M.R.O. 1—39,000—16-10-20.

MADRAS RECORD OFFICE.

Government of Madras.

Judicial **DEPARTMENT.**

G.O. No. 46-48	382	Press Mis.
Dated	28-3-1860	

Not to be folded or roughly handled

Proceedings of the Madras Government, Judicial Department, for the month of March 1860.

Read the following papers:—

No. 46. Read the following Proceedings of Government in the Military Department, dated 20th February 1860, No. 760.

Referring for disposal in the Judicial Department, in communication with the Civil Auditor, a claim submitted by Dr. Evezard, through the Superintendent of Marine, for refund of a portion of the passage money paid by him when proceeding to Masulipatam by the Government Paket Steamer "Sydney," in August last.

(Vide Proceedings, Military Department, from 11th to 20th February 1860, Nos. 301 @ 303.)

Referred to the Civil Auditor for report.

(Signed) T. PYCROFT,
Chief Secretary.

FORT SAINT GEORGE,
5th March 1860.

No. 47. From E. F. HARRISON, Esq., Civil Auditor, to T. PYCROFT, Esq., Chief Secretary to Government, Fort Saint George, dated 13th March 1860, No. 199.

I have the honor to acknowledge the receipt of the Order of Government No. 331, Judicial Department, dated the 5th instant with three enclosures, which are herewith returned, referring for my report an application* from the Superintendent of Marine, submitting a Bill† from Assistant Surgeon Evezard, for a refund of a portion of the passage money to that Officer which had been paid by him for his passage from Madras to Masulipatam, on board the Steamer "Sydney" in August last, whilst proceeding to take up his appointment as Zillah Surgeon of Masulipatam.

* *Dated 18th January* 1860, *No.* 268.

† *For Rupees* 69, *being one of the* 3 *enclosures returned.*

In reply I beg to state that Assistant Surgeon Evezard, previously attached to the 2nd Extra Regiment Native Infantry, was on the occasion in question, proceeding to join a new permanent appointment in the Civil Department, to which he had been "promoted," and is therefore not entitled to a refund of any portion of the passage money claimed by him, nor to any other travelling allowance, agreeably to the Order of the Government of India, No. 5,092, Financial Department, dated the 10th September 1858, excepting, it is believed, to full batta from the Military Department, payable under the Military Regulations to Officers "marching" or in movement "to join:"—this allowance it is presumed Assistant Surgeon Evezard has already received along with his Military pay for the period prior to his joining the Civil Department.

No. 48. ORDER THEREON, 29th March 1860, No. 382.

The claim for the refund of passage money on behalf of Dr. Evezard is shown by the Civil Auditor to be inadmissible, Dr. Evezard having proceeded by sea to join a new appointment.

(Signed) T. PYCROFT,
Chief Secretary.

Exd. F. Cartledge.

MILITARY DEPARTMENT.

PROCEEDINGS OF THE MADRAS GOVERNMENT.

Read the following papers:—

From the Superintendent of Marine, Madras, 18th January 1860, *No.* 268; *to the Secretary to Government, Military Department, Fort Saint George.*

I have the honor to forward the accompanying two bills for re-fund of a portion of the passage money paid by Doctors Rawes and Evezard when proceeding to Masulipatam by the Government Packet Steamer "*Sydney*," in August last, and to recommend their sanction.

2. Both these gentlemen were proceeding on duty, but from some misapprehension the Quarter Master General of the Army was not applied to for passage in the usual way. Some time after, when the accounts for the trip had been made up and the Captain paid his share of the passage money, application was submitted for a re-fund of the passage money, the claim being supported by the necessary documents to shew that they were entitled to passage at the expense of the State. Had these Officers lost no time in preferring their claims, the whole amount paid by them would have been remitted, minus their table money; but as they allowed them to stand over for two or three months until the accounts for the trip were closed, it could not be expected that the Government would sanction re-payment to them of those portions which had been assigned to the Commander of the vessel as his regulated share. They were therefore informed that their bills could only be passed for such sums as had been credited to Government. Those now submitted are made out in accordance with these views, and I beg to recommend them for sanction.

Referred for the consideration and report of the Military Auditor General.

20th January 1860.

Report of the Military Auditor General, 11th February 1860, *E.*

The Military Auditor General has the honor to return the correspondence as per margin, referred for his report by order of Government of 20th ultimo, and with advertence to Doctor Rawes' claim to observe, that being entitled to a passage at the public expense, a re-fund should be made to that Officer of the sums paid by him for himself and servants, in the aggregate Rupees 96, subject to a deduction of 1 Rupee per diem for the period of passage. The sum paid by him on account of Mrs. Rawes and the excess of baggage cannot be re-funded.

Letter No. 268 *of* 18*th January* 1860.
From the Superintendent of Marine, submitting two bills for passage money by Steamer "Sydney" of Assistant Surgeons Rawes and Evezard with documents attached.

2. The claim of Assistant Surgeon Evezard does not appear to the Military Auditor General to be satisfactorily established. Mr. Evezard was proceeding to join a new appointment and therefore not entitled to a free passage.

3. The explanation of the Quarter Master General* of the Army is not conclusive. The order evidently did not emanate from His Excellency the Commander-in-Chief, from whose control Assistant Surgeon Evezard was removed by his appointment as Zillah Surgeon; and the Military Auditor General is not aware that the Director General has authority to direct a Medical Officer to proceed at the public expense.

*No. 313 of 7th current attached.

4. Neither do the interests of the State appear to have been sufficiently considered in this matter. Officers ordered to proceed by dâk incur heavy extra expense: Steam transit along the Coast when available, involves no such cost, but is rather the cheapest mode of conveyance that could be adopted; and it was apparently competent to the Director General in a case of emergency to have ordered Assistant Surgeon Evezard to proceed by first Steamer.

5. The charge on this account being of a civil nature is properly susceptible of check in the Civil Department.

ORDER, No. 760, *20th February* 1860.

Ordered that the foregoing report from the Military Auditor General be communicated to the Superintendent of Marine and Director General, Medical Department.

2. Surgeon Rawes' claim for a re-fund of passage money, will be adjusted in accordance with para. 1 of the Military Auditor General's report.

3. The claim of Assistant Surgeon Evezard will be disposed of in the *Judicial* Department, in communication with the Civil Auditor.

(True Extract.)

Acting Dy. Secretary to Government.

To the Superintendent of Marine, with bill, &c.
" Military Auditor General.
" Director General, Medical Department.
" Accountant General.
" *Judicial* Department. *With Bills Nos. 1 & 2. Spare Copies*
" Civil Auditor.
" Adjutant General, for information.

Exd. J. E. Cashart.

Proceedings of the Madras Govt.

Read the following letters —

From the Supt. Stt of Marine — Recorded in Proceedings 20th Febry. '60 No. 7 to 60. Mily. Dept.

" the Civil Auditor — Enter 13th Mar. '60 No. 199.

Order — 29 March, 1860 No. 382.

The claim for the refund of Passage Money on behalf of Dr. Everard is shown by the Civil Auditor to be inadmissible — Dr. Everard having proceeded by Sea to join a new appointment.

The Supt. Stt. of Marine.
" Director Genl. Medl. Dept. with Bill
" Civil Auditor.

Pro: of Govt 31 March 1860 Read

Proceedings of Govt in the Public Department

3260 Pays

Ent 1860 " 5 Feb 1860 Pay

Issued 29 Mar 1860

No 382

No 331

Reference to abstract

Ent Mar 1860

Ent Feb 422

Referred to the Civil Auditor for report.

Ent Mar 1860

By Order

Chief Secretary

The Civil Auditor.

with 3 Enclosures. By

3248

C21 Mar 46

1228 "

Referred.