M.R.O. 1—77,006—8-6-37.

(1) Number of pages

(2) Date of repair

(3) Initials of the Referencer

MADRAS RECORD OFFICE.

Government of Madras.

Public DEPARTMENT.

G.O. No.	Press / Mis.
Dated	18

Not to be folded or roughly handled

Proceedings of the Madras Government, Public Works Department, 9th October 1871.

No. 130. Read the following docket from the Government of India, Public Works Department, (Establishment—General,) dated Simla, 6th September 1871, Circular No. 54 :—

Copy of the following forwarded, for information and guidance, to the Local Governments and Administrations noted in the margin.

Governments of Madras, Bombay, Bengal, North-Western Provinces and Punjab in the Buildings and Roads, Irrigation, and Railway Branches ; Chief Commissioners, Central Provinces, Oudh, British Burmah, and Mysore and Coorg ; Resident at Hyderabad ; Agents to the Governor-General for Central India and Rajpootana ; and Superintendent of Port Blair ; also Director-General of Telegraphs.

(By Order)

(Signed) A. B. SAMPSON,
Under Secy. to the Govt. of India.

From the Officiating Secretary to the Government of India, Military Department, to the Adjutant-General, dated Fort William, 11th August 1871, No. 22 E.

In explanation of the intention of my docket No. 47E, dated 27th June last, which it is observed was not sufficiently explicit, I am directed to acquaint you, for the information of the Right Honourable the Commander-in-Chief, that, as in December last, the Advocate-General was clearly of opinion that the additional regulations proposed by the Judge Advocate-General, and approved by His Excellency, though appropriate and sufficient, would not have legal force without a Royal Warrant, and the War Department is unwilling to amend the Regimental Debts Act at present, the Right Honourable the Governor-General in Council considers that, in accordance with paragraphs 3 and 4* of the War Office letter No. $\frac{12759}{144}$, dated 24th April 1871, the course followed before, and indeed since, the promulgation of the Act in regard to the estates of warrant and non-commissioned officers and soldiers who may die when on detached staff employ should continue to be adhered to.

2. In any such case therefore it will be sufficient if a committee of adjustment, composed of any two commissioned officers, should assemble at the station or place in which their services can be made available, which may be nearest or most conveniently situated with reference to the place of decease ; when, as indicated by the Advocate-General, the written authority of the president of such committee will be sufficient to empower any person who may be sent by it, or who may happen to be on the spot, to take charge and dispose of the effects of the deceased in such way as the committee may prescribe.

3. I am to request that you will move His Excellency the Commander-in-Chief to cause any necessary instructions on this subject to be communicated by letter or circular to those under His Excellency's orders who will require them.

* Para. 3. I am also to point out that the Regimental Debts Act is not properly to be read as placing a limit on any discretion which before it became law was vested in the authorities, as well in India as elsewhere, and by which they have powers to deal with such exceptional cases as the Act in so many words fails to provide for.

4. In the case now under consideration the Government of India would appear to have the same power of dealing with these estates as they had before the statute was in force.

No. 131. Order thereon, 9th October 1871, No. 2,567.

ESTABLISHMENT, No. 9.

Communicated to the Superintending Engineers for information and guidance.

(True Extract.)

Captain, R.E.,
Offg. Joint Secretary to Government.

To the Superintending Engineers.
To Major R. B. Kennedy.

Exd. S. T. Augustin.

CIRCULAR No. 54 PUBLIC WORKS.

GOVERNMENT OF INDIA.

PUBLIC WORKS DEPARTMENT.

ESTABLISHMENT.

General.

SIMLA, SEPTEMBER 6, 1871.

Governments of Madras, Bombay, Bengal, North-Western Provinces and Punjab, in the Buildings and Roads, Irrigation, and Railway Branches; Chief Commissioners, Central Provinces, Oudh, British Burmah, and Mysore and Coorg; Resident at Hyderabad; Agents to the Governor General for Central India and Rajpootana; and Superintendents of Port Blair; also Director General of Telegraphs.

Copy of the following forwarded, for information and guidance, to the Local Governments and Administrations noted in the margin.

(By Order.)

A. M. Stampstan

Under Secretary to the Government of India.

No. 22E, dated Fort William, the 11th August 1871.

From—COLONEL B. E. BACON, *Offg. Secy. to the Govt. of India, Mily. Dept.*

To—The Adjutant General.

IN explanation of the intention of my docket No. 47E, dated 27th June last, which it is observed was not sufficiently explicit, I am directed to acquaint you, for the information of the Right Hon'ble the Commander-in-Chief, that, as in December last, the Advocate General was clearly of opinion that the additional regulations proposed by the Judge Advocate General, and approved by His Excellency, though appropriate and sufficient, would not have legal force without a Royal Warrant, and the War Department is unwilling to amend the Regimental Debts Act at present, the Right Hon'ble the Governor General in Council considers that, in accordance with paragraphs 3 and 4* of the War Office letter No. $\frac{1279}{144}$, dated 24th April 1871, the course followed before, and indeed since, the promulgation of the Act in regard to the estates of warrant and non-commissioned officers and soldiers who may die when on detached staff employ should continue to be adhered to.

* Para. 3. I am also to point out that the Regimental Debts Act is not properly to be read as placing a limit on any discretion which before it became law was vested in the authorities, as well in India as elsewhere, and by which they have powers to deal with such exceptional cases as the Act in so many words fails to provide for.

4. In the case now under consideration the Government of India would appear to have the same power of dealing with these estates as they had before the statute was in force.

2. In any such case therefore it will be sufficient if a committee of adjustment, composed of any two commissioned officers, should assemble at the station or place in which their services can be made available, which may be nearest or most conveniently situated with reference to the place of decease; when, as indicated by the Advocate General, the written authority of the president of such committee will be sufficient to empower any person who may be sent by it, or who may happen to be on the spot, to take charge and dispose of the effects of the deceased in such way as the committee may prescribe.

3. I am to request that you will move His Excellency the Commander-in-Chief to cause any necessary instructions on this subject to be communicated by letter or circular to those under His Excellency's orders who will require them.

To

The Secretary to the Govt of Madras

GOVERNMENT OF INDIA.

PUBLIC WORKS DEPARTMENT.

ESTABLISHMENT.

General.

To

CIRCULAR No. 54 PUBLIC WORKS.

Dated Simla, 6th September 1871.

Received

Assembling of Committees of Adjustment on death of Warrant and Non-Commissioned Officers and Soldiers on Staff employ.

C - No. 4464 -

Govt. of {1871} Madras.

PUBLIC WORKS.

To The Superintending Engineers

Dated

Read.

Encl.

G. O. 9 October No. 2567.

Nos. 130 & 131

Committees & Adjustment.

Circular on the Law of India regarding the assembling of Committees & adjustment on death of Warrant and Commissioned Officers and Staff employed & connected with the Public Engineers -