

T
21/1/99

Finl.
6.
500-24-8-97.

Financial (1898) Department.

ORDINARY MS.

G.O., No. 28

DATED 4-1-99

INDEXED.

7/1/99
14 + 16
2
5-1-99
G/b

[Despatch Abstract.]

Stating that Messrs Kears & Lay-
bourn are entitled to draw ^{exchange} Compensation
allowances & on the same terms as the other
officers whose claims are admitted in GO No 1150
Fint 2nd Dec 1898.

T 4.189.

BACK PAPERS.

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

FURTHER PAPERS.

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

Financial (1898) Department.

Note

There was a G.O. passed on the question of Sn. Camp to Salt officent There was also a memo: the G.O. appears to have been cancelled. The memo & the file have not been received in the Ref Dept. Will the CA please say if they are with him?

AS
3/12/98

Order

CURRENT No. 3511

NT. Re-issued with a fresh number
Cmt
orig received
2 ph submd
18/12/98

From

The Secretary to the Commissioner of Salt, Abkari and Separate Revenue, Madras.

Mis. No. 4608.

Dated 19th November 1898.

Received 29th "

Registered 30th "

Enclosures

Spare copies

SUBJECT.

Replying to certain queries put in connection with the claims to Exchange Compensation of Messrs A.S. Kearns and E.D. Laybourn.

BACK PAPERS.

G.O.	No.	Department.	Date.

FURTHER PAPERS.

G.O.	No.	Department.	Date.

CURRENT No. 3511.

500
6-6-98



Proceedings of the Board of Revenue

(Separate Revenue),

Dated 19th November 1898.

Mis. No. 4608.

Read Memorandum from Government No. 2220, dated 21st October 1898.

Read also replies from the Officers concerned answering the queries of Government.

Resolution.

With reference to Government Memorandum No. 2220, dated 21st October 1898, the Board begs to report
(1) that the father of Mr. A. S. Kearns did not retire from service in the S. P. C. Mission prior to his death.
(2) that the father of Mr. E. D. Laybourn first came to India in 1840 as a merchant. His son cannot furnish particulars of his absences after his first arrival, but states that he went home on several occasions; three of which were after he had taken his family home, and stayed in England for two years on the last occasion.

2. Mr. Laybourn's services have been dispensed with in Government Order Mis. No. 4194, dated 28th October 1898.

(True extract.)

G. A. H. M.
Acting Secretary.

To the Chief Secretary to Government,

Financial Department.

28.11.98

*Copy
25/11/98*

[G.]
26

800-27-4-23.

C. 2. 1. 99
R 2/11/99

Financial DEPARTMENT.

C. No. 3511

SUBJECT.

HIS EXCELLENCY THE GOVERNOR.

THE HON'BLE MR. ARUNDEL.

THE HON'BLE MR. WINTERBOTHAM.

Claims to exchange compensation of

Messrs. A.S. Kearns & E.D. Laybourn.

FOR ORDERS.

page 4 of G.O.No.1150, Finl.,
d/ 2nd December 1898

XXIV

1
With reference to the ques-
tion of the eligibility of certain offi-
cers of the Salt Department to the
benefit of exchange compensation allow-
ance, the Board of Revenue in its pro-
ceedings No.3867, d/30th Septr. 1898,
reported that Mr. A.S.Kearns was born
in India but sent home when eight years
of age for education and that his
father came to India about 1850 as a
Missionary of the S.P.G. and died at
Tanjore in 1877. In a note on this case
[vide flag U] it was ~~been~~ pointed out
that although Mr. Kearns' father could
not be said to have been domiciled in

India

India, it was doubtful whether he had not taken up his permanent abode in the country, and it ^{was} suggested that the Board might be asked to report whether Mr. Kearns' father retired from the S.P.G. Mission prior to ^{his death} ~~that date~~.

The suggestion was approved. The Board's reply is in the negative. This seems to make it ~~clear~~ ^{clear} that Mr. Kearns is not domiciled in India although he was ^{in the country} ~~born there~~. He cannot therefore be a statutory native of India and he seems to be eligible for exchange compensation allowance.

2. Another case dealt with in the same paper ^{was} that of E.D. Laybourn. ^{The in} ^{given by the Board} information regarding this officer was that he was born in Madras, that he went to England and remained there 12½ years and returned to India in 1870; that his father who was a merchant in Madras at the time of his (Mr. Laybourn Junior's) birth died in 1871 at Madras about 18 months after his

last

last return from England. It ^{was} ~~is~~ pointed out in the note at U that this case is a very doubtful one, the family being a Madras one and the father having been apparently resident in India with short trips to England. The Hon'ble Member was of opinion that Mr. Laybourn is a statutory native and it was decided to call for further information as to when the father of Mr. E.D. Laybourn first came to India and in what capacity and the periods during which he was absent from India after his first arrival. ^{It is now reported} ~~The son states~~ that the father went ^{to England} ~~there~~ on several occasions, three of which were after he had taken his family ^{there} ~~there~~, and ^{that he} ~~stayed~~ in England for two years on the last occasion. From this information it would appear that Mr. Laybourne senior had not taken up his domicile in India and that Mr. E.D. Laybourne, who derived his domicile from his father, cannot be said to have been domiciled in

in India. Mr. Laybourn is therefore entitled to the allowance.

The Board points out that

Mr. Laybourn's services have been dispensed with in G.O.No.4194 Rev., d/

28th October 1898 [please see abstract

flagged W] It has however to be considered whether he ^{can} claim ~~an~~

~~change compensation~~ allowance from

the 1st April 1897, for the dispensing

^{with} his services did not deprive his ^{him of}

claim prior to October 1898.

Draft order is submitted.

Curb
12.12.98

W 24/12/98

Read again G.O.No.1150, ^{Finl.} d/2-12-98 - Q

C.No.3511

A-6 (5130)

ORDER

W 28/12/98

Messrs. A.S. Kearns and E.D.

Laybourn are entitled to draw exchange

& compensation allowance on the same

terms as ~~those~~ of the other officers

whose claims were admitted in G.O.No.

1150, Finl., d/2nd December 1898, the

allowance in Mr. Laybourn's case being

drawn up to the date from which his

services were dispensed with.

XXIV

To

The Board of Revenue (Separate Rev:)

" Accountant General

" Revenue Department.

Curb
12.12.98

W 24/12/98

When given for copying 5/1
 When copied 6/1
 When examined 6/1
 When signed _____

1899

READ AGAIN G.O., No _____ DATED _____
 1899

CURRENT No. _____

ENCLOSURES TO C. No. _____

ORDER OF GOVERNMENT. A A A A A A A

LETTER OF GOVERNMENT.

STATEMENT WITH DITTO

PAPERS NOT FILED UP, BEING MEANT FOR DESPATCH
 IN ORIGINAL.

N.B.—
 A = Copy in full.
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