

Financial (1895) Department.

ORDINARY MS.

G.O., No. 608

Dated 23rd Aug. 1895

9/w

[Despatch Abstract.]

EXCHANGE COMPENSATION ALLOWANCE

Directing that the claim of Mr. Wroughton, an Inspector in the Salt Department, to -- be admitted.

BACK PAPERS.

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

FURTHER PAPERS.

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

[G. 11]
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ORDINARY, MS.

Financial DEPARTMENT.
G.O., DATED 23-8-85
No. 608

INDEXED.

When given for copying. 26/8

[Despatch Abstract.]

Trusting that the claim of
 Mr. Wroughton in respect
 of the Salt Dept. to Exchange
 Commission allowance
 be admitted.

READ AGAIN ORDER OF GOVERNMENT, DATED
189 , No. , MISCELLANEOUS.

ENCLOSURES.

CURRENT No.

STATEMENT WITH DITTO.

ORDER OF GOVERNMENT A A

LETTER OF GOVERNMENT.

STATEMENT WITH DITTO.

PAPERS NOT FILED UP, BEING MEANT FOR DESPATCH
IN ORIGINAL (not paged).

N.B.—

- A = Copy in full.
- B = Not to be copied.
- P = Copy abstract only.
- Q = Copy heading only.

Questions.

Answers.

1. Are you a European or a Eurasian ?

(1) European

2. What was your father's nationality ?

(2) English

3. In what country was your father born, and where was he educated ?

(3) My father was born in India, he was educated in England & France

4. In what year did your father first come to India ?

(4) In /56

5. If your father is still living, in what country is he? If dead, in what country was he at the time of his death, and in what year did his death occur ?

(5) My father is living in the north of London

6. What profession or service did your father follow while in India? If he came to India before 1858, was he in the service of the Honorable East India Company or of the Crown ?

(6) My father came out as a Lieutenant in the Indian Army in /56, served 2 years under the Honorable East India Company, & his subsequent 36 years under the crown, the latter 8 of which were spent at Home

7. Did your father ever leave India after his first arrival in the country? If so, please state (1) on how many occasions, (2) in what years, and (3) for how long on each occasion? Did he spend these periods of absence in Europe ?

(7) Yes, he went home on 2 years furlough about /75, & remained with his family in England for those two years.

8. In what year were you born ?

(8) In /60

9. Were you born in India or in Europe ?

(9) I was born at Coonoor, Nilgiri hills, India



Proceedings of the Board of Revenue

(Separate Revenue.)

Dated 6th August

1895.

No. 3283 Mis.

Read again the following Proceedings of the Board of Revenue, Separate Revenue, dated 18th May 1895, No 1241 Routine:-

" Read the following letter from Mr. H. W. F. Wroughton, Inspector, Anahapalle Circle dated 18th April 1895, No 265:-

" I have the honour to represent that having heard Mr. Gadsden has been permitted to draw compensation allowances, on the ground that he went to Australia from England, prior to his coming to India on the chance of getting his appointment, I venture to hope that it will be conceded that I have, if anything, a stronger claim even than he has, on the very same

Questions.

Answers.

10. * If you were born in India, have you ever left this country? If so, please state (1) on how many occasions you have left it, (2) in what years, and (3) for how long on each occasion. In what country did you spend these periods of absence?

* Note.—It is essential that this question should be answered fully.

11. * If you were not born in India, in what year did you first come to this country? If you have ever left India since your first arrival, please state (1) on how many occasions, (2) in what years, and (3) for how long on each occasion. In what country did you spend these periods of absence?

* Note.—It is essential that this question should be answered fully

12. In what year did you enter the public service, and in what capacity? In what Department are you now employed?

13. If any interval elapsed between your first arrival in India and your employment in Government service, please state in what profession, service, or other employment, if any, you passed this interval.

14. In what country were you educated?

15. Are you married? If so, in what country, and in what year were you married?

16. If you have any children, please state their present ages, and in what country each of them has been or is now being educated?

17. Is it your intention to settle permanently in India, or in Europe, when you retire from the service of Government?

(10) I was sent home when I was seven years of age (1867) & did not come out again during my minority

(11) This does not apply to me. I came under question 10.

(12) I entered the Salt Dept. as an Asst. Insp. (my 1st & only appointment under the Indian Govt.) in October/84

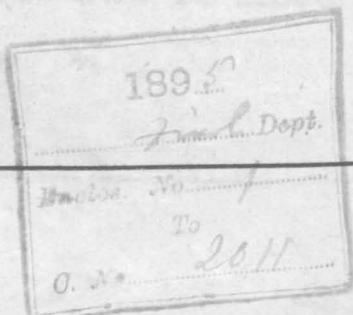
(13) I came out to India in 1882 to try coffee planting but finding the prospects of a coffee planter with out capital, more wretched, even, than a Bank Clerk at home I was about to return to London to my profession the year, when I got the offer of an appointment in the Salt Dept. which I accepted

(14) England. Bedford Grammar School

(15) Yes, I married out here in 1887.

(16) I have three children aged 7, 5, & 2 respectively the eldest is if possible to be sent home next year for his education

(17) I intend to retire in Europe, as I have no attractions in this country. All my wife & kin being at home.



same footing for which I beg a favourable consideration.

Prior to my coming to India, I went to sea from, and back to London, for 5 years. I held a London certificate as a 2nd officer. Not caring for a sea life, I sought and held a bank appointment in London for 6 months, so that London was my domicile for a period of 5½ years after I began to earn my own livelihood. Prospects not being bright at home, I came out to India on the chance of getting an appointment, and succeeded in getting into the Salt. Had I failed to do so, I should have returned to the sea which was my profession.

I therefore beg that I may be allowed to draw Compensation allowance on the ground that London is proved to be my domicile; and the fact

fact that I had a profession, dating from London, prior to my appointment in the Salt, will, I venture to hope, carry some weight with it."

Resolution.

With reference to para 2 of his letter read above Mr Wroughton is requested to report how old he was when he went to sea, and when he took up the Bank appointment in London. He will also submit for reference the certificate he holds as second officer.

2. A form containing questions on the subject is herewith sent to Mr. Wroughton, who will return it duly answered along with his reply to these Proceedings."

Read also the following letter from Mr. H. W. F. Wroughton, dated 7th June 1895, No 375:-

"With reference to your Proceedings
No

No 1241 Routine dated 18th May 1895,
requesting me to furnish certain information
regarding my claim to Exchange
Compensation Allowance, I have the
honour to report that I was about 16
when I first went to sea and 22
when I threw up my appointment
in the Bank. I enclose as requested my
second officer's certificate, which
kindly return.

2. The questions sent me I herewith
return answered.

^{the following Board's}
And ^{H.W.F.} reference thereon to Mr. Wroughton,
dated 15th July 1895:—

" Mr. Wroughton is requested to
report his exact age when he left
England for India in 1882. "

Read also the following letter from
Mr. H.W.F. Wroughton, dated 27th July 1895
No 1299:—

No 1299:—

" With reference to Board's Reference
dated 15th July 1895 General Register
No 6261, I have the honour to report that
I was 21 years and 5 months old
when I left England, but I had
a leave however on my Bank appointment
at home for several months after I
came into the Country. "

Resolution.

Submitted to Government for orders,
with the enclosures, in continuation of
Board's Proceedings No 4123 this dated
21st September 1894. with which Mr.
Wroughton's appeal against the Board's
order disallowing his claim to Exchange
Compensation Allowance was sent.

2. Mr. Wroughton's claim was disallowed
on the ground that his domicile of
origin was Indian (because at the
time

27/28
12-1-95

time of his birth the domicile of his father was Indian by reason of his service under the Honourable East India Company) and that it has not been changed. He now claims the allowance on the ground that he had acquired an English domicile (as the late Mr. Gadsden had acquired an Australian domicile, Vide G. O. dated 26th February 1895 No 194 Financial Department). In support of his claim Mr. Wroughton states that, prior to his returning to India in 1882 he went to sea (when he was 16 years old) from and back to London for 5 years, that he holds a certificate as Second officer (enclosed for reference and return), that he subsequently held an appointment in a Bank in London

London for 6 months, and that thus his domicile was in England for 5½ years after he had begun to earn his own livelihood. He reports that he was 21 years and 5 months old when he left England to come to India.

3. The question for consideration is whether Mr. Wroughton divested himself of the Indian domicile and acquired an English domicile. Under Section 10 of the Indian Succession Act, a man acquires a new domicile by taking up a fixed habitation in a country which is not that of his domicile of origin. In the circumstances stated by Mr. Wroughton the Board considers that he complied with

with this requirement so far as his
calling as a Sailor permitted and
that his claim is admissible.

(True copy and Extract)

A. K. M. M. M. M. M.
Asst. Secretary.

To the Secretary to Government
Financial Department
with 2 enclosures.

Copy to Mr. Wroughton.

E. J. S.
14/8

3,000
9-8-94

189 .
Board of Revenue
(Separate Revenue),
MADRAS.

To

Proceedings, dated
No. 189 ,
Subject.

CURRENT No. 2011
Financial Dept 2,000
9-8-94.

1895.

Board of Revenue

(Separate Revenue),

MADRAS.

194: 26.2.95.
R 126: 12.2.95.
88: 30.1.95.
27/8: 12.1.95.
962/3: 7.11.94.
R 933: 28.9.94.
681/2: 4.9.94.
433: 5.6.94.
425: 1.6.94.
1076: 2.11.93.
1254: 9.12.93.
458: 9.8.84 vol.

To

The Secretary to Government

Financial Department

CHIEF SECRETARY
16 AUG 95

Proceedings, dated

6th August 1895.

No.

3283 Mis.

Subject.

Such L.

Submitting for the orders
of Government Mr. Wroughton's
claim to Exchange
Compensation allowance.

G.
25.
500-21-5-95.

Financial DEPARTMENT.

C. No. 2011.

FOR ORDERS.

Mr. Wroughton's previous appeal
was dealt with in G.O. of 12.1.95, No.
27/8 - please see the places marked
with slips. The information in
the present current places matters in
a different light.

There can be no doubt that,
in the absence of ^{some} proof that he
divested himself of his domicile of
origin, Mr. Wroughton's domicile
must be ^{India -} that acquired by his
father under the ruling in
Wauchope v. Wauchope & retained
by the latter throughout his son's
minority. But it will be seen
that Mr. Wroughton went to
England when he was 7 years old,
went to sea at 16 years of age, &
continued as a sailor till his 21st
year having attained

Exchange Compens

W. Wroughton

FOR ORDERS.

1. HON'BLE MEMBER.

2. Hon'ble J. Grose

Trade certificate as a 2nd Mate when
he was 20 years old, held an appl.
in a London Bank for 6 months
~~and~~ came out to India in view to
embark in coffee planting at the
and entered Gov. service when he was 24,
age of 21 years & 5 months under
the exception to section 14 of the
Indian Succession Act (X of 1865)
W. Wroughton divested himself, it
is submitted, of his Indian domicile.
Please see also the G. of I. ruling
as regards W. Wroughton in para
2 of its letter in G. O. of 30.1.95, N.
88 Finl. Minority ends at 18
years of age under the Succession
Act - vide definition of "minor" in
Sec. 3 of Act X of 1865. W. Wroughton
appears to be entitled to draw
Exchange Compⁿ. Allowance &
it is proposed to say:-

Order 23 Aug
1895, N. 608

W. Wroughton's claim to
Ex. Compⁿ. Allowance will, under
the circumstances now reported, be
admitted.

C.D.
19.8.95

19/8/95

21/8

13th of Dec (2 R) (2)

DISPATCHED

23 AUG 95

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When copied
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When signed

189

READ AGAIN G.O., No.
189

DATED

CURRENT No.

ENCLOSURES TO O. No.

ORDER OF GOVERNMENT

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