience of orders, and will report the same to Government; but for loss caused meanwhile by neglect and disobedience, I must be absolved from all blame. I consider it a duty respectfully to inform Government beforehand that the progress of the plantations will fall off, and that great losses of plants will be incurred under the new system. In Chinchona cultivation the neglect of a day may destroy the labor of years, and my Assistants have, since the Order of 26th March 1866, been more neglectful than before. As an instance, I have all along given the strictest orders that in weeding, the earth and weeds shall not be heaped against the trees, as Natives always try to do. Only last week, on visiting Dodabetta and also Neddivuttum, I found my Assistants had neglected to see to this. About 42,000 well grown trees had been thus treated, and the bark on all was beginning to ferment; many fine trees were dead, another three days would have killed the whole of them. I at once personally supervised their being cleared, and now probably the loss will not be severe. Had my former power of summary dismissal, without appeal, continued, my Assistants would probably have avoided neglect, which they knew involved such serious consequences.

20. At the same time, on the Neddivuttum plantations, my specific orders to clear the shading and weeds from around the newly planted out plants had been entirely neglected, and the loss from this neglect is very serious, not being less than 20,000 to 25,000 plants. In this way, and in many others, labor may be destroyed by a day's neglect, which has occupied the department years in producing.

21. Having now submitted to Government the injustice done me in the sudden curtailing of my powers without first requiring any explanation, and the injury which has and must accrue to the Government plantations therefrom, I have the honor to ask for specific orders to myself and to my subordinates on that subject.

22. If my former absolute power is to be maintained, my subordinates must be informed that their appointment and dismissal is solely in my hands, and that my decision is to be without appeal, and that Government will neither receive complaints against me, nor call on me to answer them. If this, which would be my power in a private estate, be conceded, I have no objection to take on myself the same absolute responsibility for the successful remunerative completion of the Government plantations, as I before took for the success of Chinchona cultivation in India.

23. If, on the other hand, my department is to be put on the same footing as other departments, I beg that both my subordinates and I may be specifically informed of our respective duties, rights, and remedies. In that case I must decline all further responsibility, except that of carrying out the duties which shall be assigned me by Government, and reporting any deficiency in my subordinates.

No. 377B. ORDER THEREON, 15th January 1867, No. 176.

Miscellaneous.

1. The Government have perused this letter with much surprise.

2. When the Chinchona experiment was first undertaken, it was right and necessary that Mr. McIvor should possess absolute power over his subordinates, who were few in number, and were probably drawn from a class with whom the fear of immediate and summary punishment was the most powerful incentive to care and exertion. In the interval of six years which has since elapsed, the establishment has been largely increased, and the permanent character which the undertaking has assumed ought to render employment on it as Assistants attractive to a superior class of men. These, however, must be fairly paid for their work, and duly protected from arbitrary authority, or they will not willingly enter the department.

3. The Order of which Mr. McIvor complains, not only leaves the selection of Assistants entirely to him, but gives him a year for their trial, during which period he can dispense with their services at his own will, if they misbehave, or even if they seem unlikely to give satisfaction. These powers are ample, and instead of being less, as he supposes, are greater than those accorded to the Head of any department of the public service. Every public servant in other departments can appeal to the Governor in Council against dismissal, while Mr. McIvor can dismiss any employé—not being a confirmed Assistant—without reference to higher authority. The power which Mr. McIvor desires is greater than that accorded to the Governor in Council, whose decisions are open to appeal to Her Majesty's Secretary of State.

4. The Order in question does not debar Mr. McIvor from *suspending* an Assistant for misconduct, until the orders of Government on his case are received, and he need be under no apprehension that he will not be supported in the just exercise of his authority.

5. The Government are surprised that Mr. McIvor should lend credence to the reports and suppositions of his subordinates. But he must distinctly understand that such communications as that now under notice, cannot be tolerated from any subordinate. He has been treated with uniform consideration and the utmost confidence, but the Government cannot allow their authority to be thus called in question, and the acts of their Chief Secretary impugned in so reprehensible and unfounded a manner.

(True Extract.)

(Signed) J. D. SIM,

Secretary to Government.

To the Superintendent Government Chinchona Plantations.

Exd. S. T. Augustin.

Rev. 1866 Vol 8

Proc^s 1866-6-

No. 3413-

From Supt. Govt. Chinchona Plantations

To The Secretary to Govt. Revl. Dept.

Dated 29 September 1866

Received 2 Oct. Ditto

Nature of Papers Charge

No. 176-15th Jany.

Subject The injury done to the undertaking by unauthorized Counter-manding Orders given to my subordinates & leave given to neglect of duty and grave insubordination, and from the Government having no connection with the Superintendent in the matter

Submit the recent proceedings of Government which the undersigned considers subversive of discipline & destructive of the responsibility of the Superintendent of Chinchona Cultivation in Madras - Under these circumstances he begs to solicit instructions for myself and subordinates if our respective duties, position, and remedies -

o/ 15 April 1861 Nos 265 & 271
" 3d July " " 47 & 49
" 7 Sept^r " " 79 & 81
1 March 1862 " 7-8
24 October " " 302 & 3
5 March 1863 " 55 & 58
Govt Gen^l Island 15/1 of 1865 pages 414 & 416
20 " 1866 " " 414 & 416
20 July " " 491 & 492 C.

No 377 A.

be without appeal, and that Govt will neither receive complaints against me, nor call on me to answer them. If this which would be my power in a private Estate be conceded, I have no objection to take on myself the same absolute responsibility for the successful prosecution of the Govt Plantations, as I do before God for the success of Cinchona cultivation in India.

23. If on the other hand my Dept is to be put on the same footing as other Depts. I beg that both my subordinates and I may be specifically informed of our respective duties, rights and remedies. In that case I must decline all further responsibility except that of carrying out the duties which shall be assigned me by Govt and reporting any deficiency in my subordinates

I have the honor to be
Sir
Your most obedient Servant

R. S. Pearson
Supt. Govt. Cinchona Plantns

15th day Feby

The Govt have perused this letter with much surprise.

When the Chinchona experiment was first undertaken it was right & necessary that Mr McIvor should possess absolute power over his subordinates, as he was then few in number. ~~had to be taught their Duty~~ and was justified in withdrawing from a climate with whose fever & immediate & summary punishment was both the most powerful in. to cure & protection. centive. In the in-

Will Govt. administer a reproof themselves or leave the Supt of State to do it?

Should think this comes & the letter to the Supt of State too. Mr McIvor's superintendence ought not much longer to be endured. HOM

HOM
N
JP

-terval of six years
which has since
elapsed, the establish-
-ment has been largely
increased - and the
permanent charac-
-ter which the un-
dertaking has assu-
-med ought, ~~of the~~
~~to be~~, to render em-
as attributes
-ployment in it at
-tractive to a superior
class of men, of whose
known ~~as~~ family habits
for their work and
duly protected from
arbitrary authority
or they will not willingly enter the
The order of which
Mr McLeod com-
-plains, not only
leaves the selection
of assistants entirely

to him, but prescribes
a year for their trial,
during which period
he can dispense with
their services at his
own will, if they
mistake or even if
they seem unlikely to
give satisfaction.
These powers are
ample - and in-
stead of being less,
as he hopes, are
greater than those
accorded to the
Head of any Dept.
of the Public Service.
Every public ser-
vant in other
Depts can appeal
to the Pr. C against
dismissal, which
Mr McLeod can-
not with any em-

-plomé - not being a confirmed Assistant without reference to higher Authority - The power in which Mr. McLoon decision is greater than that accorded to the Ships for whose decisions are open to appeal to H. M. Secretary of State.

The order in question does not debar Mr. McLoon from suspending an Assistant for misconduct, pending the orders of post on his Case, and he need not be under no apprehension that he will not be supported in the just exercise of his authority.

The post anticipated that Mr. McLoon should lend (and readily) credence to the (attested) reports and instructions of his subordinates - But he must distinctly understand that such communications as these notices under consideration, cannot be tolerated from any subordinate - He has been treated with uniform consideration and the utmost confidence but the post cannot allow

there can Authority to
be then called in
Question and the
~~Conduct~~ acts of their
Chief Secty. suspended
in so far as they tended
and conformed to
a Manner.

J.D.

1 Copy to the Lieut. Gov. Chief Secty. Clerk Plantations Despt. 2nd

To
The Right Honble
The Lords Commrs.
for Trade &c.

May it please Your
Lordships

We deem it
Right to bring before
Your Lordships the ac-
companying Letter
from Mrs. McLean
Wife of the Chief Secty.
of the Cherokee
Plantations and
the order thereon

as well as the previous
order on which Mrs
McLean's letter refers.

We have, as You
are aware, treated
Mrs McLean in the
most confidential
uniform and liberal manner
and have entrusted
him with a larger
measure of discretion
than has been conceded
to any other Officer
in his position. He
has also, on repeated
occasions, rendered
public & important
services. It is in the interest
of the Service that
he should continue
to be allowed, on this oc-
casion, to exercise
them for a little

addressed which is
Lutwyche's unwarranted
it is [illegible]
[illegible] to Engd. 12th July/67
Mem

addition appointing
Council. 22. June/67.

Endorsed
Dispatch from Captain Lyons
to which that the letters
which he has Encl. in his
addressed
for Chief Secretary by
Subordinates in the Cleveland
Establishment [illegible] by
him entrusting & will
submitted for [illegible]
simply transferred by
W. Arbuthnot to the
Engineer department
of the Secretariat for
disposal, in the
Military Course
of business.

No 377 A-377 B.

inconsistent with the
respect & attention due
at the hands of every
Revenue 1867 D. 9th
Pro of Govt for Dairy

No 176

Pro of the Madras Govt
D/15th January 1867

Passing orders on
the degree of authority to
be exercised by Mr Nelson
with reference to the
entertainment and
dismissal of Subordinates
of the Cleveland
Plantation.