

No 2601 w of 6 October 82
B

Communicated
to the Supty Engrs Third
Circle, for information
and guidance.

Cy

5.10.82

Gobt. of (1882) Madras.
MILITARY.

To
THE QUARTERMASTER-GENERAL,
&c., &c., &c.

Dated September, 26th.

Issued

Recd. 4/10

Encl.

G.O., 26th September 1882, No. 5139.

No 2601 w of 6-10-82

SEPTEMBER.
Nos. 370-372.

Military Buildings.

Bellary.—Line houses in the Horse Lines
of the 2nd Light Cavalry at —, ordered to be
taken over by the Public Works Department,
the value thereof (Rs. 75) being paid to the
Officer Commanding as a military charge.

S.E. Third Circle
Gur P.W.D.
Se

With order
Entd. in Receipt Reg.

Do 17/30 11/10
His No. 2502 w of 26/9/82.

With order
50-9/10

Gobt. of (1882) Madras
MILITARY.

To
THE QUARTERMASTER-GENERAL,
&c., &c., &c.

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with order

P. W. Deptt.
Proceedings of the Madras Government
Read the following

GOVERNMENT OF MADRAS.
MILITARY DEPARTMENT.

26th September 1882, No. 5139.

Military Buildings.

Read the following papers:—

No. 370. From Lieutenant-Colonel J. EWING, Officiating Quartermaster-General, to Colonel E. L. HANKIN, Acting Secretary to Government, Military Department, Ootacamund; dated Fort St. George, 18th September 1882, No. 7481.

I have the honor, by order, to submit, for the consideration and orders of Government, the letter as per margin from the Officer Commanding 2nd Light Cavalry preferring a claim for the value of the line houses on the abolition of the contract system and requesting orders regarding their future maintenance.

2. As stated in the letter, Squadron Officers provided and maintained these houses, relieving regiments purchasing them from relieved regiments, and as they are necessary adjuncts to open lines, and cannot be said to be a part of the gear to be supplied out of the contract allowances, it would seem equitable, in the opinion of His Excellency the Commander-in-Chief, that they should be taken over and paid for by Government in the same way as all surplus articles of line gear, &c., taken over under the provisions of Clause 5 of India Army Circulars of 1882.

3. Having been taken over by Government the repairs and maintenance of the line houses would devolve on the Public Works Department.

From Lieutenant-Colonel G. S. HOOPER, Commanding 2nd Madras Cavalry, to the Adjutant-General, Fort St. George; dated Bellary, 15th August 1882, No. 277.

I have the honor to request you will be so good as to submit the following subject for the sanction and orders of His Excellency the Commander-in-Chief thereon.

2. On the abolition of the Petty and Saddle Contract Funds of the regiment on the 31st March 1882 the three line houses in the Horse Lines of the regiment were valued by the Committee at 75 rupees.

3. These line houses are absolutely requisite for storing the extra jhools, line articles, &c., in wet weather, and were the private property of Squadron Commanders, and were kept in repair by them under the old contract system.

4. The value of these houses has been disallowed by the Examiner of Ordnance Accounts for the reasons given in his letter, No. 2098, dated 20th July 1882, a copy of which is attached, and also copy of paragraph 6 of 992, dated 13th June 1882, referred to.

5. I have therefore the honor to request you will be so good as to obtain His Excellency the Commander-in-Chief's sanction for the amount being passed, and further to solicit instructions in what way these houses are for the future to be kept in repair and the department to whom they should be transferred for that purpose.

6. Similar houses are in the Artillery Lines here, and on inquiry I find that these houses are kept in repair by the Department of Public Works on the Officer Commanding forwarding a requisition to the effect that repairs are needed.

1/19/82

No. 371. *With report from the Controller of Mily. Accounts, 23rd Sept. 1882, B.*

No. 372. ORDER THEREON, 26th September 1882, No. 5139.

The line houses will be taken over by the Public Works Department, the value thereof, amounting to Rs. 75, being paid to the Officer Commanding 2nd Light Cavalry as a military charge.

(True Extract.)

(Signed) E. L. HANKIN, Colonel,
Ag. Secretary to Government.

To the Quartermaster-General.
" Public Works Department.
" Controller of Military Accounts.
" Adjutant-General, for information.

Order thereon No 2601-4 d/ 5th Oct 82

*Communicated to the
Supr Engineer, Third circle for information
and guidance*

True Extract.

/sd/ Rops Thompson Lt Col R.E.

Acting Under Secy to Govt

P.W.D.

To The Superintending Engineer, Third Circle

Exd. A. S. Rodgers.

The Engineer, P.W. Dept

Gobt. of {1882} Madras
MILITARY.

To
THE QUARTERMASTER-GENERAL,
&c., &c., &c.

Dated September, 26th.

Issued

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His No. 2502 Wd/26/9/82.

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To the Quartermaster-General.
" Public Works Department.
" Controller of Military Accounts.
" Adjutant-General, for information.

Order thereon 2601st d/ 6th Oct 82

*Communicated to
The Supg Engineer, Third Circle for
information and guidance*

(True Extract-)

/sd/ Props Thompson Lt Col R

Ag Under Secy to Govt

P.W. Dept.

To The Supg Engineer, Third Circle

The Examiner, P.W. Dept.

Exd. A. S. Rodgers.

GOVERNMENT OF MADRAS.

MILITARY DEPARTMENT.

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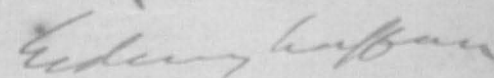
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(True Extract.)



For Ag. Secretary to Government,
Mily. Dept.

To the Quartermaster-General.
" Public Works Department.
" Controller of Military Accounts.
" Adjutant-General, for information.

No 2601 w of 6th October/82

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Communicated
to the Suply Engr Third
Circle, for information
and guidance.

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MILITARY.

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THE QUARTERMASTER-GENERAL,
&c., &c., &c.

Dated September, 26th.

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Officer Commanding as a military charge.

S.E. Third Circle

Engr P.W.D.

Withd.
Entd. in Receipt Reg.

No 2602 w of 6th Oct/82

No 1738 w of 1
No 2502 w of 26/9/82

No. 2502 W.

Quarterly list of memorials addressed to the Home for. and withheld by the Govt. of Madras, under for. of India Home Dept. Resol. No. 1772-98. of 26 Sept. 79.

Subject

From When to Date

Rules under which withheld

Nil

P.W. Secretariat,
Chennai
6th October 1882

Cu/for

10-10-82

by f.W.
5-10-82

Revenue
G.O. No. 1446 d/30 Sept 81.
1447
G.O. No. 1735 W d/10 July 82
Do 1736 W d/10-7-82
Do 1737 W d/10-7-82
Do 1738 W d/10-7-82
This No. 2502 W d/26/9/82.

No 2597 W of 5 October 82
B

Recorded with
reference to P.G. No
2502 W of 26 Sept 82.

Cu

4.10.82

No 4/10.

No. 123 L.C.

GOVERNMENT OF INDIA.

PUBLIC WORKS DEPARTMENT.

Telegraph
Establishment

To

THE Secy to the Govt. of Madras,
P.W. Department.

Simla, 21st Sept 1882.

The undersigned is directed to invite attention to the letter noted below, and to request that the reply may be expedited, favor of an early reply.

M. Sampson
Under Secretary.

No 2597 W of 5 October 82

P.W.D. No. 123 L.C., dated 11th August 1882

Enquiring whether special rates of travelling allowance are passed to Officers of the Civil Dept serving in the whole of the Malabar District, & in the portion of the Canara District under the Madras Govt Administration.

Resd. of B. No. 2502 W
26-9-82

W.C. No. 6696
Govt. of (1882) Madras.

PUBLIC.

No 2598 ~ 0/5 October
B

Recorded

Ca

4.10.82

Issued

Recd. 3/10

Encl.

G.O., 14th September 1882, No. 962.

No 2598 ~ 0/5 October
B

SEPTEMBER.

Civil Service.

Communicating letter from the Government of India, relating to certain exceptions to the rule as to the employment of natives in the — of India.

horthorpe

GOVERNMENT OF MADRAS.

PUBLIC DEPARTMENT.

READ—the following paper :—

Despatch from the Most Honorable the MARQUIS OF HARTINGTON, Secretary of State for India, to His Excellency the Most Honorable the Governor-General of India in Council, dated India Office, London, 15th June 1882, No. 17 (Judicial).

I forward, herewith, for the information and guidance of Your Excellency in Council, copies of the despatches noted in the margin, which I have addressed to the Government of Bombay on the subject

No. 9, dated 30th June 1881.	
„ 8, „ 15th „ 1882.	

of certain exceptions to the rule as to the employment of Natives in the Civil Service of India, laid down in Lord Cranbrook's Despatch, dated 10th July 1879.

ENCLOSURES.

From Her Majesty's Secretary of State for India, to the Government of Bombay, dated India Office, London, 30th June 1881, No. 9 (Legislative).

I have to acknowledge the receipt of the letters of Your Excellency in Council, No. 6, dated 21st April last, in which you forward a memorial from Mr. Webb, Barrister-at-Law, in which he requests that he may be considered eligible for the appointment of a Presidency Magistrate, or any similar office in Bombay, and No. 7, dated the 30th April last, in which, referring to Lord Salisbury's Despatch of the 28th May 1874, you state that you have appointed Mr. Webb to act as Chief Presidency Magistrate.

2. These communications have been considered by me in Council, and having regard to Lord Salisbury's Despatch, and to the expediency of having a second European Magistrate available in case of the absence of the Chief Magistrate, I am of opinion that the offices of Chief Magistrate and one of the junior Magistrates ought to be added to the exceptions to the rule laid down by Lord Cranbrook's Despatch, but that there might be inconvenience in declaring a particular person eligible for certain offices contrary to the general rule.

3. I desire that you will inform Mr. Webb of this decision.

From Her Majesty's Secretary of State for India, to the Government of Bombay, dated India Office, London, 15th June 1882, No. 8 (Judicial).

I have considered in Council Your Excellency's letter of the 28th of April last, No. 6, forwarding a memorial from Mr. R. W. S. Pinhey, praying, with reference to my predecessor's Public Despatch, No. 7, dated the 10th of July 1879, that, under the special circumstances of his case, he may be considered eligible for the appointment of a Judge of the Small Cause Court at Bombay, and also that Barristers generally may be exempted from the operation of the rule, so far as judicial appointments are concerned.

2. Your Excellency in Council inquires whether the statutory power of a Local Government to appoint the necessary number of Advocates of a High Court to be Judges of a Presidency Small Cause Court, irrespective of the nationality of such Advocates, is affected or limited by Lord Cranbrook's Despatch, expressing the opinion that it is not desirable that the legal proportion of "Advocate Judges" should be necessarily natives of India.

3. With regard to Mr. Pinhey's memorial, I request that you will inform that gentleman that I see no reason why any such exception as he suggests should be made in his case, or in the case of English Barristers generally.

4. I am of opinion, however, that the statutory power of a Local Government to appoint the necessary number of Advocates of a High Court to be Judges of a Presidency Small Cause Court is not affected or limited by Lord Cranbrook's Despatch; and to remove all doubt on the subject, those offices to which it is by law necessary to appoint a Barrister or Advocate ought to be added to the exceptions to the rule laid down in the despatch in question.

From the Government of Bombay, to Her Majesty's Secretary of State for India, dated 21st April 1881, No. 6.

We have the honor to forward, herewith, a memorial, dated the 31st ultimo, with its accompaniment, from Mr. W. Webb, Barrister-at-Law, praying, with reference to Your Lordship's predecessor's Despatch, No. 7, dated the 10th July 1879, that, under the special circumstances of his case, he may be considered eligible for the appointment of Presidency Magistrate or any similar office in the City of Bombay.

Demi-official from G. H. E. HART, Esq., Private Secretary to the Government of Bombay, to W. WEBB, Esq., dated Government House, Parell, 17th March 1881.

With reference to your note of 9th instant, the Governor desires me to explain that His Excellency in Council's non-compliance with your desire to be appointed Presidency Magistrate in succession to Mr. Nana Morjee was not due to any dissatisfaction with the manner in which you had discharged the duties of that appointment while acting therein on previous occasions. But the Secretary of State has lately prohibited in stringent terms the appointment of any one save a Covenanted Civilian, a Staff Corps Officer, or a Native of India, to any post with a salary of Rs. 200 a-month or more, with some few exceptions, among which Presidency Magistracies are not included. You will therefore perceive that glad as His Excellency would have been to consider your wishes in this matter, it was impossible for him, in the face of the Secretary of State's prohibition, to appoint you to the Bench, *vice* Mr. Nana Morjee.

From the Government of Bombay, to the Secretary of State for India, dated Bombay Castle, 30th April 1881, No. 7.

With reference to Lord Salisbury's Despatch, No. 9, dated 28th May 1874, we have the honor to report, for Your Lordship's information, that we have appointed Mr. W. Webb, Barrister-at-Law, to act as Chief Presidency Magistrate, Bombay, in the place of Mr. C. P. Couper, who has been allowed privilege leave.

* From 7th July to 17th October 1875.
" 3rd April 1877 to 25th June 1878.
" 24th April to 4th June 1880.

2. Mr. Webb acted as Chief Presidency Magistrate on three* previous occasions, and we consider him in every way fit to discharge the duties of that office.

From the Government of Bombay, to Her Majesty's Secretary of State for India, dated 28th April 1882, No. 6.

We have the honor to forward, herewith, for the orders of Your Lordship in Council, a memorial, dated the 27th ultimo, from Mr. R. W. S. Pinhey, Barrister-at-Law, praying with reference to Lord Cranbrook's Despatch, No. 7, dated the 10th July 1879, that, under the special circumstances of his case, he may be considered eligible for the appointment of a Judge of the Court of Small Causes at the Presidency.

2. If the above despatch applies to such an appointment, we do not recommend that an exception should be made in favor of the memorialist; but we beg leave to inquire, with reference to the Acts marginally quoted, whether the statutory power of a Local Government to appoint the necessary number of Advocates of a High Court to be Judges of a Presidency Small Cause Court, irrespective of the nationality of such Advocates, is affected or limited by Lord Cranbrook's Despatch. In our opinion it is not desirable that the legal proportion of "Advocate Judges" should be necessarily natives of India.

Act IX of 1850, Section 8.
Act XXVI of 1864, Sections 12 and 14.
Act XV of 1882, Section 7.

3. We desire to add that it is our intention to appoint a native of India to fill the acting vacancy referred to in the accompanying memorial.

No. 16-1142.

Endorsement on the above.

Copy of the above, together with copy of the despatches marginally noted, forwarded to the Government of Bombay, to the Secretary of State, No. 6, dated 21st April 1881. Government of Madras for information, with reference to the despatch addressed to that Government by Her Majesty's Secretary of State for India, No. 9 (Public), dated 10th July 1879.

(By Order.)

HOME DEPT. (JUDL.),
SIMLA, 11th August 1882.

(Signed) A. MARTINDALE,
Offg. Under Secy. to the Govt. of India.

To the Secretary to the Government of Madras.

ORDER—dated 14th September 1882, No. 962, Public.

Communicated to the Departments of the Secretariat.

2. It is observed that the addition of the offices of Chief Magistrates and one of the Presidency Magistrates to the exceptions to the rule laid down in Lord Cranbrook's Despatch (Public No. 9) of 10th July 1879, is new; but the Secretary of State had already informed this Government that where the law directs that the incumbent of an office shall be a "Barrister" no restriction as to race or domicile could be imposed (Despatch, Judicial No. 13, dated 28th October 1880).

(True Extract.)

Chief Secretary.

To the Revenue Department.
" Military Department.
" Public Works Department.
" High Court of Judicature, with covering letter.
" Judicial Department.

Exd. J. Wright.

Intd. in Receipt Recd.

PROCEEDINGS OF THE MADRAS GOVERNMENT.

PUBLIC WORKS DEPARTMENT.

Under date the 5th October 1882
Read the following:—

Letter from the Genl. Supt.
P. W. Workshops

A.C. No. 14, 15 W. d. 5th Sept/82

The question raised in the foregoing Correspondence should be submitted for the Consideration of Government at the time of Clerk Mr. Ruthna Moodelliar's retirement, with reference to Section 135 of the Civil Pension Code.

Ca

3.10.82

To
The Genl. Supt. P. W. Stores,
With 1 enclosure.
S. W. Moore

24/11

5/10/82

R. No 438 d. 9.9.82

No 1052 d. 8.9.82

To C

For remarks

7/9. *Ca*
For W.

Ca
No 534 d. 29 Sept/82
Encl

THE QUESTION OF RUTHNA MUDALIAR'S SERVICES FROM 7TH JUNE 1873 TO 6TH NOVEMBER 1873 BEING COUNTED TOWARDS PENSION SHOULD BE SUBMITTED AT THE TIME OF HIS RETIREMENT WITH REFERENCE TO SECTION 135 OF THE CIVIL PENSION CODE.

2. SHOULD GOVT. CONSIDER THAT THE ARRANGEMENT WAS MADE IN THE INTERESTS OF THE PUBLIC SERVICE, THERE APPEARS NO OBJECTION TO THE PERIOD IN QUESTION BEING COUNTED TOWARDS PENSION UNDER THE PROVISIONS OF SECTION 71 OF THE CIVIL PENSION CODE.

De

29/9

Ca
28/9

P. W. C. No 6046
Presidency P. W. Workshops
THE GENERAL SUPERINTENDENT
P. W. WORKSHOPS,
Madras.

From

To

The Chief Engineer
Chepauk

No. 1415 W.

Dated 5th
Despd. 6th Sept 1882
Recd. 6th

No. of ENCLOSURES. 1

Subject.

Requests to recommend to Govt. Ruthna Moodliar's request to include his temporary service in the workshops stores in service counting towards pension

with receipt kept

PRESIDENCY PUBLIC WORKS WORKSHOPS,
Madras, 5th September 1882.

No. 1415 W.

From

THE GENERAL SUPERINTENDENT,

PUBLIC WORKS WORKSHOPS,

To

THE Deputy Chief Engineer
P. W. W.
Chepauk.

Sir,

I have the honor to forward the accompanying letter from M. Ruttura Moodie, Clerk in the P. W. Workshop, Soliciting that the period during which he was employed in the P. W. Workshop Stores, viz from 7th June 1873 to 6th November 1873, may be counted towards pension. The facts of the case are clearly stated in the letter, and I beg to recommend that the applicant's request may be granted.

I have the honor to be
Sir

Your Most Obedt. Servant

McBride & Co. Secy. P. W. W.

Genl. Supt. P. W. Workshop

of G. O. No. 2185 W dated 24th August