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C. O. 1575, No. 77

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Charges in connection with  
the Hon. Mr. Ruzier's case  
in 1866. The adjustment  
of the — in the manner  
mentioned in the docket from  
the Examiners of Accounts,  
sanctioned.

*Proceedings of the Madras Government, Public Works Department,  
22nd September 1875.*

No. 525. Read the following letter from A. J. DODSON, Esq., Manager and Acting Chief Engineer of the Irrigation and Canal Company, to Lieutenant-Colonel J. MULLINS, R.E., Chief Engineer for Irrigation, and Joint Secretary to Government, Public Works Department, dated Kurnool, 28th August 1875, No. 96 :—

*A. McKenzie versus the Madras Irrigation and Canal Company.*

With reference to the above case, I have the honor to report as follows :—

2. Mr. A. McKenzie was employed in the Manager's Office as Storekeeper at Madras and Kurnool, and was dismissed in consequence of continued ill-health in July 1874. For a short time previous to dismissal, and whilst on sick leave at Madras, he was placed in temporary charge of the stores there. On or about the 14th of June 1874, he was instructed to give over charge of these stores to Shunmookum Pillay, and as it was reported by Shunmookum Pillay that he had delivered over the keys of the stores to him on the 15th June 1874, it was understood that he had given over charge on that day, although as it subsequently turned out he did not get an actual release until the 25th in consequence of some disputes which arose in counting the articles. Upon a final settlement of salary due to him having been made out (from 1st to 15th June 1874 at Rupees 90 = Rupees 45) it was found, after deducting certain items disallowed by Government on account of travelling batta, &c. (Rupees 88-6-9\*), and

\* Particulars attached.

two other small items due by him to the Company, amounting to Rupees 3-2-0, that he was indebted to the Company to the amount of Rupees 46-8-9. This account was forwarded to him to Madras on the 6th July 1874 with a request that he would settle it; in his letter of 11th July 1874 he refused to do so on the grounds that the Company had no right to recover the sum, Rupees 88-6-9, from salary due to him; and also he disputed as to the number of days he was in charge of the Madras stores, contending that he should be paid up to 25th and not 15th. On both these points Mr. Latham refused to comply with his demands, and in consequence he obtained a

† Suit No. 24,768 of 1874.

summons† to the Small Cause Court, Madras, against the Company, which was served on the 14th June 1875.

3. In the month of July 1875, another summons ‡ was served by the same Court, in

‡ No. 9,020 of 1875.

which McKenzie claims Rupees 227-8-9, being for Rupees 200 deposited by

him with the Manager of the Company as security and Rupees 27-8-9 interest thereon from October 1871 to July 1874; he had previously asked for a refund of this security, but it was thought advisable to retain it until the first claim was settled. The Company hold a Government Savings' Bank Pass Book (No. 2,990 of 1871-72) showing the sum of Rupees 200 deposited on 6th October 1871, and in the name of F. H. Henslow, Esq., Agent and Manager, Madras Irrigation and Canal Company.

4. On receipt of these summons, and acting on the advice of Mr. Latham, the whole matter was placed in the hands of the Company's Solicitors Messrs. Prichard and Barclay, and their opinion solicited. This they gave in their letter of 29th July 1875 (copy enclosed), and as it was adverse to the Company on almost every point, they were instructed to arrange with the plaintiff to the best advantage and not allow the matter to go to Court.

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22nd September 1875.*

5. The following is the result of the settlement as given by Messrs. Prichard and Barclay in their letter of 7th instant :—

|                                                      | RS. | A. | P. |
|------------------------------------------------------|-----|----|----|
| Amount of half costs (on the two summonses) ... ..   | 20  | 0  | 3  |
| Do. do. do. of service ... ..                        | 4   | 5  | 0  |
| Amount claimed in summons on account of wages ... .. | 78  | 12 | 0  |
| Do. do. on account of security ... ..                | 227 | 8  | 9  |
|                                                      | 330 | 10 | 0  |
| Deduct value of pigeon hole case ... ..              | 3   | 0  | 0  |
| Total ... ..                                         | 327 | 10 | 0  |

6. For the above sum of Rupees 327-10-0, a receipt in full of all demands was obtained from the plaintiff. It is proposed to allocate this expenditure in the following manner, and I would ask you to be good enough to obtain the sanction of Government thereto :—

To be charged to General Management Revenue.

|                                                                                                   | RS. | A. | P. |
|---------------------------------------------------------------------------------------------------|-----|----|----|
| The amount of claim on account of wages, viz., from<br>1st to 25th June 1875, at Rupees 90 ... .. | 75  | 0  | 0  |
| Interest thereon for five months, at 12 per cent ... ..                                           | 3   | 0  | 0  |
| Amount of half costs on suit No. 24,768 of 1874... ..                                             | 5   | 14 | 6  |
| Do. of half service on do. ... ..                                                                 | 3   | 0  | 8  |
|                                                                                                   | 87  | 11 | 2  |
| Less value of pigeon hole case ... ..                                                             | 3   | 0  | 0  |
| To debit of General Management Revenue ... ..                                                     | 84  | 11 | 2  |

7. The Rupees 3 will form a credit to general plant. The remaining items refer to his security deposit, and it is proposed to debit the two first items, Rupees 227-8-9, to Security Employés No. 2 Account, and the remaining items, Rupees 15-6-1, to Contingencies of General Management Revenue.

|                                                          | RS. | A. | P. |                                                      |
|----------------------------------------------------------|-----|----|----|------------------------------------------------------|
| Amount of claim on account of Security Deposit ... ..    | 200 | 0  | 0  | To debit of Securities<br>Employés.                  |
| Interest thereon from October 1871 to July 1874 ... ..   | 27  | 8  | 9  |                                                      |
| Amount of half costs on suit No. 9,020<br>of 1875 ... .. | 14  | 1  | 9  | Contingencies of<br>General Manage-<br>ment Revenue. |
| Do. do. half service on do. ... ..                       | 1   | 4  | 4  |                                                      |
| Total ... ..                                             | 242 | 14 | 10 |                                                      |

8. The proceeds of Savings' Bank Pass Book, No. 2,990 of 1871-72, with interest when realized, it is proposed to credit to Securities Employés No. 2 Account, and will probably cover the amount of the first two items, viz., Rupees 227-8-9.

9. I attach copies of two bills of costs of Messrs. Prichard and Barclay amounting to Rupees 32; it is proposed to charge this to Contingencies of General Management Revenue, and for which the sanction of Government is solicited.

10. It may be well here to explain why the sum of Rupees 88-6-9 disallowed by Government was not recovered from Mr. McKenzie prior to his leaving the Company's Service. Mr. McKenzie was on sick leave in Kurnool and Madras from the 27th February 1874, just at the time when the first of the Audit Statement disallowing items overpaid to him was received here, in consequence it was considered that it would be dealing hard with him if these recoveries were then enforced, and it

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22nd September 1875.*

was not anticipated that the severe attack of Kurnool fever from which he suffered would prevent his returning to his duties at Kurnool.

11. In conclusion, it may be well to draw your attention to paragraph 3 of the Chief Engineer and Manager's letter, No. 69, of 19th June 1874, printed with G.O., No. 2,237, of 13th August 1874, and to remark that no doubt this is one of those cases likely to arise from the policy pursued by the late Acting Manager Mr. Badham; all the items disallowed in the case of McKenzie were passed and paid by that officer.

12. As all bills on account of travelling batta, &c., are now pre-audited, it is hardly possible that a case of the sort can occur again.

No. 59.

REFERRED to the Examiner of Accounts for opinion as to details of adjustment.

(Signed) JOHN MULLINS, Lieut.-Colonel, R.E.,

30th September 1875.

Chief Engineer for Irrigation.

From the Examiner of Railway and Irrigation Accounts, to the Chief Engineer for Irrigation, dated 11th September 1875, No. 891-I.

In attention to the Chief Engineer's docket, No. 59, dated 3rd instant, the undersigned has the honor to say that, in his opinion, the sum of Rupees 327-10-0 paid by the Manager, Madras Irrigation and Canal Company, to Mr. A. McKenzie on account of wages, refund of security, and legal expenses, may with propriety be sanctioned and charged as follows in the Company's Accounts :—

|           |     |    |                                |
|-----------|-----|----|--------------------------------|
| Rs. 103   | 1   | 3  | to General Management Revenue. |
| " 227     | 8   | 9  | to securities of employés.     |
|           | 330 | 10 | 0                              |
| Less      | 3   | 0  | 0 to be credited to plant.     |
| Total ... | 327 | 10 | 0                              |

The sum of Rupees 32 paid to the Solicitors may also be charged to General Management Revenue.

2. The case is herewith returned.

(Signed) R. G. MACDONALD,

Examiner Railway and Irrigation, Accounts.

No. 526.

ORDER THEREON, 22nd September 1875, No. 2,747.

IRRIGATION, No. 48-A.

The adjustment of the charges in connection with Mr. A. McKenzie's case in the manner mentioned in the docket from the Examiner of Accounts is sanctioned.

(True Extract.)

Major-General, R.E.,

Secretary to Government.

To the Chief Engineer for Irrigation.

" Chief Engineer and Manager of the Madras Irrigation and Canal Company.

" Examiner of Railway Accounts.

Exd. W. J. Lewis.

Spare Copies

N<sup>o</sup> 2747  
 Pro. of the Madras East.  
 Under date 11<sup>th</sup> Sept 75  
 Read the following

Go 13 Aug 74 No 266-268

From  
 The Examiner,  
 Railway Accounts,  
 Madras,

8<sup>th</sup> 11<sup>th</sup> Sept 75

To The Chief Engineer  
 for Irrigation in connection  
 with St. George's & Kenzie's

Dated 11<sup>th</sup> September 1875.  
 Recd. 13<sup>th</sup> Sept 75

manner

In attention to the Chief Engineer's  
 docket 12 59 dated 3<sup>rd</sup> instant, wherein  
 the undersigned has the honour  
 to say that in his opinion the  
 sum of Rs 327-10-0 paid by the  
 Manager, Madras Irrigation and  
 Canal Company, to Mr. A. L. Ranga  
 on account of wages, referred of

Recd. 18-9-75  
 C. 18-9-75  
 M. 18-9-75

Examiner, Railway Accounts,  
 Madras.

Manager, Irr. & Canal Co. 3  
 Railway Accounts 7

Acce 17  
 Dropped - 12-10-75

activity and legal expenses, may  
with propriety be sanctioned  
and charged as follows in the  
Company's Accounts.

Rs 103-1-3 to General Management Revenue

Rs 227-8-9 to Securities of Employees

330-10-0

Less 3-0-0 to be credited to Plant

Total 327-10-0

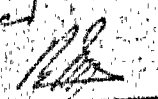
The sum of Rs 32 paid to the  
Solicitors may also be charged to  
General Management Revenue.

2. The case is herewith returned

R. G. Macdonald

Examiner Ry. & S. & S. & S.

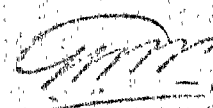
Madras

Encl.  


N<sup>o</sup> 2747  
S.M.B. Secy  
Pro. of the Madras Ry.  
Under date 11<sup>th</sup> Sept/75  
Read the following  
From  
The Exr Ry. Accounts (H. E. Secy 11<sup>th</sup> Sept/75)

The adjustment of  
the charges in connection  
with Mr. A. McKenzie's  
case in the manner  
mentioned in the docket  
from the Examiner  
of Accounts is sanctioned.

11-17/9



Offg Secy \_\_\_\_\_ 5 with 7 Encls.  
Manager Secy Genl C<sup>o</sup> 3  
H<sup>o</sup> Railway Accounts 7

Free 17

SC Inspd - 12-10-75