

MADRAS RECORD OFFICE.

Government of Madras.

Judicial DEPARTMENT.

G.O. No.	986	Press ~~Mis.~~
Dated	22. 6. 1916	

Not to be folded or roughly handled

*Proceedings of the Madras Government, Judicial Department,
22nd June 1866.*

Read the following papers:—

No. 213. From J. ROHDE, Esq., Inspector General of Jails, to the Chief Secretary to Government, Fort Saint George; dated Ootacamund, 15th December 1865, No. 636.

I have the honor to forward a petition by Mr. Ensell, the Jailer of the district of Berhampore, a Veteran on the Invalid Establishment of this Presidency, praying that the family allowance hitherto paid to him may be continued.

2. The case seems to be one to which the Order of the 14th February 1863, No. 237, Judicial Department, applies.

3. The pay of Jailer, like that of Warder, was declared to be in addition to any Military pay or pension to which the holder of the office might be entitled.

4. In granting the allowance to Serjeant Jones, employed as a Warder in the European Jail (30th April 1862, No. 698), the case was declared special. I only refer to it, as the principle on which I now seek its extension to Serjeant Ensell was admitted.

5. In the case of Serjeant Foley, the case was different. He was entertained on probation, and drew his allowance while so employed; but, on taking his Military pension, his family allowance ceased.

6. Serjeant Ensell's appointment was antecedent to the Order of 28th December 1862; consequently, he is not debarred from the privilege sought.

From Mr. HENRY ENSELL, Serjeant and Jailer, Berhampore, to the Acting Inspector General of Jails, Bangalore; dated Berhampore, 26th August 1865.

I respectfully beg to lay for your kind consideration the following, and solicit the same may be laid before Government.

2. Since my entertainment as a Jailer, in April 1861, my family allowances have been stopped, owing to my consolidated salary having exceeded Rupees 75, under a Government Order which ruled that men of the Military Service, when in Civil or in Military employ, should, on their pay exceeding the amount above mentioned, forfeit all family allowances. I beg to state that, under this arrangement, I have lost pay for a wife and 5 children, amounting to Rupees (19) nineteen in all. My consolidated salary now is Rupees 84-15-2; as a Serjeant of the European Infantry Veterans, including compensation in lieu of rations, my pay is Rupees 34-15-2, and as Jailer, Rupees 50, and the difference, after deducting Rupees 19 family pay, leaves my salary as Jailer at only net Rupees 31. This, during a period when every article of consumption has risen to an exorbitant price, makes my present salary inadequate for my support. I therefore respectfully pray that Government be solicited to grant the family allowances now withheld.

3. For which act of kindness I shall feel deeply grateful.

No. 214.

No. 81.

MEMORANDUM.

With reference to Mr. Rohde's letter of the 15th December last, No. 636, recommending the grant of family allowance to the Jailer of Berhampore, the Chief Secretary to Government has the honor to request that the Inspector General of Jails will be so good as to report whether there are any other Jailers in the Presidency similarly circumstanced, and whether in any, and what, cases, besides that

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of Serjeant Jones, the Warder of the European Jail at Ootacamund, the grant of family allowance has been sanctioned.

FORT SAINT GEORGE,
14th March 1866.

(Signed) A. J. ARBUTHNOT,
Chief Secretary.

To the Inspector General of Jails.

No. 31.

MEMORANDUM.

No. 215.

With reference to the Memorandum noted in the margin, the undersigned has the honor to report that the Jailers at Berhampore and Vizagapatam are the only two who are similarly circumstanced, and that, with the exception of the grants to Serjeants Jones and Foley, no grant of family allowance has been sanctioned.

2. At the date of the reference now under reply, the salaries of the Jailers at Berhampore and Vizagapatam were fixed at 50 Rupees, but, under recent orders, they have been raised to 75 Rupees, and it is understood that in cases where the salary reaches that amount, family allowances are not granted by the Military Department.

(Signed) W. J. WILSON,
Inspector General of Jails.

MADRAS, 15th June 1866.

No. 216.

ORDER THEREON, 22nd June 1866, No. 986.

To be recorded.

(True Extract).

J. D. SIM,
Acting Chief Secretary.

Exd. J. H. Burns.

A piece of the Paper bearing on Serjeant
Insell's case.

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European Non-Commissioned Officers
and Soldiers are entitled, in addition
to their pay & allowances, to family
allowance; but the Pay Code provides
that when their personal pay &
allowances, consolidated or otherwise,
amount to 75 Rs. per mensem
they cease to be entitled to family
allowance. Under this rule,
Serjeant Insell, Jailer of the
Jl. of Berhampore, ceased to
draw family allowance on his
app't as Jailer in April 1861,
his consolidated salary exceeding
75 Rs. He now prays that the
allowance may be renewed
& the Inspector Jl. of Jails support
the prayer on the grounds,
1st That the ~~Jailer~~ pay of Jailer, like
that of Warder, was declared to
be in addition to any military
or Pension to W. the holder of the
Office might be entitled.
2nd That the case came to W. the

order of the 14th Feb/63 No. 237 put
Dept. applies.

7th Feb/63 That the principle on which Sergeant
Jones, Warden in the European Jail
at Ostacammund, was admitted
to the benefit of the family
all is applicable to the present
case.

24th Feb/63 That Serjt Insell's app^t was
antecedent to the order of the
20th Dec/62 & consequently
he is not debarred from
the privilege sought.

The order of the 14th Feb/63 No. 237 directs
that all charges on account of the
Military pay of Men employed
in Civil Dept^s are to be borne
by those Dept^s.

Sergeant Jones whose
family allowance had ceased
on his being appointed a Warden,
had it granted to him again
in Gov^t order. 30 April/62 No. 658.
because it was the intention
of the Inspector^g of Jails,
when he recommended the

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Salary of the Warden for the European
Prison at Ostacammund, that the
Civil pay should be in addition
to whatever the Warden might
be entitled to as a Soldier. In
passing the order the Gov^t
observed that the office of
"Warden for the European Jail
at Ostacammund is an
important one, demanding
peculiar qualifications - &
the case must be reported
as special."

The order of the 28th Dec/62
Gov^t. Mr Rhade refers to
hibited Soldiers, obtaining
Civil employment, from
drawing Military Pay without
the express sanction of
Gov^t.

I do not consider that
Sergeant Insell is entitled
to family allowance - the
order of 30 April 1862
had special reference to the
case of a Warden of the European

