

MADRAS RECORD OFFICE.

Government of Madras.

Judicial DEPARTMENT.

G.O. No.	67	Press
92-93		Mis.
92-93.		
Dated	18.1.1861	19

4/5

Not to be folded or roughly handled

18

*Proceedings of the Madras Government, Judicial Department,
18th January 1861.*

No. 92. Read the following letter from W. J. RAYNOR, Esq., Officiating Civil Auditor, to T. PYCROFT, Esq., Chief Secretary to Government, Fort Saint George, dated 31st December 1860.

I have the honor to forward herewith a bill received from Assistant Surgeon T. Lowe for compensation for loss of his allowance, Rupees 160 a month, for the Medical charge of the Civil Engineer's Department, Godavery Division, from 13th September to 15th November last, during which he was detained on duty on the Hills, in the case of murder of the late Captain Green, Bombay Invalids.

2nd. At the time of Captain Green's murder, Dr. Lowe was on leave on the Hills for a period extending from 12th March to 11th October last, and would not have been entitled to the allowance in question until he had resumed charge of the Civil Engineer's Department. This was pointed out by me to Dr. Lowe as affecting his claim for the period prior to the date of expiry of his leave; but he considers himself entitled to compensation for the entire period from 13th September to 15th November, during which his presence was required at the investigation, and

I beg to submit the bill, together with his explanation,* in original,
* Dated 24th December. for the Orders of Government.

Paragraph 20, Chap. XV,
Civil Auditor's Manual.

Military Pay Code, page
324, paragraph 2, com-
pensation.

3rd. I beg at the same time to add that the allowance of 160 Rupees a month for the Medical Officer in charge of the Civil Engineer's Department, Godavery Division, is a consolidated allowance in lieu of conveyance allowance and head money, for the loss of which latter, compensation is not admissible under the general rules.

From Assistant Surgeon T. LOWE, Madras Sappers, to the Officiating Civil Auditor, dated Ootacamund, 24th December 1860.

I have the honor to acknowledge the receipt of your letter No. 1,434, together with my abstract for compensation, returned by you on account of my claim for compensation during the time I was detained *on duty* at the Hills by order of Government.

I beg again to submit it to your consideration as originally preferred by me, in support of which allow me to state that although my period of sick leave had not expired when my detention was ordered, I had prepared everything for my departure from the Hills, my transit, &c., in order to join my Head Quarters at Dowlaisheram as quickly as possible; but it was my intention to have started a *day or two at furthest* from the date the Assistant Magistrate called in my professional aid; and that had I not been commanded by Government to remain here, I should have been in Dowlaisheram at least a fortnight prior to the expiration of my leave, and from the day of my reassuming my charge I should have been entitled to my usual allowances.

But since, by order of the Chief Secretary to Government, I was obliged to cast aside all my arrangements and remain *doing work* daily from the date of the murder of Captain Green and thereby was precluded from rejoining my appointment, it will be apparent that I lost at least *half a month's allowances*; but as the duty on which I was engaged was a very arduous and onerous one, and in part (at the re-examination of the exhumed body) a most *repugnant* one, and I may add that I spared no labour for the sake of justice and truth, I feel that my claim for compensation for the whole period of work is but just in remuneration for such labour; and I respectfully request that this claim may be permitted to go before Government with the above explanation in support of the same.

In conclusion allow me to assure you that the non-adjustment of these claims has caused me and my family most serious inconveniences. It will be patent to you that I cannot live here *on duty* or otherwise on Rupees 214 per mensem, and this is all I have been able to draw monthly since I was ordered to remain here. The consequence is that I have been obliged, for the first time, much against my principles, to borrow money from the bazaar to carry on with, and that this embarrassment instead of decreasing is daily growing worse. Had I returned to my own Station nothing of the kind could have occurred.

*Proceedings of the Madras Government, Judicial Department,
18th January 1861.*

No. 93.

ORDER THEREON, 18th January 1861, No. 67.

Assistant Surgeon Lowe claims compensation for the loss of his allowance Rupees 160 per mensem for Medical charge of the Civil Engineer's Department, Godavery Division, for the period that he was detained on the Neilgherries in the case of the supposed murder of Captain Green, Bombay Establishment. Mr. Lowe's claim is from the 13th September when he was first called on by the Assistant Magistrate to aid in the examination of the body of the deceased, to the 15th November, when his attendance was dispensed with by the Sessions Judge of Coimbatore on the close of the trial of the parties accused of the murder.

2. The Civil Auditor apparently considers Dr. Lowe's claim valid from the 11th October, the date when his sick leave terminated, but is doubtful whether it can be carried further back.

3. Dr. Lowe however represents that at the time that he was called on by the Assistant Magistrate on the 13th September, he was on the point of leaving Ootacamund to rejoin his station, that had not his departure been prevented by Government he would have returned to his appointment and consequently to his full allowances a fortnight before the actual expiration of his leave. He refers also to the responsible and unpleasant duty which he had to perform in connection with the enquiry.

4. Accepting Dr. Lowe's assurance as to his intended date of departure from the Hills, and under all the circumstances of the case, the Government authorize the Civil Auditor to pass the allowance for compensation Rupees 160 per mensem for the period claimed, or from 13th September to 15th November.

(Signed) T. PYCROFT,
Chief Secretary.

Ed. F. Cortledge.

Judicial Department.

Proceedings of the Madras Government.

*Read the following letter from
the Off^r Civil Auditor.*

Here enter 31st Decr 1860 No -

Order thereon 18th January 1861 No 67.

*Assistant Surgeon Lowe
claims compensation for the
loss of his allowance Rs 160 per
mensem for Medical Charge of
the Civil Engineer's Department
Godavery Division for the period
that he was detained on the
Neilgherries in the case of the
supposed murder of Captain
Green, Bombay Establishment.
Mr Lowe's claim is from the
13th Sept^r when he was first
called on by the Assistant
Magistrate to aid in the ex-
amination of the body of the
deceased, to the 15th November,
when his attendance was dis-
pensed with by the Sessions
Judge*

*It should be pointed
out to the Civil Auditor
in reply to his
letter in reply
Madras Office*

in charge of the body
where the murder
took place

showing
Committee - draft
last week.
JPO
18/1/60

Judge of Comptrollers, on the
close of the trial of the parties
accused of the murder.

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apparently considers Dr. Lowe's
claim valid from the 11th
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sick leave terminated, but
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Accepting

4. Accepting Dr. Lowe's
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Hills, and under all the cir-
cumstances of the case, the
Government authorize the
Civil Auditor to pass the
allowance for compensation
Rupees 160 per mensem for the
period ^{claimed} ~~due~~, or from 13th
September to 15th November.

JPO

The Civil Auditor
with Bills & Vouchers
" Accountant General
" Principal Inspt. Genl.
" Mr. Dr. Lowe

Desp. 19th

To the Civil Auditor
Desp. 7/6/61.

Thos. C. P. H.

George A. Baring

Ed. Department 1867.

No. 67.

Proceedings of the Madras

Government.

Dated 18 January 1867
Of No. 106.