

MADRAS RECORD OFFICE.

Government of Madras.

Judicial DEPARTMENT.

G.O. No. 875

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Proceedings of the Madras Government, Judicial Department,
13th July 1860.

No. 65. Read the following Despatch from the Right Honorable Sir C. WOOD, Bart., Secretary of State for India, to His Excellency the Honorable the Governor in Council, Fort Saint George, dated London, 9th June 1860, No. 20.

1. I have to request that you will inform me at an early date, whether you require any, and if so, how many copies of Clarke's Madras Regulations for distribution among the Officers under your Government.

2. There are at present 140 copies in store in this Office, the greater portion of which can be supplied to you if likely to prove useful.

No. 66. ORDER THEREON, 13th July 1860, No. 875.

The Board of Examiners will state whether any portion of the 140 copies of Clarke's Madras Regulations, referred to in the above Despatch, may be applied for, for distribution and sale at the Presidency.

(Signed) T. PYCROFT,
Chief Secretary.

Exd. F. Cartledge.

Proceedings of the Madras Government, Judicial Department.

20th June 1865.

No. 152. Read the following letter from J. ROHDE, Esq., Inspector General of Jails, to the Honorable A. J. ARBUTHNOT, Chief Secretary to Government, Fort Saint George ; dated Ootacamund, 22nd May 1865, No. 13.

In acknowledging the Order of Government, 4th May 1865, relative to Serjeant Foley's case, I have the honor to state that his transfer to Chingleput was a *bona fide* exchange of appointment in the Prisons Department ; and I presume his reporting himself, on his journey, to the Military authorities was under a mistaken sense of duty.

No. 153. ORDER THEREON, 20th June 1865, No. 875.
Communicated to the Military Department.
(True Extract).

Ag. Secretary to Govt.

To the Military Department.

Exd. J. H. Burns.

MILITARY DEPARTMENT.

PROCEEDINGS OF THE MADRAS GOVERNMENT.

Read the following letters :—

From the Adjutant General, Fort Saint George, 13th April 1865, No. 261; to the Secretary to Government, Military Department.

I have the honor, by order of the Commander-in-Chief, to forward for the consideration of Government, the accompanying letter from Pensioned Serjeant Foley, appealing against the disallowance of his Military Pay, as ruled by the decision of Government, No. 94, dated 10th January 1865.

the letter from this Office, recorded in the Proceedings of Government above quoted, the Commander-in-Chief considered the Pensioner's claim a just one— Government however ruled the case otherwise, and His Excellency therefore must refrain from stating anything further in the man's behalf.

3. With reference, however, to the remark* of the Controller of Military Accounts, that Foley "went through a form of reporting himself at the Mount,"

* Paragraph 8 of his letter.
the Commander-in-Chief directs me to observe, that it would never do to admit, that a Soldier may report himself to his superiors, as a matter of "form." Serjeant Foley was performing his Military duty when he reported himself at the Mount, and was amenable to the rules of the Military Service from that time, just as much as was any Artillery-man then at the Station, and it rested entirely with his Commanding Officer to grant (or withhold from) him the indulgence of a Pass to Chingleput.

From Pensioned Serjeant W. FOLEY, of Royal Artillery, and Jailor of Chingleput, 18th March 1865 to the Adjutant General, Head Quarters, Fort Saint George.

With reference to Order of Government, No. 94 of 10th January 1865, I very respectfully beg that you will do me the favor to submit to His Excellency the Commander-in-Chief, that on my receiving my first Pension pay from the Collector of Sydapet, he deducted from my arrears the sum of 272-12-10, on account of pay drawn for me after my appointment to the Jailorship of Chingleput.

I applied to the Collector for a refund of what he had stopped from my pension, but was informed that this could not be done unless the application went through the Military Department, and under these circumstances, I humbly beg that the necessary authority may be sent to the Collector, to refund to me the amount deducted by him from my pension, which I believe is not liable to a deduction on any account.

ORDER, No. 1658, 4th May 1865.

It appears to the Governor in Council that Serjeant Foley's act, in reporting himself at the Mount, while en route to take up his appointment at Chingleput, is open to grave suspicion as having been done to evade the long established and well

Vide para. 5 of letter from Controller of Mily. Accounts, recorded in Pro. of Govt., No. 94, dated 10th Jan'y. 1865.

known rule of the Service governing the issue of Military pay to Soldiers in Civil employ. The Serjeant had already enjoyed the full benefit of the rule, and the Government do not see, in the circumstances of his case as yet reported, any valid reason for his being allowed to draw Military pay beyond twelve months from the 1st November 1861.

3. The Controller will also report, with reference to Sergeant [redacted] to "Pension," which is [redacted] in conjunction with Civil salary, whether he has been deprived of any portion of his Pension for the period in question, or of his effective Military pay and allowances only.

Secretary to Government:

Exd. J. E. Cashart.

Ordn. No. 20 June 1868. 10. 5
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